

Regulatory Barriers

QUESTIONNAIRE FOR HUD’S INITIATIVE ON REMOVAL OF REGULATORY BARRIERS
FORM HUD-27300

Note: This questionnaire includes responses for the Multnomah County Consortium. The Consortium includes the unincorporated areas of Multnomah County, Oregon, and the two municipalities within County borders: the City of Portland, Oregon and the City of Gresham, Oregon. The overwhelming majority of Multnomah County residents live in Portland. Gresham is a small city, with 14% of the County’s population. In FY 03-04, Gresham received 7.5% of the CDBG funding to the Multnomah County consortium. Gresham has 3.25% of the pro rata need in the County, as identified in the McKinney process.

PART A LOCAL JURISDICTIONS, COUNTIES EXERCISING LAND USE AND BUILDING REGULATORY AUTHORITY AND OTHER APPLICANTS APPLYING FOR PROJECTS LOCATED IN SUCH JURISDICTIONS OR COUNTIES		
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<p>1. Does your jurisdiction’s comprehensive plan (or in the case of a tribe or TDHE, a local Indian Housing Plan) include a “housing element”? A local comprehensive plan means the adopted official statement of a legislative body of a local government that sets forth (in words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction and that includes a unified physical plan for the public development of land and water. If your jurisdiction does not have a local comprehensive plan with a “housing element,” please enter no. If no, skip to question # 4.</p>	No	<p>Yes Oregon has a statewide land use planning system and statewide goals including one for housing (State Goal 10).</p> <p>Portland’s <i>Comprehensive Plan</i> and map is the current adopted land use plan for the City of Portland, and for unincorporated urban areas of Multnomah County. Portland’s <i>Comprehensive Plan</i> includes a housing element -- Goal 4 (Housing) – which has been acknowledged by the State of Oregon’s Department of Land Conservation and Development to be in compliance with statewide planning goals. The <i>Comprehensive Plan</i> guides the future growth and development of the city. <i>Comprehensive Plan’s</i> Goal 4 (Housing) includes detailed policies and objectives and functions as the City’s housing policy.</p> <p>Gresham’s adopted housing policies comply with state law and are described in its Community Development Plan, Volume 2, Section 10.600.</p>

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<p>2. If your jurisdiction has a comprehensive plan with a housing element, does the plan provide estimates of current and anticipated housing needs, taking into account the anticipated growth of the region, for existing and future residents, including low-, moderate-, and middle-income families, for at least the next five years?</p>	<p>No</p>	<p>Yes</p> <p>As part of Oregon’s land use planning system, there is a state statute requiring that cities have a twenty- year supply of developable residential land. See ORS 197.296(2).</p> <p>The Portland area’s metropolitan government, Metro, has assumed some of the planning functions of local jurisdictions in the area. Metro estimates current and anticipated housing needs, including the need for affordable housing by households below 50 percent of area median income. The City of Portland, along with other jurisdictions in the metro area, cooperates with Metro in planning to accommodate population and employment growth and to provide affordable housing. Title 1 of Metro’s <i>Urban Growth Management Functional Plan</i> requires that local jurisdictions demonstrate that they have enough residential land zoned at high enough densities to provide the capacity to accommodate expected population growth for the next 20 years.</p> <p>Portland performed an analysis of its housing capacity and submitted a compliance report to Metro in February 1999. Title 7, Affordable Housing, of the <i>Functional Plan</i> requires local jurisdictions to show that they have considered adopting land use tools and other approaches to promote affordable housing. The City has submitted three reports to Metro demonstrating compliance with Title 7. The City of Portland has also adopted a voluntary affordable housing production goal assigned to it by Metro in Title 7 to provide housing for households under 30 percent of median family income. City Council adopted the second compliance report and the housing goal by Ordinance 36190 on December 17, 2003. The City adopted a voluntary housing production goal for unincorporated urban areas of Multnomah County by the adoption of Resolution 36227 on June 23, 2004.</p> <p>Multnomah County has also submitted a report demonstrating compliance to Metro, and has adopted the voluntary housing production goal assigned to it by Metro.</p> <p>Gresham is also in compliance with Title 7, Affordable Housing, of Metro’s <i>Functional Plan</i>. Gresham last submitted a compliance report in January of 2003.</p>
