

Testimony to the Portland City Council

Residential Infill Project Concept Report

Susan King, 4712 SW Flower Ct.

November 9, 2016

This testimony will provide comment on specific elements of the concept proposal and general comments regarding related issues. Having attended one of the open houses in Multnomah during the summer of 2016, reviewed the report and watched the briefing before the Council on November 1, 2016 I am very concerned about the scale of the proposed changes to Portland, the underlying philosophy and the disregard for impact on many neighborhoods.

First, my experience has been that staff who were responsible for the preparation of this proposal have been unwilling to give credence to the concerns raised by those of us who have invested in the city and our property for many years and have, instead, continued to assert that we must all accept drastic changes to our neighborhoods that appear to be more aggressive than is necessary to accommodate growth. Secondly, the same staff have also verbally disregarded the related issues such as the inadequate parking that is currently accompanying both this proposal and developments that are endemic in the Portland area. They have failed to consider the impact of significant density increases on the street parking particularly in SW Portland, where there are no sidewalks and pedestrian traffic is already and will be in the future made much more dangerous with cars lining both sides of many streets. The Council must include requirements for adequate parking onsite of any new construction including single family, attached and multi-unit dwellings.

My second general comment is that while the city staff have asserted that this proposal is one of “opportunity” and “choice” and offers the potential for more affordable housing as our population increases, nothing in this proposal will guarantee such economic benefits. In fact, during the Council briefing, as you will recall, the price point which staff apparently considers “middle housing” is completely out of reach for many and as was pointed out by one Council member, may be even more unaffordable if interest rates rise. The proposal also fails to account for the choice that many of us have made in SW Portland to live on single family larger lots which preserve trees and contribute to a desirable environment. Many individuals will choose to live in neighborhoods that are fashioned like those from years past with houses very close to each other. That is a choice which should be supported but not at the expense of imposing that density on all areas of the city.

And third, when questioned during an open house, the city staff were quick to assert that this is not a zoning change. However, the use of overlays as this report recommends, essentially changes zoning without a formal process and is, in my opinion, deceptive and disingenuous. Zoning is for the purpose of predictability and this set of proposals offers a home investor no ability to determine whether to purchase given the flexibility of what could be built in the zoned neighborhood.

Specific comments on the report recommendations:

Recommendations 1-3 “Scale of Houses”

I generally support these recommendations given what many areas of the city are experiencing with

demolitions and very large houses built in their place often towering above the smaller single family units adjacent to them. It is interesting, however, that the concept proposal pays attention to the effects of building on current neighborhoods in these recommendations while proposing drastic changes in other parts of the report. This report is internally inconsistent.

Recommendation 4

There is already an allowance for duplexes on corner lots. I strongly oppose increasing this to a triplex on the same type of lot. The triplex would need to be very limited in size per unit to accommodate adequate parking which is essential. Additionally, allowing duplexes and duplexes with detached ADUs in single family areas is not acceptable nor is it necessary to meet the goal of increased housing.

Recommendation 5

The housing opportunity overlay zone within a quarter mile of a corridor is unacceptable. This same proposal was a part of the SW Community Plan many years ago and the neighborhoods resoundingly rejected it. I live and pay property taxes in an R7 zone within the limits of this proposal and the intrusion into a single family area with a mix of large and medium sized homes would destroy our neighborhood. It is distressing to see these same proposals come back as if they have never been considered and rejected in the past. Perhaps those who are supporting this report are hoping that the established population who remembers this history will leave so that unwise and unnecessary changes can be made without opposition.

Including increased density along a corridor such as Beaverton Hillsdale Highway is understandable and in keeping with the scale and character of existing and new construction. That is potentially an appropriate place to increase lower priced "housing opportunities" particularly if there is adequate public transportation and access to walkable services. Not every heavily trafficked area has such access as yet.

Recommendation 6

Cottage clusters are unacceptable. Again, as per my comments about recommendation 5, these are unnecessary and will result in a negative impact on existing neighborhoods. And adding the possibility of an ADU for each cottage is beyond rational.

Recommendation 7 b

Flexibility for house conversions that eliminate requirements for off street parking or waive SDCs is not acceptable. If Portland is going to accommodate population growth, the infrastructure of the city must grow with it. That includes streets, schools, sidewalks, parking etc. Noting in this proposal addresses the impact on any of those. In fact, it generally feels as if the City staff have determined that car traffic can be managed by making it harder and harder to move about and to park. While public transportation is desirable, it is not reality for many of us who pay taxes and work in and about the city. These proposals are out of touch with what is needed to accommodate growth in an appropriate and rational way.

