

Agenda
City Manager Sounding Board to House Our Neighbors
Wednesday, May 12, 2021, 9 a.m. to 11 a.m.



CITY OF BEND

Virtual Meeting
Zoom Link:

<https://bendoregon.gov.zoom.us/j/96162166463?pwd=U09mMXdjc2xxbjZdZvS1YrSGJMQT09>

9:00 a.m. City Manager Sounding Board: Megan Perkins, Barbara Campbell, Katherine Austin, Briana Manfrass, Hans Jorgensen, Dana Richards, Stacey Witte, Erik Tobiason, Scott Winters, Jeff Payne (alt.)

- 1. Welcome & Introductions- Megan Perkins, City Councilor (5 mins)**
- 2. Agenda Overview, Approval of Minutes (Susanna Julber, Snr. Policy Analyst 5 mins)**
- 3. Shelter Types – Confirmation by Sounding Board (15 mins)**
- 4. Discussion of zoning districts, sizing requirements, and standards (Elizabeth Oshel, Associate City Attorney, Pauline Hardie, Snr. Code Planner, Susanna Julber, 45 mins)**
- 5. Break (5 mins)**
- 6. Continuation of zoning districts, sizing requirements, and standards (20 mins)**
- 7. Public Comment (10 mins)**
- 8. Wrap Up/ Action Items (Susanna Julber, 5 mins)**
- 9. Adjourn: 11:00 a.m.**

Next meeting date: May 26, 2021, 9 a.m. to 11 a.m.



This meeting/event location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats, language translations or any other accommodations are available upon advance request at no cost. Please contact the meeting organizer no later than 24 hours in advance of the meeting at sjulber@bendoregon.gov or fax 385-6676. Providing at least 2 days' notice prior to the event will help ensure availability.

City of Bend Mission Statement:

Delivering the right public services for the Bend way of life.

City Manager Sounding Board to House Our Neighbors
April 28, 2021

The meeting of the City Manager Sounding Board to House Our Neighbors was called to order at 9:00 a.m. on Wednesday, April 28, 2021, online and by phone.

City Manager Sounding Board: Homelessness Solutions: Megan Perkins, Barbara Campbell, Katherine Austin, Briana Manfrass, Hans Jorgensen, Dana Richards, Stacey Witte, Erik Tobiason, Scott Winters, Jeff Payne (alt.)

Absent: Jeff Payne

1. Welcome and Introductions

Sounding Board members and City staff introduced themselves.

2. Agenda Overview, Approval of Minutes

Member Austin moved to approve the April 14, 2021 meeting minutes. Member Jorgensen seconded the motion, the motion passed unanimously (9-0).

3. Public Comment

Mike Satcher asked if it would be possible in the future to have the public comment section at the end of the meeting rather than the beginning, so that the public can observe the work and will have something to comment on.

Tom Gugg, homeowner in the Larkspur Neighborhood, asked about the overlap between the temporary housing code changes that were already passed by the City Council on April 7, 2021 versus the whole process.

4. Overview of Public Involvement/ Community Survey/ Neighborhood Leadership Alliance (NLA) Survey

Makayla Oliver, Community Relations Manager presented a staff report on the NLA Survey.

Susanna Julber, Senior Policy Analyst, presented a staff report on public involvement and the Community Survey.

Julber shared there will be other opportunities for public involvement in this process and will bring back ideas to this group. .

5. Update: Pending State Legislation regarding Homelessness Land Use Solutions

Julber presented a staff report on the pending legislation for House Bill (HB) 2006 and HB 3261.

6. Discussion/ Overview of Peer Cities, Shelter Types and Zoning Districts- See attached Memorandum

Julber presented the following slides on the Peer Cities, Shelter Types and Zoning Districts:

- Sounding Board Roles
- Types of Shelters – Mass Shelters
- Types of Shelters – Outdoor Shelter Site
- Types of Shelters – Short-Term Shelters
- Types of Shelter – Transitional Shelter
- Safe Parking Program Overview

The Sound Board discussed the following in regard to Types of Housing:

- Mass Shelter Types
 - Take shower requirements out and put in a standard type instead - leave definition as basic
- Outdoor Shelter Types
 - Add restrooms, garbage and other similar items to the standards – staff to bring building code information to the next meeting
- Short-Term Shelter Types
 - Add micro-units that are not transition but, for long term
 - Standards – HB 2001 process ignoring density - might want to look at less restrictive for these types than micro-units – maybe not density but number of people served
 - Make not only temporary type shelter, but a longer-term facility
 - Staff to look into the timeframe and what the shelter should be called
- Transitional Shelters
 - Look at Covenants, Conditions and Restrictions (CCR) for future regulations
 - Make regulations for RVs as ancillary to single family dwelling so they do not become Short Term Rentals

7. Summary of Action Items

Julber explained that at the next meeting the Sounding Board will begin to make recommendations for standards in each zoning district, by type of shelter.

Public Comment:

Luke Richter said that all of this is going to be great in the long run, but there are things that can be happening on a day to day basis that would help change the perception of the greater community versus the house's population.

Mike Satcher shared a story about a friend and said that the answer is more love, more compassion and more dignity.

8. Adjourned at 11:00 a.m.

Respectfully Submitted,

Kayla M. Duddy
Deputy City Recorder

DRAFT



MEMORANDUM

CITY OF BEND

TO: Sounding Board to House Our Neighbors

FROM: Susanna Julber, AICP, Snr. Project & Policy Analyst, Pauline Hardie, AICP, Snr. Code Planner, Elizabeth Oshel, Associate City Attorney

DATE: May 7, 2021

RE: Prep Memo for Upcoming 5/12 Sounding Board Meeting

Hello Sounding Board members. As we look to our third meeting on May 12, we'll be revisiting the Shelter types we discussed during our last meeting and delving into Bend's Zone Districts to discuss where each of the Shelter types could be permitted, based on size and type of the facility.

Based on your feedback during our last meeting, we revised the definitions of each Shelter type as follows:

Shelter Definition: *A location for overnight accommodation of people who lack permanent housing. A shelter site may be permanent or temporary and is either an outdoor shelter, mass shelter, or transitional shelter.*

- ***Mass Shelter:*** *A building that contains one or more open sleeping areas, or is divided only by nonpermanent partitions, furnished with cots, floor mats, or bunks, for temporary overnight accommodation*
- ***Transitional Shelter:*** *A building providing temporary or transitional overnight accommodations in individual sleeping rooms for people who are houseless or who lack permanent housing.*
- ***Outdoor Shelter:*** *A lot or parcel site on which mobile or temporary units are placed for use as transitional shelter.*



We feel like RVs or other structure used as an ancillary use to a single family residence is slightly different than these other Shelter types, and will revisit RVs at a subsequent meeting. We'll focus the bulk of Meeting #3 on the shelter types listed above.

During the meeting on May 12, we will first look at the types of requirements and amenities that the Sounding Board determines are necessary for all of the Shelter types. We'll be discussing these (below) with you and asking for your approval, edits, and/or additions to these lists.

All Shelters MUST provide:	All Shelters MAY provide:
<ul style="list-style-type: none"> • Restrooms • On-site management at all times the facility is open for services. • Trash receptacles and/or garbage service. • A waiting area if waiting or first come/ first serve services are provided. • Landscaping and/or buffering, other standards are required via the underlying zoning district and associated standards. • Parking?? (we may need to table parking until a future meeting). • Other? 	<ul style="list-style-type: none"> • Meals and dining areas • Clothing/laundry facilities • Day care facilities • Case management services and information on or referral to other community resources • Showers • Other?

Next the board will consider Mass Shelters (i.e., Warming Shelter, Shepherd's House) and Transitional Shelters (Bethlehem Inn, Project Turnkey), to make recommendations on the size of the building per each of Bend's Zone Districts (refer to the last memo for a description of each of the Zone Districts from the Development Code). The following table provides SUGGESTED parameters for the Mass and Transitional Shelter types, as a starting point. We have based these recommendations on peer cities, and similar uses in the Bend Development Code.



Mass Shelters and Transitional Shelters				
Zone of Site	Mass Shelters: Maximum Number of Shelter Beds	Permitted (P), Not Permitted (N)	Transitional Shelter: Max number of Rooms	Permitted (P), Not Permitted (N)
RL, RS, RM, RH	20	P with 20, public and institutional (e.g. church, school, park, or public agency) up to 50	4 rooms, 8 guests allowed in our current B&B code.	P
CB*, CC*, PO, MR	100	P	80 rooms	P
CL, CG, PF	150	P	80 rooms	P
MN*, MU, ME*	75	P	50 rooms	P
IG, IL,	<i>Note: checking on building codes for industrial uses. Will update the group at the meeting.</i>			

**In the Bend Development Code (BDC), Shelters are a Conditional Use in CB, and not permitted in CC. Temporary Shelters are CU in the MN zone, and in ME permitted as part of a mixed use development.*

For size comparison and context, local shelters- like Shepherd’s House- has 30 beds, the Winter Warming Shelter provided 56 beds, and many of the other local options are much smaller- 10 to 20 beds for specific populations (teens, women, for example). In terms of Transitional Shelter examples, Bethlehem Inn has 148 beds, with varying rooms for families and individuals.

