1. Housing Committee Agenda

   Documents:

   00 HC AGENDA - 11.08.17.PDF

2. Review And Accept Minutes Of Previous Meeting Held On October 26, 2017

   Documents:

   01 FINAL - MINUTES HOUSING COMMITTEE 10.26.2017.PDF

3. COMMUNICATION ITEM: Follow-Up Information To The 2017 Housing Report

   Documents:

   02 FINAL - COMMUNICATION ITEM FOLLOW-UP INFORMATION TO THE 2017 HOUSING REPORT.PDF

4. Review And Discussion Of Proposed Amendments To The Inclusionary Zoning Ordinance.

   Documents:

   03 PROPOSED AMENDMENTS TO THE INCLUSIONARY ZONING ORDINANCE.PDF

5. Review And Discussion Of Housing Policy Proposals Included In The 2017 Housing Report. The Discussion Topics Will Include, But Not Be Limited To:

   Documents:

   04 HOUSING POLICY PROPOSLS.PDF

   5.I. Report On Committee And Public Feedback (Results From The Feedback Form Will Be Provided At The November 8th Meeting)

   5.I.i. Summary Of Initial Feedback Of Housing Policy Proposals (As Of 11-7-17)

   Documents:

   FINAL 11-7-17 SUMMARY OF INITIAL FEEDBACK OF HOUSING POLICY PROPOSALS.PDF

6. Update On Short Term Rental Registration Data

   Documents:

   05 SHORT TERM RENTAL REGISTRATION UPDATE.PDF

7. Review Of Draft 2017 Committee Report

   Documents:

   06 FINAL 2017 HOUSING COMMITTEE REPORT 10.30.2017.PDF

8. Committee Discussion Re: 2017 And 2018 Work Plan

8.I. December Meeting Date

Documents:

07.A. FINAL 2017 HC WORKPLAN 11.01.2017.PDF

8.II. Items To Refer To 2018 Housing Committee

Documents:

07.B. FINAL 2018 WORK PLAN SUGGESTIONS 11.01.2017.PDF

HOUSING COMMITTEE

DATE: **Wednesday, November 8, 2017**
TIME: **5:30 p.m. – 7:30 p.m.**
LOCATION: **City Hall – Room 209**

A G E N D A

1. Review and accept Minutes of previous meeting held on October 26, 2017

2. COMMUNICATION ITEM: Follow-up information to the 2017 Housing Report.

3. Review and Discussion of Proposed Amendments to the Inclusionary Zoning Ordinance.

4. Review and Discussion of Housing Policy Proposals included in the 2017 Housing Report. The discussion topics will include, but not be limited to:

    a. Report on Committee and Public Feedback (Results from the feedback form will be provided at the November 8th meeting).

5. Update on the Short Term Rental Registration Process (A data update will be available at the November 8th meeting).

6. Review of Draft 2017 Committee Report

7. Committee Discussion re: 2017 and 2018 Work Plan
    a. December Meeting Date
    b. Items to refer to 2018 Housing Committee

Councilor Jill Duson, Chair

Next Meeting Date: TBD

Housing Committee

Minutes of October 26, 2017 Meeting

A meeting of the Portland City Council's Housing Committee (HC) was held on Thursday, October 26, 2017 at 5:30 P.M. in Room 24 of Portland's City Hall. Councilors present at the meeting included Committee members Councilor David Brenerman, Councilor Brian Batson, Councilor Jill Duson, Chair of the Committee and Councilor Belinda Ray. City staff present included Mary Davis, Division Director Housing and Community Development; Victoria Volent, Housing Program Manager; and James Dealaman, Administrative Officer for the Planning & Urban Development Department.

Item 1: Review and accept Minutes of previous meeting held on September 26, 2017

Councilor Batson motioned and Councilor Brenerman seconded to accept the minutes from the September 26, 2017 Housing Committee meeting. Minutes were unanimously approved 3-0.

Item 2: Feedback Forms – Proposed Housing Policy Initiatives

Councilor Duson explained that she saw this type of detailed report being produced every other year and a report on housing policies and initiatives produced in the interim year. She asked the public to offer their input on the report and policy proposals by using the feedback form provided. After comment from the public, the committee directed staff to make the form fillable on the city's website. Councilor Duson requested that the "bucket list" of ideas created in 2016 be posted as well.

Mary Davis began the staff introduction of the report with by thanking Victoria Volent and James Dealaman for their work in creating the report. Ms. Davis then went on to explain the committee and council directive for the creation of the report and provided an overview of the three themes of the report, (1) data to establish a benchmark; (2) report out on the city's "tool box" of policies, initiatives and resources; and (3) introduction of new policies and initiatives for the committee to consider adding to the "tool box".

James Dealaman discussed Section I and provided highlights on some of the data. Mr. Dealaman explained Section I was mainly based on the most recent American Community Survey (ACS) 2011-2015 5-year estimates released by the U.S. Census Bureau, indicating that although these estimates are not the most current, the 5-year estimates are usually considered the most reliable with the largest sample size over a longer period of time and have less of a margin of error than the one-year estimates.

Section I committee questions –

Councilor Brenerman asked for clarification on the rent affordability section. Ms. Volent explained that staff included different data sources in order to identify the most current neighborhood rental data;

and each data source may not match one another due to each source collecting its data differently. All of the councilors indicated that they would like to see better rental data.

Councilor Duson reminded the committee that staff will keep track of the questions asked by the committee and will respond in a memo to the committee.

Councilor Batson indicated that rental data would be more helpful if it could be broken down by number of bedrooms and by neighborhoods.

Councilor Duson suggested that staff should consider recommending that landlords report rent in landlord registration.

Councilor Ray asked if PHA units were included in land use chart; Mr. Dealaman indicated they should be included in the count if they were primarily being used for a residential purpose, but agreed to confirm that they were included. Councilor Ray also expressed surprise at the small number of condominium conversions.

Councilor Duson inquired if staff had any indication that these numbers on the condominium conversions were skewed. Mary Davis responded that the conversion data was based on the number of condominiums conversion permits that were issued. Councilor Duson expressed concerns that enforcement might be something staff could explore whether there were conversions occurring that weren't being permitted.

Councilor Ray inquired if the median sale price mortgage costs include taxes.

Councilor Brenerman indicated that the bullet point on page 20 "976 homes sold in Portland in 2016 only 34 were considered affordable" does not seem to make sense. Staff will verify affordability index conclusions.

Councilor Batson inquired about the demographic data and asked whether data was also available that includes the incomes of individuals moving to Portland.

Councilor Ray believes that defining affordability as spending no more than 30% of income on housing is reasonable guideline; if you are paying more one unexpected event can impact your ability to continue to pay at that level. She is opposed to changing the 30 percent standard when interpreting affordability.

Section II

Councilor Duson referred to the Bayside Public Works site as an example of using city land resources to leverage new housing units.

Councilor Brenerman asked if staff had any feedback from developers regarding the decision to pay the inclusionary zoning fee in lieu instead of creating the affordable unit on site.

Councilor Ray inquired if, based on the information, the fee in-lieu is priced correctly. She inquired if staff have looked at a recent Inclusionary Zoning Analysis.

Councilor Duson indicated that she believes homeownership is an important part of the market and people are really struggling to afford purchasing a home; she is interested in exploring a homebuyer program.

Councilor Ray indicated that she is very interested in the concept of a hotel linkage fee because there is a direct correlation because new hotels are creating jobs for people who can't afford to live in Portland; the linkage fee would address the impact directly; she suggested a review of the policy that is in place in Boston; and believes the hotel linkage fee provides a great way to capitalize the housing trust fund.

Councilor Ray indicated her top five proposed policy initiatives are homebuyer assistance, foreclosure prevention; securing TBRA, hotel linkage fee and a community land trust.

Councilor Duson requested that committee members and the public complete the feedback form indicating the top 5 policy proposals and the committee would review the results at the November 8th meeting. She also asked staff to provide feedback on feasibility of making progress on these priorities, prioritizing resources, etc.

Item 3: Committee discussion re: 2017 & 2018 Work Plan

Councilor Duson indicated that a key action for the remainder of the year would be for staff to pull together a yearend report for next committee to review and to be provided as a communication item to the Council.

The next meeting of the Housing Committee will be held on November 8th at 5:30 in Room 209.

The meeting was adjourned at 7:15 pm.

Respectfully submitted,

Mary Davis

Portland, Maine — Yes. Life's good here.

Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Mary Davis, HCD Division Director
Victoria Volent, Housing Program Manager
James Dealaman, Admin. Officer

DATED: November 3, 2017

SUBJECT: Communication Item: Follow-up Information to the 2017 Housing Report

The following memo is included in response to committee feedback heard at the October 26th Housing Committee meeting. Staff will respond to requests and questions made by Councilors, and outline additional information for clarification.

Proposed Housing Policy Initiatives - Public Feedback Form

Per the committee's request, an electronically formatted survey has been created seeking Portland resident feedback on policy proposals highlighted in the 2017 Housing Report. Responses submitted through November 5th, will be reviewed by staff to be included at the November 8th meeting. The survey will continue to collect public feedback until January 7th 2018 for review during the first Housing Committee meeting of 2018.

The link to the survey can be found on Housing and Community Development's webpage here:

http://portlandmaine.gov/775/Housing-and-Community-Development

Response to Councilor Questions:

1. *What level of detail is available from the U.S. Census Bureau regarding income and housing affordability data?*

Data by Census Tract and Block Group is available through the 2011- 2015 American Community Survey 5 –Year Estimate (i.e. essentially reporting at the neighborhood level); other topics available are:

- Gross Rent as a Percentage of Household (Renter) Income
- Mortgage Status as a Percentage of Household (Owner) Income (provides the number of houses with a mortgage, and what percentage of the household income is spent on the mortgage)

- Age of Householder by Percentage of Household Income towards Monthly Mortgage
- Contract/Asked Rent

The 2011-2015 American Community Survey 5-Year Estimates also provide data on the following topics:

- Poverty levels (in greater depth)
- Housing Heating Fuel, Inclusion of Utilities in Rent
- Means of Transportation to Work
- Number of Children in Households
- Household Size by Number of Workers in Household
- Bedrooms by Gross Rent

Many of these data sets, by themselves, are limited in scope with regard to considering all the factors that influence affordability. Many ACS estimates are depicted as household estimates, so the ability to interpret one data set to learn the per person affordability within a household is limited. If data sets are compatible to be combined with others, a customized report may possible in order to provide a better snapshot of affordability. For instance, comparing household income levels with number of children present in those households, (an added cost that affects affordability,) as well as factoring in the number of workers per household and ultimately what percentage of their income is spent on rent is valuable data not readily available.

The Census Bureau does offer a custom tabulation service that can be utilized by the public, but charges a fairly significant fee based on the complexity of the request.

Despite the inherent challenges of using household data, based on committee feedback from the October 26th meeting, staff took the liberty of pulling specific data on owner and renter costs showing the percentages of income going to housing costs that exceeded 30 percent. The following two graphs show the percentages of incomes being spent on housing costs in greater detail.

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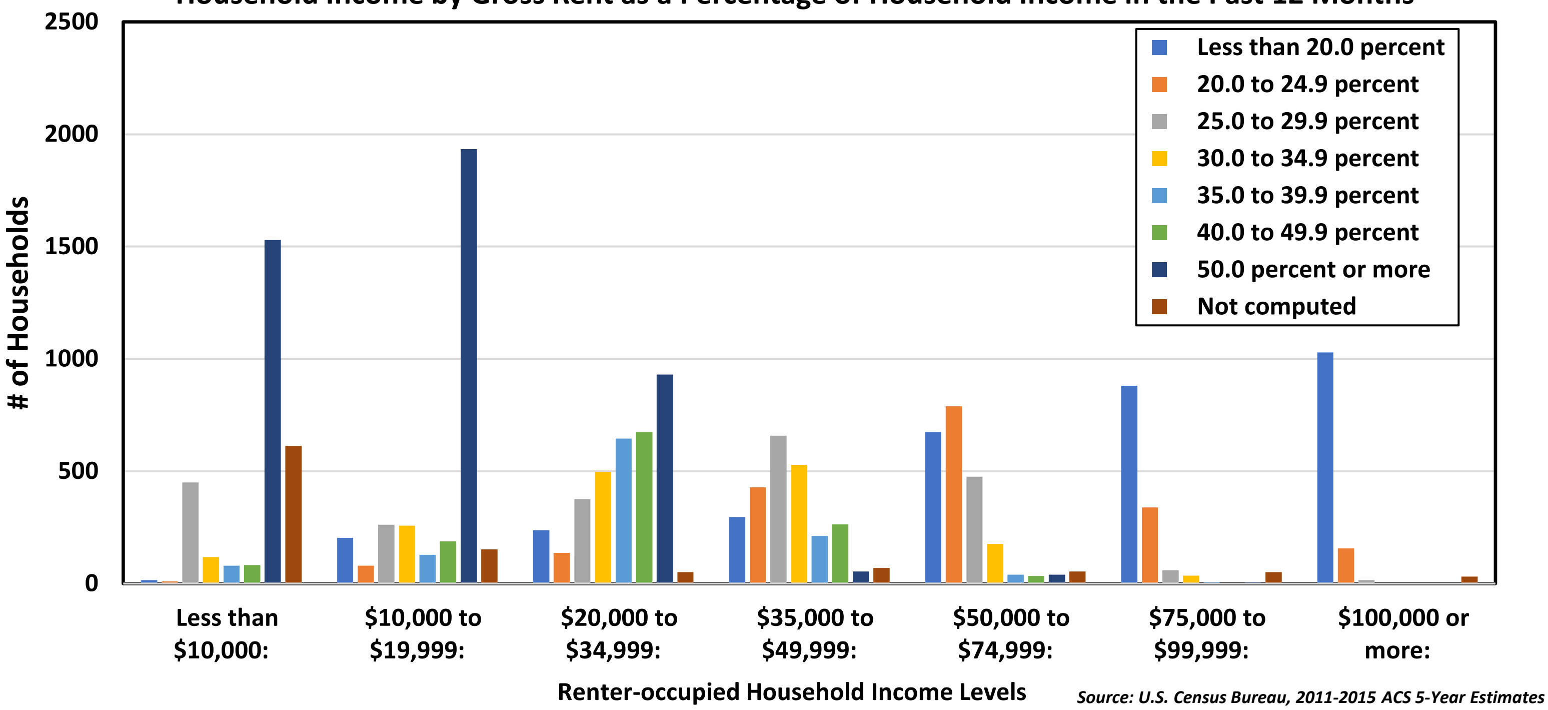
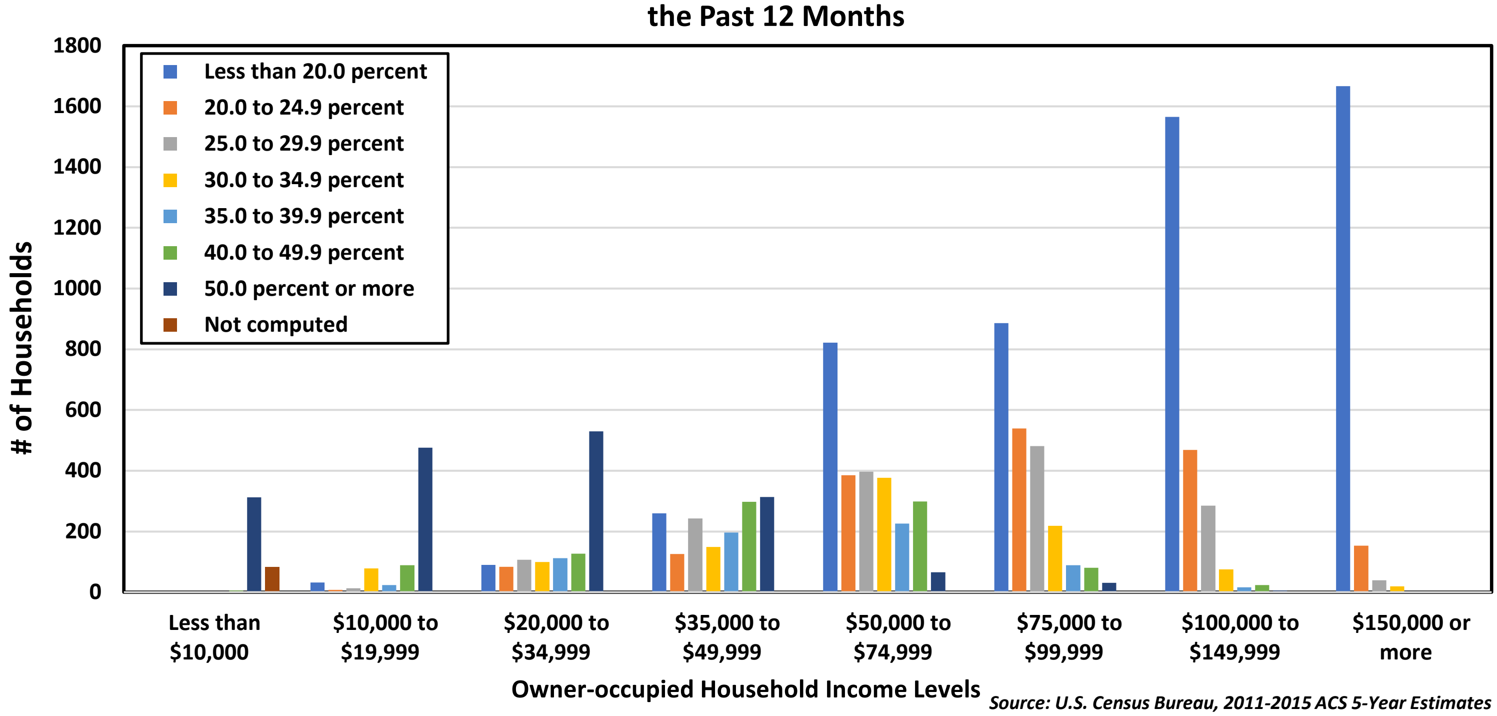
Planning & Urban Development Department