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<p>3. Does your zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding housing needs by providing: (a) sufficient land use and density categories (multifamily housing, duplexes, small lot homes and other similar elements); and (b) sufficient land zoned or mapped "as of right" in these categories, that can permit the building of affordable housing addressing the needs identified in the plan? (For purposes of this notice, "as-of-right," as applied to zoning, means uses and development standards that are determined in advance and specifically authorized by the zoning ordinance. The ordinance is largely self-enforcing because little or no discretion occurs in its administration.) If the jurisdiction has chosen not to have either zoning, or other development controls that have varying standards based upon districts or zones, the applicant may also enter yes.</p>	<p>No Yes</p>	<p>Portland's Zoning Code implements its <i>Comprehensive Plan</i>. Statewide land use planning requirements and Metro's regional planning assure that higher-density housing is allowed in many areas of the City.</p> <p>Our <i>Comprehensive Plan</i> and map must be in compliance with State Goal 10 (Housing). Goal 10 calls for planning for the housing needs of existing and future populations. The state Metropolitan Housing Rule requires that the:</p> <ul style="list-style-type: none"> • Portland be zoned for an average residential density of 10 dwelling units per net buildable acre, and • Residential zoning designations on at least 50 percent of the vacant residentially zoned, buildable land allow attached or multifamily housing. The City has a no-net-loss of housing potential policy in its <i>Comprehensive Plan</i> to prevent it from falling below the 10 units per acre average. <p>Metro's Region 2040 Growth Concept (map) designates centers where higher-density housing (attached and multifamily) and mixed-use development are allowed and encouraged. Portland contains these centers: its Central City, the Gateway Regional Center and about a half a dozen Town Centers. Higher-density housing and mixed-use development is also encouraged along Main Streets (Portland's older neighborhood commercial streets) and in light rail station areas. (Portland has light rail system.)</p> <p>In addition, Portland allows multifamily housing in its commercial and Central Employment zones.</p> <p>Gresham's zoning ordinance also complies with State Goal 10, as well as Metro's Region 2040 Growth Concept, designed to accommodate future growth. Gresham undertook a multi-year process (concluded in 2002) to adapt its zoning and other ordinances to conform to Metro's 2040 vision.</p>
<p>4. Does your jurisdiction's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?</p>	<p>No Yes</p>	

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<p>5. If your jurisdiction has development impact fees, are the fees specified and calculated under local or state statutory criteria? If no, skip to question #7.</p>	<p>No</p>	<p>Yes Oregon law closely regulates system development charges (SDC's), at ORS 223.297 to 223.314. ORS 223.304 establishes criteria for the methodology that cities may use to determine SDC's.</p> <p>Within this framework, Portland determines specific SDC's for specific urban services (sewer, water, parks, transportation, stormwater only). The state criteria are intended to ensure that SDC charges reflect only the cost to the city of providing the specified urban services to the new development.</p> <p>Gresham's system development charges are likewise in compliance with state statutes.</p>
<p>6. If yes to question #5, does the statute provide criteria that set standards for the allowable type of capital investments that have a direct relationship between the fee and the development (<i>nexus</i>), and a method for fee calculation?</p>	<p>No</p>	<p>Yes Pursuant to state statute, the City of Portland Transportation and Parks Bureaus calculate the additional burden of new development on infrastructure. The Portland Water Bureau has a direct calculation for increase in water and sewer service for new development.</p> <p>The City of Gresham's fees as described in the Gresham Revised Code are based on the estimated actual impacts of the development, pursuant to state law.</p>
<p>7. If your jurisdiction has impact or other significant fees, does the jurisdiction provide waivers of these fees for affordable housing?</p>	<p>No</p>	<p>Yes In 1998, the Portland City Council directed the City Parks, Water, and Transportation Bureaus to provide complete or partial exemptions to system development charges for affordable housing projects serving households below 60% MFI. Over a four-year period, the City has foregone \$3,714,321 in SDC revenue. This reduced the cost of developing 2,229 units of affordable housing. The Portland Development Commission also provides fee waivers to non-profit developers. These waivers help defray City of Portland development fees. Unlike Limited Tax Abatements and SDC exemptions, fee waivers are funded by the PDC and are not deferred revenue. There is no exemption or waiver for sewer SDC's.</p> <p>The City of Gresham does not waive system development charges for affordable housing at this time. However, because of Gresham's relatively small size (see note at top of form), this does not have a significant impact on affordable housing development within the Portland Consortium.</p>