Finally, I appreciate the questions that were raised by some members of Council during the briefing and urge you to reject this report and direct the Bureau of Planning and Sustainability to develop a more realistic, moderate and sensible approach to increased housing.

November 2, 2016

Re: Residential Infill Project - Concept Report to City Council

Dear Portland City Council:

My name is Alan DeLaTorre and I have served as a member of the Residential Infill Project Stakeholder Advisory Committee (RIP-SAC) from its inception in September, 2015, until the last Committee meeting on Tuesday, October 18, 2016. In addition to my role as a member of the RIP-SAC,¹ I am also writing to you as the co-coordinator of the Age-friendly Portland and Multnomah County initiatives, as a past member of the Neighborhood Centers Policy Expert Group to Portland's Comprehensive Plan, a self-described "urban gerontologist," as a researcher at Portland State University's Institute on Aging, and as a parent and aging citizen of our City.

On October 18, 2016, staff from the Bureau of Planning and Sustainability released a Residential Infill Concept Report² to City Council that detailed a series of recommendations for future infill housing in Portland. Although both the Comprehensive Plan and the Concept Report have highlighted that Portland's population is becoming older, and, that a more accessible, diverse, and adaptable housing stock is needed, **the final Concept Report failed to offer a single recommendation that would lead to housing in Portland becoming more accessible. This outcome is inequitable, short-sighted, and unacceptable. I expect that Portland's leaders and policymakers will take the necessary steps to remedy this omission and advance opportunities for Portlanders to find housing that facilitates aging in their homes and communities while maintaining critically important social connections that enable their health, well-being, and independence.**

I suggest City Council consider the following: Portland must create and implement regulatory (e.g., zoning code) and incentive-based policies (e.g., density bonuses) that increase our housing stock's accessibility as part of the outcomes associated with the Residential Infill Project. Please consider adding the following requirements as part of the final Concept Report and resulting policies (note: see the next page for suggested "visitable" and "accessible" criteria):

- (1) Require that all new housing built in Portland's single family zones as a result of the Residential Infill Project as "visitable" (note: exceptions can be considered)**
- (2) When cottage cluster developments and bonus unit provisions are given for infill housing (i.e., above and beyond by-right development detailed in Proposal 1), all qualifying units should be built to as "accessible"**

¹ For additional information about the Residential Infill Project and recommendations pertaining to accessibility, please see the participant observation report submitted to the City of Portland on October 15, 2016: http://agefriendlyportland.org/wp-content/uploads/2016/10/DeLaTorre_Residential-Infill-Project-Report_Oct14.2016.pdf.

² City of Portland (October, 2016). *Residential Infill Project - Concept Report to City Council*. Retrieved from: <http://www.portlandoregon.gov/bps/article/594795>.

Visitable Guidelines:³ The three main visitability criteria are:

1. At least one zero-step entrance
 - A step less path no steeper than 1:12, preferably less steep, which leads to the entry door
 - A 3'0" entry door
 - A threshold preferably no higher than ½ inch⁴
2. 32" clear passageways
3. One bathroom/powder room on the main floor (ground level) with mobility device access and maneuvering

Accessibility Guidelines: The accessibility criteria are:

1. All visitability criteria as detailed above
2. Single level living or, at the very least, a full bathroom and kitchen on the ground floor
3. Bathroom with required turning space for person in a mobility device (circular or "T-shaped")
4. Curb less shower or wet bathroom
5. Backing of bathroom walls to enable variable grab bar position
6. Varied and/or adjustable kitchen countertops
7. Sinks and stoves with roll-under cabinetry
8. Electrical outlets and phone jacks at least 18-24 inches above floor
9. Task lighting and natural light sources in areas of the home often used by residents (e.g., kitchens and bedrooms)
10. Ventilation and air conditioning for comfort
11. Lever handle hardware, rocker light switches, and "D-shaped" or loop-style hardware
12. Pocket doors (when possible) or outward swinging doors in bathrooms (when pocket doors are not possible), and front entryways that allow for a door to open while a mobility device is present

Sincerely,

Alan DeLaTorre, Ph.D.