Household Income by Gross Rent as a Percentage of Household Income in the Past 12 Months



Household Income by Selected Monthly Owner Costs as a Percentage of Household Income in the Past 12 Months



The above graphs are an enhanced representation of the Monthly Housing Costs as a Percentage of Household Income graph included on page twenty of the Housing Report. "Monthly Housing Costs," as highlighted in the report, is built around "Selected Monthly Owner Costs," for owner-occupied units, and "Gross Rent," for renter-occupied units, as the enhanced graphs above will indicate. These graphs are modified to show number of households versus showing the percentage of households in each group, and is enhanced to include more categories of income levels and percentages of income as well as showing percentages of income that exceed 30 percent in order to better show affordability. (Please note that the category, "Not Computed" simply means units for which no rent is paid and/or units occupied by households that reported no income or a net loss in income.)

Below are the U.S. Census Bureau definitions for Selected Monthly Owner Costs, and Gross Rent:

"Selected Monthly Owner Costs

Selected monthly owner costs are calculated from the sum of payment for mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees. Listing the items separately improves accuracy and provides additional detail. When combined with income, a new item is created – Selected Monthly Owner Costs as a Percentage of Household Income. This item is used to measure housing affordability and excessive shelter costs. For example, many government agencies define excessive as costs that exceed 30 percent of household income.

Gross Rent

The amount of the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc.) if these are paid for by the renter (or paid for the renter by someone else). Gross rent is intended to eliminate differentials which result from varying practices with respect to the inclusion of utilities and fuels as part of the rental payment."

Neither the Census Bureau nor HUD provide data based on the subject topic *gross rent as a percentage of income by bedroom count.*

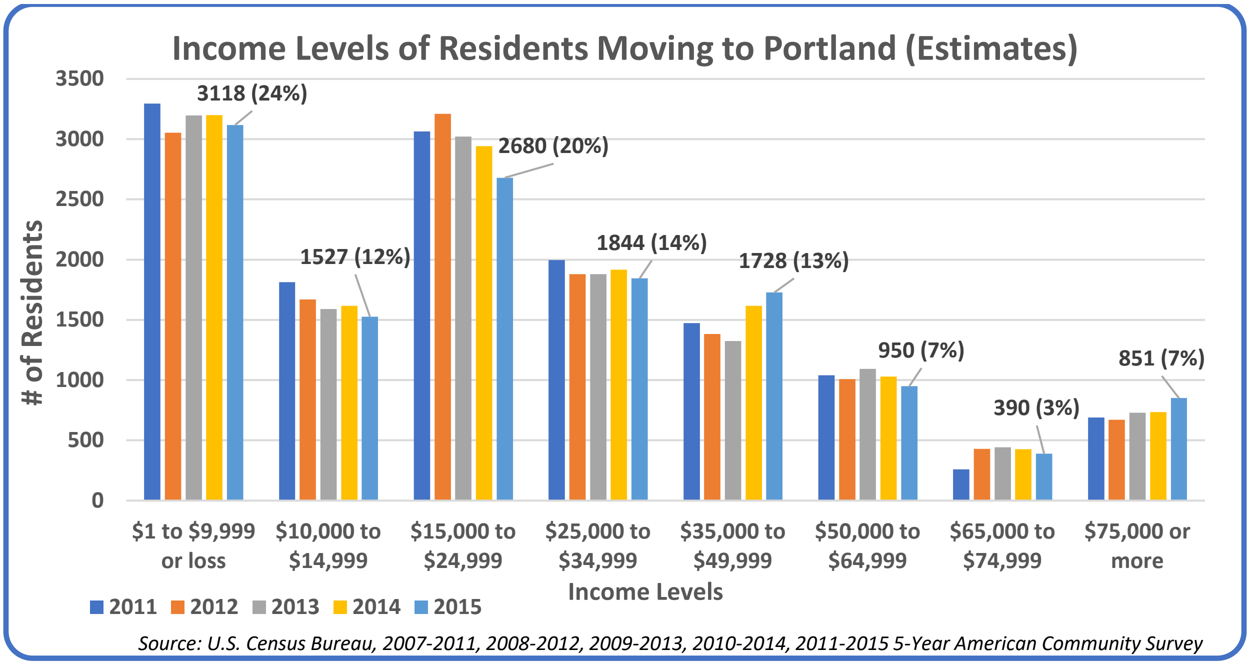
2. *Are Portland Housing Authority's properties included in the primarily residential land-uses section (p.23)?*

After future investigation staff discovered that a majority of PHA properties were listed by the Assessor's Office under an Exempt land-use, and not included in the living unit count. In addition to the primarily residential living unit estimate (on p. 22) listing 31,335 possible living units, there appear to be roughly **2,634** living units existing under properties listed as Exempt

Governmental, and Exempt Benevolent and Charitable which would bring the actual number of livable units to almost 34,000 housing related units. Staff will incorporate exempt land-use into the next housing report.

3. *Is it possible to determine the income levels of residents moving to Portland?*

The following graph depicts a collection of U.S. Census 5-year estimates over the past five years to generally show the estimated number of residents moving to Portland and their estimated median income levels. Please note the data chosen is based on all income earners ages 15 years and older, and only shows income earners exclusively. The yearly inflow of residents represents roughly 25 percent of all Portland Income earners.



4. *Does the term, "household" used throughout the report factor in all occupants paying towards the cost of the housing unit?*

Based on the U.S. Census definition of "household," all people occupying a housing unit should be considered by the survey (definition can be found on p. 9 of report).

5. *Can the meaning of "affordable" be interpreted in different ways?*

Definitions of Affordable:

General Definition: households should pay no more than 30% of their income for housing, including utilities

HUD Definition: "**AFFORDABLE HOUSING:** In general, housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs."

Fannie Mae Definition: uses HUD's definition of Affordable

Freddie Mac Definition: uses HUD's definition of Affordable

National Low Income Housing Coalition Definition: An affordable rental home is one which a household at the defined income threshold can rent without paying more than 30% of its income on housing and utility costs.

The 30% standard can be applied to any income group. It is mostly used, however, to assess housing available to families earning less than the area median income. Those families are typically classified into "very low income" families earning less than 50% of area median income (AMI), "low income" families earning 50 to 80% of AMI, and "moderate income" families earning 80 to 100% of AMI.

Additional Information

1. **Income by Neighborhood (Census Block Groups)**

In response to the Committee's interest for city income data based on neighborhood, the most approachable map that can be produced from Census data is illustrated by Census Block Groups. The attached map (See Attachment D) is based on the U.S. Census ACS 2011-2015 5-year estimates, and produced by Nasir Shir, GIS Manager, City of Portland.

2. **Impacts of the R-6 Zone Changes**

The Planning Division is currently conducting an audit of the R-6 zone, which is nearing its completion, with an analysis expected to be available by early 2018.

Attachments:

Attachment A. Maine State Housing Authority's *2016 Housing Facts and Affordability Index for Portland-South Portland MA Housing Market*,

Attachment B. Excerpt taken from the 2006 U.S. Census publication: *Who can Afford to Live in a Home?*

Attachment C. Excerpt taken from the Greater Portland Council of Government 2015 report: *Portland 2030 Workforce Housing Demand*

Attachment D. Map of Median Household Income by Census Block Group

Attachment A.

2016 Housing Facts and Affordability Index for Portland-South Portland MA Housing Market

Homeownership Affordability Index Portland-South Portland MA Housing Market	Year	Index	Median Home Price[1]	Median Income[2]	Income Needed to Afford Median Home Price	Home Price Affordable to Median Income
	2012	0.89	$215,000	$54,459	$61,133	$191,529
	2013	0.90	$222,500	$57,471	$64,091	$199,518
	2014	0.94	$226,200	$59,669	$63,586	$212,265
	2015	0.93	$232,000	$60,176	$64,940	$214,980
	2016	0.86	$245,000	$59,704	$69,528	$210,382
Frye Island		0.42	$245,000	$31,429	$74,410	$103,482
Long Island		0.49	$375,000	$47,237	$96,962	$182,688
Portland		0.55	$262,250	$43,829	$80,110	$143,479
Yarmouth		0.65	$369,900	$74,758	$114,352	$241,822
Falmouth		0.67	$472,500	$89,565	$133,414	$317,203
Westbrook		0.70	$217,400	$45,002	$64,153	$152,501
Biddeford		0.71	$207,450	$44,369	$62,585	$147,069
Kennebunkport		0.71	$446,950	$82,424	$115,872	$317,931
Old Orchard Beach		0.74	$215,500	$45,579	$61,768	$159,018
Scarborough		0.74	$342,625	$72,632	$97,967	$254,020
Freeport		0.78	$315,000	$70,714	$90,574	$245,930
South Portland		0.78	$239,450	$54,912	$70,176	$187,366
Pownal		0.79	$259,250	$60,762	$77,076	$204,376
Saco		0.82	$236,500	$57,329	$69,809	$194,219
North Yarmouth		0.82	$327,500	$79,102	$96,040	$269,741
Cape Elizabeth		0.83	$420,000	$101,563	$122,641	$347,817
Newfield		0.84	$159,000	$36,645	$43,475	$134,020
Portland-South Portland MA Housing Market		0.86	$245,000	$59,704	$69,528	$210,382
Durham		0.89	$242,250	$63,054	$70,608	$216,334
Sebago		0.89	$178,356	$44,835	$50,182	$159,351
Cumberland		0.93	$371,000	$100,990	$109,128	$343,335
New Gloucester		0.93	$219,000	$58,008	$62,149	$204,407
Kennebunk		0.94	$287,850	$76,059	$81,333	$269,183
Buxton		0.96	$230,000	$61,549	$63,792	$221,911
Gray		0.97	$212,500	$59,840	$61,732	$205,989
Maine		0.97	$184,000	$50,990	$52,545	$178,552
Alfred		0.98	$219,000	$60,675	$61,954	$214,479
Cornish		0.99	$146,450	$40,948	$41,173	$145,651
Parsonsfield		1.00	$143,000	$41,094	$41,063	$143,108
Windham		1.02	$220,000	$63,739	$62,567	$224,122
Naples		1.03	$189,000	$54,438	$52,995	$194,148
Raymond		1.04	$246,500	$70,158	$67,577	$255,916
Arundel		1.05	$251,575	$74,831	$71,394	$263,687
Gorham		1.06	$250,000	$75,950	$71,982	$263,779
Standish		1.07	$215,000	$63,151	$59,217	$229,282
Casco		1.08	$160,000	$49,225	$45,506	$173,075
Limington		1.08	$190,000	$55,844	$51,477	$206,120
Hollis		1.09	$213,250	$63,743	$58,233	$233,429

MaineHousing
Maine State Housing Authority

2016 Housing Facts and Affordability Index
for Portland-South Portland MA Housing Market

Lyman	1.14	$224,500	$70,202	$61,826	$254,915
Porter	1.16	$131,400	$43,172	$37,118	$152,832
Dayton	1.21	$236,000	$85,714	$70,920	$285,230
Limerick	1.23	$165,250	$57,565	$46,689	$203,743
Baldwin	1.28	$159,000	$56,195	$44,013	$203,006
Hiram	1.30	$130,000	$48,200	$36,963	$169,520
Waterboro	1.38	$160,000	$62,366	$45,115	$221,183

The Homeownership Affordability Index is the ratio of Home Price Affordable at Median Income to Median Home Price. An index of less than 1 means the area is generally unaffordable - i.e., a household earning area median income could not cover the payment on a median priced home (30 year mortgage, taxes and insurance) using no more than 28% of gross income.

