

BEND PARK & RECREATION DISTRICT RESOLUTION NO. 2024-12

A RESOLUTION EXTENDING THE AVAILABILITY OF SDC WAIVERS FOR DEED-RESTRICTED AFFORDABLE HOUSING AND CERTAIN SHORT-TERM, TEMPORARY HOUSING

WHEREAS, as allowed by District Ordinance No. 12, the District has made waivers from Parks System Development Charges (“SDCs”) available to developers of qualified deed-restricted affordable housing projects since 2019; and

WHEREAS, Bend continues to exhibit a shortage of: (1) Deed Restricted Affordable Housing, and (2) short-term, temporary housing to meet emergency or other immediate housing needs such as shelters for houseless persons or victims of domestic violence; and

WHEREAS, the Board desires to approve an extension of the program granting waivers from Parks SDCs for affordable housing of the kind described in this Resolution.

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

Deed Restricted Affordable Housing Waivers

1. Subject to the limitations below, Parks SDCs shall be waived for Deed Restricted Affordable Housing units approved by the City of Bend for exemptions from the City’s transportation, water, and sewer SDCs, and that meet all other requirements of Ordinance No. 12 and this Resolution.
2. The total number of SDC waivers for Deed Restricted Affordable Housing units authorized by this Resolution shall not exceed 300 units, of which no more than 150 units shall be approved in any two-calendar-year period; provided, however, unused SDC waivers authorized by this Resolution for the first two-year period may be carried forward and made available for projects during the second two-year period.
3. Projects with 40 or fewer Deed Restricted Affordable Housing units, in all development phases, may receive SDC waivers for up to 100% of the units. Projects with more than 40 Deed Restricted Affordable Housing units may receive SDC waivers for up to 100% of the first 40 units, and for 50% of any units beyond 40 (rounded up to the next full unit), in all development phases. Notwithstanding the foregoing, no project may receive SDC waivers for more than 75 total Deed Restricted Affordable Housing units, in all development phases.


Houselessness/Emergency Shelter

1. Parks SDCs shall be waived for short-term, temporary housing projects approved for exemptions from City transportation, water, and sewer SDCs by the City of Bend, 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 eligible short-term, temporary housing units. Projects in which structures without permanent foundations such as safe parking areas, tent camps, and similar projects for sheltering houseless persons, are not subject to SDCs and shall not require waivers.

Miscellaneous

1. This Resolution will be effective for all purposes on January 1, 2025, and will automatically sunset, and any remaining SDC waivers authorized by this Resolution will cease to be available, after December 31, 2028.
2. District staff shall administer all aspects of the SDC waiver program including, without limitation, all eligibility determinations.
3. Capitalized terms used, but not defined, in this Resolution shall have the meanings given such terms in Ordinance No. 12.
4. 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 17th day of December, 2024.



Jodie Barram, Board Chair

Attest:



Michelle Healy, Executive Director