

## The Oregonian

### Springwater sweep: City moves homeless campers off popular Portland trail (updates)

*By Tony Hernandez*

*September 1, 2016*

**8:57 a.m.:** Sara Hottman, spokeswoman for Portland Mayor Charlie Hales, says the cleanup of the Springwater Corridor is "going very smoothly." The city plans an official update at 3 p.m.

**7:58 a.m.:** Vic Silski has lived on the Springwater Corridor for seven years, the past four months at the Lambert Field encampment. He's known as the campsite leader, and some call him Dad.

He was asked Thursday morning how he feels about the city beginning a dayslong effort to clear out the corridor.

"It hurts," he said.

Silski's tent was the first stop for homeless advocates coming to help campers as the sweep began. He is one of 11 homeless people named in the Oregon Law Center agreement with the mayor's office to delay the sweep from August to Sept. 1.

He and his wife's campsite consists of three tents covered in tarps. He has dozens of bicycles, parts and tools that he's trying to hang onto through the cleanup. He says he gets the parts from trash cans and junk yards, and some people bring bikes to him. He goes to a local bike shop to look up serial numbers to make sure they're not stolen, and if they are, he returns them to police.

When he rebuilds the bikes, he gives them away to homeless people. "I'm just giving them a hand up, not a handout," Silski said.

Lambert Field has developed into a community with a council that enforces rules. When Silski is away, he looks forward to returning to his community.

"You get a sense that 'I'm coming home,'" he said. "Now instead, I'll just be going to a tent or a campsite."

About 12 people remained at Lambert Field at 8 a.m., said Lisa Lake, director of Advocacy5, a nonprofit group that funds four others groups providing meals, crisis management, basic health care and other services to the campers.

Homeless advocates are now redirecting their efforts to help people at a camp near Southeast 92nd Avenue, where it intersects with the corridor. They expect that will be the focus of the cleanup Friday.

**6:31 a.m.:** About 20 campers remain Thursday morning at Lambert Field, according to Steve Kimes, a pastor who helps the homeless. Advocates are assisting the campers, who say they are stressed because the city's plan to move them is scheduled to start at 8 a.m. The camp, south of Southeast Lambert Street along the Springwater Corridor just east of Southeast 82nd Avenue, is the first homeless encampment planned for Thursday's sweep to move homeless off the corridor.

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The deadline is now.

Mayor Charlie Hales gave homeless campers until Thursday to leave the Springwater Corridor – Portland's popular playground trail that has turned into a gantlet for walkers, runners, cyclists and Southeast Portland neighbors alarmed by a proliferation of tents and trash.

But where will the campers go?

Hales freely admits that the city doesn't provide enough options and is working to find more beds and other help for the campers. Residents are worried about finding homeless people moving onto their blocks. And the outcasts themselves want the dignity of having a place to lay their heads.

That stew of conflicting interests will play out in the next 24 hours and beyond.

The city has hired cleanup workers. Social service agencies are at the ready. And Portland police are on standby.

Tony Hernandez and Emily Smith lead a group of Oregonian/OregonLive reporters filing updates from the field for a running report of what's happening along the corridor's 14 miles through Portland.

Check back here for the latest news.

Read recent coverage:

- \* [Move on or dig in? Decisions, deadlines loom for homeless on Springwater Corridor](#)
- \* [Tensions high as Springwater Corridor homeless clearout nears](#)
- \* [Springwater camp saga pokes old wounds: 'Nobody's doing anything because it's Lents'](#)
- \* [Portland City Council poised to extend 'housing emergency' extra year](#)
- \* [Our Homeless Crisis](#)

## **Where are Portlanders complaining about homeless camping? (map)**

*By Emily Smith*

*September 1, 2016*

The city of Portland's system for collecting complaints related to homeless campsites is called One Point of Contact. It provides an online form, an app, and an email address for complaints, which are compiled in a database.

The Oregonian/OregonLive's data team mapped entries in the city's database collected since June, providing a window into homeless camping issues reported to the city this summer.

In August, the city said the system received about 200 reports each week and has received nearly 5,000 this year.

The database shows residents have reported unsanctioned camps ranging in size from small one- or two-person sites to large groups of up to 100. Some complaints include reports of children living in the camps. They also offer details on structures at the sites such as tents, lean-tos, cars, and RVs.

Check out the map for details on where residents have complained about homeless camping from June 1 and Aug. 24.

## **Portland City Council poised to extend 'housing emergency' extra year**

*By Brad Schmidt*

*August 31, 2016*

The Portland City Council indicated Wednesday it will extend a declared "housing emergency" for an additional year.

Officials say extending the emergency to October 2017 is necessary because too many homeless Portlanders are in need of shelter and the city needs to expedite construction of apartments for low-income residents.

"The emergency in our streets is not over," said Multnomah County Chairwoman Deborah Kafoury, who spoke in favor of the extension. "But the action that you are taking today will help us respond with care, compassion and speed."

Officials spent the better part of Wednesday's three-hour hearing listening to citizens who complained officials aren't doing enough fast enough.

Despite pledging to open 475 shelter beds, and working to open a large shelter on city-owned property, officials took heat for planned sweeps of the Springwater Corridor scheduled for Thursday.

Ibrahim Mubarak, a co-founder of the Right 2 Dream Too homeless camp, called on officials to stop sweeps of homeless Portlanders who lack housing. And Chloe Eudaly, a City Council candidate, said the city's declared housing emergency has not produced "meaningful progress" on shelter space, tenant protections or skyrocketing rents.

Recognizing the plight of Portland's situation, Mayor Charlie Hales said the city's "crisis" is "acute." Although the housing emergency approved last October was supposed to last only a year, with the potential for six-month extensions, Hales last week proposed a three-year expansion.

But members of the City Council quickly shot that down, a message the mayor received "loud and clear," according to an aide.

On Wednesday, the City Council voted 5-0 to amend Hales' proposed extension from three years to one. A final vote will be next week.

# Move on or dig in? Decisions, deadlines loom for homeless on Springwater Corridor

By Tony Hernandez

August 31, 2016

As Steve Kimes approached a cluster of tents on the Springwater Corridor, a full-size box springs stood on its side posted with a handwritten warning in big black letters:

"Ye intruders beware. Crushing blood and grief to the trespassing thief."

The threat didn't faze Kimes, a Mennonite pastor with more than two decades of working with homeless people. He walked straight up to the makeshift campsite gate and rested his arms on top.

Kimes introduced himself to about a half-dozen people living among the trees in the dusty spot east of Southeast Knapp Street and 92nd Avenue.

He's among the dozens of homeless advocates, volunteers and outreach workers who are doing what they can to motivate and help 200 to 300 homeless people clear out as the city's Thursday deadline approaches to remove campers and their gritty tent cities from along the public trail.

## **The city's law on camping on public property**

It's unlawful for any person to camp in or upon any public property or public right of way, unless otherwise authorized by city code or by a declaration from the mayor in emergency circumstances.

To "camp" means to set up, or to remain in or at a campsite as a temporary place to live. A "campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained.

Source: Portland code 14A.50.020

Not everyone is expected to make it. Word is that some campers could resist and make a stand against cleanup crews and police at the final hour.

