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CITY OF

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**PORTLAND, OREGON**

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**Ted Wheeler, Mayor**  
Carmen Rubio, Commissioner  
Dan Ryan, Commissioner  
Rene Gonzalez, Commissioner  
Mingus Mapps, Commissioner

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March 15, 2023

To: Senate Committee on Housing and Development  
RE: Support for SB 847

Chair Jama, Vice-Chair Anderson and Members of the Senate Committee on Housing and Homelessness,

The City of Portland supports SB 847, with many of the proposed amendments, as measures to increase housing production in Oregon. We appreciate the work staff have put into developing amendments to work out the technical issues and look forward to continuing to work with you in the coming weeks on this important legislation.

**Housing Density Property Tax Valuation**

We support this concept and the draft amendments that focus this incentive on ADU construction and the conversion of houses into multiple units of middle housing. In particular, the conversion of older houses can be prohibitively expensive to bring the structure up to code, especially in terms of fire and life safety codes. This modest financial incentive will help offset some of those costs. We support removing these provisions from this bill and adding it to another bill so that SB 847 can move forward with an emergency clause.

**Residential Use of Commercial Lands**

We support allowing residential uses in commercial areas. All of the City of Portland's commercial zones are mixed use zones that allow for residential development. We support the draft amendments to clarify that this bill does not force cities to allow for residential uses in our industrial and employment areas. The phrase "on any lands zoned to allow for commercial use" is overly broad. Limited amounts of office and retail uses are allowed in our industrial and employment areas. However, the myriad of conflicts in our employment areas, such as noise, odors and freight traffic, make the areas inappropriate for housing.

**Appeals of Middle Income Housing Approvals**

The City of Portland supports the -8 amendments to these provisions. We support the expanded protections to include supportive housing.

We also support further amendments to identify the relevant appeal issues earlier in the appeal process, which will give local jurisdictions an opportunity to withdraw or voluntarily remand the decision to address those issues.

### **Emergency Shelter Siting**

The City of Portland supports these provisions. We would like to see an amendment that expands the definition of shelter. ORS 197.782 defines emergency shelter as a building or cluster of buildings. We would like to include other forms of outdoor shelter, such as organized and managed places for tents, pods, vehicles, and other shelters that do not require a building permit.

### **Single Room Occupancies (SROs)**

The City of Portland acknowledges that SROs are a key housing type to address our housing affordability crisis. However, as drafted, the legislation could create confusion between lower density SROs as middle housing and higher density SROs in our centers and corridors. Both are necessary housing types and we look forward to future amendments to clarify the definition of SROs as it applies to middle housing.

### **Single Staircase Multi-Dwelling Construction**

The City of Portland is supportive of exploring the use of single staircase buildings as a means to reduce construction costs. However, the -4 amendments go too far in mandating these types of buildings. We recommend an amendment that directs the Building Code Division (BCD) to initiate a rulemaking process to allow for these types of buildings. BCD is the State agency tasked with updating Building Codes and is in the best position to draft language that includes the proper stakeholders and does not have unintended consequences.

### **Surplus Property of Public Utilities**

The City of Portland supports the concept to allow public utilities to sell property at below market values for affordable housing development.

Sincerely,

A handwritten signature in black ink, appearing to read "Carmen Rubio". The signature is fluid and cursive, with the first name "Carmen" and last name "Rubio" clearly distinguishable.

Commissioner Carmen Rubio