Bethlehem Inn’s Project Turnkey project in Redmond will have 25 rooms. Hotels that the City of Bend has been examining for a conversion/ turnkey project are between 40 and 60 rooms. For size comparison, the Riverhouse Motel, Bend’s largest motel, has 221 rooms.

Next, we’ll be asking you to make a recommendation about Outdoor Shelters (managed camps, Veteran’s Village) and the number of sites allowable by Zone District. Again, these are starting points based on research of existing RV Parks and campgrounds for reference, as well as other peer cities.

Outdoor Shelters	
Zone of Site	Outdoor Shelters: Maximum Number of Sites
RL, RS	15
RM, RH	50
CB*, CC*, PO, MR	70
CL, CG, PF	150
MN*, MU, ME*	50
IG, IL	<i>Checking on Building Code requirements for industrial.</i>

**In the Bend Development Code (BDC), Shelters are a Conditional Use in CB, and not permitted in CC. Temporary Shelters are CU in the MN zone, and in ME permitted as part of a mixed use development.*

For comparison, Veterans Village will provide 15 sites and a community building, and the St. Vincent DePaul “Micro Village Center” will provide 10 individual sites and a community building. Many of the Rogue Retreat options in Southern Oregon are around 15 sites, and the Urban Campground in Medford was just expanded to 120 sites.

We have a number of RV Parks in the City of Bend. For context, the Scandia RV Park/ Campground is 60 sites, the new “luxury” RV Park proposed for Murphy Crossing is 176 sites. The Urban Campground in Medford is 120 sites. Eugene’s microsites program are less than 25 sites. The Oregon Building Code does have requirements for campgrounds and RV Parks which we will send out to the Sounding Board in a separate document. The Building Code has requirements for sanitation, as well as spacing.

Wrapping Up

Our fourth meeting will be May 26, where we will be focusing on refining anything we missed at Meeting #3, and then discussing RV parking as an ancillary use to single family homes, plan for community involvement, and additional items.

Department of Consumer and Business Services

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Building Codes Division - Chapter 918

Division 650

RECREATION PARKS AND ORGANIZATIONAL CAMPS

918-650-0000

Reasonable Notice to Interested Parties

Prior to the adoption, amendment or repeal of any rule relating to the minimum safety standards for the design and construction of recreational parks and organizational camps as authorized in ORS 455.680, the Building Codes Division must give notice of the proposed action:

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date.
- (2) By notifying persons and organizations on the interested parties mailing list established under ORS 183.335(8) and OAR 918-001-0210.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 183.335

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0000

918-650-0005

Definitions

As used in OAR 918-650-0000 to 918-650-0085, unless the context requires otherwise, the following definitions apply:

- (1) "Alteration" means any change, addition or modification of roads, streets, spaces or construction, but does not include normal maintenance or replacement in kind.
- (2) "Approved" means accepted in writing by the Division or its designee.
- (3) "Area" means the land within the property or boundary lines of a recreation park or organizational camp.
- (4) "Building" is any structure used or intended for supporting or sheltering any use or occupancy regulated by the State Building Code as defined in ORS 455.010.
- (5) "Campground." See Recreation Parks.
- (6) "Combination Park" means a park which includes facilities for two or more types of recreation parks or a combination of a recreation park, organizational camp or mobile home park facility.
- (7) "Construction" means work regulated by the State Building Code as defined in ORS 455.010.
- (8) "Facilities" means the permanent work, such as but not limited to, streets, roads, embankments, space, refuse collection stands, fire pit enclosures, fire protection equipment etc., but does not include buildings and structures, and electrical and plumbing installations.
- (9) "Hostel" means any establishment as defined in ORS 446.310.
- (10) "Organizational Camp" as defined in ORS 446.310 means any area designated by the person establishing, operating, managing or maintaining the same as being for recreational use by groups or organizations. Organizational camp

includes, but is not limited to, youth camps, scout camps, summer camps, day camps, nature camps, survival camps, athletic camps or camps operated and maintained under the guidance, supervision or auspices of religious, public and private educational systems and community service organizations.

(11) "Picnic Park." See Recreation Park.

(12) "Recreation Park" as defined in ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreational vehicle park":

(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;

(b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;

(c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

(13) Registered Design Professional. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the State of Oregon.

(14) "Solid Waste" means decomposable or nondecomposable waste including but not limited to garbage, rubbish, refuse, ashes, waste paper and cardboard.

(15) "Space" means that portion of a park reserved for the location of a recreation vehicle, tent, tent vehicle or camping vehicle.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

[BCD 16-2019, amend filed 12/12/2019, effective 01/01/2020](#)

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0060

918-650-0010

Scope and Purpose

(1) OAR chapter 918, division 650 establishes minimum safety standards for the design and construction of recreation parks and organizational camps as authorized in ORS 455.680.

(2) These rules establish design and construction requirements for recreation parks and organizational camps for the purpose of protecting the life, health, safety and welfare of persons using these facilities.

EXCEPTIONS:

1- These rules do not apply to parking areas offering access to beaches, marinas, boat ramps, piers, ski areas, rivers, trails and similar facilities, where no recreational vehicle utility connections are provided.

2- The area development permit does not include permits or related fees for buildings, mobile home setups, mechanical, plumbing or electrical systems, boiler, or elevators, or permits required by other agencies.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0050

918-650-0020

Permit Required

No person may establish or enlarge the facilities of any recreation park or organizational camp or do any construction within the recreation park or organizational camp or cause the same to be done without first obtaining all required

permits from the building official and paying the prescribed permit fees. Multiple permits may be required when the proposed work involves two or more code areas (i.e., structural, electrical, plumbing, or mechanical).

EXCEPTION: Applications for permits, submission of plans and payment of fees are not required for additions, alterations, relocation and maintenance of picnic tables, play equipment, fire pits and similar facilities in existing parks.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0065

918-650-0025

Coordinating Regulation

Permit Issuance:

(1) The application, plans, specifications, computations and other data filed by an applicant must be reviewed by the building official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed conform to the requirements of these rules and other pertinent laws and ordinances, and that the fees have been paid, the building official must issue a permit to the applicant. Regulations that also apply to recreation parks and organizational camps are:

(a) Land Use. Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction site;

(b) Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits;

(c) Water Supply. Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority;

(d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;

(e) Solid Waste Disposal. Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality;

(f) Eating and Drinking Establishments. Eating and drinking establishments must comply with regulations under the Department of Human Services Oregon Health Authority;

(g) Ice Machines. Ice machines must comply with regulations under the Oregon State Department of Agriculture;

(h) State Building Code. Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder;

(i) Highway, Street and Driveway Permits. Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

(j) Fire Protection. Fire protection facilities must comply with the requirements of the appropriate jurisdiction's fire protection regulations;

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations must comply with the regulations of the Oregon State Fire Marshal;

(l) Swimming Pools and Spas. Swimming Pools and spas must comply with regulations under the Department of Human Services Oregon Health Authority;

(m) Hostels. Hostels must comply with the Oregon State Building Code and with regulations under the Department of Human Services Oregon Health Authority;

(n) Engineers/Architects Design. When required, park and camp designs must be prepared by a registered design professional.

(2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0070

918-650-0030

Fees — Expiration — Validation

(1)(a) Area Development Fee. The area development fee is determined from Table 1-RV using the valuation for all facilities for which the permit is issued. The fees in Table 1-RV are based upon valuation Table 2-RV for recreation parks or may be determined by the applicant with documentation acceptable to the issuing authority. Permit fees must be paid before any work begins.

NOTE: Table 1-RV is based on Table 3-A of the 1988 Uniform Building Code. The Area Development Permit does not include permits or related fees for buildings, manufactured dwelling installations, accessory buildings and structures, mechanical, plumbing or electrical systems, boilers, elevators, or permits required by other agencies.

(b) Plans Review Fee. The area development Plan Review Fee is 65 percent of the area development permit fee set forth in subsection (1)(a) of this rule and must be paid when plans and specifications are submitted for review;

(c) Other Fees:

(A) Inspections outside of normal business hours (minimum charge — two hours), \$50/hour;

(B) Reinspection fee, \$50/hour;

(C) Inspection for which no fee is specifically indicated (minimum charge — one-half hour), \$50/hour;

(D) Additional plan review required by changes, additions or revisions to approved plans (minimum charge — one-half hour), \$50/hour;

(E) Consultation fee (minimum one hour), \$30/hour.

(2) Other Fees:

(a) A special inspection is required and a special inspection fee must be paid before a permit may be issued for work started without a permit. The special inspection fee must be equal to and in addition to the amount of the permit fee required by these rules;

(b) Other Inspection Fees. In addition to the called for inspections, the building official may make or require inspections of any construction work to confirm compliance with the provisions of this code and other laws which are enforced by the building official;

(c) Reinspection Fees. A reinspection fee may be assessed for each inspection or reinspection when the work for which inspection is called is not complete or when corrections called for are not made.

NOTE: This subsection is not intended to require reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but is to control the practice of calling for inspections before the job is ready for such inspection or reinspection.