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<p>8. Has your jurisdiction adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through graduated regulatory requirements applicable as different levels of work are performed in existing buildings? Such code language increases regulatory requirements (the additional improvements required as a matter of regulatory policy) in proportion to the extent of rehabilitation that an owner/developer chooses to do on a voluntary basis. For further information see HUD publication: "Smart Codes in Your Community: A Guide to Building Rehabilitation Codes" www.huduser.org/publications/destech/smartcodes.html).</p>	<p>No Yes</p>	<p>The City of Portland has several codes that address housing rehabilitation. The City has had a Housing Maintenance Code since 1914. This code encourages the maintenance of existing housing. In February 2004, the Bureau of Development Services adopted a series of code alternates that encourage the re-development of existing buildings, including housing. The Code Guide entitled Alternate Design, Methods, and Materials of Construction for Existing and Historic Buildings contains several alternate methods for meeting fire and life safety requirements when an existing building is being renovated. This is equivalent to the Smart Codes adopted by some jurisdictions. The City is also in the process of amending its Seismic Design Requirements for existing buildings and will present a draft to the City Council in August 2004. The revised seismic requirements will provide more flexibility for building owners who undertake rehab of unreinforced masonry buildings. The new draft also creates opportunities for live/work spaces.</p> <p>The City of Gresham has adopted state-mandated building codes that are consistent with national standards. It has adopted graduated regulatory requirements for ADA access. It has not adopted such requirements for the broad scope of building rehabilitation. However, because of Gresham's relatively small size (see note at top of form), this does not have a significant impact on affordable housing development within the Portland Consortium.</p>
<p>9. Does your jurisdiction use a recent version (<i>i.e.</i> published within the last five years, or the last version published) of one of the nationally recognized model building codes (<i>i.e.</i> the International Code Council [ICC]), the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCI), the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA)) without significant technical amendment or modification? In the case of a tribe or TDHE, has a recent version of one of the model building codes as described above been adopted or, alternatively, has the tribe or TDHE adopted a building code that is substantially equivalent to one or more of the recognized model building codes? Alternatively, if a significant technical amendment has been made to the above model codes, can the jurisdiction supply supporting data that the amendments do not negatively impact affordability?</p>	<p>No Yes</p>	<p>The City of Portland currently enforces the State of Oregon Structural Specialty Code, based on the 1997 version of the ICBO Uniform Building Code. City staff have been active participants in the process of updating the state code. In October 2004, the State will adopt a new Oregon State Specialty Structural Code based on the latest version of the International Building Code published by ICC.</p> <p>The State Code does have a small number of state-wide amendments, but local city amendments are not allowed under state law without going through the statewide code development process that evaluates who each amendment would affect the cost and safety of construction. Portland does have one amendment to the state code which allows five stories of Type V [wood] construction for residential buildings. This amendment was developed based on the need for lower cost housing, and construction cost data showed that over \$4,000 could be saved for each dwelling unit. Significant numbers of new residential units have been built using this approach due to the cost savings.</p> <p>The City of Gresham also enforces the State of Oregon Structural Specialty Code.</p>

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<p>10. Does your jurisdiction’s zoning ordinance or land use regulations permit manufactured (HUD–Code) housing “as of right” in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?</p>	<p>No Yes</p>	<p>ORS 197.314 requires cities to allow manufactured homes as an outright use in single-family residential zones.</p> <p>Portland’s Zoning Code, Chapter 33, <i>Planning and Zoning</i>, of the Municipal Code allows manufactured homes on individual lots. Manufactured homes are allowed in all zones where houses are an allowed use except in designated historical design districts where they are prohibited. They are also allowed on individual lots in mobile home parks (33.251.020 B, Chapter 33.251, Manufactured Homes and Mobile Home Parks).</p> <p>Article IV of Gresham’s Community Development Code states that manufactured homes are permitted in all zones where single-family homes are permitted.</p>