"If they try to resist arrest, that's not going to work," Kimes said.

Portland police will have a "limited role" during the cleanup based on case-by-case complaints and aren't planning a big presence unless needed, said spokesman Sgt. Pete Simpson.

As Kimes has made his rounds to the campsites, he asks three basic questions: What do you need? Where are you thinking about going? How can we help?

Last Sunday, he encountered a middle-age man he knows as "Tom" living at the box springs site with a middle-age woman, an elderly man in a wheelchair and two or three other men in four tents.

Tom told Kimes that he's been working for the last four days to get ready for the inevitable move.

"People are rushing me to do it," he said.

"I don't want to rush you," Kimes replied. "I just want to help you."

"I need garbage bags," the woman said over the voices of others talking at the site that smelled a bit like an outdoor toilet baking in the sunny 85-degree heat.

Tom became agitated as Kimes told the woman he had bags.

"I'm sorry sir," Kimes said as he turned toward Tom.

"It's not you," the woman explained. "It's everybody else interrupting."

That's when Tom started yelling loudly: "If everybody else don't shut ... up, I'm going to start punching them in the mouth."

Moments later, he had calmed down and agreed to meet Kimes at a volunteer hub a few miles away for bags and other supplies.

Later in his car, Kimes explained that he knew some of those campers, including Tom who was diagnosed with a mental illness.

"He's overwhelmed by people talking to him," Kimes said. "He knows he needs help, but he can't just accept it. So we just give him more time. He might be ready tomorrow or the next day, and that'll be OK."

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## Homelessness on the Springwater Corridor Trail

Portland officials estimated in August that 250 to 300 homeless people were still camping along the city's 14-mile portion of the Springwater Corridor, the popular 21-mile biking and walking trail that runs from inner Southeast Portland to Boring.



Once estimated at numbers up to 500, the ranks of homeless campers have thinned in the weeks after Mayor Charlie Hales announced the city would start enforcing its public camping ban on Sept. 1 along Portland's 14 miles of the Springwater trail.

### Dates at a glance

October 2015: Portland City Council unanimously approves a housing emergency declaration.

December 2015 through Aug. 1: City officials log 4,789 citywide complaints about homeless campsites.

February: Portland Mayor Charlie Hales institutes a "safe sleep" policy that allows tent camping and sidewalk sleeping as officials grapple with nearly 1,900 people sleeping in the streets.

July 15: Hales announces the Springwater Corridor to be "off limits" to homeless campers by Aug. 1 after public pressure from an increase in crime and environmental damage to the Springwater.

July 27: Hales strikes deal with Oregon Law Center, representing 11 homeless people, to delay Springwater sweep to Sept. 1 to allow them to prepare for the move.

Aug. 2: Hales announces the end of the city's safe sleep policy

Source: Staff

Hales had planned to sweep the trail Aug. 1, but delayed the date after homeless people, their advocates and social service agencies said they needed more time to prepare.

At one point, a group of advocates planned to stage an occupation with homeless campers at a Portland park, but the idea stalled. They wanted to protest the lack of places to go.

Instead, many campers have now gone out and found their own spaces off the corridor, said Lisa Lake, director of Advocacy5, a nonprofit group that funds four others groups providing meals, crisis management, basic health care and other services to the campers.

Some "street families" are trying to stay together hoping to find hidden places where neighborhood residents and others won't notice. Others have found housing and there are stories of family members driving as far as Salem to pick up campers, Lake said.

"They want the heck out of Lents," she said about the Southeast Portland neighborhood that straddles the Springwater and where homeowner patience has frayed after a rise in crimes, fires and other public safety issues in the last year.

About 40 people, including women, victims of domestic violence and people with health problems, have gone to local hotels paid for by the city, Lake said. The plan is to keep them there until shelter space frees up or until advocates find a safe outdoor site for them to pitch tents, she said.

The Portland Rescue Mission also opened up its emergency shelter last month that fits 95 men. Staff members are prepared to take Springwater campers, said care manager Andrew Hall.

"Ever since the announcement of the Springwater cleanup, people are just looking for the next step," Hall said.

This week, Lake and her partner groups have been bringing food and water to campers at "Lambert Field" -- about five acres of open space south of Southeast Lambert Street where dozens of people have lived in one of the most visible camps along the Springwater.

Meals and water are what campers most want – and help hauling their belongings – as they get ready to leave, Lake said. It frees up hours for them from having to travel for meals about a mile to the Clackamas Service Center on Southeast 82 Avenue, she said.

Debra Mason, the service center's executive director, expects a busy day Thursday. The center has held four recent resource fairs that offered to about 150 homeless people, mostly from the Springwater, she said.

The fairs had tables and booths representing Central City Concern, Transition Projects, Catholic Charities, Home Forward, Cascadia Behavioral Healthcare and the Joint Office of Homeless Services funded by Portland and Multnomah County.

Officials with the joint office and also Clackamas County interviewed 36 people to be connected with housing programs and placed nine people into shelters, she said. Another 68 people received money for identification cards to help them land a job.

The center also has a large storage container to hold people's belongings for 30 days, Mason said.

Access to the container will be managed by Pacific Patrol Services, the company contracted by the city for the cleanup, Mason said.

Just like any other day, the center will provide lunch and dinner and hot showers for people, Mason said. An outreach worker from the center is entirely focused on the Springwater, she said.

"As an agency," she said, "we are just really happy to be part of the solution and getting their immediate needs met."

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The uncertainty and occasional hostility haven't stopped Kimes from returning to the same spots to nudge people to move from the Springwater.

He went back Tuesday to Tom's campsite. Through Facebook, Kimes had connected with Stacy Cooper, a Portland-based real estate agent who rented a U-Haul and arrived with her friends to help people pack out.

Within an hour, Tom and two of the campers there agreed to leave and their belongings were moved.

They left behind a mattress, scattered cigarette butts, plastic bottles, boxes, a bucket and trash bin, half-full garbage bags, a round table covered in dirt, potatoes, canned goods and other food.

The U-Haul was full of beds, boxes and multiple shopping carts with pillows, cooking gear, files and other belongings. Kimes drove them to another outdoor spot near a clinic in Northeast Portland.

# Portland officials can't say what's next for Right 2 Dream Too

*By Brad Schmidt*

*August 30, 2016*

A cloud of uncertainty descended Tuesday over the future of Portland's enduring tent camp, Right 2 Dream Too, as the state's land-use board ruled city officials abused local zoning rules to justify a controversial plan to move campers to the Central Eastside.

In a damning rebuke, the Oregon Land Use Board of Appeals blocked the long-awaited move and sent city officials scrambling to figure out what comes next – not just for Right 2 Dream Too, about to start its sixth year on a prominent Chinatown corner, but potentially a large-scale homeless shelter proposed by developer Homer Williams.

The ruling couldn't come at a worse time politically for city leaders, who on Wednesday will discuss extending a declared "housing emergency" for another year even as homeless sweeps are scheduled Thursday for the Springwater Corridor.

At a minimum, Tuesday's decision means Right 2 Dream Too will likely remain at Northwest Fourth Avenue and Burnside Street, where campers first pitched tents in October 2011. With the camp's anniversary looming, the Portland City Council voted to move it to a permanent, city-owned location on the Central Eastside before Oct. 31.