(3) Expiration and Validity of Plans and Permits:

(a) Expiration of Plan Approval. Area Development plan approval expires one year after the date that the approval is granted if no area development permit is issued. Upon receipt of a written request from the applicant the building official may extend the time for action by the applicant for a period of not to exceed 180 days. To renew action on an application after the expiration of a plan approval, the applicant must resubmit plans and pay a new plan review fee;

(b) Expiration of Area Development Permit. An area development permit expires if the work it authorizes is not commenced within 180 days from the date of issuance of the permit, or if the work is suspended or abandoned for 180 days at any time after it is commenced. A permittee holding an unexpired permit may apply for an extension of the time within which the work may be commenced under that permit. The time for action by the permittee may not exceed 180 days. Requests for extensions must be in writing, and no permit may be extended more than once. If such work is not recommenced, before a permit or extension expires a new permit must be obtained. The fee is one-half the amount required for the first permit, provided that:

(A) No changes have been made in the original plans and specifications; and

(B) The duration of the suspension of work or abandonment has not exceeded one year.

(c) **Validity.** The issuance or granting of an area development permit or approval of area development plans and specifications may not be construed to be a permit for, or approval of, any violation of any of the provisions of these rules. The issuance of a permit based upon plans and specifications may not prevent the building official from later requiring the correction of errors in such plans;

(d) **Suspension or Revocation.** The building official may, in writing, suspend or revoke an area development permit when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any provision of these rules, or any other ordinances.

(4)(a) The fees established in this rule apply to the Division.

(b) Municipalities who have been delegated the park and camp program by the Division may establish their own fee schedule or adopt the Division's fee schedule through local ordinance.

(c) The amount of the fee may not exceed the costs of administering the park and camp program.

(d) The municipality, quarterly, must remit 15 percent of the collected fees to the Division for monitoring municipal programs and for providing informational material necessary to maintain a uniform state program.

[NOTE: Tables referenced are not included in rule text.]

[ED. NOTE: To view attachments referenced in rule text, [click here to view rule.](#)]

Statutory/Other Authority: ORS 455.020, 455.110, 455.170, 455.210 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

[BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018](#)

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCD 12-2008, f. 6-30-08, cert. ef. 7-1-08

BCA 36-1991, f. 10-23-91, cert. ef. 10-31-91

BCA 16-1991(Temp), f. 6-7-91, cert. ef. 7-1-91

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0075

918-650-0035

Plans and Specifications

(1) **Plans.** With each application for a plan review the applicant must submit two sets of construction plans and specifications. Plans and specifications must be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction shown on these plans may contain construction details required by other rules or regulations in order to aid other agencies in determining compliance with their coordinating regulations.

(2) **Design.** All plans must be designed in accordance with the requirements of the various codes and administrative rules and, where required, must be designed by a registered design professional.

(3) **Plan Format and Sequence.** The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans must give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) must include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan must show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features must be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

(E) Plans for combination parks must also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems must be clearly shown and identified on a separate sheet:

(A) Location of space sewer connections, space water connections and service electrical outlets;

(B) Location and source of domestic water supply;

(C) Location of water and sewer lines (showing type, size and material);

(D) Park or camp street layout and connections to public street(s);

(E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;

(F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;

(G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and

(H) Liquid Petroleum Gas (LPG) tanks and gas lines.

(c) Park Topography. Park topography must be shown in the area of work when any existing grade or slope exceeds five percent.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0080

918-650-0040

Inspections

(1)(a) General. All construction or work for which a permit is required must be subject to inspection by the building official;

(b) It is the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the employee nor the building official are liable for expense entailed in removal or replacement of any material required to allow inspection.

(2)(a) Inspection Requests. It is the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require every request for inspection be filed at least three working days before such inspection is desired. Such requests may be in writing or by telephone at the option of the building official;

(b) It is the duty of the person requesting any inspections required by these rules to provide access to and means for proper inspection of such work.

(3) Approval Required. Approval may be given only after an inspection has been made on each successive step in the construction as indicated on each of the inspections required in section (4) of this rule.

(4) Required Inspections. The building official, upon notification from the permit holder or the permit holders agent, must make the following inspections and must either approve that portion of the construction as completed or must

notify the permit holder or agent wherein the same fails to comply with these rules:

- (a) Rough Grading. When rough grading of roads and spaces are completed;
- (b) Prior to Paving. Before any asphaltic concrete or portland cement concrete is placed;
- (c) Final Inspection. A final inspection may be made after finish grading and all permanent facilities are in place;
- (d) Coordinating Regulation Inspections. Inspection required by the Coordinating Regulations specified in these rules.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0085

918-650-0045

General Construction Requirements

General:

- (1) Combination Parks. The portions of combination parks which are dedicated to campground, organizational camp, picnic park, mobile home park or recreational vehicle park use must be identified and each use must comply with the applicable regulations. Jointly used areas must be designated accordingly.
- (2) Space Separation and Designation. Building or space separation and space designation must be as follows:
 - (a) The distance between buildings must be as required in the Oregon Structural Specialty Code;
 - (b) The distance between spaces must be as provided in OAR 918-650-0055(1);
 - (c) Spaces must be identified by signs or markings corresponding to the letters, numbers or names indicated on the approved plans.
 - (3) Access. Each space designed for vehicular use within a recreation park or organizational camp must have direct access to a park, street or road. The access may not be obstructed by grade or vertical clearance. The entrance to roads with impaired clearance must be provided with warning signs.
 - (4) Street Width. Park streets intended for use by the public must be of adequate width to accommodate the planned parking and traffic load. Each traffic lane must be ten feet minimum width. Where parking is permitted on park streets, each parking lane must be ten feet minimum width. All two-way streets without parking must be 20 feet minimum width.
 - (5) Connection to a Public Way. The park street system must have direct connection to a public way.
 - (6) Park Roads and Streets. Roads and streets intended for use by the public must be designed for minimum nine-ton gross loads and streets and walkways must be well drained. The street surface may be asphaltic-concrete, portland cement concrete, crushed rock, gravel or other approved surface material.
 - (7) Cleanable Construction. Fireplaces, fire pits or cooking facilities must be of cleanable construction and designed to permit easy removal of ash and other waste.
 - (8) Screens. All openings, except doors with self-closing devices, into the outer air of permanent kitchens, dining rooms, toilets and shower facilities must be effectively screened. Screens may not be less than sixteen mesh per inch, and all screen doors must be equipped with a self-closing device.
 - (9) Solid Waste Containers. Solid waste containers must be in place at the time of final inspection. Solid waste containers or bins must:
 - (a) Have tight-fitting lids, covers or closable tops; and
 - (b) Be durable, rust-resistant, water tight, rodent-proof and washable;
 - (c)(A) Containers in recreational vehicle parks must be provided at a rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. Containers may be grouped;
 - (B) Containers in picnic parks, campgrounds and organizational camps must be provided at a rate of one 30-gallon container for each 20 occupants or fraction thereof that the camp or park is designed to accommodate. Containers may be grouped.

EXCEPTION: The requirement for solid waste containers in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(10) Water Systems in Flood Zones. Potable water systems located in, or partially in flood zones, must be provided with valves to isolate that portion of the system in the flood zone from the rest of the system, and fittings must be installed to permit flushing and treatment of the flood zone portion of the water system.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0090

918-650-0050

Toilets

(1) Toilet facilities must be provided in every recreation park or organizational camp. They must be convenient and accessible and must be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities must be as required in Table 3-RV;

(b) Toilet Bowls. Toilet bowls for public use must be elongated bowls with open-front seats. Any room with flush toilets must be provided with a floor drain as required in the **Oregon Plumbing Specialty Code**;

(c) Signs. Toilets must either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets must be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them must be constructed in accordance with the State Building Code;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities must be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, must be constructed and located in accordance with the requirements of the Department of Environmental Quality.

[Publications: Publications referenced are available from the agency.]

[NOTE: Table referenced is not included in rule text.]

[ED. NOTE: To view attachments referenced in rule text, click here to view rule.]

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

[BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018](#)

BCA 7-1988, f. & ef. 4-1-88, Renumbered from 814-029-0095

BCA 10-1987, f. & ef. 9-18-87

918-650-0055

Special Rules for Overnight Campgrounds

(1) Spacing. Each camping space must be large enough to accommodate the designated class of recreational vehicle or tent and be located a minimum of ten feet from any other camping space, building or building appurtenance or any boundary line abutting upon a public street or highway, and five feet from any property line. The space area must be designed to minimize the obstruction of any public or private roadway or walkway by vehicles or tents.

(2) Faucets. Camping space faucets and hydrants must be equipped with an approved back flow prevention device as required by the Oregon Plumbing Specialty Code.

(3) Gray Water Waste Disposal System. Recreation parks which supply water must provide a sewage disposal system or a gray water waste disposal sump for each six spaces that meets the requirements of the Department of Environmental Quality.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0100

918-650-0060

Special Rules for Organizational Camps

Sleeping Spaces. Permanently installed beds or bunks must have:

(1) A minimum of 30 inches of lateral separation between beds and a minimum of 30-inch vertical separation between tiers of beds or between the top tier and the ceiling.

(2) A maximum of two tiers of bunks.

(3) Not less than ten inches of space between the floor and the underside of the beds. In lieu of such space, a bed may have a continuous base which is attached to the floor.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0105

918-650-0065

Temporary Recreation Parks

(1) The building official may exempt any requirement of these rules regarding toilets, waste water disposal, spacing or plan review and plan review fees, to meet special short-term campground needs if public health will not be endangered.

(2) Exemptions issued under this rule expire on the date stated in the exemption, but no exemption is valid for more than six months.