<p>11. Within the past five years, has a jurisdiction official (<i>i.e.</i>, chief executive, mayor, county chairman, city manager, administrator, or a tribally recognized official, etc.), the local legislative body, or planning commission, directly, or in partnership with major private or public stakeholders, convened or funded comprehensive studies, commissions, or hearings, or has the jurisdiction established a formal ongoing process, to review the rules, regulations, development standards, and processes of the jurisdiction to assess their impact on the supply of affordable housing?</p>	<p>No Yes</p>	<p>From September 1998 to June 2000, the Housing Technical Advisory Committee (HTAC) to the Metro Council, a regional government that encompasses Portland, met to develop affordable housing goals and strategies. HTAC carried out a comprehensive review of rules, regulations, development standards, and processes of the member jurisdictions, including Portland, to assess their impact on the supply of affordable housing. In January 2001, the Metro Council adopted an amendment to Section 1.3 of Title 7 in the Urban Growth Management Functional Plan, addressing Affordable Housing policy and implementation. Jurisdictions are required to report progress in implementing the strategies proposed in Title 7. Portland’s last progress report was the 6/30/2004 Housing Compliance Report to Metro.</p> <p>The City of Gresham has also participated in the work of the Metro’s HTAC. Gresham’s last progress report to Metro was in January 2003.</p>

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<p>12. Within the past five years, has the jurisdiction initiated major regulatory reforms either as a result of the above study or as a result of information identified in the barrier component of the jurisdiction's "HUD Consolidated Plan?" If yes, attach a brief list of these major regulatory reforms.</p>	<p>No Yes</p>	<p>In the <i>Consolidated Plan 2000-2005</i>, the Portland Consortium identified the need to coordinate housing initiatives within a regional planning framework. We also identified the cumulative impact of local regulations, systems development charges, and revitalization that had the unintended consequence of promoting involuntary displacement.</p> <p>The Portland City Council has led regional affordable housing efforts, and acted aggressively to keep the cost of housing down and to remove barriers to the development, maintenance, and improvement of affordable housing. It has also provided incentives to develop, maintain and improve affordable housing in our jurisdiction. Specifically, the Portland City Council has acted on the policies detailed below:</p> <p>Policy for Supporting Regional Affordable Housing Strategy Implementation</p> <p>Metro, the regional land-use planning agency, has developed the Regional Affordable Housing Strategy (RAHS). The strategy sets aspirational goals for affordable housing production, and requires each jurisdiction to consider the adoption of various tools to promote development of affordable housing. Multnomah County, Portland, and Gresham have all adopted the RAHS.</p> <p>In December 2003, Portland reported that it had considered and taken action on most tools. Examples include: density bonuses, reduced parking requirements, private lender participation and loan guarantees, systematic inspections, siting policies, regional revenue option for housing, mobility strategies, partnerships with public schools, weatherization and energy efficiency, and various financial tools. In June 2004, the City reported on the outcomes of its amendments to its Comprehensive Plan and implementing ordinances pending at the time of the December 2003 report and the public response to the adoption of these amendments.</p> <p><i>As a result of this policy, Portland is fully implementing the regional affordable housing strategy. Units are counted under specific programs.</i></p> <p>Policy of Exempting Affordable Housing from Property Taxes</p> <p>The Portland City Council has adopted six tax exemption programs allowed under State law. The Bureau of Planning and the Portland Development Commission, Portland's urban renewal agency, administer these programs including ones for:</p> <ul style="list-style-type: none"> • low-income housing held by nonprofit organizations; • renter rehabilitation; • owner rehabilitation in distressed areas; • new construction of single unit owner occupied housing in homebuyer opportunity areas; • new transit supportive residential or mixed use development; and • new multi-unit housing in the Central City and urban renewal areas.