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aland@pdx.edu

³ Visitability.org (2016). Visitability – what is it? Retrieved from: <http://www.visitability.org/>. Note: The term visitability refers to single-family or owner-occupied housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers

⁴ According to ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES ICC A111.1 - 2009 American National Standard 404.2.4 that relates to thresholds: If provided, thresholds at doorways shall be ½ inch (13 mm) maximum in height. Raised thresholds and changes in level at doorways shall comply with Sections 302 and 303. EXCEPTION: An existing or altered threshold shall be permitted to be ¾ inch (19 mm) maximum in height provided that the threshold has a beveled edge on each side with a maximum slope of 1:2 for the height exceeding ¼ inch (6.4 mm).

UNITED NEIGHBORHOODS FOR REFORM DEMOLITION/DEVELOPMENT RESOLUTION

Whereas sustainability, livability, and environmental and public safety are of concern to Portland residents;

Whereas the preservation of each neighborhood's historical heritage and character are of prime concern to Portland residents; and

Whereas the preservation of existing affordable housing is a citywide concern; now, therefore, be it

Resolved, that the United Neighborhoods for Reform requests:

- 1) **Implementation of changes to the city's demolition regulations and protocols:**
 - a) Elimination of the (K)(1) exemption and restoration of the automatic 35-day demolition delay for single-family structures.
 - b) Definition of "demolition" as removal of 50% or more of the structure.
 - c) Requirement that applicants for demolition permits comply with all state and federal environmental and safety regulations including those for lead and asbestos.
 - d) Retention of existing code providing for a 35-day delay on demolitions with an option for a 120-day delay available to a recognized neighborhood association or coalition, with the understanding that a good-faith effort be made to find alternatives to demolition.
 - e) Notice of proposed demolition will be mailed to residents and property owners within a specified distance upon acceptance of the demolition application. If permit is approved, a 72-hour notice of date of demolition will be provided to the same parties.
 - f) Establishment of a rigorous definition of "deconstruction," and recommendation of appropriate incentives, including an increased tip fee for construction debris.
- 2) **Establishment of a task force composed of 50% neighborhood organizations and 50% city staff and concerned citizens to determine the distance required for notifications above, as well as:**
 - a) Revision of code to limit the mass, footprint, setbacks, and height of construction to that of the average of existing homes within a specified distance.
 - b) Revision of current zoning and lot-splitting policies to protect existing housing and lot size.
 - c) Recommendations for tree and solar access protections.
- 3) **Adoption by City Council of:**
 - a) Measures to protect Portland residents from lead, asbestos, and other contaminants resulting from demolition/development by requiring surveys for these materials and an approved plan for lawful removal and disposal before issuance of demolition permit.
 - b) An update of the Historic Resources Inventory, with a waiting period mandated for removal of a property from the inventory.
 - c) A user-friendly online system available to the public for tracking demolition activity.

Neighbor Pledge

One of Portland's greatest treasures is the distinct character of its neighborhoods. Few cities offer such diversity of homes for all tastes.

However, older affordable homes in neighborhoods well-served by established city infrastructure such as schools and transportation increasingly are demolished and replaced, often with houses many times the size of the original and sold for at least twice the value. New construction should not tower above existing homes, impinge on neighbors' privacy, or limit others' access to light or solar power.

City planners and city government have failed to protect the character and range of affordability of homes in the city's neighborhoods. A city that prides itself on its commitment to sustainable practices and the environment has done little to stem the tide of demolitions. Homes are torn down with little regard to quality of materials and craftsmanship. As local preservationist Cathy Galbraith says, We try to recycle everything in Portland, yet throw whole houses away.

The stakes are high, and neighborhoods are at risk. Homeowners have the power to change this destructive trend. Even if homes are in need of maintenance or a remodel, many potential buyers would embrace the chance to buy into the neighborhood, restore a piece of Portland's "first-growth" housing, and enjoy the accompanying mature urban tree canopy. Demolition, on the other hand, removes a more affordable home, usually built of higher-quality materials, from the neighborhood forever.

With this pledge, homeowners show support for the history and value of such character architecture by envisioning a future for their homes, and providing criteria for potential buyers. If the number of sales to builders can be slowed, so can the wave of demolitions, and developers will be motivated to take advantage of vacant lots within the urban growth boundary instead of tearing down unique housing that's stood for generations.

Even though the homeowner may be selling his or her home, no one else has more power in the face of that transaction to protect that home—and the neighborhood—for generations to come.