2016 Housing Facts and Affordability Index for Portland-South Portland MA Housing Market

Households Unable to Afford Median Home

Location	Households Unable to Afford Median Home		Total Households	Median Home Price[1]	Income Needed to Afford Median Home	
	Percent	Number			Annual	Hourly
Frye Island	93.3%	14	15	$245,000	$74,410	$35.77
Long Island	89.4%	101	113	$375,000	$96,962	$46.62
Portland	74.0%	23,323	31,524	$262,250	$80,110	$38.51
South Portland	65.7%	7,448	11,330	$239,450	$70,176	$33.74
Pownal	65.7%	397	604	$259,250	$77,076	$37.06
North Yarmouth	65.5%	903	1,378	$327,500	$96,040	$46.17
Scarborough	64.6%	5,101	7,892	$342,625	$97,967	$47.10
Westbrook	64.5%	5,123	7,939	$217,400	$64,153	$30.84
Freeport	64.2%	2,160	3,362	$315,000	$90,574	$43.55
Biddeford	63.4%	5,495	8,667	$207,450	$62,585	$30.09
Old Orchard Beach	63.4%	2,973	4,689	$215,500	$61,768	$29.70
Saco	63.1%	5,077	8,049	$236,500	$69,809	$33.56
Yarmouth	62.8%	2,279	3,628	$369,900	$114,352	$54.98
Portland-South Portland MA Housing Market	61.8%	96,767	156,485	$245,000	$69,528	$33.43
Kennebunkport	59.9%	971	1,620	$446,950	$115,872	$55.71
Durham	58.7%	873	1,487	$242,250	$70,608	$33.95
Newfield	57.9%	382	661	$159,000	$43,475	$20.90
Sebago	56.9%	481	845	$178,356	$50,182	$24.13
Falmouth	55.1%	2,554	4,633	$472,500	$133,414	$64.14
New Gloucester	53.4%	1,172	2,195	$219,000	$62,149	$29.88
Kennebunk	53.3%	2,705	5,077	$287,850	$81,333	$39.10
Raymond	53.0%	974	1,838	$246,500	$67,577	$32.49
Maine	52.5%	296,838	564,989	$184,000	$52,545	$25.26
Buxton	51.9%	1,660	3,199	$230,000	$63,792	$30.67
Gray	51.3%	1,704	3,321	$212,500	$61,732	$29.68
Alfred	51.1%	636	1,244	$219,000	$61,954	$29.79
Cornish	50.2%	328	653	$146,450	$41,173	$19.79
Arundel	50.1%	806	1,608	$251,575	$71,394	$34.32
Parsonsfield	50.0%	422	844	$143,000	$41,063	$19.74
Cumberland	49.5%	1,457	2,941	$371,000	$109,128	$52.47
Gorham	49.4%	3,015	6,102	$250,000	$71,982	$34.61
Cape Elizabeth	49.3%	1,846	3,745	$420,000	$122,641	$58.96
Windham	49.0%	3,242	6,611	$220,000	$62,567	$30.08
Naples	48.6%	781	1,608	$189,000	$52,995	$25.48
Standish	46.8%	1,720	3,676	$215,000	$59,217	$28.47
Limington	46.2%	682	1,477	$190,000	$51,477	$24.75
Casco	45.8%	732	1,598	$160,000	$45,506	$21.88
Hollis	45.4%	766	1,687	$213,250	$58,233	$28.00
Lyman	44.3%	770	1,738	$224,500	$61,826	$29.72
Dayton	42.1%	320	760	$236,000	$70,920	$34.10

MaineHousing
Maine State Housing Authority

2016 Housing Facts and Affordability Index
for Portland-South Portland MA Housing Market

Porter	41.3%	256	620	$131,400	$37,118	$17.85
Baldwin	39.2%	234	596	$159,000	$44,013	$21.16
Hiram	39.0%	265	680	$130,000	$36,963	$17.77
Limerick	38.6%	438	1,134	$165,250	$46,689	$22.45
Waterboro	34.2%	1,005	2,944	$160,000	$45,115	$21.69

2016 Housing Facts and Affordability Index for Portland-South Portland MA Housing Market

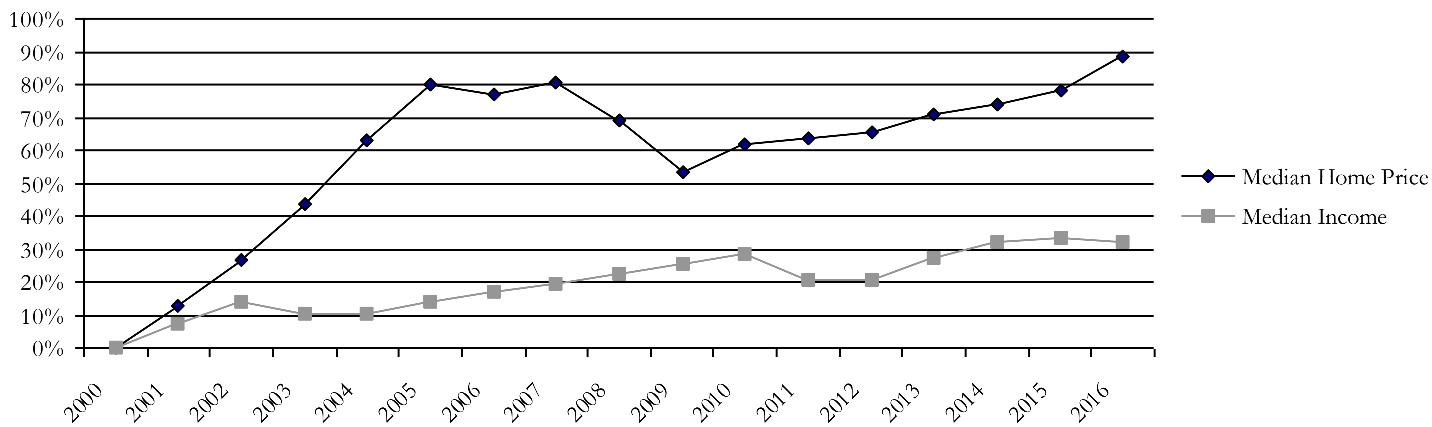
Unattainable Homes as a Percentage of Homes Sold

Location	Percentage of Unattainable Homes	Affordable Homes Sold	Unattainable Homes Sold
Portland	96.5%	34	942
Frye Island	95.2%	1	20
Westbrook	87.5%	44	307
Pownal	86.7%	2	13
Yarmouth	86.3%	18	113
Biddeford	84.5%	40	218
Falmouth	79.9%	46	183
South Portland	79.3%	81	311
Scarborough	76.8%	92	304
North Yarmouth	75.0%	13	39
Old Orchard Beach	74.7%	69	204
Kennebunkport	72.0%	23	59
Saco	70.7%	98	236
Freeport	67.9%	50	106
Durham	67.8%	19	40
Portland-South Portland MA Housing Market	67.3%	2,174	4,471
Sebago	64.4%	16	29
Newfield	63.4%	15	26
Cape Elizabeth	63.2%	64	110
Alfred	62.8%	16	27
Gray	57.7%	71	97
New Gloucester	57.5%	31	42
Kennebunk	56.4%	130	168
Buxton	54.5%	51	61
Cumberland	54.1%	95	112
Maine	52.8%	9,555	10,689
Windham	50.5%	181	185
Cornish	50.0%	16	16
Gorham	49.8%	136	135
Parsonsfield	48.1%	14	13
Naples	47.7%	69	63
Raymond	47.1%	54	48
Standish	40.5%	91	62
Arundel	40.4%	28	19
Limington	40.4%	28	19
Casco	39.2%	62	40
Hiram	33.3%	18	9
Hollis	33.3%	54	27
Lyman	32.1%	38	18
Porter	30.0%	14	6
Limerick	25.0%	42	14
Waterboro	22.1%	134	38

2016 Housing Facts and Affordability Index
for Portland-South Portland MA Housing Market

Baldwin	21.7%	18	5
Dayton	21.4%	22	6
Long Island	100.0%	10	0

Relative Increases in Income and Home Price [3]



Rental Affordability Index

Portland-South Portland MA Housing Market	Year	Index	Average 2 BR Rent (with utilities) [4]	Renter Household Median Income [2]	Income Needed to Afford Average 2 BR Rent	2 BR Rent Affordable to Median Income
	2012	0.91	$970	$35,387	$38,786	$885
	2013	0.81	$1,114	$36,234	$44,561	$906
	2014	0.72	$1,238	$35,530	$49,507	$888
	2015	0.72	$1,276	$36,600	$51,058	$915
	2016	0.84	$1,025	$34,524	$41,002	$863
Portland		0.74	$1,052	$31,028	$42,075	$776
Biddeford		0.79	$986	$31,118	$39,445	$778
Portland-South Portland MA Housing Market		0.84	$1,025	$34,524	$41,002	$863
Maine		0.85	$872	$29,588	$34,873	$740
Yarmouth		0.86	$1,389	$48,027	$55,544	$1,201
Old Orchard Beach		0.91	$974	$35,301	$38,949	$883
South Portland		1.00	$956	$38,232	$38,257	$956
Freeport		1.01	$928	$37,418	$37,139	$935
Saco		1.06	$923	$39,270	$36,936	$982
Windham		1.08	$930	$40,155	$37,200	$1,004

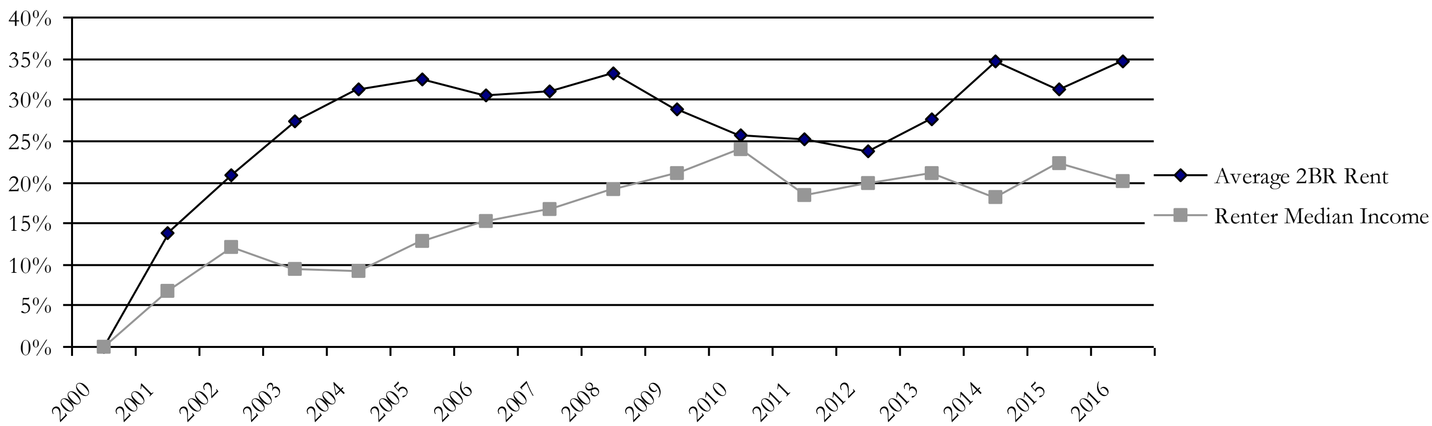
The Rental Affordability Index is the ratio of 2-Bedroom Rent Affordable at Median Renter Income to Average 2-Bedroom Rent. An index of less than 1 means the area is generally unaffordable – i.e., a renter household earning area median renter income could not cover the cost of an average 2-bedroom apartment (including utilities) using no more than 30% of gross income.

2016 Housing Facts and Affordability Index for Portland-South Portland MA Housing Market

Renter Households Unable to Afford Average 2 Bedroom Rent

Location	Households Unable to Afford Average 2 BR Rent: Percent	Households Unable to Afford Average 2 BR Rent: Number	Total Renter Households	Average 2 BR Rent (with utilities)[4]	Income Needed to Afford Average 2 BR Rent: Annual	Income Needed to Afford Average 2 BR Rent: Hourly
Portland	61.9%	11,190	18,070	$1,052	$42,075	$20.23
Biddeford	61.8%	2,709	4,381	$986	$39,445	$18.96
Yarmouth	57.5%	626	1,089	$1,389	$55,544	$26.70
Maine	57.4%	92,705	161,601	$872	$34,873	$16.77
Portland-South Portland MA Housing Market	56.9%	28,303	49,710	$1,025	$41,002	$19.71
Old Orchard Beach	54.5%	1,023	1,876	$974	$38,949	$18.73
South Portland	50.0%	2,235	4,467	$956	$38,257	$18.39
Freeport	49.7%	394	792	$928	$37,139	$17.86
Saco	46.8%	1,205	2,573	$923	$36,936	$17.76
Windham	46.7%	629	1,346	$930	$37,200	$17.88

Relative Increases in Renter Income and Average 2BR Rent[3]



Demographics

	% Change 1990-2016	1990	2012	2013	2014	2015	2016
Population	23.3%	303,649	367,963	366,128	368,819	370,722	374,503
Households	33.3%	117,369	152,926	152,117	153,564	154,594	156,485

Endnotes

[1] This data is derived from Maine Real Estate Information System ("MREIS") and MREIS reserves all rights including all proprietary rights in the data set forth herein and any use or publication of this data or any portion thereof without the express written consent of MREIS is prohibited. Any reproduction, sale or exchange of this data, in whole or in part, is likewise prohibited. All rights to the data remain the exclusive property of MREIS to the extent owned by MREIS.

[2] Source: Claritas

[3] The Y axis is an index defined as the ratio of the annual value to the year 2000 value.

[4] Source: MaineHousing Quarterly Rent Survey. All rent data reported adjusted to include the cost of utilities (heat, hot water, and electricity).

MaineHousing
Maine State Housing Authority

Excerpt from *Who Can Afford To Live in a Home?: A look at data from the 2006 American Community Survey* (2006)
By: Mary Schwartz and Ellen Wilson
US Census Bureau

"Why the 30 Percent of Income Standard for Housing Affordability?

Talk of housing affordability is plentiful, but a precise definition of housing affordability is at best ambiguous. The conventional public policy indicator of housing affordability in the United States is the percent of income spent on housing. Housing expenditures that exceed 30 percent of household income have historically been viewed as an indicator of a housing affordability problem.[1] The conventional 30 percent of household income that a household can devote to housing costs before the household is said to be "burdened" evolved from the United States National Housing Act of 1937. The National Housing Act of 1937 created the public housing program, a program that was designed to serve those "families in the lowest income group." Income limits rather than maximum rents were established for family eligibility to live in public housing; that is, a tenant's income could not exceed five to six times the rent. By 1940, income limits gave way to the maximum rent standard in which rent could not exceed 20 percent of income – in practice, the same as the predecessor income limit standard. The Housing Act of 1959 maintained maximum rents, but it also gave local public housing authorities more autonomy in establishing them. By 1969, the escalation of rents by public housing authorities struggling to meet spiraling operation and maintenance costs nearly nullified the purpose of the public housing program established in 1937 to serve the nation's neediest. To reverse this, the Brooke Amendment (1969) to the 1968 Housing and Urban Development Act, established the rent threshold of 25 percent of family income; that is, a family would be required to pay one-quarter of its income in rent. By 1981, this threshold had been raised to 30 percent, which today remains the rent standard for most rental housing programs.

Because the 30 percent rule was deemed a rule of thumb for the amount of income that a family could spend and still have enough left over for other nondiscretionary spending, it made its way to owner-occupied housing too. Prior to the mid 1990s the federal housing enterprises (Fannie Mae and Freddie Mac) would not purchase mortgages unless the principal, interest, tax, and insurance payment (PITI) did not exceed 28 percent of the borrower's income for a conventional loan and 29 percent for an FHA insured loan. Because lenders were unwilling to hold mortgages in their portfolios, this simple lender ratio of PITI to income was one of many "hurdles" a prospective borrower needed to overcome to qualify for a mortgage. There are other qualifying ratios as well; most of which hover around 30 percent of income. The amount of debt outstanding and the size and frequency of payments on consumer installment loans and credit cards influence the lender's subjective estimation of prospective homebuyers' ability to meet the ongoing

[1] "Housing Affordability: Myth or Reality? " *Wharton Real Estate Center Working Paper, Wharton Real Estate Center,* University of Pennsylvania, 1992

expenses of homeownership. Through the mid 1990s, under Fannie Mae guidelines for a conventional loan, total allowable consumer debt could not exceed eight percent of borrower's income for conventional mortgage loans and 12 percent for FHA-insured mortgages. So through the mid 1990s, underwriting standards reflected the lender's perception of loan risk. That is, a household could afford to spend nearly 30 percent of income for servicing housing debt and another 12 percent to service consumer debt. Above these thresholds, a household could not afford the home and the lender could afford the risk. While there are many underwriting standards, none of them made their ways into the public policy lexicon like the 30 percent of income indicator of housing affordability.