(3) The building official may establish reasonable conditions for the operation of a temporary park.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 8-1993, f. 4-29-93, cert. ef. 5-1-93

Reverted to BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0109

BCA 15-1992(Temp), f. & cert. ef. 8-7-92

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0109

918-650-0070

Alternate, Materials and Interpretations; Appeals

(1) These rules are not intended to prevent the use of any alternate material, design, or method of construction for recreation parks or organizational camps which the rules do not specifically prescribe, provided that the building official has approved such alternate.

(2) Modifications. Wherever there are practical difficulties involved in carrying out the provisions of these rules, the building official may grant modifications for individual cases, provided the building official:

(a) Determines that a special individual reason makes the strict compliance with the letter of OAR 918, division 650 impractical;

(b) Ensures that the modification does not lessen any fire protection requirements or any degree of structural integrity or create any health or safety hazards; and

(c) Maintains the details of any such action granting modifications in the files of the municipality.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0110

918-650-0075**Existing Parks**

(1) Parks or camps existing prior to September 18, 1987 may have their existing use continued if the use was legal at the time of construction, provided that this continued use is not a threat to life, health, property, and general welfare of the public and is maintained in a safe and healthful condition.

(2) Any alteration to a recreation park or organizational camp must comply with the requirements of ORS Chapter 446 and these rules for new parks or camps.

Statutory/Other Authority: ORS 455.020, 455.110 & 455.680**Statutes/Other Implemented:** ORS 455.680**History:**

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0115

918-650-0080**Enforcement**

(1)(a) As set forth in ORS 455.680, the permit issuing authority with respect to the construction of recreation parks and organizational camps is the Division;

(b) Delegation to municipalities. The Division may delegate to any municipality which requests any of the authority, responsibilities and functions of the Division relating to recreational parks, organizational camps and picnic parks as defined in ORS 446.310, including but not limited to plan review and sanitation inspections if the Division determined that the municipality is willing and able to carry out the rules of the Division relating to such authority, responsibilities and functions. The Division may review and monitor a municipality's performance under this subsection. In accordance with 183.310 to 183.550, the Division may suspend or rescind a delegation under this subsection. If it is determined that a municipality is not carrying out such rules or the delegation is suspended, the unexpended portion of the fees collected under OAR 918-650-0030(4)(a) must be available to the Division for carrying out the authority, responsibility and functions under this section;

(2) Plan Review and Inspection. The building official must perform plan reviews and construction inspections to assure that the construction complies with the approved plans.

(3) Correction Notice for Violations. All deviations from the requirements of the statutes or these rules must be specified in writing and a copy furnished to the permittee. An additional copy of this notice may be posted at the site of work or mailed or delivered to the permittee or the permittee's agent at the address shown on the permit. The building official may provide information as to the meaning or application of the statutes or rule. Refusal, failure or neglect to correct deviations from the minimum standards specified in the notice of violation within 20 days of receipt or posting of the notice of violation may be considered a separate violation of the statutes or these rules.

(4) Stop Orders. Whenever any work is being done contrary to the provisions of these rules, the building official may order the work stopped by notice in writing served on any person engaged in causing such installation to be made, or by posting a copy thereof at the site of the installation, and thereafter no person may proceed with the work until authorized to do so by the building official.

(5) Suspension or Revocation The building official may, in writing, suspend or revoke a permit issued under these rules, whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any rules, regulations or statute.

(6) Right of Entry. Whenever it may be necessary to make an inspection to enforce any provision of these rules, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition which makes that building or those premises unsafe under these rules, the building official may enter that building or those premises at any reasonable time to inspect them or to perform any duty imposed upon the building official by these rules. If that building or those premises be occupied, the building official must first present proper credentials and demand entry; and if that building or those premises be unoccupied, the building official must first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the building official may have recourse to every remedy provided by law to secure entry.

(7) Appeals.

(a) Any person aggrieved by the final decision of a municipal appeals board or of a subordinate officer of the Division as to the application of any provision of these rules may, within 30 days after the date of the decision, appeal that decision as provided for in ORS 455.690.

(b) Alternate appeals process. A person aggrieved by a decision made by a building official may appeal the decision as specified in ORS 455.475.

Statutory/Other Authority: ORS 455.020, 455.110, 455.475, 455.680 & 455.690

Statutes/Other Implemented: ORS 455.680

History:

BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-0121

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Shelter ▶ to Housing Continuum

Amendments to the City Code

Volume One, Introduction

Recommended Draft - As Amended
April 2021

The Shelter to Housing Continuum Project will further fair housing goals by expanding shelter and housing options throughout the city. The Bureau of Planning and Sustainability, the Portland Housing Bureau and the Joint City-County Office of Homeless Services are partnering to retool city codes to better address our homelessness crisis.

Cover illustrations kindly provided with permission:

Josh Chang for a photograph of the Kenton Women's Village shelter,
Multnomah County Communications for a photograph of the
Laurelwood Center shelter,
Multnomah County Communications for a photograph of the Family
Village shelter, and
Guerilla Development Company for a drawing of the "Jolene's First
Cousin" group living building.

Cover design by Gaby Jenkins, Bureau of Planning and Sustainability.

The Bureau of Planning and Sustainability is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please contact at 503-823-7700 or use City TTY 503-823-6868, or Oregon Relay Service 711.

Traducción o interpretación	Chuyển Ngữ hoặc Phiên Dịch	翻译或传译	Письменный или устный перевод	Traducere sau Interpretare
الترجمة التحريرية أو الشفهية	Письмовий або усний переклад	翻訳または通訳	Turjumida ama Fasiraadda	ການແປພາສາ ຫຼື ການອະທິບາຍ

www.portland.gov/bps/translation-interpretation-and-accommodation

Testimony on the Recommended Draft is due on March 17, 2021

How to Testify:

The Shelter to Housing Continuum Recommended Draft will be considered by the Portland City Council. The public is invited to submit formal comments (public testimony) to City Council in writing, online via the Map App, or remotely at the public hearing. Testimony is directed to City Council, which may amend the proposal.

To testify in writing:

You must provide your full name and mailing address and use one of the following methods:

- **MapApp:**
The MapApp is easy as sending an email. Go to: <https://www.portlandmaps.com/bps/mapapp/>, click to view the Shelter to Housing Continuum Project and then click “Testify”.
- **U.S. Mail:**
Portland City Council
Shelter to Housing Continuum Tetimony
1221 SW 4th Avenue, Room 130
Portland, OR 97204

To testify at the City Council meeting:

You may speak for three minutes to the City Council, and your testimony will be added to the public record. You must provide your full name and mailing address.

Council hearing date: Wednesday March 17, 2021 at 2p.m.

The hearing will be held virtually. You can use a computer, mobile device or telephone to testify during the hearing. **You must pre register to testify. See below:**

To testify during the hearing, please visit the project website to register: <https://www.portland.gov/bps/s2hc> . You will receive a confirmation email containing information about joining the virtual hearing. The deadline to sign up for the March 17 Council hearing is March 16 at 4:00 p.m. Individual have three minutes to testify, unless stated otherwise at the hearing.

Email the Council Clerk at cctestimony@portlandoregon.gov with questions.

To confirm the hearing date and time, check the City Council calendar at <https://www.portlandoregon.gov/auditor/26997> for the most updated information.

For more information:

Visit the project webpage at www.portland.gov/bps/s2hc or contact Eric Engstrom at Eric.Engstrom@portlandoregon.gov

Project timeline:



Acknowledgments

Portland City Council

Ted Wheeler, Mayor
Jo Ann Hardesty, Commissioner
Mingus Mapps, Commissioner
Carmen Rubio, Commissioner
Dan Ryan, Commissioner

Portland Planning and Sustainability Commission

Eli Spevak, Chair
Steph Routh, Vice Chair
Katherine Schultz, Vice Chair
Jeff Bachrach, Commissioner
Ben Bortolazzo, Commissioner
Mike Houck, Commissioner
Katie Larsell, Commissioner
Oriana Magnera, Commissioner
Chris Smith, Commissioner

Bureau of Planning and Sustainability

Carmen Rubio, Commissioner-in-charge
Andrea Durbin, Director
Joe Zehnder, Chief Planner
Eric Engstrom, Principal Planner

Project Staff

Al Burns, AICP, (Retired) Senior City Planner, Bureau of Planning and Sustainability, Project Manager
Shannon Buono, Senior City Planner, Bureau of Planning and Sustainability, Code Editor
Jessica Conner, Senior Policy and Planning Coordinator, Housing Bureau, Technical Advisor
Phil Nameny, City Planner II, Bureau of Planning and Sustainability, Technical Advisor
Matt Wickstrom, Senior City Planner, Bureau of Development Services, Technical Advisor

Project Advisors

Terry Whitehill, Bureau of Development Services
Marc Jolin and April Rohman, Joint Office of Homeless Services
Jonny Lewis, Office of Management and Finance
Amber Clayton, and Mike Crebs, Portland Bureau of Transportation
Brett Horner, Portland Parks and Recreation
Marie Walkiewicz, Bureau of Environmental Services
Nate Takara, Portland Fire and Rescue
Chris Davis and Jake Jensen, Police Bureau
Lauren King, City Attorney's Office
Seraphie Allen and Zachary Kearnl, Mayor Wheeler's Office
Claire Adamsick and Cynthia Castro, Commissioner Fritz's Office
Derek Bradley, Commissioner Hardesty's Office

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Volume Three, Other Amendments to the City Code

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Volume One, Introduction

Summary

This report contains amendments to the Portland City Code that facilitate the provision of shelter and allow more affordable forms of housing. None of these amendments would go into effect unless first adopted by an ordinance of the Portland City Council.