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<p>12. (continued)</p>	<p>One program is currently inactive due to the expiration of the sunset date in the state enabling statutes. The City is currently supporting a bill in the Oregon Legislature that will allow it to reactivate the local program for new construction of single unit owner occupied housing in homebuyer opportunity areas and allow condominiums to be eligible under the program, which will expand affordable homeownership opportunities in a number of Portland's low/moderate income neighborhoods.</p> <p><i>As a result of this policy, between 1996 and 2000, the City granted tax exemptions under these programs to developers and owners of 6,800 units of affordable housing. The City has forgone more than \$6 million dollars in revenue as a result these programs.</i></p> <p>Policy to Assess and Eliminate Unnecessary Regulatory Barriers The City of Portland Bureau of Planning was directed to perform periodic and ongoing assessments of the cumulative impact of regulations (zoning and building codes) and infrastructure requirements on the ability of the market to meet housing demand at different price levels. As a result of this assessment, the City of Portland has allowed accessory dwelling units in single family zones since at least the early 1980's and has continued to liberalize the regulations governing them and approved the development of small, detached units on 2,500 sq. ft. lots in R2 and R2.5 zones in the 1990's.</p> <p><i>No outcomes are available at this time.</i></p> <p>Policy to Expedite Housing Development The City of Portland Bureau of Development Services was directed in 2003 to adopt a policy to guarantee a ten-day turn around for complete residential building permit applications. <i>This removed a barrier to development of affordable housing.</i></p> <p>Policy to Provide Incentives for Mixed-Use, Mixed-Income Development The City of Portland Planning Bureau was directed to offer density bonuses, large-unit bonuses, and underground parking bonuses for mixed-use, mixed-income projects in the West End of the Central City beginning in 2002.</p> <p><i>To date, these have been applied to one built project and four large-scale mixed-use towers currently in the permitting phase.</i></p> <p>Policy to Exempt Affordable Housing from System Development Charges In 1998, the Portland City Council directed the City Parks, Water and Transportation Bureaus to provide complete or partial exemptions to system development charges (SDC's) for affordable housing projects serving households below 60% MFI. Over a four-year period, the City has foregone \$3,714,321 in SDC revenue.</p> <p><i>This reduced the cost of developing 2,229 units of affordable housing.</i></p>
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<p>12. (continued)</p>		<p>Policy to Mitigate Effects of New Development on Existing Affordable Housing In 2001, the Portland City Council adopted a Central City No Net Loss policy, in response to concerns that the economic development of the Central City was squeezing out affordable housing. Specifically, the City committed to preserve or replace 1,200 affordable rental housing units for households below 60% MFI by 2006. <i>Prior to the adoption of this policy, since 1990 the City had funded development and/or acquisition/rehabilitation of seven properties in the Central City area, totaling 850 units. Since the No Net Loss policy was enacted, the City funded development and/or acquisition and/or rehab of six additional projects, totaling 487 units. The City is preparing to fund four new projects that will total approximately 750 new/replacement units.</i></p> <p>Removal of Limitations on Rental Property Development The City of Gresham undertook land use changes that resulted in rescinding previous legislative action that prevented apartment development within an area of about 1200 acres. Much of this area is within West Gresham that has the highest need for affordable housing. The Gresham City Council adopted this change in December 2002. Gresham's current focus is on preserving affordable single-family housing in the West Gresham Area while permitting the development of new apartments on parcels zoned for that purpose.</p> <p>Facilitated In-fill Development In November 2002 the Gresham City Council adopted new In-fill Development Standards to facilitate in-fill development while promoting neighborhood compatibility. These new standards simplify the in-fill development process, and consequently reduce the overall cost of housing, while meeting community design objectives.</p> <p>Leverage of CDBG and HOME Funding In December 2000, the Gresham City Council adopted changes to its list of approved uses of Community Development Block Grant and HOME funds to help implement voluntary inclusionary housing. Instead of offering zoning incentives, the City of Gresham offers a financial incentive for the development of "affordable mixed-income housing in areas of the city, which do not currently have a high concentration of affordable housing." Developers may apply for HOME funds to assist with the development of mixed income housing that meets specific requirements.</p> <p>The City of Gresham has adopted many policies and standards in the past eight years that have lowered the cost of housing development in general. This has included decreasing lot size, combining residential zones, eliminating confusing and duplicate land use requirements; promoting high-density residential development within Transit Corridors, Town Centers and Regional Centers. In addition, Gresham allows Community Services Uses (special use housing) in all districts except industrial districts. This action has substantially broadened the range of siting opportunities for this type of needed housing.</p>