But that dream is now dead, with potentially hundreds of thousands of city dollars wasted. And Portland officials offered no hint Tuesday of a Plan B – despite being emphatically warned they'd lose the case six months ago.

"The city attorneys are reviewing the decision and will be advising Council on next steps," Sara Hottman, a spokeswoman for Mayor Charlie Hales, said in a statement.

Tuesday's ruling was declared a "resounding victory" by attorney Christe White, who represented the Central Eastside Industrial Council, a collection of business owners who challenged the city's February decision to move the homeless camp to industrial property.

Portland's zoning code prohibits mass shelters on industrial property, and state officials determined that an outdoor tent camp constitutes a mass shelter.

"The overarching theme here is that the city is acting in a way that shows great compassion for a population that is very vulnerable on the street and needs a solution," White said. "This one solution ran afoul of the zoning code."

But the decision was met with disappointment inside the Right 2 Dream Too campsite, where residents have twice been promised a new home since 2013 only to see options disappear because city officials couldn't deliver.

"We've been told one thing or another for years," Keiki-Alexandra Bailey, a part-time resident at Right 2 Dream Too said Tuesday afternoon. "Now, with two months left, we're told we might not be able to move there. It's very disappointing."

Tuesday's decision also cast doubt on a proposed homeless shelter inside a city-owned warehouse, on Northwest Front Avenue, known as Terminal 1.

Officials argue they can legally open a temporary shelter there under loosened regulations tied to the "housing emergency" declared last October.

But Portland Commissioner Nick Fish, who voted against the Right 2 Dream Too move and the homeless shelter idea, said the City Council has used the emergency to inappropriately cut corners.

"My takeaway is this is another cloud that hangs over Terminal 1," he said. "And frankly, the cliff that Homer Williams has to climb just got steeper."

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Right 2 Dream Too sprung up nearly five years ago when homeless residents found an unlikely ally looking to settle a score with city officials.

Property owner Michael Wright believed Portland had targeted his adult bookstore for code violations. After tearing down his building, Wright allowed an illegal campsite on his land, next to the prominent Chinatown gate.

City officials slowly warmed to the idea of Right 2 Dream Too, arguing the organized tent camp helps homeless people find jobs and support. By 2013, Commissioner Amanda Fritz and Hales were working to find a permanent home in the Pearl District.

But neighbors and local business owners, including Williams, fought plans to move the camp onto a parking lot beneath the Broadway Bridge. Hales proposed a different location – even guiding reporters on a tour – only to see it fall apart. Later, Williams, one of the city's biggest developers, bought the lot first under consideration.

City leaders pledged to use \$846,000 from Williams and a partner to secure a new home for campers.

Portland officials compiled a list of 21 potential sites but none panned out. It wasn't until spring 2015 that city leaders identified a viable option, at Southeast Third Avenue and Harrison Street, in the redeveloping Central Eastside. They agreed to let Right 2 Dream Too stay there for 10 years.

There was just one problem: The land was zoned for industrial use, which prohibits mass shelters.

In February, the City Council voted 4-1 to move forward with the move. To justify it, officials decided an outdoor homeless camp wasn't a mass shelter but instead was an allowable "community service."

White warned officials that residential use was expressly prohibited, with their decision based on a fatal flaw.

Six months later, the state's land-use board agreed.

It "seems utterly inconsistent" to prohibit mass shelters or short-term housing in industrial zones but to "allow within industrial zones -- as an unlimited, unregulated and outright permitted use -- a use that is functionally identical to a mass shelter," officials wrote Tuesday.

Rather than kick the decision back to the city for fine tuning, state officials overturned it.

"It's a total reversal of the city's interpretation of the zoning code," said White, who worked on the case with attorney Seth King.

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Portland could appeal to the Oregon Court of Appeals. But city officials would need to win before moving Right 2 Dream Too to city-owned property in the Central Eastside, White said.

The decision will also prevent Portland from moving Right 2 Dream Too to other similarly zoned industrial properties, White said. Given Portland's long-documented struggle to find a new location, city officials may press to keep campers in Chinatown for the near term.

Portland's urban renewal agency in 2014 agreed to buy Wright's property for \$1.2 million. But because officials didn't have a new home for campers, they promised to pay Wright \$10,000 a month for up to 30 months.

That means Portland has already spent about \$250,000 to maintain its purchase option. A spokesman for the Portland Development Commission didn't say Tuesday if officials plan to move forward with the purchase.

Wright on Tuesday said he still hopes to sell but would be open to letting the campers stay.

"It would depend on what the deal consisted of," he said. "It would not be an open-ended yes, because I wouldn't know what the parameters are. If they were favorable to my economic position, yeah, they've done a pretty good job there."

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Either way, city leaders may have to pony up more to help Right 2 Dream Too.

Of the \$846,000 set aside to move Right 2 Dream Too, including work to clean and set up the site, "all of that has been contracted if not actually paid," Jen Clodius, a city spokeswoman, said in an email. She declined to say if the city could cancel contracts or how much money that could save.

As news of the decision spread at Right 2 Dream Too, nearly two-dozen campers and volunteers huddled to ponder their future and remind themselves of the good they believe they've done for others on the streets.

One woman, Ikela Lowe, said staying at Right 2 Dream Too — and doing outreach on the streets and on the Springwater Corridor trail — helped her kick meth and find work at Subway after moving from Roseburg this summer.

Many said they'd keep fighting for a permanent home, even as they made peace with staying along Burnside for years longer than initially promised.

"We're a different type of houseless people," said Ibrahim Mubarak, a Right 2 Dream Too co-founder and spokesman. "We're the houseless people that know our rights, and we're going to fight for our rights."

Mubarak blamed the setback in part on the development that's swarmed parts of the city. He said developers and city officials seem more interested in Terminal 1 and shooing campers away from the Springwater trail.

"I never trust the city. I don't care how you see me smiling and laughing," he said. "I don't trust city officials."

## Right 2 Dream Too blocked from moving to Central Eastside

*By Brad Schmidt*

*August 30, 2016*

The Right 2 Dream Too homeless camp cannot move to Portland's Central Eastside because the city of Portland misapplied its zoning rules, a state land use board ruled Tuesday.

The precedent-setting decision creates vast uncertainty for the tent camp, which is supposed to leave its current location along West Burnside Street this fall.

But the Oregon Land Use Board of Appeals blocked the move, determining that Portland's plan amounted to plopping down a prohibited residential use in an industrial setting.

It's a "resounding victory," said attorney Christie White, who represented the Central Eastside Industrial Council, which challenged the city's February plan. "It's a total reversal of the city's interpretation of the zoning code."

Portland had attempted to skirt city zoning rules by deciding the tent camp was a "community services use" instead of a mass shelter, which is prohibited.

"If the purpose of the prohibition on mass shelters in industrial zones is to protect industrial uses from quasi-residential uses represented by mass shelters and their close cousins, short-term housing, then it seems utterly inconsistent with that purpose to allow within industrial zones -- as an unlimited, unregulated and outright permitted use -- a use that is functionally identical to a mass shelter," the land use board wrote.