PLEDGE

If I sell my home, I will seek buyers committed to preservation. In addition:

- I will notify neighbors of my intent to sell before looking for a seller or listing my home.
- If I sign with a real estate agent, the agent also will be asked to honor this pledge.
- I will ask prospective buyers about plans to remodel or add to the home.
- I will not sell to a buyer who plans to increase the height or footprint of the home if I feel it adversely affects the character or livability of the neighborhood.
- I will sign and attach this pledge to my will if I have one, as a statement to my heirs of my preferences for the disposition of my home.

Signed: _____ Date: _____

Address: _____

Margaret Davis, 4216 NE 47th Ave.

9 November 2016

- the idea for the Residential Infill Project came out of the United Neighborhoods for Reform's resolution on demolition development in 2014, which garnered endorsements from 43 neighborhoods.
- UNR participated and promoted the work of the Residential Infill Project partly as a means to reduce demolitions.
- With disappointment and regret, UNR cannot support the proposal. We feel responsibility to those 43 na's and neighbors who oppose demolitions and can't in good conscience support anything that increases them at the rate and scale contemplated.

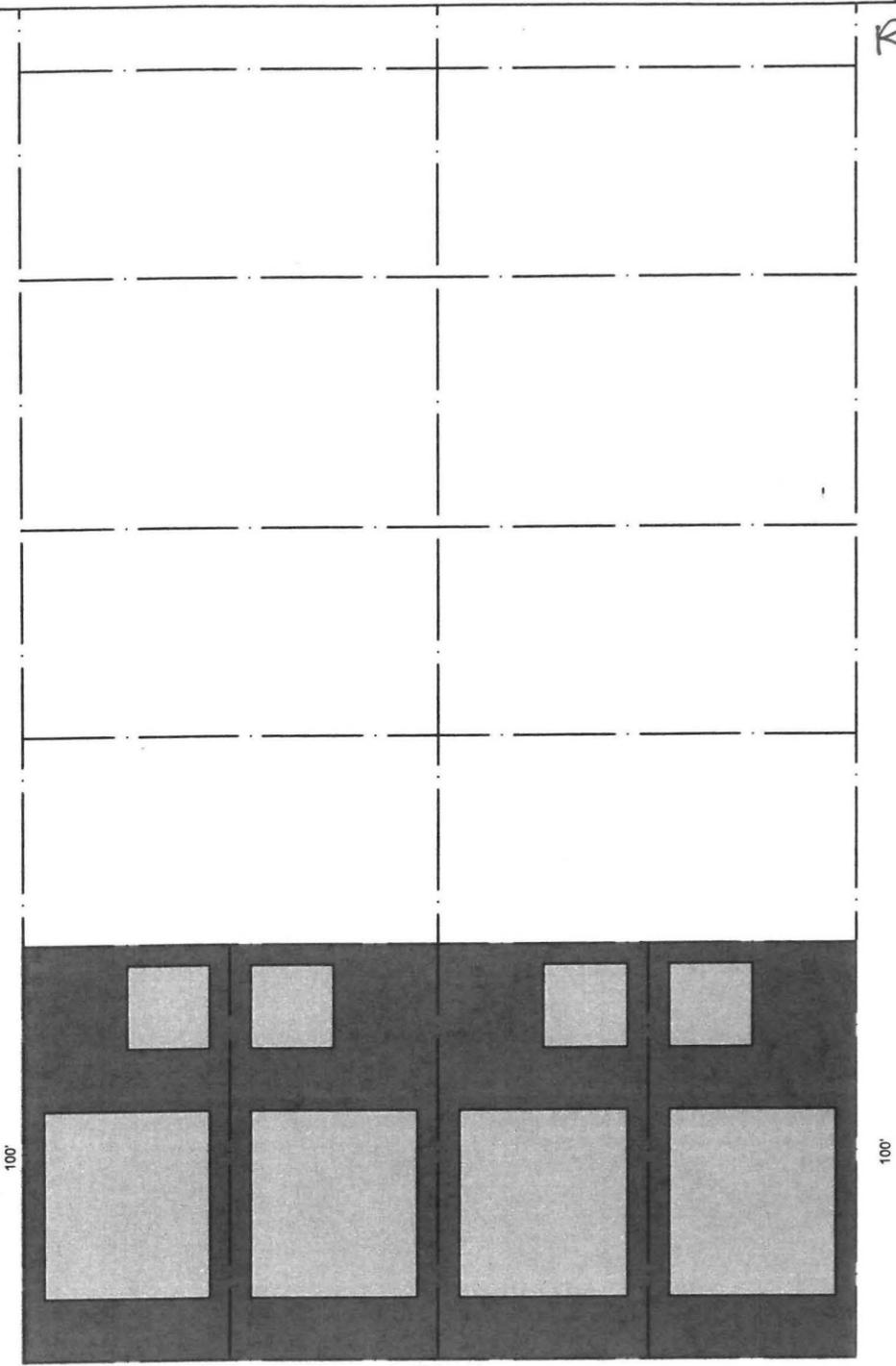
Hundreds of units of affordable viable and well-built housing crashed into the landfill in this building boom. Many neighborhoods that used to serve a wide range of residents are now only accessible to the well-to-do. Along the way, people and the environment have been dusted with hazardous materials such as lead and asbestos—almost daily. This proposal does not meet our goals, such as reducing demolitions, and in fact subverts them, and as you will hear from our speakers, nor does it meet your goals or the city's.