The mid to late 1990s ushered in many less stringent guidelines.[2] Many households whose housing costs exceed 30 percent of their incomes are choosing then to devote larger shares of their incomes to larger, more amenity-laden homes. These households often still have enough income left over to meet their non-housing expenses. For them, the 30 percent ratio is not an indicator of a true housing affordability problem but rather a lifestyle choice. But for those households at the bottom rungs of the income ladder, the use of housing costs in excess of 30 percent of their limited incomes as an indicator of a housing affordability problem is as relevant today as it was four decades ago."

[2] "Review of Selected Underwriting Guidelines to Identify Potential Barriers to Hispanic Homeownership", U.S. Department of Housing and Urban Development, Office of Policy Development and Research, March

Attachment C.

Excerpts from *Portland 2030 Workforce Housing Demand (1-9-15)*

By: Greater Portland Council of Governments

(starting on p. 9 of report)
"AFFORDABILITY OF CURRENT HOUSING STOCK

Rental Units

While recent trends demonstrate that new construction is increasingly unaffordable, there are still thousands of existing housing units in Portland that are affordable due to condition, size, turnover and other factors. Thanks to a special Census tabulation prepared by HUD, the chart below outlines the income of households who were living in these affordable units in 2011. In 2011, the HUD Area Median Family Income (HAMFI) for the Portland area was $72,300. HUD's basic affordability assumption is that rent should consume no more than 30% of a household's gross income.

There are several important issues left answered by the data. Because respondents to the households are the renters themselves and not the landlords, it is impossible to determine the following: 1) which units are located in a housing project where rents are subsidized; 2) whether the rent reported is the actual rent charged to the tenant or the rent paid by a tenant minus a Section 8 voucher; and 3) what the rent would be if the unit were available to the marketplace. For example, certain housing units might be rented by family members of the landlord, who would charge a higher rent to the general public. Also, many landlords purposefully keep rents low for longtime tenants in order to avoid turnover. Turnover often commands higher rents, particularly if renovations occur during the vacancy.

Of the city's 17,585 rental units, 90%, or 15,800, are offered at rents affordable to households earning up to 80% of the region's median income. At first glance, these numbers seem to indicate that there is no affordable housing problem in the rental market. The reality, however, is that there is a mismatch between income and availability because renters do not seek to maximize their incomes on rent. While many households seek to buy "more house" than they need, renters tend to seek out the best bargain for their preferred location and/or the smallest unit that they can squeeze into. Some renters want to spend as little as possible so that they can save money for a home. Other renters may not compete well for housing in the private market against higher income renters with more stable jobs, incomes, and credit ratings. Another problem is size. Virtually half of the city's affordable rental units are studios, efficiencies, and one-bedroom apartments. Families are hard pressed to find large units at rents they can afford.

R**ent Affordable to Very Low Income Households Earning <= 30% of Median Income** - These are units with a gross rent affordable to households at or below 30% HAMFI. Of the 3,390 rental units offered at this rent level, 92% are occupied by households earning up to 100% HAMFI. Judging by the vacancy rate, competition is stiffest for units with three or more bedrooms.

Rent Affordable to Low Income Households Earning >30 to <=50% of Median Income - These are units with a gross rent affordable to households earning 30% to 50% of HAMFI. Of the 2,490 rental units offered at this level, 86% are occupied by households earning up to 100% HAMFI. Judging by the vacancy rate of 0%, competition is stiffest for units with three or more bedrooms.

Rent Affordable to Moderate Income Households Earning >50 to <=80% of Median Income - These are units with a gross rent affordable to households earning 50% to 80% of HAMFI. Of the 9,145 rental units offered at this price range, 74% are occupied by households earning up to 100% of HAMFI. Vacancy is tightest in this price range.

Rent Affordable to Households Earning >80% of Median Income - These are units with a gross rent affordable to households with incomes above 80% of HAMFI. Of the 1,790 units offered at this rent level, 47% are occupied by households earning up to 100% of HAMFI. At 12.1%, the vacancy rate is highest amongst 3-bedroom units."

(continued on p. 11)

"The data should be used with caution. Unlike rents which can rise and fall with the economy, most homeowners lock themselves into a 30-year mortgage with a fixed interest rate. Except for fluctuations in taxes and insurance, they make the same monthly mortgage for the life of the loan. The Census asks homeowners to estimate what they think their home is worth. Some homeowners may consult their tax bill while others find out the selling prices earned by neighbors. Still others simply make a guess. Because this value does not necessarily align with the price the home would sell for if it was listed on the market, it is substantially different from the market data used earlier in this report, which was provided by Maine Housing and the City Assessor based on actual sales of new and existing homes. While it may be unreliable, particularly in light of the boom and bust of the housing market, it is the best source of data for determining who lives in the region's affordable ownership stock, including condominiums, ranches, capes and bungalows. Mobile homes, boats, and recreational vehicles are not included in the data.

Another caution is that the data is not indicative of cost burden. For example, in 2011, there were 555 homes with a value affordable to households earning over 100% of median income that were occupied by households earning 50% or less of median income. This does not mean that the home is unaffordable to them. Certainly a large percentage of homeowners have owned their homes for a very long time: while initially the mortgage payment may have been more than 30% of their income, as wages rise, mortgage payments gradually decline as a percentage of household income. Some low income owners, such as senior citizens, have paid off their mortgage completely, leaving them "house-rich" but "cash-poor."

To determine the maximum home value affordable to households by income, HUD utilized a series of assumptions: a 31% monthly payment standard, a 4.5% down payment, a 5.5% interest rate, a 1.75% upfront insurance premium, a .55% annual insurance premium, and 2% for annual taxes and insurance. Based on these assumptions, HUD's estimated value to income ratio for an affordable home is 3.36, i.e., a household can afford a home costing no more than 3.36 times its income. In 2011, the HUD Area Median Family Income (HAMFI) for the Portland area was $72,300. A household earning this median income could afford a home price up to $242,928, which is 22% than Maine Housing's estimate for the same base year. The reason for this discrepancy is a different definition of median income. HAMFI, the reference point for the HUD data, is scaled to a family of four. Maine Housing's estimate, however, encompasses for all households, including single people living alone. Thus, while the HAMFI for the

Portland area was $72,300, Maine Housing's estimate for the same year was $54,944, and for the American Community Survey, it was $57,267.

Value Affordable to Low Income Households Earning 50% of Median Income – The value of these homes are less than or equal to the maximum amount that would be affordable to a household earning 50% of median family income, or $36,150. Under HUD's financing assumptions, such a family could afford a home of no more than $122,000. There were 540 occupied units with a value in this range: 75% were occupied by households earning 100% or less of median income. There were 100 vacant homes at this value accounting for a vacancy rate of 15.6%. Such a high rate is indicative of foreclosure and/or deferred maintenance.

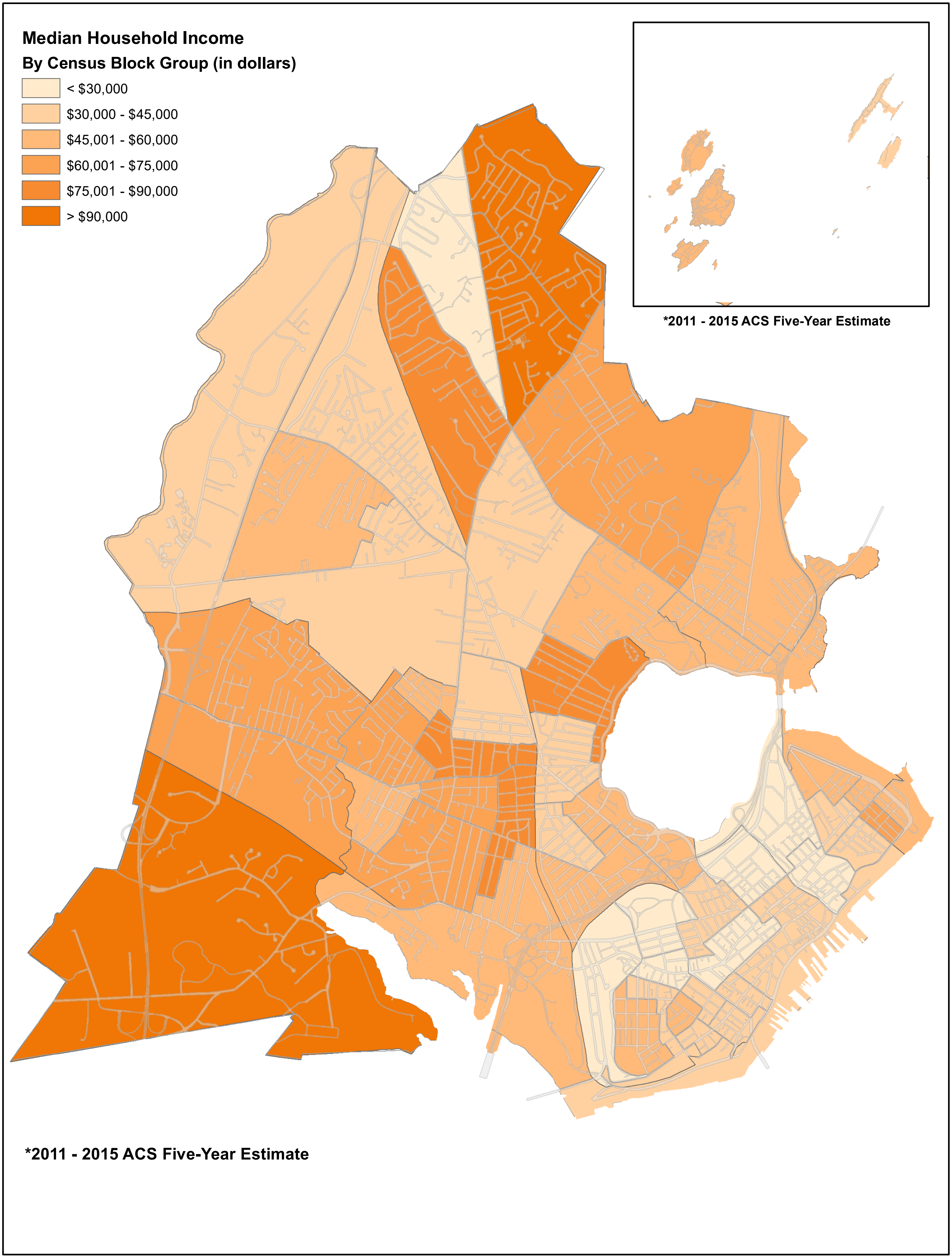
Value Affordable to Moderate Income Households 80% of Median Income - A household earning 50.1-80% HAMFI, or $36,151-$57,840, could afford a home of $122,000-$194,000. There were 3,080 occupied units with a value in this range: 54% were occupied by households earning up to 100% HAMFI. While homes in this price range might be small, suffer from deferred maintenance, and/or be located in high traffic areas, the tight vacancy rate of 0.5% indicates they are in high demand.

Value Affordable to Households Earning 100% of Median Income - A household earning 80.1%-100% of median income, or $57,841-$72,300, could afford a home of $194,000-$243,000. There were 3,125 occupied units with a value in this range: 39% were occupied by households earning up to 100% HAMFI. These homes might in good condition and in desirable neighborhoods, but lack high value amenities, such as a water view, two-car garage, and/or historic character. Vacancy is lowest among homes with 0-2 bedrooms.

Value Affordable to Households Earning over 100% of Median Income – These homes, worth over $243,000, exceed affordability for a household earning 100% of HAMFI, or $72,300. There are 7,005 occupied units with a value in this range: 28% are occupied by households earning up to 100% HAMFI. At 3.9%, the vacancy rate is highest among homes with 0-1 bedrooms, which are probably condominiums."

Link to full report: https://www.portlandmaine.gov/DocumentCenter/View/7899

Attachment D.



Portland, Maine | Yes. Life's good here.

Planning & Urban Development Department

To: Councilor Duson, Chair Housing Committee
Members of the Housing Committee

From: Victoria Volent, Housing Program Manager
Housing & Community Development Division

Date: November 3, 2017

Subject: Proposed Amendments to the Inclusionary Zoning Ordinance and Review of Fee-in-lieu Payment

Summary:

This memo contains two topics for review in regards to the City's Inclusionary Zoning Ordinance. The first topic item outlines two proposed staff amendments to the Inclusionary Zoning Ordinance. The second topic item is a review of the fee-in-lieu payment.

Topic One: Staff Amendments to the Inclusionary Zoning Ordinance

Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site.

A fractional fee-in-lieu would result when the calculation of a project's inclusionary obligation results in a fractional unit. The fractional unit obligation would be provided in the form of a proportional fee-in-lieu that is related to the cost of providing an affordable housing unit within the development project. The amendment would apply to on-site projects as the current ordinance allows developers to round the number of units down. This would address the concern that the requirement, while listed at 10%, can be as low as 5.25%.

For example, currently a 10-unit project and a 19-unit project may both meet their workforce housing requirements by providing one workforce unit on-site. No change is recommend for the 10-unit project (it would continue to meet the requirement by providing one unit on site;) however, the 19-unit project would have to provide the unit on-site and also pay 90% of the fee-in-lieu (currently $92,250.) This is consistent with how many other communities handle proportional units.

OVERALL ESTIMATED COST/REVENUE: Approximately $10,250 per 10% of each fractional unit obligation.

Amend the Inclusionary Zoning Ordinance to remove the sunset clause.

Removing the sunset clause from the Inclusionary Zoning Ordinance would address the concern that this clause may result in land banking, especially as 2021 approaches. Given the need for housing production, staff recommends that the sunset clause be removed, and that the City Council make any decision to amend or repeal the ordinance as they please without a set timeframe.

The Mayor has two additional recommendations which are outlined in the attached July 18th Council Memo.

Topic Two: Review of the fee-in-lieu payment

Last month, staff presented the 2017 Housing Report to the Housing Committee. Section II. b. of the report presented the accomplishments of current City policies and initiatives in place to address issues of housing affordability and availability. While discussing the accomplishments of the Inclusionary Zoning Ordinance, the Housing Committee requested staff to prepare a separate report regarding how Portland and other municipalities determine an appropriate fee-in-lieu payment.

Background

In October 2015, the City Council approved amendments to the City's zoning ordinance mandating inclusionary zoning within all residential development projects of ten or more units. Section 14-487, Ensure Workforce Housing, requires all projects to make available a minimum of 10% of their units as workforce housing to eligible households. Developers also have the option of building units off-site within the same census block or paying a fee-in-lieu of some or all units into the City's Housing Trust Fund.

The fee for affordable units not provided was set at $100,000 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement. The 2017 fee-in-lieu is $102,500 per unit.

Since adoption of Inclusionary Zoning, eleven qualifying residential or mixed-use projects proposed by private developers have been approved by the Planning Board as of October, 2017. From those eleven projects, 14 units of workforce housing are proposed, and five out of eleven developers chose to pay the fee-in-lieu into the City's Housing Trust Fund for a total of $1,266,250 (the actual funds will be deposited when the certificate of occupancy is requested).

Establishing a Fee-in-lieu Payment Amount

A March 5, 2015 staff memorandum to the Housing and Community Development entitled "*Proposed Inclusionary Zoning Ordinance- Next Steps*" noted:

> It is important to keep in mind that the fee-in-lieu is theoretically supposed to cover the cost of creating an affordable unit at the target income levels. While it is hard to find a specific number that meets that goal, we generally find that the cost of producing an affordable unit is about $125,000.

In Massachusetts the state's Department of Housing and Community Development recommends a fee-in-lieu "be determined as a per-unit cost as calculated from regional construction and sales report".