Portland could choose to appeal the decision to the Oregon Court of Appeals. But city officials would need to score a victory before being able to move Right 2 Dream Too to city-owned property in the Central Eastside, White said.

White said the decision will also prevent Portland from moving Right 2 Dream Too to other similarly zoned industrial properties. Officials have long struggled to find a location for the site, which opened next to the Chinatown gate in 2011.

City officials weren't immediately available for comment.

White said Central Eastside business owners are "thrilled" with the ruling and look forward to helping the City Council find an appropriate location for the tent camp.

"The overarching theme here is that the city is acting in a way that shows great compassion for a population that is very vulnerable on the street and needs a solution," she said. "This one solution ran afoul of the zoning code."

This post will be updated as more information becomes available.

# Portland mayor now pushing for 1-year extension to 'housing emergency'

*By Brad Schmidt  
August 30, 2016*

Portland Mayor Charlie Hales on Wednesday will propose extending the city's declared "housing emergency" for another year -- and this time he may have political support to move forward.

The City Council first declared a housing emergency last October, making it easier for officials to site homeless shelters and camps by waiving certain regulations.

That year-long emergency is set to expire Oct. 7 without action. Under rules approved last year, the emergency can be extended in six-month increments.

But last week, Hales proposed extending it by three years. All four city council offices panned the idea.

Now, Hales will roll out a one-year extension.

Because a six-month extension was seen as an absolute lock to be approved, officials are unlikely to be overly vocal against a one-year continuation.

Portland and Multnomah County officials have made housing and homelessness the top political priority -- with efforts underway to open a large homeless shelter on city-owned property and, separately, a \$258.4 million bond measure for affordable housing heading to voters this fall.

The City Council will consider Hales' proposal at 2 p.m. Wednesday.

## **The Portland Tribune**

### **Audit: More information needed on green building benefits**

*By Jim Redden  
September 1, 2016*

Although the City Council requires that new and remodeled city-owned buildings meet high green standards to help protect the environment, tracking the costs and benefits of the requirements is incomplete and needs more attention, according to an audit released Thursday.

"While the City made progress in achieving some specific goals from the green building policy, it pursues other goals without adequately considering costs and measuring outcomes. Given the City's limited resources, the costs and outcomes of the green building policy should be better understood, and reconsidered if they are either too expensive or not having the intended effect," read the audit released by the City Auditor's Office.

The audit was released as the city is preparing a \$195 million renovation of the Portland Building, the city's largest office building, located next to City Hall. It will include removing and reinstalling exterior panels and completely rebuilding the interior.

According to the audit, the city has built or remodeled 11 buildings in the 15 years since the green standards were first adopted. The requirements are intended to do such things as using office spaces efficiently, discouraging driving by limiting parking spaces, and meeting Leadership in Energy and Design (LEED) standards intended to minimizing the use of energy and water.

The audit says that although the city can show it has met some of the standard's goals, information on others is lacking and efforts to evaluate their outcomes are incomplete. This is important, the audit says, because the requirements can increase building and remodeling costs a few percent.

In one case, the Bureau of Planning and Sustainability said that previous renovations to the Portland Building had saved the city \$245,000 in avoided energy costs over two years. But, the audit said, in other cases, "costs associated with the green building policy are difficult to isolate" and can change during the life of a project.

"Without complete cost and outcome information, the City can't fully determine the results of the policy or link the results to the City's financial investment," reads the audit, titled "Green Buildings: Costs and outcomes need more attention."

The audit recommends better tracking of information about the costs and benefits of the requirements, including centralized tracking of exemption for budgetary and other reasons.

The audit was welcomed by Mayor Charlie Hales and Susan Anderson, director of the Portland Bureau of Planning and Sustainability, which developed the requirements.

In her letter of response, Anderson said, "The audit finds that the bureaus need more tools to track the costs and outcomes of the policy. I agree and will direct staff to work with other bureaus to ensure the Green Building Policy is meeting its goals. As the steward of the green building policy, BPS relies on their input and feedback to make sure the policy is efficient and can be easily implemented."

You can read the audit at [bit.ly/2c5epaE](http://bit.ly/2c5epaE).

## **Grants target regional affordable housing**

*By Jim Redden*

*September 1, 2016*

Sometimes it seems like the affordable housing crisis is happening only in Portland.

Surveys consistently show housing costs in the city are increasing faster than practically anywhere else in the country. Mayor Charlie Hales and the rest of the City Council have been in crisis mode for months, approving a Housing State of Emergency last October, significantly increasing city funding for affordable housing projects and placing a \$258.4 million bond measure on the November ballot to build 1,300 more affordable apartment units.

However, other jurisdictions in the region have long been concerned about the lack of affordable housing in their boundaries. All of their state-required growth plans adopted since 2000 have supported the preservation and development of affordable housing. Local incentives are helping to finance new affordable housing projects in Hillsboro and other cities. A recent

one is the Town Center Courtyards in Happy Valley. Clackamas County contributed \$2.8 million to the \$15.1 million project.

And now, five cities and one county in addition to Portland have submitted applications for a new grant program to help build even more units. The Equitable Housing Planning and Development grant program was recently created by Metro, the elected regional government. It will award \$500,000 in grants this December to help cities and counties plan construction of more housing for underserved communities, including the poor, minorities, the elderly and the handicapped.

“The Metro Council created this grant program as one part of our equitable housing strategy to help communities remove barriers to building housing for families, seniors and other residents. We’ve received interesting proposals from all over the region and I’m looking forward to reviewing them,” says Metro Councilor Sam Chase, who advocated for the program.

Governments that submitted applications by the Aug. 12 deadline included Portland, which submitted two, and Beaverton, Milwaukie, Oregon City, Tigard, Wilsonville, and Washington County. The projects they propose range from mapping existing unregulated affordable housing units to drafting comprehensive plans for encouraging such projects and beginning pre-development work on specific ones.

“These new zoning tools and financial strategies will not only help address our growing affordable housing shortfall, but will also serve as models for how the county and region can successfully meet our housing equity challenges,” Washington County Chair Andy Duyck and county Land Use and Transportation Director Andrew Singelakis wrote in support of their county’s application.

The grant applications — which were capped at \$100,000 — total \$616,001, exceeding the available money. That means not everyone will get everything they asked for.

### **Terminal 1 homeless center a hot-button item**

Only one application is controversial. That is a Portland request for \$100,000 to assess the feasibility of building a large homeless multi-service center at Terminal 1, a 14-acre parcel of city-owned industrial land that is up for sale. Exploring the concept is supported by only three of the five council members. Commissioner Amanda Fritz voted against the grant application, calling it “a waste of money.” Commissioner Nick Fish, the other opponent of that project, was absent.

Despite the controversy, the Portland Housing Bureau, which submitted both applications, said it was the city’s top priority. The other one is for a grant to encourage affordable housing preservation and construction in the Southwest Corridor, which Metro is studying for a high-capacity transit line. That application was submitted in partnership with Tigard, which submitted its own application for a grant to mitigate the project’s potential displacement of people living in existing affordable housing units.

“There is a need to address the shortage of affordable housing units in the region, and in Tigard. With the assistance of Metro’s grant, this project will lead to the construction of additional dedicated affordable housing in Tigard’s downtown and the Tigard Triangle,” Tigard Mayor John Cook wrote in support of his city’s application.