Such destruction is avoidable and unnecessary. Higher-density projects are coming: In centers and corridors under the new comp plan, and at thousands of corner properties citywide. According to the Bureau of Planning, we have twice as much vacant land needed to meet density goals until 2035! Inclusionary zoning, too, will help a wider range of people share in these housing opportunities and more equitably distribute the benefits of development.

Some people say it is impolitic to participate, then spurn the result. It is also impolitic to stack the composition of the committee against the grassroots charge. It is impolitic to ignore the public outcry over demolitions. It is impolitic to say this proposal reduces demolitions when it will accelerate them.

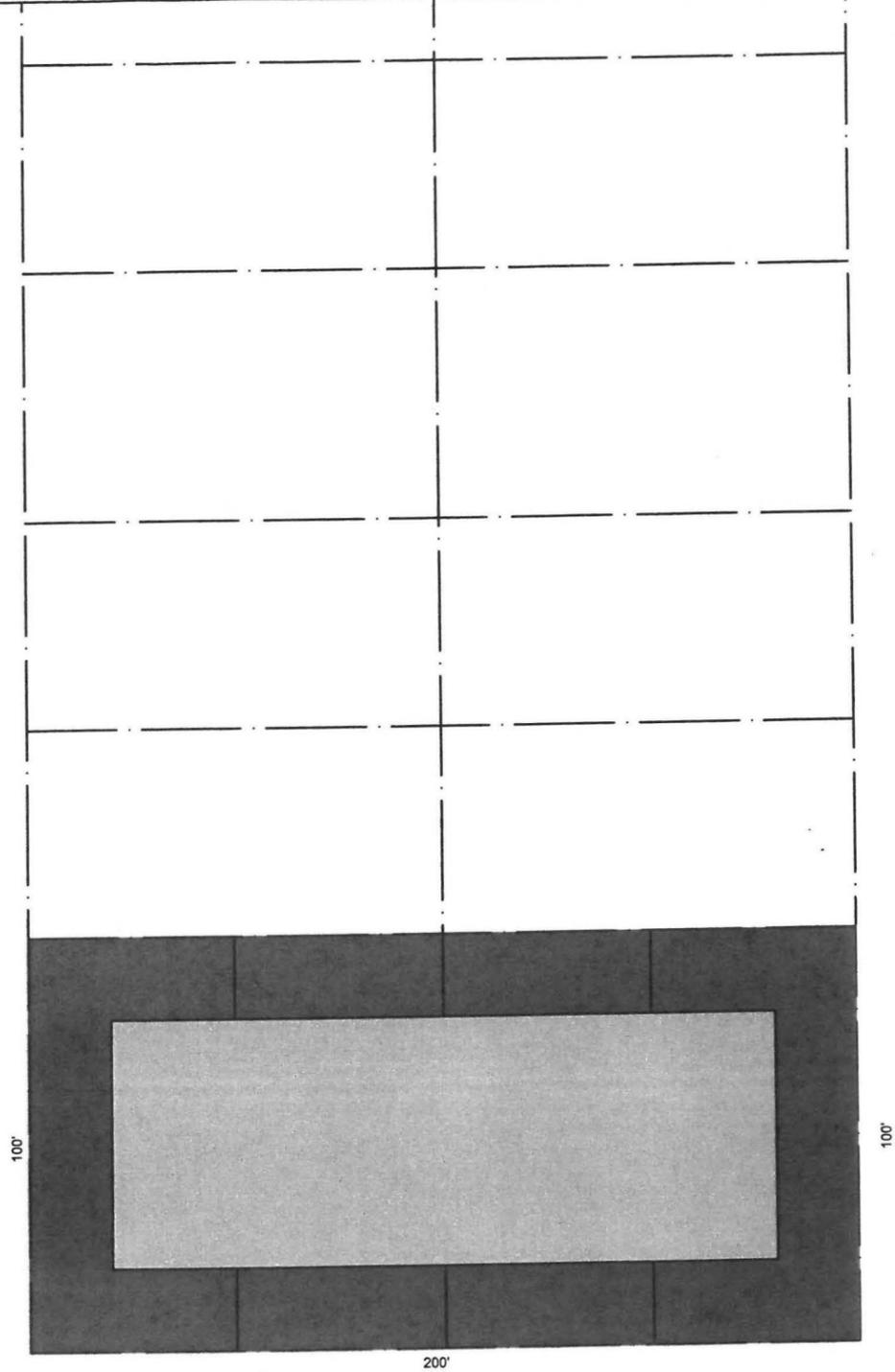
There's good news. People care. A lot. The groundswell keeps growing. We feel invested in the neighborhoods we helped make. We look forward to building a better Portland, but the rezoning of the Residential Infill Project, even if legally defensible, promises more harm than good and further loss of a desirable resource—viable, affordable housing.