New Jersey and California also have state-wide inclusionary zoning policies. According to the National Housing Council, these two states and Massachusetts account for nearly 80% of all inclusionary zoning programs in the United States. New Jersey's fee-in-lieu requirement is $180,000 per unit, while California requires an "in-lieu fee that is reasonably related to the cost of providing the affordable unit forgone by the developer's election to pay the fee".

Examples from Other Communities

Some communities are moving away from the option of offering a fee-in-lieu option. Others are increasing their fee-in-lieu in recognition of their preference for on-site units.

Many use a formula to determine the fee-in-lieu based on factors such as the size of the market rate units, the size of the project, and even the location of the project within the municipality.

Some examples of fees-in-lieu from other municipalities are in the table below.

Municipality	Fee-in-Lieu
Boston, MA	$200,000- $380,000 per unit depending on location
Brookline, MA	Based on sales price ($175,000 for a typical 8-unit project, $341,250 for a typical 15-unit project)
Burlington VT	$100,000 in 2007, no longer permitted
Cambridge, MA	No longer permits fee-in-lieu
Chapel Hill, NC	$85,000
San Francisco, CA	$148,506-$521,431 per unit depending on the size of the market units ($366,369 for 2 BR)
Somerville, MA	Uses a complex formula based on location and unit types
Tirburon, CA	$275,000
Watertown, MA	$259,000-$399,000 depending on the size of the market rate

Development Costs Analysis

Housing and Community Development Division Staff analyzed development costs associated with sixteen affordable housing projects in Portland which received some type of subsidy from the City (HOME, CDBG, TIF, etc.) from 2000 to 2013. The analysis revealed the average development cost per unit was $192,664.

Conclusion

Portland, California, and Massachusetts each consider the per unit cost of producing a unit of affordable housing, given unique local circumstances (cost of land, need for infrastructure, current construction costs, etc.), when determining the fee-in-lieu. Staff recommends the fee-in-lieu continue to be related to the cost of providing an affordable housing unit within the development project.

However, staff recommends consideration be given to requiring that in cases where units are provided on-site – where the developer can round the number of units down –

the City consider adopting a best practice that the "fractional" unit be provided in the form of a proportional fee-in-lieu.

MEMORANDUM
City Council Agenda Item

DISTRIBUTE TO: City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

FROM: Ethan Strimling, Mayor

DATE: July 18, 2017

SUBJECT: Amendments to Inclusionary Zoning Ordinance

SPONSOR: Ethan Strimling, Mayor
(If sponsored by a Council committee, include the date the committee met and the results of the vote.)

COUNCIL MEETING DATE ACTION IS REQUESTED:
1st reading__7/24/17________ Final Action__TBD____

Can action be taken at a later date: _x__ Yes ____ No (If no why not?)

PRESENTATION: (List the presenter(s), type and length of presentation)

I. ONE SENTENCE SUMMARY

Amendments are being proposed to Division 30 related to the Inclusionary Zoning ordinance, including proposals to increase the percentage required to 20% and lower the income maximums.

II. AGENDA DESCRIPTION

Submission of proposed changes to the Inclusionary Zoning ordinance in Chapter 14 Division 30, for referral to the Housing Committee. This submission includes changes proposed by the Mayor and other changes proposed by City Staff.

III. BACKGROUND

In October 2015, the City Council passed the City's inclusionary zoning ordinance in section 14-387. That ordinance was part of a package known as "Encourage and Ensure" that included significant density bonuses for housing production, and also the inclusionary requirement for larger developments. In summary, the current ordinance requires that all developments of 10 units or more include 10% of their units as affordable at 100% of Area Median Income (about $80,000 for a family of 4) if they are rentals, or at 120% of Area Median Income (about $96,000 for a family of 4) if they are for sale. The number of units is rounded down, so a development of between 10 and 19 units has to provide 1 affordable unit. Alternatively, a developer can pay a fee-in-lieu to the City's Housing Trust of $100,000 a unit (adjusted annually, currently $102,500.) That amount is not rounded down, so a 19-unit building would have to pay a fee-in-lieu of $194,750.

Since the ordinance went into effect, housing developments proposals have continued at a similar pace as prior to the ordinance. Attached is a list of projects that are subject to the ordinance and their proposed method of meeting its requirements. Developers have generally been cooperative with staff in thinking through how to meet its requirements, and have noted the flexibility of the ordinance as an asset. Note that some projects that opened after October 2015, such as the Hiawatha on Congress Street, were not subject to the ordinance as they applied for site plan approval prior to its effective date.

This item proposes to forward to the Housing Committee two sets of amendments. One set, proposed by the Mayor, would increase the percentage requirement in the ordinance to 20%, and also require that the units be affordable at low-income (80% of Area Median Income, or about $65,000 for a family of 4, if for rent; or 100% of Area Median income if for sale.)

The second set of amendments, proposed by staff, are primarily designed to fine tune the ordinance. They include some clarifications of definitions and corrections of scrivener's errors. Staff is also proposing that when units are provided on-site, a developer will have to pay a fee-in-lieu for a fractional unit as per the size of the project. In the 19-unit example above, if the 1 unit were provided on-site, the developer would also have to pay $90,250 into the Housing Trust. This would address the concern that the requirement, while listed as 10%, can be as low as 5.25%.

Finally, the existing ordinance includes a sunset clause that requires that it automatically expire in 2021. Staff has raised the concern that this clause may result in land banking, especially as 2021 approaches, by land owners hoping to sell their property with an inclusionary zoning requirement. Given the need for housing production, staff recommends that sunset clause be removed, and that the City Council make any decision to amend or repeal the ordinance as they please without a set timeframe.

IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED

The goal is to increase production of low-income affordable housing and to implement the Council goal to: "Implement policies to capitalize the Housing Fund."

V. FINANCIAL IMPACT

None currently anticipated, but would be studied as part of the Housing Committee and Planning Board processes.

VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION

Staff has been monitoring the Inclusionary Zoning ordinance to determine its effectiveness to date. Generally, it has been working very well for what it was intended to accomplish. However, there are some relatively minor changes staff is recommending at this time to fine tune the ordinance. The Mayor's recommended changes would make the ordinance similar to those in Cambridge and Somerville, Massachusetts, which both recently increased their inclusionary requirement to 20%. The income levels recommended in the Mayor's changes are not unusual for Inclusionary Zoning ordinances nationally. At this point, staff recommends forwarding these proposed changes to the Housing Committee for further discussion.

VII. RECOMMENDATION

Referral to the Housing Committee and potentially Planning Board for recommendations to the full Council.

VIII. LIST ATTACHMENTS

Draft text amendments to Division 30
Income limits for 2017
Projects subject to Inclusionary Zoning to date

Prepared by: Jeff Levine
Date: July 18, 2017

Order 14-17/18
Passage: 6-3 (Batson, Duson, and Ray) on 7/24/2017 Effective 8/3/2017

CITY OF PORTLAND
IN THE CITY COUNCIL

ORDER REFERRING
THE INCLUSIONARY ZONING AMENDMENTS
TO THE HOUSING COMMITTEE

ORDERED, that the City Council hereby refers the proposed inclusionary zoning amendments, attached hereto, to the Housing Committee; and

BE IT FURTHER ORDERED, that the Housing Committee review the proposed ordinance and provide its final recommendation on this issue to the City Council.

DIVISION 30. AFFORDABLE HOUSING

...

Sec. 14-485. Definitions.

Affordable means that the percentage of income a household is charged in rent and other housing expenses, or must pay in monthly mortgage payments (including condominium/HOA fees, mortgage insurance, other insurance and real estate taxes), does not exceed 30% of a household's income, or other amount established in city regulations that does not vary significantly from this amount.

Low-income housing unit for rent means a dwelling unit for which:

(a) The rent is affordable to a household earning 80% or less of Area Median Income (AMI) as defined by the United States Department of Housing and Urban Development (HUD); and

(b) Annual rent increases for that unit are limited ~~in perpetuity~~ by deed restriction or other legally binding agreement to the percentage increase in the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland county Maine for a household of that size.

Low-income housing unit for sale means a dwelling unit for which:

(a) The sale price is affordable to a household earning ~~80~~100% or less of the HUD AMI; and

(b) The resale price is limited by deed restriction or other legally binding agreement for ~~all~~ future sales of the unit to an amount that is affordable to a household earning ~~120~~100 80% of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland county Maine for a household of that size, as calculated for the year in which the sale takes place.

Development fees means:

(a) The following fees, as described in this chapter: site plan review and inspection fees; subdivision review and inspection fees; and administrative fees; and

(b) Construction and permit fees as described in chapter 6. "Development fees" does not include any fees charged for reviews conducted by a party other than the city.

Dwelling unit has the same meaning as that term is defined in section 14-47.

Eligible project means a development project:

(a) That is permissible under the provisions of this chapter in the zone in which it is proposed;

(b) That will be a multi-family dwelling ,as defined in section 14-47, and will not be located in an R-1 or R-2 zone;

(c) That creates new dwelling units, among which is at least one low-income or workforce housing unit for rent or ~~workforce housing for~~ sale, through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. Affordable housing units for sale or rent may not differ in exterior design from other units within an eligible project; and

(d) Projects shall not be considered "eligible projects" solely because they are subject to Section 14-487 ("Ensuring Workforce Housing").

Workforce housing unit for rent means a dwelling unit which:

(a) Is affordable to a household earning 100% or less ~~than 100%~~ of HUD AMI; and

(b) Annual rent increases for that unit are limited by deed restriction or other legally binding agreement to the percentage increase in the HUD Greater Portland Metropolitan Statistical Area median income figures for a household of that size.

Workforce housing unit for sale means a dwelling unit for which:

(a) The purchase price is affordable to a household earning ~~at~~ 120% or less of HUD AMI; and

(b) The resale price is limited by deed restriction or other legally binding agreement for ~~all~~ future sales of the unit, or a lesser term as permitted in regulations, to the percentage increase in the HUD Greater Portland Metropolitan Statistical Area median income figures for a household of that size.

...

Sec. 14-487. Ensuring Workforce Housing.

a) *Purpose.* Based on the city's Comprehensive Plan and the housing study completed in 2015, it is in the public interest to promote an adequate supply of housing that is affordable to a range of households at different income levels. The purpose of this section is to ensure that housing developments over a certain size provide a portion of workforce housing units and, by doing so, promote the health, safety, and welfare of Portland citizens.

b) *Applicability~~/Conditional Use Requirement/Sunset~~*. This division shall apply to development projects that create ten or more new dwelling units for rent or for sale through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. This division shall not apply to projects that have submitted complete Master Development Plan, Level III Site Plan, or comparable applications to move forward prior to its effective date.

c) *All Developments of Ten Units or More Conditional Uses*. Notwithstanding any language to the contrary in Chapter

14, all developments of ten units or more are conditional uses subject to Planning Board review on the condition that they comply with the requirements of this section, 14-487 unless they are within the India Street Form Based Code district, in which case staff shall determine compliance with this section.

~~This section 14-487 shall be in effect for six years following its passage, at which time the overall effectiveness of this section shall be assessed by city planning staff or their agent and either this expiration date shall be deleted or the entire section shall be removed from the Code of Ordinances.~~

~~*d) Workforce*~~*Low-Income Housing Minimum.* At least ~~ten~~ twenty percent (~~1~~20%) of the units in the project shall meet the definition of ~~workforce~~ low-income housing unit for sale or for rent. ~~The number of units required is rounded down to a whole number if providing units as per (c)2. below, or shall include a fractional value in cases where a project prefers to pay a fee-in-lieu as per (c)3. below.~~The project shall have the option of paying a partial fee-in-lieu as per (c)3 below for the fractional value, or providing an additional unit on site.

e) Standards.

1. Projects shall not be segmented or phased to avoid compliance with these provisions. In cases where projects are completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise permitted through regulations.

~~2.~~ ~~Workforce~~ Low-income housing units are encouraged to be integrated with the rest of the development, should use a common entrance and should provide no indications from common areas that these units are workforce housing units.

~~3.~~ ~~Workforce~~ Low-income units need not be the same size as other units in the development but the number of bedrooms in such units, either on- or off-site, shall be ~~1~~20 percent of the total number of bedrooms in the development. For the purposes of calculating the number of bedrooms in a development~~this section~~, ~~for~~ every 400 square feet in each~~a~~ market rate unit will count as a bedroom if the Planning Authority determines this method is appropriate in lieu of counting actual bedrooms.~~ if the actual number of~~

~~bedrooms in the unit is lower.~~

4. As an alternative to providing ~~workforce~~ low-income housing units, projects may pay a fee in lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund as defined in Sec. 14-489. The fee for affordable units not provided shall be $~~100,000~~ 102,500 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement.

~~5.~~ ~~Workforce~~ Low-income housing units for sale, if converted to ~~workforce~~ low-income housing units for rent, shall become subject to the income limits and other requirements of such units.

6. If at least 33 percent of the units in a development are workforce or low-income housing units, the development is eligible for subsidy through an Affordable Housing TIF, subject to City Council approval.

7. The term of affordability for the required ~~1~~20 percent ~~workforce~~ low-income housing units provided shall be defined as follows:

Percentage of Workforce Units Provided	Minimum Term of Affordability for Required Workforce Units
10%	Longest term permitted under federal, state and local laws and ordinances
25%	30 years
50%	20 years
100%	10 ears

...

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

To: Councilor Duson, Chair Housing Committee
Members of the Housing Committee

From: Jeff Levine, Director Planning & Urban Development Department
Mary Davis, Division Director, Housing & Community Development Division
Victoria Volent, Housing Program Manager
Housing & Community Development Division

Date: November 3, 2017

Subject: Housing Policy Proposals

Summary

In continuation of the 2016 public policy initiatives (known as the bucket list) and the introduction of additional initiatives to the Housing Committee at their October 26, meeting, enclosed are the housing policy proposals (not including Inclusionary Zoning which are discussed in a separate memo) for further review by the Housing Committee.

Housing Policy Proposals

1. Develop a strategic homebuyer assistance program ("HomePort 2")

The City would provide assistance with the cost of Private Mortgage Insurance (PMI) to lower the borrower's monthly mortgage payment. PMI is a type of mortgage insurance meant to reimburse the lender if the borrower stops making payments on their home loan. Lenders require PMI if the borrower makes a down payment of less than 20% of the loan amount. PMI potentially adds hundreds of dollars to the monthly mortgage payment for at least two, but up to five years.

If the City were to provide assistance with the cost of private mortgage insurance, an upfront single payment premium program would be the most cost-effective way to assist home buyers who could not afford a 20% down payment.

From the early 1990's through FY14, the City offered a first-time homebuyer program that offered up to $30,000 in a deferred loan to be used for down payment, closing cost or rehab assistance (the "HomePort" program.) The subsidy was repaid when the property was sold or no longer occupied as the owner's primary residence. The repayment included the original subsidy amount plus a percentage of any net gain in the value of the property. The decision was made to stop the program for two reasons: (1) the subsidy amount would need to be increased to keep the cost of a home affordable to households at or below 80% of the area median income and (2) the local home prices exceeded the HOME Program maximum purchase price limit. The funding allocated to this program was transferred to the Tenant Based Rental Assistance Program that began in FY13.

Based on conversations with local lenders, we think there is an opportunity to leverage public commitment with some private funds.

A pledged asset program would allow the city to establish an account with the lender for an amount equal to the down payment. The bank would hold that account as security in the case of default by the borrower. When the borrower's loan balance reaches the required loan to value ratio, the account would be released back to the city.