The report is in three volumes. This Volume One contains an introduction. Volume Two contains amendments to Title 33 of the Portland City Code, which includes all the City's planning zoning regulations. Volume Three contains amendments to four other titles of the Portland City Code concerning a variety of matters other than planning and zoning.

Comments describing the amendments may be found on the pages facing the code changes in both Volumes Two and Three of this report. Language to be added to City codes is indicated by underlined text and language to be removed is indicated by ~~strikethrough~~ text. Language to remain unchanged is indicated by plain text.

Purpose

The Shelter to Housing Continuum Project (S2HC) is part of a larger multi-jurisdictional effort to provide safe, decent and affordable shelter and housing to every Portlander that needs it. The project scope is limited to reviewing and proposing changes those parts of the Portland City Code having the potential to impede this purpose.

Particularly, the S2HC project will allow a range of shelters sited as temporary emergency uses to be reviewed and considered for approval through permanent code provisions. The housing emergency declaration allowing temporary siting expires on April 4, 2021 (although extended 1 year). The project schedule allows necessary amendments to be placed into effect in a timely manner.

The S2HC project will further fair housing laws, expand the range of shelter and housing options, and improve the regulatory environment for nonprofit, for-profit and public-sector shelter and housing providers.

The word "continuum" underscores an intent that the code amendments will help make more low-barrier, entry-level, temporary shelter available to more persons experiencing, or about to experience, a loss of housing; provide for more longer-term transitional shelters with onsite supportive services; and allow construction of a wider variety of more affordable types of permanent housing.

Authorization

The Portland Bureau of Planning and Sustainability was directed by City Council on February 19, 2019 to undertake this work through Ordinance No. 189387. That ordinance extended the City's State of Housing Emergency to April 4, 2021. Background research for the S2HC Project was supported by a grant from the Oregon Department of Land Conservation and Development. Best practices research was provided by Angelo Planning.

Contributors

The Portland Bureau of Planning and Sustainability (BPS), Bureau of Development Services (BDS), Portland Housing Bureau (PHB) and the Multnomah County/City of Portland Joint Office of Homelessness Services (Joint Office) are the principal contributors to this report. The bureaus of Transportation (PBOT), Environmental Services, Parks and Recreation, and Water also provided technical assistance.

Partners

While the code amendments were under development, the Portland Housing Bureau built more apartments with supportive services for extremely low-income individuals and households. The Joint Office of Homeless Services increased its efforts to meet rising demand for emergency and short-term shelter, day storage, and hygiene facilities, while the City provided socially distanced, outdoor tent camping facilities as a COVID-19 response. Metro also made the Oregon Convention Center available as an emergency shelter.



Interior of the Portland Homeless Family Shelter “Family Village.” A Short Term Shelter facility supported by the Joint Office of Homeless Services.

Context

On October 7, 2015, the Portland City Council declared a housing emergency to help address the city’s growing homelessness and housing affordability crises. That declaration allowed for the expedited development of affordable housing projects and made it easier to provide shelter and services to people experiencing homelessness.

Two years later, in partnership with Multnomah County and the Joint Office, the City committed to adding 2,000 units of Permanent Supportive Housing to address chronic homelessness in our community. There are already more than 800 new units of this supportive housing, either open or being built now.

Affordable housing production remained at an all-time high in 2019 for a second consecutive year, with 878 new units — the most ever produced in a single year. Another 3,100 are currently in development. Portland’s Housing Bond has contributed to this robust response. Twelve projects, totaling more than 1,420 units of permanently affordable housing, are either open or in progress across the City since voters overwhelmingly approved the City’s first bond for affordable housing in 2016.

Despite this progress, 4,015 people were counted as experiencing homelessness on a single night during the winter of 2019. The economic downturn caused by the COVID-19 pandemic has placed many more households at risk. Portland’s homelessness crisis is far from over. The pandemic has postponed the 2021 count.

The S2HC project is informed by this larger context.

A Brief Overview of How the City Code Works

Portland City Code, Title 33, Planning and Zoning (zoning code) contains all City’s land use regulations. These regulations indicate whether a particular use or development is allowed in a particular place. These places are usually a base zone, overlay zone, or a plan district. All these zones and districts are depicted on the City’s zoning map. The S2HC project makes no changes to the zoning map.

While Title 33 contains the City’s land use regulations, other Titles also impact how development occurs or how uses operate. For example, Title 24 contains building regulations governing how development allowed by the zoning code must be built. There are different building standards for single-dwelling residential, multi-dwelling residential, and commercial buildings as well as for low- and high-rise construction. Title 29 contains property management regulations controlling of the types of uses that may occupy various types of structures.

This is an example of how these codes work together. Title 33 would allow building a detached garage in a residential back yard, provided lot line setback and building height and coverage requirements were all met. Title 24 would control how the garage was built by only allowing certain construction methods and materials. Title 29 would then allow the parking of cars and the storage of tools, but it would prohibit the owner of the garage from allowing a student to live in it while attending a nearby college.

While Titles 24, 29, and 33 regulate platted lots and parcels, both privately and publicly owned, Titles 16 and 17 regulate dedicated public rights-of-way. How a street can be used and what can be stored, placed, or parked upon it is controlled by these Titles of the City Code.

Overview of Code Changes

The four most significant code changes are:

- Providing more flexibility for shelter siting,
- Establishing outdoor shelters as a new community service use,
- Liberalizing the group living allowances, and
- Allowing permanent occupancy of recreational vehicles and tiny house on wheels.

Volumes Two and Three of the S2HCP Project each contain a table of contents citing the report page numbers for each chapter of amended codes. A title is the largest division of the City code; a chapter is a more detailed division of a title. The amended City Code Titles include 8, 15, 17, 21, 29, 30 and 33.

Other changes include:

- Amending Title 15 Housing Emergency authorities to better align with revised sections of Title 33.
- Clarifying how Group Living accommodations that are not complete dwelling units (these are often called “micro apartments” or “single room occupancy units”) are regulated.
- Eliminating the Group Living conditional use requirement for alternative and post incarceration facilities.
- Coordinating with PBOT to consider temporary, transportable day storage locker, and bathroom and shower modules in the street to serve people experiencing homelessness and being served by shelters.
- Providing alternative methods for siting temporary outdoor and mass shelters.
- Exempting outdoor shelters from design review and pedestrian circulation standards.
- Employing more careful terminology to distinguish shelter from housing, consistent with the principle that there is a tenant to landlord relationship established with housing but not with shelter.
- Amending Titles 17, 21 and 30 to waive System Development Charges (SDCs) for Outdoor Shelters and utility hookups for RV/Tiny House on Wheels.

All of these changes are described in more detail in the Sections below.

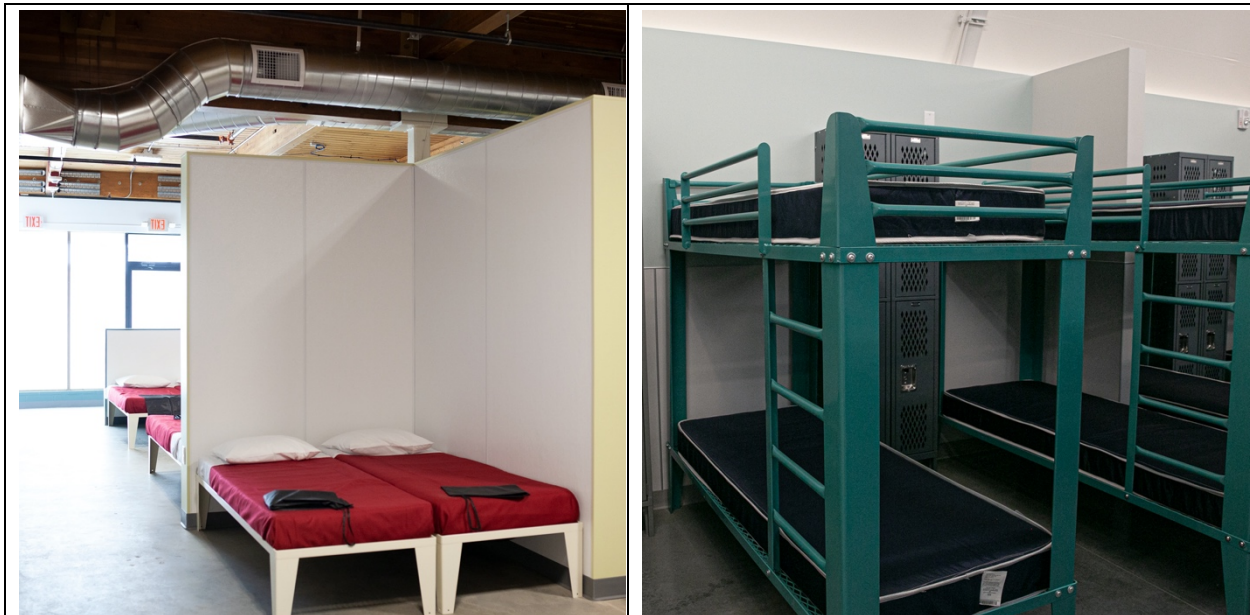
Shelter Flexibility

Temporary Shelters

The current code requires periodic declarations of an emergency to facilitate siting of some types of temporary shelter. What was initially viewed as a short term need for temporary shelters has become an ongoing need. The updated codes would allow the quick opening of temporary mass or outdoor shelters in temporary locations through new procedures. These shelters would be allowed to operate for up to 180 days in a calendar year, but temporary outdoor shelters cannot be placed within Open Space zones or in environmentally sensitive, or floor prone areas. To become permanent, a mass or outdoor shelter would be subject to requirements and limitations stated elsewhere in this document. The changes described above are accomplished through amendments to Chapters 33.296, and through an amendment to Title 15.