Submitted by
Rick Michaelson
Nov. 9, 2016



R5

12 UNITS ALLOWED
 4 DUPLEXES PLUS 4 ADU'S
 MAX FAR .65 : 1
 MAX BLDG AREA 13000 SQ FT
 IF 2.5 STORY THEN FOOTPRINT 5200 SQ FT



R2

10 UNITS ALLOWED
 10 2-3 BEDROOM APTS
 LIKELY FAR .4 - .5 : 1
 LIKELY BUILDING AREA 10000 SQ FT
 LIKELY 2 STORY FOOTPRINT 5000 SQ FT

In support of RIP

September 9th, 2016

To whom it may concern:

I am writing this rather than attending the hearing today because I am a new mom who was unable to get daycare. In my absence, Alyson Marci-Young agreed to read this on my behalf.

I am a thirty-three year old native Oregonian who grew up in West Linn, moved to Portland, and who desires to remain in this community. I have built friendships, have family, have worked to better our community, and spent a year working with low-income families in Tigard for Americorps.

When my husband and I decided to have a child, we began looking for other housing options. Our current apartment is so poorly insulated that in the winter the olive oil becomes solid at room temperature unless we spend a great deal of money on electricity. As adults, we can brave the cold, but we know that's not an option for an infant. In the ten years since my husband and I got married and moved into the Southwest Portland neighborhood of Multnomah Village, rent in Portland and the surrounding areas has doubled.

As a rule of thumb, experts say one should spend thirty percent of their earnings on housing. My husband and I chose teaching as our profession, and since that requires an MAT, our loans make spending thirty percent of our earnings on housing unrealistic. My husband and I spent a lot of time hunting for an apartment before the arrival of our child. We first looked in Portland and discovered that the average cost of rent for a one bedroom (we would need two if we wanted to have a space for our baby) was around \$1,500-\$1,600. That means one would need to make at least \$54,000 a year to afford to live in Portland. Even though my husband is a middle school teacher and I am a substitute teacher we do not make enough money to afford that kind of rent. That is when we began looking at Portland's surrounding cities and discovered that a one bedroom would cost us almost as much as in Portland.

I hope you take my testimony into consideration. If a family of three, with a teacher's salary combined with a substitute's cannot afford to live in or around the community they work for, there is a very real problem with our housing options. If our landlord decides to begin to match our rent to that of the rest of Portland and the surrounding areas we will have to move to areas where we will be at least an hour by car from our places of employment and from family who would take care of our daughter while we work.

Thank you for your time.