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<p>13. Within the past five years has your jurisdiction modified infrastructure standards and/or authorized the use of new infrastructure technologies (e.g., water, sewer, street width) to significantly reduce the cost of housing?</p>	<p>No</p>	<p>Yes</p> <p>In 2002 the City of Portland adopted a new subdivision/partition code, which creates additional flexibility in several areas that impact street infrastructure costs. New lots may now be created with frontage on pedestrian walkways and shared greens, as an alternative to traditional streets. This allows new in-fill development in more flexible configurations, without the cost of a new street. The City does still require traditional streets on larger sites where necessary to achieve a connected street grid. Lot size standards were also relaxed to provide a wider range of allowable sizes. This change creates additional opportunity to arrange new development in configurations that minimize infrastructure needs.</p> <p>In 2001, the City of Gresham completed a major update of its development code. This update resulted in substantial changes aimed at removing restrictive, confusing and outdated development requirements that increase development costs. The standards addressed include street width, storm water treatment, and parking.</p>
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<p>14. Does your jurisdiction give “as-of-right” density bonuses sufficient to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of affordable housing? (As applied to density bonuses, “as of right” means a density bonus granted for a fixed percentage or number of additional market rate dwelling units in exchange for the provision of a fixed number or percentage of affordable dwelling units and without the use of discretion in determining the number of additional market rate units.)</p>	No	<p>Yes</p> <p>Portland’s Zoning Code allows floor area bonuses for affordable housing in the Central City and Northwest plan districts. In the high-density residential zones in these areas, floor area ratios (FAR’s) rather than maximum density requirements govern housing densities.</p> <p>In Portland’s Central City Plan District, floor area bonuses are allowed for:</p> <ul style="list-style-type: none"> • New projects with at least 30 percent of units affordable to households under 150 percent of area median income (MFI) (33.510.210 C 13 Middle Income Housing bonus option), and • Contributions to an Affordable Housing Replacement Fund to be used for housing affordable to households earning no more than 60 percent MFI. (33.510.210 C 15 Affordable Housing Replacement Fund bonus option). <p>In the Northwest plan district, floor area bonuses are allowed for projects containing housing where either:</p> <ul style="list-style-type: none"> • 10 percent of the units are affordable for households that earn no more than 30 percent MFI, or • 20 percent at 60 percent MFI or • 40 percent at 80 percent MFI (33.562.230 E Height and floor area ratio bonuses for affordable housing) <p>The City of Gresham does not offer density bonuses for the purpose of offsetting costs associated with building affordable housing. Gresham’s Land Use Code and Zoning Map was amended in recent years (1996) to provide relatively high densities throughout the city. Minimum required densities were increased in all residential neighborhoods; duplexes and attached single-family dwellings were allowed in single-family residential neighborhoods and specific area plans were adopted for the city’s Downtown, Town Centers, and Transit Corridor’s. These plans increased the range of high-density multifamily uses allowed in these areas and made mixed-use residential development possible. The City’s actions have resulted in more opportunities to provide for low and moderate income housing needs by making it possible to develop a greater number of units on available properties, thereby lowering the land cost per unit.</p>

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<p>15. Has your jurisdiction established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent not sequential, reviews for all required permits and approvals?</p>	<p>No Yes</p>	<p>The City of Portland Bureau of Development Services (BDS) provides a consolidated permit review process comprised of BDS Planners, Building Plans Examiners, Structural Engineers, and Site Development staff, and coordinates reviews with on-site interagency partners from the Office of Transportation, Environmental Services (Sewer & Stormwater), Water, and Fire. For all new construction, 4 sets of plans are routed to reviewers both concurrently and sequentially depending on the scope of the project and required reviews. Additionally, large projects, such as Hope VI/New Columbia Villa are assigned Process Mangers who coordinate all required reviews and work with assigned reviewers for the entire project.</p> <p>The City of Gresham provides for expedited permitting approvals for various kinds of development, including affordable housing. In 2001, the permitting process was revised to allow for alternative routing that involves limited review of building plan simultaneously with planning and engineering review. This allows some concurrent review of permits. This reduces the time and costs needed to obtain building permits in those circumstances that developers opt to take this route. The City of Gresham does, as a matter of course, provide for concurrent planning, engineering and natural resources impact review of projects.</p>