## **Metro's equitable housing efforts**

The grant program was created as part of an Equitable Housing Initiative led by Chase to encourage all jurisdictions in the region to develop more affordable housing to meet the needs of a variety of vulnerable populations. The term "equitable housing" is defined as "diverse, quality, physically accessible, affordable housing choices with access to opportunities, services and amenities."

"The Portland region is successfully creating jobs and protecting livability, but we will be a stronger region when everyone can find a quality, affordable place to live," Chase says. "We all have a role to play — government at all levels, developers, lenders and nonprofits."

The initiative has so far included a regional Equitable Housing Leadership Summit on Feb. 1 and a handful of public forums on affordable housing issues. The grants are funded by a .12 percent construction excise tax levied by Metro on projects over \$100,000, with some exemptions, such as affordable housing projects. The tax was originally created in 2006 to fund pre-development planning work in the newer area that Metro added to the urban growth boundary, which it administers. Planning grants were later expanded to other potential projects within Metro's jurisdiction, which is the urbanized areas of Multnomah, Clackamas and Washington counties. Metro has awarded \$18.9 million in Community Planning and Development grants over four cycles since 2006.

This is the first cycle of the Equitable Housing Planning and Development grant program. All applications require a local match of at least 10 percent of the amount sought. It is unclear whether there will be additional funding cycles.

The grant applications will be reviewed over the next month or so by a screening committee made up of six to nine people with community, financial, planning, real estate and other expertise, and one non-voting Metro councilor. It will recommend what amount to award to the applicants to Metro Chief Operating Officer Martha Bennett, who will then make her own recommendations to the Metro Council. A work session is scheduled on the grants Nov. 1, with the final decisions set for Dec. 1.

## **Equitable Housing**

### **Planning and Development grant requests**

#### **1. Applicant: Portland**

**Project summary:** Assess the

feasibility of using Terminal 1 in Northwest Portland for a multi-service center providing shelter, services and housing to approximately 1,000 homeless people at a time to be called the Oregon Trail to Hope.

**Amount requested/match/total:** \$100,000/\$165,000/\$265,000

#### **2. Applicant: Portland**

**Project summary:** In cooperation with the city of Tigard, set targets for affordable housing preservation and production as part of the Southwest Corridor (transit) Project within a

half-mile buffer around Southwest Barbur Boulevard between both cities. Estimate potential funding sources and funding gaps to meet the targets, and build a community coalition to support reaching them.

**Amount requested/match/total:** \$100,000/\$20,000/\$120,000

**3. Applicant: Tigard**

**Project summary:** Mitigate the potential displacement of affordable housing residents in Tigard's Town Center by the Southwest Corridor (transit) Project by identifying potential sites for housing relocation and preservation, developing a funding analysis to support an anti-displacement strategy, and engaging with affordable housing residents on equitable solutions.

**Amount requested/match/total:** \$50,000/\$23,080/\$73,080

**4. Applicant: Beaverton**

**Project summary:** Create an anti-displacement housing strategy that identifies strategies the city and its housing partners can implement to preserve and/or develop new affordable housing. Work will include mapping all current unregulated housing affordable to those earning less than 80 percent of the median household income and properties where affordable housing can be developed.

**Amount requested/match/total:** \$100,000/\$16,832/\$116,832

**5. Applicant: Milwaukie**

**Project summary:** Feasibility analysis and preliminary site design work for four sites to examine their potential for a cottage cluster development that can provide equitable housing opportunities to a variety of groups identified by community partners, including affordable housing, workforce housing, senior housing, and special needs housing.

**Amount requested/match/total:** \$65,000/\$12,500/\$77,500

**6. Applicant: Oregon City**

**Project summary:** Work with a network of local partners to evaluate the process for constructing equitable housing and removing barriers to development, as well as implementing incentives to encourage new equitable housing in areas of Oregon City that will be identified through the process.

**Amount requested/match/total:** \$100,936/\$23,714/\$124,650

**7. Applicant: Wilsonville**

**Project summary:** Research, develop, adopt and begin to implement a strategy for creating more equitable housing, with a special focus in the existing Town Center area and the Frog Pond area that is being planned for new development.

**Amount requested/match/total:** \$65,000/\$11,235/\$76,235

**8. Applicant: Washington County**

**Project summary:** Identify three to five potential affordable housing development sites within the corridors, centers, transit station areas and main streets identified by Metro, including county-owned property at Cornell Road and Murray Boulevard. Evaluate the sites

and identify barriers to development, then draft a community plan and code revisions, and commence pre-development work on at least one of them.

**Amount requested/match/total:** \$100,000/\$50,000/\$150,000

## **Council leans toward extending housing emergency, discusses homeless camp ruling**

*By Jim Redden*

*September 1, 2016*

A state ruling that challenged where Portland can locate homeless shelters dominated much of the discussion when the City Council considered extending the Housing State of Emergency on Wednesday.

The council appears ready to support extending the emergency declaration for another year, but some members wondered about the implications of a Monday ruling by the state Land Use Board of Appeals that says a homeless camp in Old Town cannot be relocated to city-owned industrial property in Southeast Portland. The vote is scheduled for next week.

LUBA ruled that mass shelters are not allowed on industrial property, blocking the move of the Right 2 Dream Too homeless camp to a parcel at Southeast Third Avenue and Harrison Street. Commissioners Nick Fish and Amanda Fritz asked whether that could prevent the opening of a homeless shelter in a vacant warehouse on Terminal 1, which was approved by a 3 to 2 vote of the council on Aug. 10. Industrial businesses in the Portland harbor and others have filed notice they will challenge it before LUBA, too.

Fritz was concerned that the LUBA ruling seemed to say no changes could be made for a temporary shelter at Terminal 1, meaning the homeless could only be served by portable toilets and other non-permanent facilities there, if it survives its own challenge.

“We should want a holistic solution to homelessness,” Fritz said.

Overall, however, the council seemed to think the state of emergency that suspends zoning codes for homeless camps and shelters has been mostly beneficial. It was adopted last October and has been used to help open approximately 475 new shelter beds, the council was told.

Mayor Charlie Hales, who originally requested a three-year extension, supported the one-year proposal, saying the city faces an unprecedented housing crisis caused by a limited supply of available homes and approximately 1,000 more people moving to town every month.

“It’s a national crisis, but particularly acute on the West Coast and in our city,” Hales said, testifying by phone from vacation.

The hearing occurred as new reports showed Portland continues to have some of the highest housing costs in the country.

Portland had the biggest home sale price increase in the nation in June — 12.6 percent compared to the previous year, according to the Standard & Poor’s CoreLogic Case-Shiller 20-city home price index released last Tuesday. That is more than twice as fast as the 5.1 percent for all 20 cities. The closest city was Seattle, with an 11 percent increase.

And according to the Zumper apartment service firm, Portland had the 15th highest apartment rents in the country in August. While the national median rent for one- and two-bedroom apartments fell last month, the median rent for a one-bedroom apartment in Portland held steady at \$1,400 and the median rent for a two-bedroom apartment increased 0.06 percent to \$1,670.