Existing Language for Mass & Short Term Shelters

The amendments increase the situations where a mass or short-term shelter can be sited, and in some zones, increases the allowed number of mass or short-term shelter beds. These changes provide greater siting flexibility, as well as correct an oversight made when the then new commercial mixed-use zones were but in place with the Comprehensive Plan Update, effective 2018. The changes to the numbers of allowed shelter beds are made in Chapter 33.285.



The Laurelwood Center and Portland Harbor of Hope
Two examples of the Mass Shelter format

Day Facilities and Services

Some shelters need to be served by ancillary facilities, such as lockers and hygiene stations. These facilities may need to be placed in rights-of-way. BPS will continue to work with the Bureau of Transportation (PBOT) to ensure that their future updates to Title 17 will more clearly allow day storage units and hygiene facilities in public right-of-way.

Meal Programs

There have been some cases where existing code has limited the ability of faith-based institutions to initiate or expand charitable meal programs. Changes are made to clarify that operating a “meal program” no longer requires a conditional use, or a conditional use amendment. This amendment also applies to schools, colleges and community service providers that want to provide meal programs.

Shelter and Housing Terminology

Using the term “housing” for a shelter facility not intended for long-term residential occupancy can create confusion and may imply landlord-tenant relationships exist. In general, housing is intended for permanent occupancy, and shelter is intended to serve transitional or emergency needs. The updated code makes numerous substitutions of terminology in several zoning code chapters to make the distinction between shelter and housing clearer. For example, the amended code changes the name of the Community Service use “Short Term Housing” to “Short Term Shelter” because the relationships in these facilities are provider to client or host to guest rather than landlord to tenant.



An individual bedroom within the Portland Homeless Family Shelter. A facility in the Short Term Shelter format.

Outdoor Shelters

The current zoning code offers no clear path for approving long-term siting of outdoor shelters, such as the Kenton Woman’s Village, Dignity Village, Right 2 Dream Two or other situations where shelters such as tents or cabins have been set up by public and non-profit agencies. Some existing shelters have been given temporary lawful status through an emergency declaration, or through other project-specific Council actions. Code amendments provide for quick approval of temporary shelters and allow longer term occupancy of smaller shelters in certain zones. Clearer and more certain paths for retention and longer-term approval of outdoor shelters are in amended Titles 15 and 33 of the City Code. The new outdoor shelter use would join mass shelters and short term shelters (renamed from short term housing) in the Community Service use category. Definitions in Title 30 are amended to align with the revised shelter terminology in Title 33.

Because even permanent outdoor shelter locations are often built with temporary structures, and because the individual accommodations are often replaced, reconfigured, or moved, exemptions to some zoning standards are included. Outdoor shelters are made exempt from design review by a change to 33.420.

A narrow exception has also been added to the blanket prohibition on shelters in industrial zones. This is accomplished through modified approval criterion in 33.815. This exception would only apply to outdoor shelters on small sites on publicly owned land.



The Kenton Women’s Village
An Example of the
Outdoor Shelter
format.

Summary of Shelter Changes

The allowance of outdoor shelters within some commercial/mixed use and higher density residential zones, along with a similar expansion of the areas where mass shelters and short term shelters may locate by right within these zones means that these shelters will have additional opportunities to locate within many mixed use or higher density residential zones without requiring a conditional use review. In general, the commercial/mixed use zones and higher density residential zones are located in areas that are closer to transit and facilities, which provide the opportunities for clients to access places to find goods and services and to use alternative means of transportation. These zones are spread throughout the city, so that enables shelters to potentially be spread throughout the area and not concentrated in only a few areas. The Joint Office of Homeless Services (JOHS) has an interest in funding and managing shelters throughout the city to provide this service to those in the area that are in need.

The tables below provide an overview of the three shelter types and the range of base zones where they may be allowed, either by right or through a conditional use review, in comparison to the current regulations.

Table One
Outdoor Shelter Allowances by Zone

	Current Code	New Code
Open Space	NA	Prohibited.
Single dwelling	NA	Up to 20 individual shelters allowed on site of institutional use; non-institution sites up to 20 shelters are Conditional Use, more than 20 Prohibited
Multi dwelling	NA	Up to 30 or 60 (depending on zone) individual shelters are allowed on the site; otherwise Conditional Use.
Commercial	NA	Up to 60 individual shelters are allowed on the site; otherwise Conditional Use.
Institutional	NA	In CI1, up to 30 individual shelters are allowed on the site; otherwise Conditional Use. In IR, up to 30 accommodations is allowed on the site; otherwise Conditional Use. In CI2, up to 60 accommodations is allowed on the site; otherwise, Conditional Use.
Employment	NA	In EX, up to 60 individual shelters are allowed; otherwise Conditional Use. In EG1 and EG2 is a Conditional Use.
Industrial	NA	Conditional Use if under 2 acres, publicly owned, and not on certain kinds of industrial land; otherwise prohibited.

**Table Two
Mass Shelter Allowances by Zone**

	Current Code	Amended Code
Open Space	Prohibited.	Prohibited
Single dwelling	Conditional Use.	Up to 20 beds allowed on site of institutional use; otherwise a Conditional Use
Multi dwelling	Allowed up to 50 beds in RM3, RM4 and RX. In RM1, RM2, and RMP up to 15 beds allowed if on the site of an institutional use; otherwise a Conditional Use.	Allowed up to 60 beds in RM3, RM4 and RX. In RM1, RM2, and RMP up to 30 beds allowed; otherwise a Conditional Use
Commercial	Allowed up to 200 beds in CX, CM3, and CE; up to 75 beds in CM2; and up to 25 beds in CM1 and CR; otherwise a Conditional Use.	Allowed up to 200 beds in CX, CM3, and CE; up to 140 beds in CM2; up to 30 in CR and CM1; otherwise a Conditional Use
Institutional	Allowed up to 15 beds in IR on site of institution; up to 25 beds in CI1; and up to 75 beds in CI2; otherwise a Conditional Use.	Allowed up to 30 beds in IR and CI1; allowed up to 140 beds in CI2; otherwise a Conditional Use
Employment	Allowed up to 200 beds in EX; otherwise Conditional Use. EG1 and EG2 Zones. Conditional Use.	Allowed up to 200 beds in EX; otherwise Conditional Use. EG1 and EG2 Zones. Conditional Use.
Industrial	Prohibited	Prohibited

**Table Three
Short Term Shelter Allowances by Zone**

	Current Code	Amended Code
Open Space	Prohibited	Prohibited
Single dwelling	Conditional Use	Up to 20 beds allowed on site of institutional use; otherwise a Conditional Use
Multi dwelling	Up to 15 beds allowed if on the site of an institutional use; otherwise a Conditional Use	Up to 30 beds allowed; otherwise a Conditional Use
Commercial	Allowed	Allowed
Institutional	Allowed in CI2, allowed up to 15 beds in CI1* and IR; otherwise Conditional Use	In CI1 & IR, allowed up to 30 beds allowed; otherwise Conditional Use In CI2, allowed;
Employment	Allowed	Allowed
Industrial	Prohibited	Prohibited

[*note] The shelter bed allowance in the CI1 zone is unclear in the existing code. The existing code makes reference to the density allowed for Group Living in Chapter 33.239, and this Chapter provides no density allowance for the CI1 zone. So, an alternate reading may be that no beds are allowed. This situation probably arose from an oversight in an earlier ordinance where a clear bed allowance was not provided CI1 zone.

Housing Flexibility

Household and Group Living

There are two types of residential use defined in the Portland Zoning Code – Household Living and Group Living.

- Household living is currently defined as the residential occupancy of a dwelling unit by a household. A Household is currently defined as one or more persons related by blood, marriage, domestic partnership, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit. Household Living occurs in houses, duplexes, apartments, condominiums, retirement facilities with self-contained apartments, manufactured housing, houseboats, and other structures with self-contained dwelling units.
- Group Living is currently defined as “the residential occupancy of a structure by a group of people who do not meet the definition of Household Living”. Examples include dormitories; communes; fraternities and sororities; monasteries and convents; nursing and convalescent homes; some group homes for people with disabilities; some residential programs for drug and alcohol treatment; and alternative or post incarceration facilities. Some forms of co-housing, micro-apartment buildings, and retirement communities may also be included in the Group Living category, depending on the number of people and how they share kitchens or bathrooms.