Estimated costs:
Upfront private mortgage insurance $2,000-$3,000 per borrower.
Pledged Asset Account: $12,250 - $25,000 per borrower.
Second Mortgage Program: $30,000 - $50,000 per borrower.

OVERALL ESTIMATED COST*: $50,000-$200,000 (50% City/50% Private) annually*

2. Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.

The program would be designed to assist Portland homeowners who are struggling to pay their mortgage payments because of a temporary financial hardship, for example job loss or healthcare issue. Assistance would be provided in the form of a 0% interest loan to be paid back when the temporary financial hardship has been resolved. These grants would be limited to $5,000 per household.

OVERALL ESTIMATED COST: *$50,000 (50% City/50% Private) annually*

3. Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)

The current Tenant Based Rental Assistance (TBRA) Program is funded through HUD's HOME funding program. TBRA provides security deposits, rental assistance and utility allowances on a short term basis for low-income (below 60% AMI) individuals and families who are homeless or in danger of becoming homeless. Changing the program to include local or city funds would enable the City to provide assistance to workforce (80% to 100% AMI) households that do not qualify for HOME funding.

Beginning with FY14, the City budgeted an average of $132,000 for the TBRA Program. However, in FY16 ($25,000) and FY 17 ($63,000) in additional HOME funds were allocated to the budget as the need outpaced the original budget allocation. In FY17, the TBRA Program assisted in placing 175 households into permanent housing utilizing $193,000 in HOME funding.

OVERALL ESTIMATED COST: *$250,000 to serve 200-250 households annually.*

4. Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust Fund.

The condo conversion fee could be modeled on the fee structure in the Housing Replacement Ordinance. The fee would be set based on staff analysis and Council approval. A portion of the fee could be placed in the Housing Trust Fund and a portion used to fund the TBRA program.

Under the current ordinance, the condo conversion application fee is $150 plus the cost of work and a certificate of occupancy fee of $100 per unit. From 2012 to present there were 10 condo conversion applications which created 23 condominium units. If the Rent Stabilization referendum were to pass it may have an impact on the conversion rate.

OVERALL ESTIMATED REVENUE: *Depends on the level of the fee and the conversion rate but approximately $50,000 to $150,000 a year to fund other programs on this list.*

5. Review the current Condominium Conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.

Proposed changes to the Condominium Conversion ordinance would extend notice requirements; require notification of current tenant contact information to the City; and increase penalties for non-compliance with this ordinance. For long-term tenants, a year long notice period is proposed.

The purpose of the Condominium Conversion ordinance 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.' It requires that the developer 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

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 Permitting and Inspections Department, 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.

At the time of application, if any unit is vacant, the Permitting and Inspections Department requires the developer to disclose the reason the unit is vacant along with the name, new address and phone number of the previous tenant. However, this disclosure is not required under the current ordinance.

OVERALL ESTIMATED COST/REVENUE: *Approximately 100 hours of staff time.*

6. Create a Hotel linkage fee to fund City housing programs

Require hotels to pay an impact fee that accounts for offsetting the increased housing demand generated by their need for low-income employees.

Since 2013, Portland experienced roughly 39 percent increase in number of hotel units. In 2015, the hotel industry on the peninsula reported a 70 percent occupancy rate (U.S.

average is 66 percent). A hotel linkage fee would be assessed through comprehensive study and analysis to link costs, project new development, and realize the feasibility for developers. Once an impact fee is set, it is routinely reevaluated and revisited and adjusted based on new data, inflation, and other trends. By using an impact fee, future hotel developers have a predictable way to factor in the mitigation cost into their pro forma, rather than having to negotiate mitigation and deal with the uncertainty based on each case-by-case basis. Currently Portland only seeks mitigation for transportation and storm water impacts in most cases.

OVERALL ESTIMATED REVENUE: *Depends on how fee is set but approximately $100,000-250,000 a year to fund other programs.*

7. Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.

A community land trust is a non-profit, community based organization designed to ensure local stewardship of land. It is primarily used to ensure long-term housing affordability without relying on deed restrictions or sale of land to developers below cost. The land trust acquires and maintains permanent ownership of land. The land trust enters into long-term leases with perspective homeowners who earn a portion of the increased property value when they sell the property.

A CLT is typically a non-profit 501c3 organization. Initially, the CLT would need significant administrative/organizing support from the City. The board of directors would need to include experienced housing and technical advisors along with area residents and other interested parties. The City would have to be willing to provide the Land Trust with land at significant discounts in order for this approach to be successful. Since the Land Trust would be a quasi-governmental agency, the City would be retaining more control over the land than under the model of selling land for $1.

OVERALL ESTIMATED COST/REVENUE: *Approximately $0 to $100,000 annually plus the lost revenue from any surplus land placed into the Land Trust.*

8. Use CDBG funding to establish an emergency repair program.

This program would assist eligible households with repairs that are determined a necessity due to the immediate danger to the health or safety of the occupants of the household. Funding would be provided from HUD's Community Block Grant program in the form of a maximum loan of up to to $7,500 in either a forgivable or payable loan determined by the household's financial situation. Eligible applicants would own and occupy a one to four unit building; income and rent requirements would be in place for the owner occupant and tenants.

OVERALL ESTIMATED COST/REVENUE: Estimated annual program cost: $75,000 to assist 10 households

9. Offer Housing Rehabilitation Funding in conjunction with the Lead Safe Housing Program.

Local funding of a Housing Rehabilitation/Lead Safe Housing Program would allow more flexibility with assisting households that earn up to 120% AMI (workforce housing). These households do not qualify for federally funded housing rehabilitation or lead safety programs.

One of the challenges with our current Lead Safe Housing Program is a local program policy which requires that any multi-family property receiving housing financial assistance must meet building and life safety code standards. Another challenge has been qualifying multi-family properties the meet the rent limit requirements established by CDBG and HOME regulations. If local funding was available to address code issues in connection with lead abatement, the guidelines could be more flexible in regards to rent caps.

10. Administer the Portland Water District (PWD) water efficiency and repair services.

Portland Water District would provide \$20,000-\$30,000 per year for water efficiency and repair services to households served by PWD. The City would coordinate the application process and contractor work for a 15% administrative fee per project.

OVERALL ESTIMATED COST/REVENUE: *Approximately 100 hours of staff time to evaluate, staff management thereafter.*

11. Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representation, to help City staff and Councilors make informed policy decisions.

A Housing Advisory Board has the advantage of bringing in housing professionals to provide considerable free consulting assistance to staff.

OVERALL ESTIMATED COST/REVENUE: *Approximately 40 hours of staff time to establish, about \$10,000 annually thereafter for incidental expenses.*

SUMMARY

Staff is looking for direction from the Committee regarding which recommendations should be the focus of additional analysis.

Portland, Maine

Yes. Life's good here.

Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Victoria Volent, Housing Program Manager

DATED: November 8, 2017

SUBJECT: Summary of Public Feedback on Housing Policy Proposals

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Introduction

During the October 26 meeting of the Housing Committee, staff presented a feedback form consisting of eleven housing policy initiatives stemming from the 2016 "bucket list" of policy ideas as well as new policy proposals from staff and Mayor Strimling. A link to the feedback form was posted to the Housing and Community Development webpage to gather public input. On that same page was a link to the 2017 Housing Report noting that the list of housing policy proposals are outlined in the 2017 Housing Report.

Attached are the public feedback responses from October 26 through November 8. Forty-three responses were received during the brief time frame from the Housing Committee's October meeting to the November 8 meeting. The on-line survey will continue to collect feedback until January 7, 2018 for review during the first Housing Committee meeting of 2018.

Summary

Due to the brief time allotment, the limited sample size of forty-three citizens does not allow for statistical significance and results should be viewed accordingly. Participants provided feedback by answering yes or no to questions. When a participant did not complete a field, the phrase "field not completed" is noted instead. Comments were provided by thirty-seven participants while seven chose not to comment. Column Q captures any additional comments; twenty-four additional comments were provided. As feedback will continue to be collected until January 7, these initial responses will be compiled with additional feedback and provided to the Housing Committee in their January, 2018 meeting.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
Housing Policy Proposal		**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**
		Develop a strategic homebuyer assistance program ("HomePort 2")	**Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.**	**Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)**	**Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust.**	**Review the current condominium conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.**	**Create a "hotel linkage fee" to fund City housing programs.**	**Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.**	**Utilize CDBG funding to establish an emergency rehabilitation repair program**	**Offer rehabilitation funding in conjunction with the Lead Safe Housing Program**	**Agree to administer Portland Water District's water efficiency and repair services program.**	**Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representations.**	**Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site**	**Amend the Inclusionary Zoning Ordinance to remove the sunset clause.**	**Amend the Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units.**	**Amend the Inclusionary Zoning Ordinance to lower the affordability income level.**
Yes		16	17	22	26	16	24	27	16	19	13	21	15	15	25	22
No		17	19	12	10	17	11	11	16	11	16	13	13	14	11	11
Not Completed		10	7	9	7	10	8	5	11	13	14	9	15	14	7	10

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
Housing Policy Proposal	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	Develop a strategic homebuyer assistance program ("HomePort 2")	**Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.**	**Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)**	**Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust.**	**Review the current condominium conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.**	**Create a "hotel linkage fee" to fund City housing programs.**	**Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.**	**Utilize CDBG funding to establish an emergency rehabilitation repair program**	**Offer rehabilitation funding in conjunction with the Lead Safe Housing Program**	**Agree to administer Portland Water District's water efficiency and repair services program.**	**Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representations.**	**Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site**	**Amend the Inclusionary Zoning Ordinance to remove the sunset clause.**	**Amend the Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units.**	**Amend the Inclusionary Zoning Ordinance to lower the affordability income level.**	**Additional Comment**
Response	No	No	No	No	No	Yes	Yes	Yes	No	No	Yes	Yes	Field Not Completed	No ,more affordable housing! We need the city to help the middle, working class to be able to afford to stay in the city and raise a family. These families are getting pushed out! Portland is becoming an either rich or poor city. Bad for Portland	No! Enough with the affordable housing!	Field Not Completed
Response	No. homebuying can be a trap. housing is one part of the dynamic of sustainable living. the ability to "move" to where employment is is critical and ownership can be a fatal hinderance in that process.	No. you mean like HARP that no one used...it could become a bank bailout.	Yes	Yes	Yes	No keep up like this and you will discover that tourists have choices, you cannot fund a city on the back of a tourist	emphatic yes	Yes	Yes	No. too much on your plate now	Yes	Yes	Yes	Yes	Yes	post report on line, link dead
Response	No. Enough other programs.	No, most foreclosures are a result of very fact-specific issues, like health problems or marital difficulties.	Yes. Tenants are most at risk of being forced out in this market. That is where the assistance should be focused.	Yes. Owners stand to profit significantly from the conversion. Charging them a significant fee may increase the price of the condo, but could increase the TBRA fund	No I think there is already enough scrutiny. No low-hanging fruit here.	Yes. The burst if hotels might be over, but if Portland can't impose a city lodging tax, it is the next best thing.	No. Don't believe a land trust is needed for this.	No. Too many other prioritiies for CBDG money.	No	No	No. Wouldn't be bad, but not in my top 5	No. Not sure what this means	Yes. It should be a permanent part of the ordinance, with amendments to make more far-reaching.	Yes. Increase to 15 or 20% with no buy-out option	Yes, worth evaluating	Not mentioned above, but of critical importance, is the need to reassess the 2015 amendments to the R-6 zone. While I believe the intent was to promote infill housing on vacant or very underutilized lots, it is flawed in not making a distinction between existing housing and vacant/vurtually vacant lots. The mismatch in ordinance allowances vs. the existing scale of buildings creates an incentive to tear down perfectly good housing and replace it with over-sized structures that dwarf their neighbors. There should be size limitations where a teardown is proposed that will restrict the new structure to the massing of the structure it will be replacing. There should also be enforceable design criteria for all replacement structures to require compatibility with its surroundings. New architecture is fine, but it should be well-nuanced, now just a container to maximize the interior square footage. A neighborhood conservation district is one idea. Another approach is to revise the R-6 zoning to eliminate the space and height incentives for teardowns.

Housing Policy Proposal	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	Develop a strategic homebuyer assistance program ("HomePort 2")	**Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.**	**Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)**	**Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust.**	**Review the current condominium conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.**	**Create a "hotel linkage fee" to fund City housing programs.**	**Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.**	**Utilize CDBG funding to establish an emergency rehabilitation repair program**	**Offer rehabilitation funding in conjunction with the Lead Safe Housing Program**	**Agree to administer Portland Water District's water efficiency and repair services program.**	**Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representations.**	**Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site**	**Amend the Inclusionary Zoning Ordinance to remove the sunset clause.**	**Amend the Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units.**	**Amend the Inclusionary Zoning Ordinance to lower the affordability income level.**	**Additional Comment**
Response	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Link to report does not work. Not enough time given to review report. Luxury condo/housing fee to fund housing	Yes	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Link to report does not work. Not enough time given to review report. Establish Luxury condo/housing fee to fund housing.
Response	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Yes	Yes	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Yes	Field Not Completed	As a Portland resident I am strongly supportive of any measures that will increasing housing supply and balance the rental market relative to income. Though I am not well enough informed regarding some of the specific projects and policies above, it is clear that Portland must act both progressively and aggressively to increase housing availability at affordable costs. Building higher, attractive yet modest apartment buildings on the peninsula may be are best option, as it would also help to resolve parking and congestion.
Response	Yes	Yes	No	Yes	No	Yes	No	No	No	No	No	Yes	Yes	Yes	No	Field Not Completed
Response	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Field Not Completed
Response	No. Not sure on this one; leveraging private dollars where possible seems like a good idea, but I'm a bit skeptical that incentivizing home ownership rather than renting is the most cost-effective way to support housing affordability.	Yes. Yep, this seems like a good idea, and a good way to have a big impact with a small investment.	Yes. Ditto. Setting aside making it easier to build housing or improving transit, rental assistance seems like dollar-for-dollar the most effective way to helping people afford to keep living in Portland, especially considering the federal matching	No. I'm not wild about this; I'm all for the programs this would support but I'd rather pay for it out of general taxes.	No. Sure, seems sensible; not a top-five priority.	No. This seems really odd to me. Hotels create jobs so we should discourage that with a specific tax? Again, I'd rather pay for these programs with general taxes.	Yes. Seems like an interesting way to guide surplus city property toward housing. Worth exploring, at least.	No. Seems like a good idea, not in my top five	Yes. Seems like a good idea, where small investments in rehabilitation then enable eligibility for other programs.	Yes. Again seems like a good idea I wouldn't put in the top five.	Yes. Excellent idea! This is wonky stuff, and some dedicated professionals advising the committee (and the council) seems like a great idea. I suspect there are a lot of ideas that feel very attractive are not empirically well supported, and that expert advice would be invaluable.	No. I'm not familiar enough with the IZO to have an opinion here.	No. ditto	No. ditto	No. ditto	Overall it seems like good places to focus city dollars and effort are those where marginal investments can have big impacts -- helping people at the threshold of staying in their apartments or affording houses, or places where a small city assistance can make a larger federal program possible (e.g., lead abatement). One thing I don't see much of here are ideas for increasing the supply of commutable housing. Demand for living in Portland is high and growing -- and that's great! It means we're doing things right! But we have to get used to the idea that more people means more housing -- and more transit! Prices on the peninsula, where so many jobs are, wouldn't be such an issue if it were easier to live off-peninsula and commute without a car.
Response	No	Yes	No	No	No	No	No	No	Yes	No	No	Yes	Yes	No	Yes	How do we incentivize developers to not only build a % of affordable apartments, but entire blocks of them? What mechanisms does the city have to help get smaller projects off the ground? Is the city interested in helping a co-op develop housing?