## Willamette Week

### Where Can Homeless People Evicted From the Springwater Corridor Go Next?

*By Rachel Monahan  
August 31, 2016*

Arguments over the location of homeless camps and shelters are a perennial feature of Portland life. But rarely have the fights been as loud as they were this month.

On Sept. 1, Mayor Charlie Hales is poised to sweep the remaining homeless people out of the sprawling camps along East Portland's Springwater Corridor—a site that ranks among the largest concentrations of tents in the nation.

It's not clear where people can go. Between the start of 2016 and mid-October, Multnomah County will have added more than 460 shelter beds, more than in any year in the past decade, say county officials. Yet that doesn't cover the nearly 1,900-bed shortfall the county reported last year.

Local officials are publicly squabbling over a few new ideas for large-scale shelters and organized camps—all demanding the same limited resources, all of them with vocal opponents. Meanwhile, smaller-scale shelters are provoking less backlash—and actually opening.

#### Proposed sites:

##### **Terminal 1**

**Capacity:** 500

**Advantages:** Real estate developer Homer Williams is championing the site and promises to bring in private funding; it could offer social services at the same location.

**Drawbacks:** Two legal challenges to the location are already underway from business groups; the scale of the project has already shrunk to initially serving 100 people.

##### **Wapato Jail**

**Capacity:** 525

**Advantages:** Already built, complete with some beds; Multnomah County isn't doing anything else with it; has a champion in County Commissioner Loretta Smith.

**Drawbacks:** Operating expenses start at \$136,000 a month; isolated and far from social services; opposed by County Chairwoman Deborah Kafoury.

### **Reedway**

**Capacity:** 100

**Advantages:** Money is earmarked in the city budget for organized outdoor campsites like this empty lot in Lents; located near the Springwater Corridor.

**Drawbacks:** Environmental pollution at the site; furious Lentils want fewer homeless in the neighborhood.

### **Opened recently:**

#### **Do good Multnomah**

**Capacity:** 25 veterans

**Advantages:** Welcomed by neighbors.

**Drawbacks:** Small.

#### **Hansen Shelter**

**Capacity:** 200

**Advantages:** Came at a critical moment as a downtown shelter space closed.

**Disadvantages:** Possibly temporary.

### **Opening soon:**

#### **Gresham Women's Shelter**

**Capacity:** 90 single women and domestic violence victims

**Opening:** Sept. 8

#### **McLoughlin Shelter**

**Capacity:** 120 women or people in couples

**Opening:** Mid-October

### **Where have homeless people already gone?**

The official sweep of the Springwater Corridor is slated for Sept. 1. But for the past six weeks, Multnomah County has been helping homeless people move from the trail to new places to sleep. These are the minimum numbers county officials could confirm at press deadlines.

8: Moved to live with family in another city through the "ticket home" program

14: Moved to Hansen Shelter in the Gateway neighborhood

41: Moved to motels, permanent homes or other shelter

## The Portland Mercury

### Portland's Homeless Shelters Might Soon Be Larger Than Ever Before

*By Dirk VanderHart*

*August 31, 2016*

IN LATE JULY, hundreds of homeless Portlanders moved into the beleaguered former headquarters of the Multnomah County Sheriff's Office, in what instantly became the city's largest homeless shelter.

There was outcry, as always. Neighbors lashed out at officials, predicting child rapes and other heinous acts. Two Multnomah County commissioners, Loretta Smith and Diane McKeel, complained the shelter was unsafe for habitation.

But even though its existence ran afoul of Portland's zoning laws, what no one could claim was that the new "Hansen Building" shelter was illegal.

At 200 beds, the shelter holds double the number of beds allowed under Portland's restrictive code, which permits no more than 100 before a stringent review process kicks in (and far fewer than that in most areas).

In the case of the Hansen Building, that hurdle was easy to jump. Since declaring a housing "state of emergency" nearly 11 months ago, Portland officials have been free to bend zoning rules.

Now some of those rules might be permanently relaxed. Under a list of changes slated to come before council later this year, shelters on the scale of Hansen would be permitted long after the emergency status ends.

The Portland Bureau of Planning and Sustainability (BPS), at the behest of city council, is pitching a series of zoning tweaks designed to make it easier to create shelters in Portland. Many of the changes—laid out in a technical 66-page draft document—are small edits to the city's zoning code. But the proposal also would double the number of shelter beds allowed "by right" in more than a dozen zoning categories, meaning expensive, time-consuming land-use reviews won't always be required in order to establish larger shelters.

And crucially, the changes would toss decades-old restrictions dictating that shelters must be 1,300 feet away from one another. The new provisions would shrink that separation requirement to 600 feet, about two or three blocks, according to Phil Nameny, a planner at BPS.

“The code as it now exists is pretty defensive,” says Tony Bernal, director of funding and public policy at Transition Projects, which operates five shelters in Portland. “It makes it extraordinarily hard to site shelters.”

Other changes in the draft would allow religious institutions to host up to four homeless households for roughly six months at a time, and ease the stringent “conditional use” reviews shelters have to undergo when they don’t fit in a given zone.

The proposals have special resonance as Portland grapples with a worsening homelessness crisis, and as city officials prepare to launch what’s almost certainly the largest campsite sweep in Portland history when they clear out the Springwater Corridor beginning Thursday, September 1.

And the possible zoning changes are timelier than they might have been. Last week, Mayor Charlie Hales surprised many when he revealed he wants to extend Portland’s state of emergency status by three years, a far longer period than envisioned when council declared it last October.

The rest of city council immediately shot the idea down, and it now appears that the emergency will be extended for a more modest period of time. When the designation does eventually end, advocates say the city should have requirements in place that ease the task of creating homeless shelters.

“We haven’t tried to open shelter [in the past] as quickly as we’re currently trying to open it,” says Marc Jolin, head of the county’s Joint Office of Homeless Services. “We need to scale up quickly.”

After a little more than a year under the state of emergency’s relaxed rules, officials say they’ll have expanded shelter capacity in the city by 475 beds by New Year’s Day. That doesn’t account for two short-term shelter spaces created under the emergency that have since been closed.

“It can be done,” Jolin says. “The zoning code changes allow us to build on that success.”

It’s unclear what effect those code changes could have on existing homeless shelters in town. At least eight could see their maximum number of beds rise to 200, according to a Mercury analysis, but many of those would likely be limited by floor space. Zoning rules demand at least 35 square feet per bed, meaning a 200-bed facility would have to be a minimum of 7,000 square feet.

For instance, Bernal says Transition Projects’ 90-bed Doreen’s Place shelter, located at Bud Clark Commons, likely wouldn’t expand under new rules.

“I think 90 is what the space was designed for,” he says. “My guess is that we would stick with that.”

Also unclear is how much new shelter the zoning changes might spur. Even under a state of emergency, the city’s hot real estate market has made finding new shelter space difficult.

But there’s a big upside to the proposed code changes. Both Bernal and Jolin point out that allowing more people at homeless shelters can be cost effective when resources are scarce, as long as it’s done humanely.

“There’s essentially no cost difference for us in operating a shelter of 80 people versus 100,” Bernal says. “Bump that shelter up to 120 or 130 people, it’s still not a lot.”