The updated code would employ a different method to distinguishing Group Living from Household Living. All dwellings, like houses and apartments, with up to eight bedrooms would be classified as Household Living, without regard to how the occupants might be related. Dwelling units with more than eight bedrooms, and congregate living structures, like dormitories, single room occupancy buildings, and convents, that do not meet the definition of a dwelling unit would be classified as Group Living.

Where and How Group Living Would be Allowed

It should be easy to site a residential use in a residential zone. The current code requires that a Group Living use obtain a conditional use approval to locate in single dwelling zones as well as in multi-dwelling zones in many cases. Allowing some Group Living uses without a conditional use would promote fair housing and enable a wider variety of solutions to meet present and future housing needs identified in Portland’s *2035 Comprehensive Plan*. The code changes would allow Group Living in more base zones as an allowed-by-right use or as a limited use and would achieve greater parity between Group Living and Household Living. In single dwelling zones the amount of Group Living allowed on oversized lots would be limited regulated to a square footage cap that would apply in addition to other base zone limitations. Group Living in larger structures would continue to require a conditional use approval. In multi-dwelling zones, Group Living would be allowed under the same floor area ratio, height, and lot coverage limitations that apply to Household Living. These changes are accomplished by amending the use regulations of the base zones, (Chapters 33.110, 120, 130), and by changing definitions (Chapter 33.910) and use category descriptions (33.920).

“Household” no Longer a Basis for Regulation

Because the Household and Group Living use categories would be distinguished by structure type or the number of bedrooms contained therein, the amended code eliminates the definition “household.”

There are three reasons for elimination:

- The current definition is no longer necessary,
- Inspection and enforcement would be enhanced by an alternative regulation, and
- The current definition relies on culturally specific descriptions of family relationships that may no longer reflect the variety of living situations in Portland today.

The existing limitation on the number of people that may live in a dwelling unit is removed from the Zoning Code. Instead of counting people, the amended regulation would count bedrooms. Overcrowding would continue to be regulated through a more objective and enforceable provision in Section 29.30.220 of the Portland City Code. That code allows one resident, plus one additional resident for each 100 square feet of habitable room space. For the purpose of this calculation, habitable space does not include bathrooms, toilet compartments, closets, halls, storage areas, utility areas, and other similar areas.

Micro-Apartments and Single Room Occupancies

Buildings where several bedrooms share a common kitchen, common bathroom, or both can be more affordable than standard apartments, because kitchens and bathrooms are expensive to build. The current code is confusing with regard to Single Room Occupancies, which can be classified as Group Living, Household Living, or Retail Sales and Service uses depending on technical details. The amended code clarifies that there are only two types of residential uses, Household Living and Group Living. References to Single Room Occupancy have been eliminated, but these living arrangements can still occur identified as either a Group Living Use or a Household Living Use under the amended code. These clarifications are made by changing definitions (33.910) and use category descriptions (33.920).



“Jolene’s First Cousin” on SE Gladstone. The green part of the building contains dwelling units rented as apartments. The red part of the building contains ten group living accommodations that share a common kitchen on the ground floor.

Inclusionary Housing

All the code changes described above are made carefully so as to not change existing Inclusionary Housing requirements. Household Living in a dwelling unit counts toward inclusionary housing requirements, which apply when a building contains 20 or more dwelling units. Group Living, whether in a dwelling unit or not, does not count toward inclusionary housing requirements. Inclusionary housing requirements are neither expanded nor contracted by the proposed amendments.

Post-Incarceration Facilities

An “alternative or post incarceration facility” is a Group Living use where the residents are on probation or parole, but not subject to on-site supervision by sworn officers. To remove unnecessary stigma, the conditional use requirement for these facilities is being eliminated. These facilities will be treated like any other residential use. A facility in a dwelling unit with eight or fewer bedrooms will be classified as a Household Living use and a facility in a congregate living facility or a dwelling unit with nine or more bedrooms will be classified as a Group Living use. Situations where people are under judicial detainment and the direct supervision of sworn officers still fall under the Detention Facilities use category and are not Group Living. Detention facilities are either prohibited or require a conditional use approval depending on the zone.

The following table provides a summary of the various shelter and housing types.

**Table
Shelter and Housing Type Comparisons**

	In a Building	Has Bedroom(s)	Minimum Stay	Use Category	Occupants Are
Outdoor Shelter	No	No	None	Community Service	Clients or Guests
Mass Shelter	Yes	No	None	Community Service	Clients or Guests
Short Term Shelter	Yes	Yes	None	Community Service	Clients or Guests
Dwelling Unit Household Living	Yes	Yes, 8 or less	30 Days	Residential	Owners or Tenants
Dwelling Unit Group Living	Yes	Yes, 9 or more	30 Days	Residential	Owners or Tenants
Other Structures Group Living	Yes	Not required	30 Days	Residential	Owners or Tenants

Recreational Vehicles and Tiny Houses on Wheels

In response to public comments and continued discussion with stakeholders and the PSC, the code amendments include changes to Title 29 and Title 33 to allow the residential occupancy of tiny houses on wheels and other similar recreational vehicles on residential property. This is currently prohibited by Title 29, the City's property maintenance code. The approach is to allow one recreational vehicle for more permanent occupancy on the site of a house, attached house or manufactured home. Title 29 is amended to remove the current prohibition, and a new Chapter, 33,260, is added to T33 to clarify how these will be regulated within the Zoning Code. The intent is to acknowledge the need for a wider continuum of housing types, to accommodate more people.

The city is temporarily waiving code restrictions on overnight camping in RVs and tiny homes on wheels, as long as they're parked on private property. Commissioner Eudaly announced in 2017 that the Bureau of Development Services, which enforces development and zoning code compliance, would deemphasize enforcement of the relevant codes against sleeping in a vehicle while the city develops a more permanent policy. While the Bureau of Development Services is no longer reporting to Commissioner Eudaly, subsequent commissioners in charge have not altered the approach. This proposal would replace the current non-enforcement policy.

There is no official definition of a tiny house or a tiny house on wheels (THOW) in City Code. It is generally thought of as a small house, typically sized under 600 square feet. While tiny homes can be built on foundations, many tiny homes are built on trailers. Some California Cities have added references to "movable tiny houses" in their zoning codes. In nearly all cases, a tiny house on wheels shares the same attributes as other travel trailers and recreational vehicles, so they are classified under the zoning definition for recreational vehicle.

The State of Oregon classifies a THOW as a vehicle. Tiny home trailers built by manufacturers may be considered travel trailers or park model recreational vehicles if they meet certain standards. THOWS used for commercial purposes would be registered by the state as commercial vehicles. ORS 801.100-610 and 174.101 contain the state definitions for different types of vehicles.

- A "Travel trailer" does not have motive power and is eight and one-half feet or less in width.
- A "Park Model Recreational Vehicle" is more than eight and one-half feet in width and is designed to be located in mobile home park.
- A "Camper" designed to be mounted upon a motor vehicle, has no more than one axle supporting its weight, and is five and one-half feet or more in height from floor to ceiling at any point.
- A "Motor Home" is similar to a Camper but has motive power.

The Portland Zoning Code defines "recreational vehicle", which is inclusive of what the Oregon Department of Motor Vehicles calls a motor home, a camper, and a travel trailer.



While City Code (Title 29) does not currently permit long term residential occupancy of a vehicle, there are several existing legal paths for tiny house and recreational vehicle occupancy.

- Campgrounds. Motor Homes, Trailers, Campers and THOWS can legally park in a campground and be used as short term accommodations in that context. Campgrounds are allowed in commercial zones as a Retail Sales and Service use as a form of temporary lodging. Any lot containing two or more THOWs would be a “campground” within the meaning of state law and require a state license. There are several commercial hotels that operate as campgrounds in Portland using THOWS and RVs.
- RV Parks. Motor Homes, Trailers, Campers and THOWS can legally park in a recreational vehicle parks. Recreational vehicle parks are considered a Retail Sales and Service use as a form of temporary lodging and are allowed in commercial zones.
- Residential occupancy of a tiny home without wheels (attached to a foundation) is allowed by both the Zoning Code and Building Code; either as a primary dwelling, or as an accessory dwelling unit.
- State Law (ORS 203.082) provides an additional exception and allows religious institution to host up to three vehicles for homeless camping. This could be a car, motor home, trailer, camper, or potentially a THOW.

To implement this proposal, amendments are proposed in three locations:

1. An exception is added to Title 29.
2. A new Chapter is created to address zoning standards for occupancy of a recreational vehicle on the site of a house, attached house, or manufactured home (33.260)
3. The Definition of RVs in the Zoning Code is modified to better align with current DMV terminology (including ORS 801.100-610 and 174.101).

Policy Basis

Portland's 2035 Comprehensive Plan contains a housing continuum policy that is informed by the following interjurisdictional guidance on homelessness.

Understandably, the homeless population is most vulnerable to decreasing affordability and declining household prosperity. Unified guidance by the City of Portland, Multnomah County, and Home Forward is provided through their jointly authored plan, *A Home for Everyone: A United Community Plan to End Homelessness in Multnomah County* (2013). This plan focuses resources to support priority populations, particularly families with children, unaccompanied youth, adults with disabilities, women, and veterans. It focuses investments in six program areas to prevent and end homelessness, including housing, income and benefits, health, survival and emergency services, access to services, and systems coordination. The purpose of the plan is to prevent homelessness and reduce the time people spend being homeless. The following policy provides land use support for the priorities identified by this plan.