Housing Policy Proposal	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	Develop a strategic homebuyer assistance program ("HomePort 2")	**Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.**	**Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)**	**Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust.**	**Review the current condominium conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.**	**Create a "hotel linkage fee" to fund City housing programs.**	**Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.**	**Utilize CDBG funding to establish an emergency rehabilitation repair program**	**Offer rehabilitation funding in conjunction with the Lead Safe Housing Program**	**Agree to administer Portland Water District's water efficiency and repair services program.**	**Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representations.**	**Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site**	**Amend the Inclusionary Zoning Ordinance to remove the sunset clause.**	**Amend the Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units.**	**Amend the Inclusionary Zoning Ordinance to lower the affordability income level.**	**Additional Comment**
Response	Yes	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	How will housing professionals be chosen? How will conflicts of interest be avoided?	Field Not Completed	Yes	Field Not Completed	Yes	Field Not Completed
Response	No. There are plenty of low-cost mortgage product for first time homebuyers already integrated in the marketplace.	No. The foreclosure process is already ridiculously skewed in favor of borrowers. For all practical purposes, one can stay in a home for many months after being in default, with numerous opportunities for remedy and workout. There is simply no need for the City to provide any additional layer of protection.	No. The administration of these types of funds is best left to the Portland Housing Authority	No. Absolutely not. Condominium conversion promotes home ownership, prevents sprawl, and increases property values.	No. The City would benefit more by the elimination of the condominium conversion ordinance altogethe	No. Why should the burden of funding affordable housing fall disproportionately to developers of hotels?	No. Why not sell the property at full market rate to private developers of market rate and/or affordable housing?	No. This is a nice idea, but it would require additional bureaucracy to administer. I could see this turning into a highly-controversial program with no fair way of awarding funds.	Yes. Placing the burden for lead remediation solely on property owners could have disastrous consequences to Portland's real estate market. If we are going to enact alarmist lead-abatement policies, then the City should kick in to fund the remediation.	No. If the program is not a high enough priority for PWD to administer itself, the City should not be the financial backstop.	No. Absolutely not. Such a body is not needed. This would be simply an expansion of government for its own sake.	Yes. Developers should be able to pay a fee-in-lieu for any portion of the required IZ units. They should also be allowed to pay the fee in the future, as long as the affordable units are phased out due to tenants not renewing leases.	No. The Inclusionary Zoning Ordinance should be removed as soon as possible. It is a horribly written ordinance that the City is not equipped to properly administer.	No. Doing so would effectively stiffle all development of rental properties greater than 9 units. That is already happening to a large extent.	No. Making the numbers work on a 10+ unit multifamily rental property is difficult enough even with all the units being market rate. Leave affordable housing development to the affordable housing developers who can use tax credits and subsidy in their financing stack.	Field Not Completed

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Response	Yes	No	No	No	No	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Field Not Completed
Response	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Field Not Completed
Response	Yes	Yes	Yes	No	No	Yes	No	No	Yes	Yes	No	Yes	No	No	No	Field Not Completed
Response	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes. Most important.	No	No	Yes	Yes	Please, please keep in mind the renters who are being financed out of their homes from the increasing rent rates. Individual home-owners who rent out typically look online and just price their housing at that value. PortProperty, BellPort, owning most of Portland's rental apartments, are going sky-high with prices, while not providing mandatory upkeep or maintenance.
Response	No. What would the staffing requirements be for this program? Would it be an added burden to the Planning Staff or would it require a new position to be made and filled.	Yes	Yes. Who would be responsible for requesting federal funds?	Yes. Is there a way to increase the cost for non-residents of the condos? So that the spaces used as a second home and occupants not buying more taxes within the City accept a greater burden	Yes	No. Use a penalty but not as a requirement for all new developments.	Yes	Yes	Yes	Yes	No	No. No fee should be required if units are provided on-site. Fees further diminish the incentive	No	Yes. Fix the rounding component so that developers are not tempted to max at 19, 29, etc. units	Yes. The affordability of units seems a bit skewed and not representative of actual affordability with special attention to what is defined as 'affordable' for home ownership	It might be worth providing a definitions page attached to the form so that the user is aware of what the existing 'Inclusionary Zoning Ordinance' or 'sunset clause' is
Response	Yes. There are residents with potential to be excellent homeowners but they lack the resources	A fluctuating economy which does not keep up with the cost of goods and services. It fosters a paycheck to paycheck environment which prevents homeowners from a six month mortgage savings.	Yes. The success of any community is its diversity. Diversity of income develops knowledge of the development of the community.	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes. Property owners should not be thrown up the bus. Resources are needed to make safe dwellings.	Yes. The importance of water quality has been ignored for good health.	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed

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Response	Field Not Completed	Field Not Completed	Yes	Yes	Field Not Completed	Yes	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Yes	No affordable senior housing initiatives? Portland has one of the oldest population demographics in the state-glaring omission.
Response	Yes	Yes	No	No	No	No	No	Yes	Yes	No	Yes	No	No	No	No	Field Not Completed
Response	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	Field Not Completed
Response	Yes. (#4) This was an excellent way to get middle class to live in Portland in the past. However, I don't know how effective this will be with the current heated real estate market.	Yes (#5)	No	(#3) Increase the condo conversion fees to $10,000 per condo. Fees dues at application not at sale.	No. Only a band-aid fix and not getting to the root of the problem	Yes. (#2) Hotel Linkage fee needs to go fund the CLT and other housing programs on this list and not to the developers.	Yes. (#1) This is one of the most important topics. The money should be allocated or stay in the district where the penaly fees are acquired.	No. CDBG is being cut yearly so won't be any grants in the future	No	Yes. It would be great for the older residents.	No, because this means City Councilors will be subjectively selecting people who are pro-development. We have seen how unbalanced other volunteer boards and pro-business... examples are the Planning Board, previous pesticide ordinance task force, etc.	No	Yes. Unless you change the current Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units AND increase the opt out penalty to 250K per unit, the current Inclusionary ordinance is weak.	Yes, the required mandatory should be 33% with no optout	Yes, But in order for the Inclusionary Zoning Ordinance changes to be effective you have to make all the below changes as well: Increase mandatory percentage to 33%, increase opt-out to 250K/unit, and lower affordable income level, remove sunset clause.	I believe Munjoy Hill needs to quickly obtain a Conservation District status to specifically address in a coordinated and integrated fashion the below issues. Munjoy Hill is losing it's character, identity and socio-economic diversity. This has been accelerated by the R6 zone changed which encouraged tear downs, removal of affordable apartments either by condo conversions or by STR (short term rentals), allowed developers to build too large of scale and mass of buildings, and bypass any architectural integrity to existing surrounding properties. -Over 20 Munjoy Hill Properties have been demo'd or will be demo'd and what is going up are over NOT matching architecturally or scale/mass of surrounding Munjoy Hill properties, and majority have been converted to luxury condos. - STR policy needs to be changed immediately to occupied owner unit (not building but 1 housing unit) ONLY. (Backed up by a McGill study from August 2017)
Response	Yes	No	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Thanks for the report and for reaching out with the survey. Next time, a brief paragraph under each question explaining the technical terms would generate a wider and more educated response.

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Response	No	No	Yes	Yes	No	Yes	Yes	No	No	No	Field Not Completed	No	Yes	Yes	Yes	While some of these suggestions might help a bit, they are woefully inadequate to grapple with the housing problems that Portland faces. A good first step for the council to take that would be both cost-efficient and meaningfully inform a reasoned debate would be to include rents as part of the housing registry so that the City can have a set of comprehensive and reliable statistics about rental units in the city.
Response	No	No	Yes. I think this is a high priority to explore since it could help the neediest households bridge the gap of affordability in relation to housing cost.	Yes	No. Prior to increasing the tenant notice/relocation assistance requirements I think it would be best to assess the current system's impact.	Yes	No	No	Yes	Yes. Helping households increase their water efficiency, thereby decreasing cost of operations and environmental impacts, seems like a highly positive outcome for a relatively small amount of annual cost.	Yes	Yes. This type of flexibility seems appropriate and reasonable.	Yes	No. I think the current ordinance should remain in place as-is, allowing for additional time to gather data about the outcomes.	No. I think the current ordinance should remain in place as-is, allowing for additional time to gather data about the outcomes.I think it is important to keep in mind that while lowering the income level that is required sounds very positive on paper, it could have much broader implications and impacts. There are plenty of groups that want to provide affordable housing in Portland. It would likely be more effective to support their efforts via TIFs, TBRA, and continued progressive zoning approaches.	I selected more than 5 options since some of the questions relate to the same "topic" in my opinion. Funding TBRA, removing the sunset clause on the Inclusionary Zoning Ordinance and all for fractional fee-in-lieu, PWD water efficiency and repair program, considering a hotel linkage fee, and considering rehab funding in conjunction with the Lead Safe Housing Program - I think these are all great concepts which could help move the housing affordability needle in the right direction.
Response	No	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right now	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right now	YES, if rent stabilization passes we will have to increase the cost of condo conversion much more than this in fact	YES, if rent stabilization passes we will have to increase the cost of condo conversion much more than this in fact	Field Not Completed	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right now	No	No	No	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right now	No	No	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right no	YES, priority number 1 based on criteria of policies mitigating displacement as the most urgently needed right now	the late release of this call for feedback is rather infuriating. i would like to see the deadline for feedback extended and a full fledged civic engagement campaign launched.

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Response	Yes	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Yes	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	The alert for this was posted on Oct. 27, the report is 49 pages of data and policy language, and you want responses back by November 5? That is not nearly enough time to spread the word to others and process the information in the report. This needs to be communicated more broadly, with longer notice. Doesn't the current housing crisis, and the people who worked to put together the report, deserve that?
Response	Yes	No	No	Yes	Yes	No	Yes	No	No	No	No	No. I don't know what this means.	No. I can't comment on this.	Yes	No. This sounds backwards. The income level to get affordability is extremely low. Why should it be lowered even more? Terrible idea.	More focus needs to be brought to working class and middle class housing. Affordable housing currently only applies to poor folks and while it is great their needs be met, the working class and middle class are being ignored and pushed out.
Response	Field Not Completed	Field Not Completed	Yes	Yes	Yes. Why isn't this already being done?	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Yes. For rental units, this need to be Portland median RENTER income. The current renter income level provides for a rent that is HIGHER than current market rent, and so accomplishes no policy goal. For rental workforce housing to be created, target the workers who rent.	Substantially increase the opt-out fee in Inclusionary Zoning, based on a percentage of property value rather than a flat fee, or end it so that inclusionary units are required. Certainly if the percentage of units required is increased, no one will choose to build them with the current, low opt-out option in place. Also, limiting survey choices to 5 is not reasonable. I would have also chosen #1 and #2... You could have asked for a rating in order of priority if that was the purpose in limiting choices. Finally,, there was almost no lead time for this survey, and little dissemination,which makes it appear as though this is a purely pro forma exercise. Please review the comments on the Portland Participates Facebook page.

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Response	No. Not clear to me that this program would benefit those who need the help most. Seems like more of a benefit to those that can already afford housing, with the PMI assistance.	No. Seems ripe for abuse.	Yes	No	No	Yes. Agree that hotels need workers, they can't afford to live out of city with long commute.	Yes. If I understand this correctly, this would be similar to the Vesper St townhomes arrangement? If so, very much in favor.	Yes	No. Not that this is a bad idea, just not in my top 5.	No. Not that this is a bad idea, just not in my top 5.	Yes. I think this is crucial, so it is clear where these policies come from.	No. Good idea, but seems small in impact, so not top 5	No	No. I'd want to see a lot more information on how this would impact the building of new housing units in the city. I'm worried it would discourage development too much.	No. Might make it even less likely that affordable units are included in development vs. opting out with fee.	I pay a fair amount of attention to housing issues in the city, but I found this to be a hard comment form to complete because the items are so specific and we don't get a lot of details on the recommendations in the housing report.
Response	Field Not Completed	Yes. This could be very helpful to people who are in dire straits who are just trying to stay in their home. This could be very helpful in giving the current workforce the option of staying here in Portland, rather than moving to outlying communities.	Field Not Completed	Field Not Completed	Field Not Completed	Yes. I think hotels are part of the problem here in Portland. They hire people at such low wages, their employees cannot afford to live here. Then, they are forced outside of the city, which means they have to drive in everyday, causing more traffic than is acceptable. The hotels need to do their part. Since we have several new hotels in "the works", this is the time to start this linkage fee.	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes. A Housing Advisory Board that actually helps the City make policy (with teeth) could go a long way in helping us avoid unnecessary and divisive referendums in the future.	Field Not Completed	Field Not Completed	Yes. More affordable units would go a long way in helping us solve the problem of inadequate affordable housing.	Yes. Frankly, the current income level of Inclusionary Zoning units is almost market rate. The current ordinance does not actually help the working class. So, yes, I would like to see it lowered.	Field Not Completed
Response	The report does not describe this initiative enough for me to form an informed opinion on this policy.	No. Meh. Homeowners already receive more benefits and have more protections than renters. I'd like to see similar protections for renters to avoid conviction	The report does not describe this initiative enough for me to form an informed opinion on this policy	Sounds OK but the report does not describe this initiative enough for me to form an informed opinion on this policy.	Yes I think it worthwhile to know if policy is being properly enforced	Yes	Yes	Sounds OK but there are a lot of projects worthy CDBG funding	The report does not describe this initiative enough for me to form an informed opinion on this policy	The report does not describe this initiative enough for me to form an informed opinion on this policy.	Yes. Include activists on this Board	Yes. My Google translate app does not have a setting for 'Planerese" so I translated it into Samoan and then back into English it read: "Establish Payment of Payments to include a payment reduction payment when units are provided on the site.	Yes	Yes. 14 & 15 should be one or the other but not both	Yes. 14 & 15 should be one or the other but not both	First of all the definition of 'affordable' has a built in class inequality. Why should a person earning $10,000 a year be expected to live on $7,000 for non-housing purposes while someone making $100,000/year would be expected to live on $70,000 for non-housing expenses? Why shouldn't the person earning $100,000 (or $1,000,000/year) be expected to eat ramen noodles, walk or take a bus to work, not take a vacation, and not save money for the future? Here are a few suggestions: - lower the overall cost of living, e.g.; provide universal WiFi via progressive tax - Deed restrictions. Especially for those who want to buy the public rental units that they live in - Sharing economy. Program for homeowners with big houses to rent rooms - Weatherizations grants/loans to lower the heating costs for tenants - Program to rent AirBnB units during the school year (i.e., no the summer season) - Land tax on open space (e.g., parking lots) as if it were built to maximum density - Modify the R6 so it isn't just used to build luxury $900,000 condos. That was not the intention of the change - Inclusionary zoning based on total project square footage and/or bedrooms, not simply units. Furthermore: - The report is long on stats but short on analysis and details of recommendations. - The pie charts on page 18 are wicked hard to read, it should be a bar chart - read Edward Tufte on visualization of information. - The fields in this form are very small and hard to edit. - The public outreach on this was not good and the questions in this survey are complex and not for the general public