The new rules BPS is proposing are scheduled to go before the Portland Planning and Sustainability Commission on September 13. A recommendation is expected to go before Portland City Council in November.

## Hall Monitor: New Sheriff, Old Outlook

*By Dirk VanderHart  
August 31, 2016*

STOP ME if you've heard this one.

As officials prep for a massive sweep of the Springwater Corridor this week, newly minted Multnomah County Sheriff Mike Reese has been speaking up about his views on homeless camping—views he forged as head of the Portland Police Bureau's Central Precinct in 2006.

"Our officers were often getting dispatched to calls of people sleeping on porches and in doorways," Reese recalls. "We wanted to offer some guidelines to our officers: Until we have enough shelter capacity and permanent housing for everyone who wants to go into it, we have to realize there's just not enough space for everybody."

So Reese gave his cops a notion of "low-impact" camping that officers could largely ignore, as long as there weren't complaints.

"If you're on private property, ask the permission of the property owner," Reese says. "Camp in small groups of one, two, or three people. Pick up after yourself."

Also: "You really can't have structures in place. Those make it really difficult for people to move when we get complaints about behavior."

As sheriff, Reese will be dealing with fewer homeless campers than he did as Portland's police chief. But he says he'll stick to those "low-impact" guidelines as the region comes to terms with the inevitable fallout of the Springwater cleanup.

It made me curious: Had the sheriff heard any citizen outcry since he began talking about those standards? Reese said he'd never gotten backlash—not even as a precinct commander a decade ago.

Which is funny, because Portlanders really dislike most of those ideas.

Reese's "low-impact" guidelines, in case you didn't notice, bear a strong resemblance to Mayor Charlie Hales' "safe-sleep policy," which was recently killed amid howling public outrage.

Both are based on the argument that widespread sweeping makes no sense when there's nowhere else for people to go. And both seek to set guideposts that can earn some measure of good faith from law enforcement. Reese wants people to clean up their stuff. Hales' proposal asked campers to pick up their sleeping areas by 7 am.

There are differences, of course. Reese's three-person maximum is half of Hales' six-person limit for sites. Reese says tents should always be prohibited, while Hales' policy acknowledged the existence of rain.

And of course, Hales' experiment didn't practice what it preached. Large camps flourished. Citizen complaints went unheeded.

Reese himself wouldn't acknowledge that the viewpoints are similar, telling me the mayor effectively sanctioned large-group camping with his plan and "told the police bureau to stand down on enforcement."

But as the city preps for what's certain to be a trying time, it's worth remarking on how similar the two points of view are—and that while Hales' policy was despised by many as soon as it was announced, Reese's outlook has been met with a measure of acceptance.

If you can accept Reese's view, you can accept its underlying premise: There aren't enough services to house Portland's growing homeless community.

Whatever the coming weeks bring, this city would do well to remember that.

## **Nick Fish: Portland's Housing Emergency Will Be Extended for One Year**

*By Dirk VanderHart*

*August 31, 2016*

Last week, Portland City Council might have set a speed record for shooting down one of Mayor Charlie Hales' ideas. No sooner had the mayor filed an ordinance to extend the city's housing "state of emergency" status by three years than commissioners began coming out against it.

"He's unlikely to be comfortable with a three-year extension," Sonia Schmanski, chief of staff for Commissioner Nick Fish, told the Mercury. "This is something of a surprise."

"Commissioner Novick is open to an extension, but three years seems too long," said Chris Warner, Commissioner Steve Novick's chief of staff.

Similar statements emerged from the offices of commissioners Dan Saltzman and Amanda Fritz.

Now, council is much more in tune, according to Fish. Hales' office has since introduced a new ordinance [PDF] that will extend the state of emergency by one year, not three. According to Fish, there's unanimity around that proposal.

"We've settled on a one-year extension with six months reporting," the commissioner said Tuesday, referencing a status report before council that the Portland Housing Bureau and county Joint Office of Homeless Services will be asked to give every six months. "I'm fine with that and I'm pleased there's consensus."

Assuming Fish is correct about that consensus, it's easy to see why there's an appetite to extend the emergency. The designation allows officials to overlook zoning rules when trying to site homeless shelters, and has sped up the creation of hundreds of shelter beds since the emergency was declared. One example: the 200-bed shelter at the former Multnomah County Sheriff's Office headquarters and Northeast Glisan and 122nd, currently the largest shelter in the city.

Fish says a year-long extension will give Multnomah County new assurances as it looks to create more shelter space. (The county recently took on responsibility to house a new Joint Office of Homeless Services that the city helps fund).

Even so, the yearlong extension that might be approved today goes against what Portlanders were told when council declared an emergency last October. That emergency ordinance contained a provision allowing the emergency status to be extended only in six-month increments—a duration that far eclipsed other types of emergencies the city declares (for weather events or natural disasters).

## **Central Eastside Business Owners Have Prevailed in Fight Against Right 2 Dream Too**

*By Dirk VanderHart  
August 30, 2016*

The rationale for placing Right 2 Dream Too on a spot of industrial land on the Central Eastside always seemed a bit too convenient.

In a "zoning confirmation letter" from the city's Bureau of Development Services, officials offered up baroque arguments that a homeless rest area like R2DToo amounted to a "community service"—a land use type that might be allowed on industrial property in some instances. But the bureau said that R2DToo was definitively not a "mass shelter" or "short-term housing," two community service types which are prohibited on industrial land. (Here's the same basic argument, made about another piece of land R2DToo wanted to move to.)

Business owners swore the reasoning was illegal. Now the argument appears to have been put to rest.

The state's Land Use Board of Appeals has agreed with the Central Eastside Industrial Council, which as long argued that the city's reasoning was awful. In a 69-page opinion [PDF] issued today, the board says Portland City Council overstepped when it ruled the rest area could move to the plot at SE 3rd and Harrison.

"A mass shelter and the proposed tent camp appear to provide the same basic function: overnight shelter and related services for houseless persons who otherwise have no place to sleep," the board wrote in the opinion. After a good deal of technical analysis about the nature of tent camps versus other types of shelter, the board found: "The city's interpretations are inconsistent with the express language of the relevant [Portland City Code] provisions and for that reason alone cannot be affirmed."

The reversal throws R2DToo's ongoing plans to move from its long-term home at West Burnside and 4th into confusion, as an October 31 deadline looms for the well-respected organization to leave that plot.

**View from the proposed new home of R2DToo, now ruled illegal.**

Reached by phone this afternoon, R2DToo co-founder Ibrahim Mubarak hadn't yet heard which way the opinion went. His group was headed to a weekly meeting with Commissioner Amanda Fritz and Mayor Charlie Hales' offices at 3:30 pm.

"[The city] already started putting pipes and stuff down in there, so it's going to be interesting," Mubarak said, informed of the LUBA opinion. "It's going to be very interesting."

**Update, 6:45 pm:** R2DToo wound up canceling its meeting with the city, Mubarak says, and is having its attorney deal with the Portland Development Commission, which has inked a deal to purchase the land the encampment currently sits on.

Asked if his organization would push to remain on that land, Mubarak said: "You better believe it."

### **Original story:**

A message left with Fritz's office wasn't immediately returned.