Sarah Spear
8114 SW 31st Ave
Portland, Or. 97219

S·M·I·L·E

SELLWOOD MORELAND IMPROVEMENT LEAGUE

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November 4, 2016

Residential Infill Project Testimony
1221 SW Fourth Ave. Room 130,
Portland, Oregon 97204

The Sellwood-Moreland Improvement League (SMILE) has carefully evaluated the Residential Infill Project (RIP) proposal and respectfully submits the following comments:

We value the character and livability of our neighborhood. We are concerned that this proposal, which would more than double the population of our neighborhood, would diminish the character and livability of our neighborhood. Our schools are overcrowded and enrollment is growing at an unsustainable rate. Many of our residential streets are narrow, and have commuter cut-through traffic that is at times unsafe for neighborhood children and elderly residents. Parking on both sides of the narrow streets prevents emergency response vehicles from entering the streets. Twenty years ago no one expected 4-6 story apartment buildings would be built in our neighborhood. Now we have over one thousand apartment units being built; from which we have learned that we must assume zoning changes will eventually result in construction of the maximum allowed density.

We also recognize that housing affordability is a major problem and that increasing density is inevitable. It should be done in a manner that preserves the character and livability of our neighborhood.

Housing choice proposals

We believe that there is insufficient justification for the proposed density increase. In order for SMILE to seriously consider accepting significantly more density, we must understand the potential impact on our neighborhood. The City's Growth Scenarios Report presents expected future housing demand, but that demand is not transferred to the neighborhood level. How many units of middle housing would be built in Sellwood-Moreland? Sellwood -Moreland presently has hundreds of 5000 square foot R2.5 lots on which duplexes could be built – how much middle housing can Sellwood-Moreland provide on these lots with present zoning? The planning that RIP has done is entirely supply based – allowing middle housing within ¼ mile of centers. Is that supply sufficient? If that supply is excessive will a large fraction of middle housing come

to our popular neighborhood rather than other neighborhoods? Will providing too much middle housing zoning now cause undesirable widespread conversion in years or decades later, similar to what is happening now in our commercial centers?

The City should consider the following principles when deciding how to change zoning to increase density:

1) Develop neighborhood scenarios for future housing demand. Consider the demand for housing created by population growth and the paradigm that more supply is needed to increase affordability. A simple scenario is to start with the Growth Scenarios Report estimate of 20,000 new households in Southeast Portland by 2035. Sellwood-Moreland has 8.1% of the land area of Southeast Portland. Therefore, if growth is uniformly distributed in Southeast, Sellwood-Moreland would grow by 1,620 households.

2) Estimate how much growth can be accommodated with existing zoning, property turnover, and construction rates in each neighborhood. This should be a holistic approach that considers commercial, accessory dwelling units (ADUs), and existing multifamily and single family zones. For example, there are at least about 1,233 units presently under development in our neighborhood, a 21% increase from the total number of units in 2014.

3) If additional density is needed, introduce it gradually. Establishing a minimum density for all residential zones, such as proposed for the R2.5 zone, is a way to increase density without increasing the maximum density that could be built. Phase in the additional density by allowing only one additional unit per lot and years later evaluate supply, demand, and infrastructure resilience before increasing density further.

We are pleased that the obvious loophole of allowing a bonus unit for building an accessible unit has been eliminated. While we support the new design control concept, details are lacking and neighborhood input will be essential. Height limits should be provided in feet, not stories which is ambiguous. We also suggest that you consider specifying a minimum unit size to insure that some new units are large enough for families.

Scale of houses

SMLE strongly supports almost all of the proposals to limit the scale of houses. These include

- Maximum size depends on lot size
- Height measurement from lowest point, not highest
- Limit dormer projection.
- Increase minimum front setback 5 feet, except to match adjacent setbacks.
- Increase allowed side setback projections for bay windows and eaves

We have reviewed the square footage limits and estimate that about one-quarter of the homes built in our neighborhood since 2010 exceed 0.5:1 FAR, so the limits appear to preserve existing building scale and continue to allow most construction to take place.

The new proposal to set the Floor Area Ratio (FAR) of R2.5 properties to 0.7:1 concerns us because it would allow a 3,500 square foot house that would be oversized for our neighborhood

to be built on R2.5 lots of about 5,000 sf which are common. Thus, the R2.5 zone would become the McMansion zone with 3,500 sf houses and, if 5,000 sf or larger, one Accessory Dwelling Unit (ADU). To prevent oversized houses on R2.5 lots, we urge you to add that the maximum FAR per unit should be 0.5:1.

