

**BMPRD RESOLUTION NO. 2021-01**

**A RESOLUTION OF THE BEND PARK AND RECREATION DISTRICT BOARD OF DIRECTORS  
ADOPTING ADDITIONAL SDC WAIVERS FOR AFFORDABLE HOUSING**

**WHEREAS**, the high demand and limited supply for housing in Bend has led to an increase in the cost of housing for both owner-occupied and rental units, and most new housing being developed is affordable only for those with above-median income; and

**WHEREAS**, the cost to develop housing includes not only the cost of land and construction, but also the cost of associated permits and fees, including System Development Charges (“SDCs”); and

**WHEREAS**, BMPRD Ordinance No. 12, and the associated Methodology Report: Parks System Development Charges, includes provisions allowing the Board to designate by resolution the types of residential development for which a waiver from SDCs may be applied; and

**WHEREAS**, on November 1, 2017, the City of Bend adopted City Ordinance No. NS-2298, an exemption from transportation, water, and sewer SDCs for qualified affordable housing projects; and

**WHEREAS**, on June 4, 2019, the District approved Resolution No. 423 adopting SDC waivers for up to 400 units of Deed Restricted Affordable Housing, available through December 31, 2022; and

**WHEREAS**, as of December 2020, the District had approved 380 of the 400 available Affordable Housing SDC waivers, and desires to approve additional waivers for use through the original sunset date in Resolution No. 423, December 31, 2022; and

**WHEREAS**, in addition to the limited supply of affordable long-term housing, Bend has a shortage of: (1) short-term, temporary housing to meet emergency or other immediate housing needs such as homeless shelters or housing for victims of domestic violence, and (2) smaller multi-family developments comprised of both market rate and affordable housing units; and

**WHEREAS**, the cost to develop both short-term, temporary housing and mixed income housing includes most or all of the same costs as long-term housing, including SDCs; and

**WHEREAS**, the District desires to approve affordable housing SDC waivers for both short-term, temporary housing and mixed income housing of the kind described in this Resolution; and

**WHEREAS**, Ordinance No. 12 allows the District’s Board of Directors to designate other types of Residential Development for which affordable housing SDC waivers may be applied.

**NOW, THEREFORE**, the Board of Directors hereby resolves as follows:

**Deed Restricted Affordable Housing Waivers**

1. Parks SDCs shall be waived for Deed Restricted Affordable Housing projects which are approved for exemption from City transportation, water, and sewer SDCs by the City of Bend Affordable Housing Advisory Committee, and that meet or exceed the 30-year deed restriction requirement.
2. The additional Affordable Housing waivers authorized by this Resolution shall not exceed 150 units, of which no more than 75 units shall be approved in any calendar year.

3. Deed Restricted Affordable Housing projects with 54 or fewer units may receive SDC waivers for up to 100% of the units within a single development phase. Deed Restricted Affordable Housing projects with 55 or greater units, may receive SDC waivers for up to 50% of the total units (rounded up to next full unit) in a single development phase. No project shall receive more than 75 total waivers (in any one development phase).
4. If the City of Bend requests that the District provide additional park SDC waivers for Affordable Housing beyond December 31, 2022, a work group of City and District representatives should be established, in advance of the sunset date, to discuss and consider extension of the program, including strategies to support Affordable Housing development that reduces the impact on District SDC revenues.

#### Homeless/Emergency Shelter

1. Parks SDCs shall be waived for short-term, temporary housing projects which are approved for exemption from City transportation, water, and sewer SDCs by the City of Bend Affordable Housing Advisory Committee, and that meet or exceed the 30-year deed restriction requirement.
2. In addition to City of Bend exemption approval, qualifying short-term, temporary housing units must be owned and operated by a government agency or 501(c)(3) charitable organization and must be available at no cost to persons in need of short-term, temporary housing.
3. The limitation on the number of waivers that may be approved for Deed Restricted Affordable Housing units shall not apply to waivers for short-term, temporary housing units.

#### Mixed Income Developments

1. Once the annual limitation on the number of waivers that may be approved for Deed Restricted Affordable Housing units has been reached, Parks SDCs shall be waived for up to a maximum of 5 Deed Restricted Affordable Housing units in any multi-family project with at least 5 market-rate units; provided that such units are approved for exemption from City transportation, water, and sewer SDCs by the City of Bend Affordable Housing Advisory Committee, and that meet or exceed the 30-year deed restriction requirement.

#### Miscellaneous


1. The additional Affordable Housing waivers authorized by this Resolution will automatically sunset and cease to be available after December 31, 2022.
2. Capitalized terms used, but not defined, in this Resolution shall have the meanings given such terms in Ordinance No. 12.
3. All pronouns contained in this Resolution, and any variations thereof, will be deemed to refer to the masculine, feminine, or neutral, singular, or plural, as the context may require. The singular includes the plural, and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, or portion of this Resolution is for any reason held invalid, unenforceable, or unconstitutional, such invalid, unenforceable, or unconstitutional section, subsection, sentence, clause, or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, or constitutionality of the

remaining portion of this Resolution. This Resolution may be corrected by resolution of the board to cure editorial or clerical errors.

**ADOPTED** by the Board of Directors of the District on this 5<sup>th</sup> day of January, 2021.

  
Nathan Hovekamp, Board Chair

Attest:

  
Don P. Horton, Executive Director