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Response	Field Not Completed	Yes. This is very important now more than ever as many are living hand to fist one incident (job los, health issues)	Yes. Can cause a tumble that may be impossible to recoup from. Sometimes we all need a little help up!	Yes. $300. is a meager amount. Not sure if owner occupied condo conversions need to be treated differently than investor conversions ($1 - 5K) per unit!	Field Not Completed	Yes. Absolutely they are stressing our infrastructure more than any other type of development.	Yes. Absolutely needs to be done ASAP	Yes. This program is very useful. I have utilized it myself to repair my roof & replace my back deck. Almost paid off!	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	(1) Inclusionary Zoning should be 30%. (2) Short Term Rentals (STR) (i.e. AirBnB should be owner occupied only! No exceptions. **McGill University Study 8-20-17, check it o0ut!!
Response	Field Not Completed	Field Not Completed	Field Not Completed	Yes (#3)	Field Not Completed	Yes (#2)	Yes (#1) There is good opportunity for progress here, but any CLT should work closley with Land Bank Committee	Field Not Completed	Field Not Completed	Field Not Completed	Yes (#4)	Field Not Completed	Field Not Completed	Yes	Field Not Completed	1) Plese consider changing how Inclusionary Zoning Ordinance fee-in-lieu funds are used after placement in the Housing Trust Fund. Some, if not all, of the funds should stay within the neighborhood from which they derive to protect socioeconomic diversity. 2) Implement housing policy 2a (20% affordable) and/or double the $100,000 fee-in-lieu option; Implement 2b as well. 3) Explore incentives for maintaining and developing owner-occupied units, and avoiding excessive stock of investment properties.
Response	Field Not Completed	Yes	Yes	Yes	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	I just found out about this today so hopefully my response will still be counted. I found some of these concepts would require further research to make a truly informed recommendation but I did my best.
Response	Field Not Completed	Yes	Field Not Completed	Yes	Field Not Completed	Yes	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Field Not Completed
Response	No	No	No	Yes	Yes	Yes	Yes	No	No	No	No	Yes	No	Yes	Field Not Completed	Field Not Completed

Housing Policy Proposal	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	Develop a strategic homebuyer assistance program ("HomePort 2")	**Develop a foreclosure prevention program that will provide emergency grants to low-income homeowners in risk of foreclosure.**	**Secure Tenant Based Rental Assistance (TBRA) funding at $250,000 a year minimum, using a combination of City funds and federal funds (roughly 50/50.)**	**Increase the condominium conversion fee significantly to fund TBRA and/or the Housing Trust.**	**Review the current condominium conversion ordinance to assess whether the tenant notice and relocation assistance requirements are being followed.**	**Create a "hotel linkage fee" to fund City housing programs.**	**Have the City take the lead in exploring the creation of a Portland Community Land Trust (CLT) that would receive consideration at below-market rate for surplus city property for housing development.**	**Utilize CDBG funding to establish an emergency rehabilitation repair program**	**Offer rehabilitation funding in conjunction with the Lead Safe Housing Program**	**Agree to administer Portland Water District's water efficiency and repair services program.**	**Consider creating a Housing Advisory Board, primarily consisting of housing professionals with some tenant and landlord representations.**	**Amend the Inclusionary Zoning Ordinance to include a fractional fee-in-lieu payment when units are provided on-site**	**Amend the Inclusionary Zoning Ordinance to remove the sunset clause.**	**Amend the Inclusionary Zoning Ordinance to increase the percentage of mandatory affordable units.**	**Amend the Inclusionary Zoning Ordinance to lower the affordability income level.**	**Additional Comment**
Response	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes	Yes. With Much Tenant Representation	Yes	Yes	Yes	Yes	This form, it's deadline, it's format and language is exclusionary design. Asking a multi diverse city of 65-75 k people to fill a survey about an important issue like housing with a one week notice, with specialized language and acronyms is just shameful. I am a native english speaker, with some time to even fill out this form - and I am incredibly frustrated. You have to do better City Hall. You are not serving us well with pratices like this.
Response	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Yes	These surveys are a good idea but next time please use accessible language and link to the policies referenced in the survey. For example, the "current condominium conversion ordinance" is referenced but how are respondents supposed to know what that entails? Please provide accessible information on the zoning ordinances and the impact of proposed changes.
Response	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No	No	No	Yes	Yes	Honestly, I'd like to see all of these topics addressed to some degree, if possible.
Response	Yes	Yes	Field Not Completed	Yes	Yes	Field Not Completed	Yes	Yes	Yes	Field Not Completed	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed
Response	No	No	Yes. Also fund it by instituting a city income tax that only applies to folks making over $300,000/year	Yes	Yes	Yes	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Field Not Completed	Yes	Yes. make sure that those making min wage can afford a place here	Field Not Completed
Response	No	No	Yes	Yes	Yes	No	No	No	Yes	No	Yes	No	No	No	No	Field Not Completed
Response	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Field Not Completed

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Mary Davis, HCD Division Director

DATED: November 8, 2017

RE: Update on the Short Term Rental Registration Process

The registration process for short term rentals began on October 16th. An analysis of the registrations received as of November 7th indicates:

TYPE OF REGISTRATION	# OF REGISTRATIONS RECEIVED	REGISTRATION CAP
Non-Owner Occupied	91	300
Owner Occupied	86	N/A
Tenant Occupied	3	N/A
Island Occupied	1	N/A
TOTAL	**181**	

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Jeff Levine, Planning & Urban Development Director
Mary Davis, HCD Division Director
Victoria Volent, Housing Program Manager

DATED: November 1, 2017

RE: 2017 Housing Committee Report
Goals, Work Plan, and Accomplishments

I. Housing Committee Priorities

The City Council held a meeting on January 23, 2017 to develop key priorities and goals for the Council and its Committees. Listed below is the goal for the Housing Committee and it's priorities for 2017.

Goal: Increase access to safe, location-efficient rental and ownership housing that is affordable for working and low-income families.

Safe, affordable and accessible housing remains a core element of the American Dream. The Housing Committee should focus on land use policies that help residents match their housing needs with appropriate options over a lifetime. Success is when we have a broad array of housing choices to serve evolving individual and family housing needs.

Priorities:

- Complete work on Short Term Rental Regulations;
- Assure timely implementation of the 2016 Landlord/Tenant policies;
- Pull together a Current Situation Report on Housing Policy, Availability and Affordability. This would include an update on the implementation of policies e.g. inclusionary zoning. Establish a dashboard for annual or semi-annual evaluation;
- Implement Policies to Capitalize the Housing Trust Fund;
- Identify a unique opportunity to demonstrate engagement of the city in partnership (policy, expertise, funding, zoning, public land, etc.) to leverage development of a unique mixed use project that includes work force and low income housing; and
- Housing Safety – Serve as the sponsorship committee for the city's housing inspection programs. Support program evaluation, identify enforcement challenges, the advocate for the budget resources.

II. Addressing Committee Priorities

The Housing Committee met eleven times throughout 2017, including the meeting on November 8th. Outlined below is a brief overview of how the Committee addressed each of the goal and priorities highlighted by the City Council.

GOAL: Increase access to safe, location-efficient rental and ownership housing that is affordable for working and low-income families.

At the Housing Committee meeting on February 8, 2017 the Committee approved application criteria for staff to identify and recommend eligible development projects that were interested in applying for federal HOME Funding. The application went out to the public on August 1 and closed on September 8th. Two proposals were reviewed by the Committee at the September 26th meeting where the Committee voted to recommend to the City Council the award of HOME funds and Affordable Housing Tax Increment Financing. The City Council is expected to act on the funding requests at its November 20th meeting. The Committee allocated $200,000 towards the Portland Housing Authority's 58 Boyd Street Project and $300,000 to an Avesta Housing Development Corporation project called Deering Place which is located at 61 Deering Street and 510 Cumberland Avenue.

PRIORITY: Complete work on Short Term Rental Regulations

After a robust community process in 2016, the Committee finalized its short term rental regulation recommendations in the first three meetings in 2017. At the February 8, 2017 meeting the Committee voted 3-0 to forward recommendations to the City Council. The City Council voted 8-1 on March 27, 2017 to adopt the Short Term Rental Registration ordinance amendments.

PRIORITY: Assure timely implementation of the 2016 Landlord/Tenant policies

The Housing Committee reviewed the implementation of the 2016 Landlord/Tenant policies during its June 14 meeting. The Committee reviewed the revised Tenant Housing Rights Form and Brochure and suggested several edits. The Committee discussed the advisory committee and raised concerns regarding the role of the advisory committee. The Housing Committee Chair requested that staff come back to the committee with suggestions to address the concerns raised by the Committee; this request was placed on hold pending the outcome of the Rent Stabilization Referendum and possible overlap of duties with the Rent Board outlined in the referendum.

PRIORITY: Pull together a Current Situation Report on Housing Policy, Availability and Affordability. This would include an update on the implementation of policies e.g. inclusionary zoning. Establish a dashboard for annual or semi-annual evaluation

The Housing and Community Development Division of the Planning and Urban Development Department prepared the 2017 Housing Report which was submitted to the Committee at the October 26th meeting. The report was designed to give an overview of the current housing market and report out on the many policies and initiatives that the City has adopted to address the issues of housing availability and affordability.

PRIORITY: Implement Policies to Capitalize the Housing Trust Fund

During the September 26th meeting, staff outlined several housing policy proposals for the Committee's consideration. The proposals included several items that would contribute funding to the Housing Trust Fund. Additional options are being presented at this November meeting.

PRIORITY: Identify a unique opportunity to demonstrate engagement of the city in partnership (policy, expertise, funding, zoning, public land, etc.) to leverage development of a unique mixed use project that includes work force and low income housing

The concept of a City-initiated Land Trust may help implement this priority, and will be explored further. In addition, staff is exploring parcels of public land as possible locations at which to implement this priority, and will present identified and feasible options at a future Housing Committee meeting.

PRIORITY: Housing Safety – Serve as the sponsorship committee for the city's housing inspection programs. Support program evaluation, identify enforcement challenges, the advocate for the budget resources

At the May 10th meeting the Committee received an update and overview of the Housing Safety Office from Michael Russell, Department Director of the Permitting and Inspections Department.

At the July 12th meeting the Committee received an update and overview of the Fire Department's Inspection Program from Keith Gautreau, Assistant Fire Chief.

The Committee will continue to receive annual reports on these programs.

III. ***2017 Activities with Status***

Housing Program Budget

In February, the Housing Committee reviewed and approved the Housing Program Budget for HUD's annual HOME allocation for Portland and Cumberland County. The budget divided the funds into four categories including administration, housing rehabilitation, Tenant Based Rental Assistance (TBRA), and affordable housing development.

Short Term Rentals (Airbnb)

The Housing Committee voted on February 8th to forward to the City Council a set of policy recommendations regarding short term rentals. At the May 10th and July 12th meetings, the Committee reviewed, and ultimately made a recommendation to the City Council, an amendment to the short term rental registration ordinance as it pertains to a disorderly housing designation. On September 18, the City Council voted 9-0 to adopt the amendments.

Additionally, at the June 14th meeting, the Committee reviewed the Short Term Rental Registration

Implementation Guidelines created by the Permitting and Inspections Department

Division 30 Amendments

At the March 8th the Committee discussed amendments to Division 30 to support the creation of affordable housing. The Committee continued discussion on this item during the March 30th meeting and ultimately voted 3-0 to refer the amendments to the Planning Board for review. The City Council voted on September 6th to adopt the changes with amendments.

Additional Items

Additional items on the Committee's schedule in 2017 included:

- Recommendation to the City Council to approve the 2017 Housing Trust Fund Annual Plan;
- Recommendation to the City Council to approve changes to the Housing Code re: Habitation of Recreational Shelters.
- Recommendation to continue participation in the Cumberland County HOME Consortium;
- Received an update on the Lead Safe Housing Program funded through a 2016 grant from HUD's Office of Lead Hazard Control and Healthy Homes.
- Reviewed the FY 17 end of year report to HUD

IV. <u>Future Work</u>

The Committee made great strides this year to frame the most important issues while taking steps to help achieve the Councils goals for the Housing Committee. Listed below are a few items for the next Housing Committee to consider as part of their work plan for 2018.

- Housing First Incentives;
- Capitalizing Housing Trust Fund;
- Possible revisions to and the implementation of Section 6-225 (Rental Housing Advisory Committee) of the Tenant Housing Rights Ordinance.

2017 Housing Committee Work Plan
November 1, 2017

May 10, 2017

1) Overview of the Disorderly House Ordinance
2) Update and Overview of Housing Safety Office
3) Review of Proposed Changes to the Housing Code re: Habitation of Recreational Shelters
4) Review request(s) received through the Supplemental HOME Funds Application
5) Renewal of the City's participation in the Cumberland County HOME Consortium
6) 2017 Work Plan Discussion

June 14, 2017

1. Proposed revisions to the Disorderly House Ordinance/Short Term Rental Registration Ordinances
2. Review of Short Term Rental Implementation Guidelines
3. Update on the implementation of the 2016 Landlord/Tenants policies including review of Tenant Housing Rights brochure
4. Supplemental HOME Funds Update
5. 2017 Work Plan Discussion

July 12, 2017

1) Proposed revisions to the Disorderly House Ordinance/Short Term Rental Registration Ordinances
2) Update on Fire Department Inspection Program
3) Update on HUD 2017 HUD Funding Allocations for CDBG, HOME and ESG
4) 2017 Work Plan Discussion

August 9, 2017 – Committee will not meet in August.

September 26, 2017

1. Review of FY17 HUD Consolidated Annual Performance Report
2. Begin discussion on Policies to Capitalize the Housing Fund, opportunities to demonstrate engagement of the city in partnership (policy, expertise, funding, zoning, public land, etc) to leverage housing development, and other housing policy proposals.
3. Review of funding requests received from the Affordable Housing Development HOME application.
4. 2017 and 2018 Work Plan Discussion

October 26, 2017

1. Annual Housing Report - a current situation report on housing policy, availability and affordability, including an update on the implementation of policies e.g. inclusionary zoning, recent revisions to the R-6 Zone, accessory dwelling unit.
2. 2017 and 2018 Work Plan Discussion

November 8, 2017

1. Discussion of housing policy proposals included in the 2017 Housing Report; discussion topics will include:
    a. Revisions to the Inclusionary Zoning Ordinance;
    b. Report on Committee and Public Feedback
2. Update on Short Term Rental Registration
3. Review of 2017 Annual Committee Report
4. 2017 and 2018 Work Plan Discussion

December 13, 2017 (First day of Hanukkah)

Portland, Maine Yes. Life's good here.

Planning & Urban Development Department

TO: Councilor Duson, Chair
Members of the Housing Committee

FROM: Mary Davis, HCD Division Director

DATED: November 1, 2017

RE: Work Plan Discussion – Items to Refer to 2018 Housing Committee

As noted in the 2017 Committee Report, the Committee made great strides this year to frame the most important issues while taking steps to help achieve the Councils goals for the 2017 Housing Committee. Listed below are a few items for the next Housing Committee to consider as part of their work plan for 2018.

- Housing policy proposals included in the 2017 Housing Report;
- Housing First Incentives;
- Capitalizing Housing Trust Fund;
- Possible revisions to and the implementation of Section 6-225 (Rental Housing Advisory Committee) of the Tenant Housing Rights Ordinance.

DRAFT
2018 Housing Committee Work Plan
November 1, 2017

Items to refer to the 2018 Housing Committee

- Housing policy proposals included in the 2017 Housing Report;
- Housing First Incentives;
- Capitalizing Housing Trust Fund;
- Possible revisions to and the implementation of Section 6-225 (Rental Housing Advisory Committee) of the Tenant Housing Rights Ordinance.