Meanwhile, Brian Worley, a spokesman for Hales, said: "City Attorneys are reviewing the decision now, and will advise Council on next steps." It's possible the city could challenge the decision in the Oregon Court of Appeals.

The Oregonian first reported on LUBA's decision.

Today's ruling jibes with confidence that city officials had evinced about the zoning decision when it was made back in February. At the time, only Commissioner Nick Fish voted against the move, voicing a litany of concerns that included the zoning rationale.

Hales took exception to Fish's remarks at the time, saying: "Commissioner Fish's comments were erroneous. We didn't override our code. I believe that this is a legal use."

Asked today about the decision, Fish said it is "certainly no cause for celebration."

"This means that R2DToo can't move to a better site," he said. "Some would argue this was preventable if we would have listened more attentively."

How far-reaching the LUBA opinion is remains to be seen. It most immediately affects R2DToo, of course, but it's possible it could have sway if city officials look to site future organized camps, and Fish believes it creates difficulties for a massive homeless campus that's been proposed at the city's Terminal 1 site, which is also zoned for industrial use.

One point of potential interest: the land-use board suggests that tents might be considered "structures" under Portland's zoning code. Hales' administration has been a fan of using tents as a way to potentially skirt zoning requirements, going so far as to call tiny houses built for homeless Portlanders "hard tents."

# Right 2 Dream Too Will Push to Change the Zoning Code That's Blocking Its Move

*By Dirk VanderHart*

*August 31, 2016*

Homeless rest area Right 2 Dream Too—suddenly barred from moving to Portland's Central Eastside—is trying to hash out a deal with the city to remain at its Chinatown home while Portland officials pursue zoning code tweaks that would allow it to relocate across the river.

R2DToo's attorney, Mark Kramer, tells the Mercury that he's in talks with people from Mayor Charlie Hales' office and the Portland Development Commission in an attempt to work out a deal that could salvage nearly \$850,000 spent or allocated to move the well-regarded rest area.

"We've already allocated \$845,000 toward this relocation," Kramer said this afternoon, referring to money the City of Portland spent purchasing a plot of land at Southeast 3rd and Harrison and readying it for the encampment. "It would be a shame to let that go down the drain."

Word of the strategizing comes a day after the state's Land Use Board of Appeals ruled that R2DToo counts as a mass shelter, not as an ambiguous "community service" as city code enforcers had argued. As a mass shelter, the encampment is barred from setting up on the industrial land that was to be its home.

According to Kramer, the camp's best course of action is to undo those restrictions. While he couldn't site the precise mechanism through which it might happen, Kramer says he's pressing officials to modify the city's zoning code to "permit certain houseless encampments to be sited on industrial lands, which includes the Third and Harrison site and would include other sites."

Sources within City Hall confirm that that's among the options being considered, though there's a lot up in the air. An attempt to make such a change would almost certainly draw outrage and court challenges from segments of the city's business community.

While a zoning change is in process, Kramer says R2DToo wants to push back the current October 31 deadline to vacate the plot at West Burnside and Fourth where it's sat for the last five years. The Portland Development Commission has agreed to buy that land for more than \$1 million in a deal that's supposed to close next April. In the meantime, the PDC has been paying its current owner, Michael Wright, \$10,000 per month while R2DToo remains on site.

"I think we can probably negotiate a six-month extension," says Kramer, noting "this is still in the germination stages." During that six months, Kramer says the PDC would continue to pay \$10,000 a month. (We should note he also represents the property owner, Wright—a scenario Kramer acknowledges is "awkward.")

The R2DToo drama is playing out at an exceptionally fraught time in Portland's fight against homelessness. Mayor Charlie Hales, who's out of town on vacation, has ordered a sweep of the densely packed camps along the Springwater Corridor. That's set to begin tomorrow morning, and may take weeks. It's dredged up long-simmering resentments by both neighbors of the trail and homeless advocates who say sweeping is a detriment.

At the same time, the city's considering extending a housing "state of emergency" designation that city council enacted last October. During a sometimes-heated hearing on that matter this afternoon, council listened to more than two hours of testimony. Much of it came from renters' advocates demanding the city enact a rent freeze (which government attorneys have said would be illegal), and from homeless people and advocates—some unimpressed with progress under the emergency, some laudatory of it.

Council will vote on the extension next week, and will almost certainly elect to extend it for an extra year.

## **After Months of Outcry, Portland Will Force Delay to Some Old Building Demolitions**

*By Dirk VanderHart*

*August 31, 2016*

Potentially historic properties are about to get slightly harder to kill in Portland.

After months of outcry over the speed at which old buildings can be demolished, the city is planning to enact new delays on demolitions beginning tomorrow, the Mercury has learned. Under that change, the Portland Bureau of Development Services (BDS) will force many property owners wait 120 days for a demolition permit after they take their property off the city's Historic Resources Inventory (HRI).

For years, property owners have been able to get a demolition permit the same day they took their buildings off the HRI, a list of roughly 5,000 properties that the city has said might have historic import.

The new policy isn't the weightiest change—after that four-month waiting period, property owners will be free to bring in a wrecking ball—but the policy tweak amounts to a victory for advocates who've been pushing a delay for months now. And the shift amounts to a tacit suggestion that the city's been running afoul of state rules for more than a decade.

As we reported earlier this month, those rules dictate that there needs to be a 120-day delay after an owner removes its "historic resource designation" from their property. The city has argued that merely being listed on the HRI doesn't amount to a "designation." With the new change, it appears officials are backtracking on that position after years of issuing immediate demolition permits.

Matt Grumm, a staffer for Commissioner Dan Saltzman, confirmed the upcoming change this morning. Saltzman oversees BDS.

While Grumm says the changes are slated to formally take effect tomorrow, he noted: "I told staff if anyone comes in today to yank a house off [the HRI] and demolish it, let me know."

The newly-enforced delay will apply to only "ranked" properties on the HRI, which prioritizes properties based on their likely historical significance, and leaves lower priority sites without a formal ranking.

News of the change came as welcome news to members of the Close the Loophole Coalition, which has repeatedly demanded Portland officials enact a 120-day delay for months.

"So we can claim victory?" said coalition member Meg Hanson, told about Grumm's comments. "That's great to hear, but there's still work to do."

Hanson acknowledged the new waiting period is "still just a delay," meant to foster discussion between property owners and neighbors who want to save a property. That process recently wound up saving the Ocobock Mansion in Northeast Portland, though there are still sour feelings in that situation. Often the delay only pushes back an inevitable demolition.

"I'd be more excited if it was new and it wasn't something people have been demanding for a couple years," Hanson said.

"This sudden change in policy may be the single largest victory for historic places to come out of city hall in a decade," Peggy Moretti, executive director of pro-preservation group Restore Oregon, said in a statement. "It's not a cure-all for the demolitions chewing up Portland's older neighborhoods, but the delay period affords important breathing room."

The "loophole" for demolishing HRI properties came especially to light last year, when two historic downtown buildings were yanked from the register. But the city was forced to more closely examine the issue earlier this month, after the Oregon Supreme Court issued a ruling limiting the unique influence Oregon property owners have on whether their buildings are labeled as historic.