The referenced policy states.

Policy 5.46 Housing continuum.

Prevent homelessness and reduce the time spent being homeless by allowing and striving to provide a continuum of safe and affordable housing opportunities and related supportive services including but not limited to rent assistance, permanent supportive housing, transitional housing, micro housing communities, emergency shelters, temporary shelters such as warming centers, and transitional campgrounds/rest areas.

The S2HC project also carries out many other Comprehensive Plan goals and policies. The following are some examples.

Goal 2.B: Social justice and equity

The City of Portland seeks social justice by expanding choice and opportunity for all community members, recognizing a special responsibility to identify and engage, as genuine partners, under-served and under-represented communities in planning, investment, implementation, and enforcement processes, particularly those with potential to be adversely affected by the results of decisions. The City actively works to improve its planning and investment-related decisions to achieve equitable distribution of burdens and benefits and address past injustices.

GOAL 3.A: A city designed for people

Portland's built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.

Policy 3.3.b.

Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.

Goal 5.A: Housing diversity

Portlanders have access to high-quality affordable housing that accommodates their needs, preferences, and financial capabilities in terms of different types, tenures, density, sizes, costs, and locations.

Goal 5.B: Equitable access to housing.

Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.

Goal 7.D: Environmental equity.

All Portlanders have access to clean air and water, can experience nature in their daily lives, and benefit from development designed to lessen the impacts of natural hazards and environmental contamination.

Policy 9.25 Transit equity.

In partnership with TriMet, maintain and expand high-quality frequent transit service to all Town Centers, Civic Corridors, Neighborhood Centers, Neighborhood Corridors, and other major concentrations of employment, and improve service to areas with high concentrations of poverty and historically under-served and under-represented communities.

Community Engagement

Engagement began on March 10, 2020 when the BPS Community Involvement Committee (CIC) reviewed the proposed scope and work program for the S2HC Project and endorsed an “involvement” as the project’s engagement goal. Involvement means not only helping people know about and understand the project, but also enabling them to influence the project at each decision step along the project’s way to adoption. To do this, the City must not only seek out involvement but ensure that concerns and aspirations of those involved are consistently and properly understood and considered. Here, “considered” means that proposals arising from involvement have real potential to shape final decisions.

The CIC, BPS, and partner agencies are acutely aware that the persons most likely to benefit from this project may also be the persons least able to influence it. It is therefore of utmost importance that involvement be carried out in a manner designed to ameliorate this inverse relationship. Involvement also must be adjusted to observe health advisories for the COVID-19 pandemic.

Project Activities to Leading to the Discussion Draft

Initial work was aided by a technical assistance grant provided by the Oregon Department of Land Conservation and Development (DLCD). Angelo Planning, under contract with DLCD, prepared a series of reports describing approaches other jurisdictions had taken in facilitating shelter and group living accommodations and suggesting how similar provisions might be added to the Portland City Code. These reports are available at this link: <https://efiles.portlandoregon.gov/record/13829522> .

A standing inter-agency Housing Continuum Committee provided valuable context for further shaping the scope of the S2HC project, helped develop code concepts, and commented on rough drafts of code. Members of this committee attended and provided valuable assistance during community meetings.

A core Technical Advisory Committee (TAC) composed of five members from three city bureaus drafted the proposed amendments, coordinated with the Housing Continuum Committee, and participated in community meetings.

The S2HC Project, including outlines of the proposed code amendments, were presented through video conferencing during the following community meetings:

- May 28, 2020, The Build Small Coalition, advisory to Metro.
- June 25, 2020, Portland Forum on Alternative Shelters & Villages, sponsored by the Northeast Coalition of Neighborhoods and the Interfaith Alliance on Poverty.
- July 15, 2020, Portland Neighbors Welcome; Monthly Meeting.
- July 20, 2020, Southeast Uplift, Land Use Committee Meeting.
- September 8, Central Eastside Industrial Council, Land Use Committee Meeting.
- September 17, 2020, the Development Review Advisory Committee, advisory to the Portland Bureau of Development Services.

The S2HC Project was the main agenda item in five of these meetings, and the proposals contained within the discussion draft of this report benefited greatly from the comments and suggestions received.

Project Activities between the Discussion Draft and Proposed Draft

The S2HC Project, including the Discussion Draft version of the code amendments, were presented or discussed through video conferencing during the following meetings:

- October 13, 2020, Bureau of Planning and Sustainability hosted Community Forum moderated by A Home for Everyone.
- October 14, 2020, Portland Forum on Alternative Shelters & Villages, sponsored by the Northeast Coalition of Neighborhoods and the Interfaith Alliance on Poverty.
- October 22, 2020, Bureau of Planning and Sustainability hosted Community Forum.
- October 27, 2020, Bureau of Planning and Sustainability hosted Community Forum.
- November 10, 2020, Planning and Sustainability Commission Briefing.
- November 17, 2020, Southwest Neighbors Incorporated, Land Use Committee Meeting.

The S2HC Project was the sole agenda item for four of these six meetings. Valuable input from persons with lived shelter experience was received during the October 13th and 14th meetings. About ninety people attended the Community Forums. Message transcripts from the forums were saved, read, and those messages that addressed the project purpose were compiled by topic and considered while formulating the Proposed Draft.

Eighteen Map App Comments and thirteen email comments were received on the Discussion Draft. Again, all these comments were read, compiled by topic and considered while formulating the Proposed Draft.

Response to Discussion Draft Comments

As a result of comments received in writing and during the outreach, the Proposed Draft amended some of the shelter regulations to increase the number of beds/individual shelters allowed without a conditional use review, and also adjusted some of the Conditional Use approval criteria. A new provision was added to allow an occupied recreational vehicle on the site of a house, attached house or manufactured home.

Proposed Draft and Planning and Sustainability Commission (PSC) Hearing

In response to concerns about the speed of the proposal and comment period, staff set up two Planning and Sustainability Hearings in December to provide additional opportunities for formal review and comments. The two hearings were on December 8 and December 15, 2020. This provided more opportunity for video testimony signups as well as allocated some additional time for written testimony to be submitted through the Map App. The deadline for written testimony was extended to December 21, 2020.

A total of 28 people spoke in person at the two hearings (12 on 12/8 and 16 on 12/15). In addition, there were 178 pieces of individual written testimony submitted through the Map App between November 30 and December 21, although a few pieces of testimony were duplicates and some testifiers submitted more than one piece of testimony.

The testimony, both verbal and written illuminated several common themes. On one hand, there was interest in expanding the places where various shelters could locate as well as an interest in allowing a greater number of beds or individual tents/shelters within each location by right, reducing the situations where a shelter would require a conditional use review. On the other hand, there was considerable testimony expressing concern about potential considerations to allow permanent shelters within parks and open space areas. In addition, several testifiers were concerned with the current state of enforcement as it relates to the informal, unsanctioned campsites established in public spaces and the lack of solutions to enable existing enforcement of city regulations. Many commenters were concerned about potential geographic allocations of the new regulations which could create geographic concentrations of shelters in one area versus another. Some testifiers focused on the specific amendments that addressed the occupancy of recreational vehicles or tiny houses on wheels.

This testimony helped inform Planning and Sustainability Commission's (PSC) discussion in work sessions held on January 12 and 26, 2021. During these work sessions, the PSC discussed the following:

- Number of shelter beds or individual tents/shelter allowed. The PSC amended the Proposed Draft to increase these numbers.
- Operational requirements for outdoor shelters. No changes were made by the PSC.
- A consideration to allow permanent shelters within Open Space (OS) zones. The PSC did not recommend this, so permanent shelters would continue to be prohibited in OS zones.

- Provisions for temporary shelters. PSC considered potential limitations but did not make any changes.
- Group Living use triggers. PSC discussed and recommended to increase the threshold distinguishing Household Living from Group Living from 6 up to 8 bedrooms in a dwelling unit.
- Tiny Houses or Recreational Vehicles on a lot. PSC considered several ideas but maintained one occupied recreational vehicle on a lot. City staff also made some changes to Title 29 as a result of the testimony and PSC discussion (see below).
- Visitability Standards. At the request of BDS (Bureau of Development Services), PSC added standards addressing visitability that were initially proposed with the Residential Infill Project. These standards replace references to the building code that were expected to be difficult to implement.

The PSC has formal authority to make recommendations related to Title 33 only, and not other other amendments. The standing inter-agency Housing Continuum Committee also met in January and February to consider testimony and make revisions to elements of the project involving other part of the City Code (Titles 8, 15, 17, 21, 29 and 30). As a result of the testimony the Committee recommended several changes, which have been incorporated into Volume 3.

- Scaled-back changes to Title 15 to leave the housing emergency authorization intact.
- Additional changes in Title 17 and 21 to implement System Development Charge (SDC) exemptions for outdoor shelters and for the recreational vehicle utility hookups.
- Changes to Title 29 to simplify the number of requirements applicable to occupied recreational vehicles.
- Changes to Title 30 to align shelter definitions and implement SDC exemptions.

Continuing Engagement

Staff is continuing to engage with the public and provide information as the PSC Recommendation is developed. The *Recommended Draft* is published in advance of the City Council hearing, scheduled for March 17, 2021. Public notice is released on February 17, and the project webpage and Map App page for public comments has been updated.