<p>16. Does your jurisdiction provide for expedited or “fast track” permitting and approvals for all affordable housing projects in your community?</p>	<p>No Yes</p>	<p>The City of Portland Bureau of Development Services was directed in 2003 to adopt a policy to guarantee a ten-day turn around for complete residential building permit applications. <i>This removed a barrier to development of affordable housing.</i> There is no distinction for affordable housing projects apart from all other types . BDS does provide a “fast track” permitting system for new single family construction available to applicants who are able to provide complete, accurate plans for non-complex homes with the goal of reviewing and issuing permits in 10 days. Larger, multi-dwelling projects are assigned process managers to coordinate all required reviews, ensure there are no delays , and resolve conflicts as needed during the permitting review process.</p> <p>The City of Gresham provides for expedited permitting approvals when requested by the developer and there is reason to expedite the process. Typically, certain portions of the building permit can be considered concurrently with land use and engineering approval. In addition, developers in the Portland Metropolitan area have lauded Gresham’s permitting process for its relative efficiency.</p>
<p>17. Has your jurisdiction established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?</p>	<p>No Yes</p>	<p>ORS 227.178 (1) requires cities to take final action on quasi-judicial land use reviews (including any local appeals) within 120 days after the application is deemed complete. (The 120 day review period does not apply to Comprehensive Plan Map amendments, or Statewide Planning Goal Exceptions.) If the final action is not taken within 120 days, the applicant may file a writ of mandamus in county circuit court compelling the city to issue the approval (ORS 227.179 (1)).</p>

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17. (Continued)		Portland's review procedures, codified in City Code Chapter 33.730 for Type I, Type II, Type IIx and Type III land use reviews, establish timeframes for each milestone that occurs in the land use review process (i.e., when the public notice must be sent out, when the hearing must be scheduled, how long the review body has to make a decision, length of appeal period, etc.). The timing of each of the milestones is intended to ensure that the final decision (including any appeals) will occur within 120 days of when the application was deemed complete. Note that ORS 227.178 allows the applicant to waive the 120 day period altogether, or request an extension of up to 245 days. The City of Gresham complies with state statute that requires final action within 120 days after an application is deemed complete.
18. Does your jurisdiction allow "accessory apartments" either as: (a) a special exception or conditional use in all single-family residential zones, or (b) "as of right" in a majority of residential districts otherwise zoned for single-family housing?	No <u>Yes</u>	Portland's Zoning Code allows accessory dwelling units in all residential zones. They may be added to houses, attached houses or manufactured homes except for attached houses that were built under the regulations that allows duplexes and attached houses on corner lots. (Chapter 33.205 Accessory Dwelling Units, 33.205.020 Where These Regulations Apply). Article IV of Gresham's Community Development Code states that accessory dwelling units are permitted in all single-family residential zones.
19. Does your jurisdiction have an explicit policy that adjusts or waives existing parking requirements for all affordable housing developments?	No <u>Yes</u>	Portland's Zoning Code allows small housing projects (no more than 5 units) to be built without parking in the Albina Community Plan District. The purpose of this regulation is to reduce the cost of housing built in the plan district (33.505.220 Parking Requirement Reduction). The Albina Community Plan District includes some areas that have historically been low- to moderate-income. Gresham, along with other Metro area jurisdictions, has taken action to institute maximum parking standards for all development including attached and detached residential development. These standards are consistent with the Metro's <i>Functional Plan</i> requirement to reduce the amount of land needed for parking and to make it available for other forms of urban development. The City considers that its compliance with Metro standards does, in a <i>de facto</i> manner, have the effect of making housing development more affordable. As stated above, it should be considered that Gresham also has reduced parking requirements for development within its Transit Corridors and Centers. The majority of Gresham's multi-family zoned land lies within these areas.
20. Does your jurisdiction require affordable housing projects to undergo public review or special hearings when the project is other-wise in full compliance with the zoning ordinance and other development regulations?	<u>No</u> Yes	
Total Points:		