Closing comments

In summary, we oppose the housing choice proposals because there is insufficient justification to tremendously increase the density of our neighborhood. A better approach would be for the City to downscale citywide estimates of growth to the neighborhood level so we can evaluate the impact growth will have in our neighborhood and estimate how much growth the neighborhood can accommodate. If density has to be increased, do so gradually and in a neighborhood-friendly manner. We support the housing scale proposals which would help ensure that future residential development preserves the character and livability of our neighborhood and believe that a floor area per unit cap is needed in R2.5 zones to prevent construction of oversized houses.

These comments were drafted by the SMILE Land Use Committee and approved by a vote of the SMILE Board of Directors October 19, 2016.

Sincerely,

Corinne Stefanick, President
Sellwood-Moreland Improvement League

Testimony Regarding the Residential Infill Project Proposal 11/9/16

My name is Barbara Strunk. I am the United Neighborhoods or Reform representative to the Residential Infill Project.

The assertion that this proposal will produce affordable houses does not hold up to close analysis.

1. This proposal will cause the price of land to increase resulting in more expensive houses.
 - a) Up-zoning is at the center of this proposal and causes land prices to go up. The current cost of land in inner eastside Portland is \$400000-\$800000 per demolished house depending on the neighborhood. Yes, developers are buying \$800,000 houses to demolish. With the cost of land acquisition so high, there is no formula that can produce housing units affordable to households making less than 100% of MFI.
 - b) With 64% of single-family houses proposed to be up-zoned we would see a rapid rise in land price. Higher property values give developers more incentive to demolish to get at the valuable dirt underneath. A builder can outbid a family for a house to be demolished and further increase the gap between those with plenty of money and those without enough to buy a house.
 - c) In my neighborhood over the last 3 years:
 - The average price of a demolished house that was replaced by 2 or 3 houses was \$466,167.
 - The average **land** cost per new unit was \$264,264 (divide price of demolished house by the number of new houses)
 - The average **price** of a new house in this group was \$738,464.
 - d) I have seen no analysis of the current state of the market like this done by the City.
- 2) Don't rely on the market to make things turn out ok.
 - a) With this proposal the city has given up all pretense of planning. This proposal is deregulation that allows the imperfect market to determine the future of our neighborhoods.
 - b) Analysts have stated that a key reason we have a housing crisis is that we trust in the private market to solve the problem.
<http://48hills.org/2016/04/04/panama-papers-show-sfs-housing-marked/>
 - c) The BPS plan states "The proposed rules promote additional housing availability in areas that are highly desirable to many residents due to proximity and good access to services and amenities." The problem is these are areas where the housing market sees rapidly rising land costs and will not be available to people with fewer means.

3) Increased Supply does not lead to Affordable Housing

a) One of the underlying themes of this proposal is that if we rezone our inner city and allow for higher density in single-family neighborhoods, we will have more supply of affordable houses. This should put downward pressure on pricing since many of these newly built units will be smaller than what is usually currently built. We debate that assertion.

b) At a recent presentation, a lead Portland planner claimed that if you placed more units on a given piece of land the cost per square foot would be lower. If the land price remained unchanged, yes the cost of the land would be divided among the units. But, land price will go up and the cost per square foot will rise.

c) Analysts debunk the theory that construction of additional housing units will relieve pressure on affordability. The process a study from UC Berkeley calls “filtering” will take 30 years to produce housing affordable to the first time home buyer. Trickle down economics has failed.

<https://escholarship.org/uc/item/7bx938fx#page-1> “Housing Production, Filtering and Displacement: Untangling the Relationships”, Institute of Governmental Studies, UC Berkeley.

d) Duplexes and triplexes are primarily rental housing. Middle class resident owners will be displaced. Portland will transition to a city of investor-owners and renters.

4) House size will be smaller and therefore sell for less according to supporters of this plan.

a) The proposal states houses on 5000SF lots will be limited to 2500SF. But when you think about it the house is actually closer to 4000SF: 2500SF for the main house, 1200SF for the basement, and 15% bonus for density.

b) The single economic analysis of this proposal (Appendix A) presumes that the *saleable area* of the structure is 2500 SF for a 5000 SF lot. This is the only analysis we have seen and appears to be based on incorrect assumptions.

c) When is the cost per square foot for a smaller house less than for a larger house? Given the same quality the reverse is true.

d) Most of the homes built on skinny lots are much larger in terms of floor area ratio than the home that was previously on the lot. Even under the new floor area ratios proposed, a builder will maximize profit by building up to the allowable size and new homes will still be larger than the previously existing homes.

5) The most affordable homes are the ones already standing, and many of the existing homes are smaller than any of the new homes being built.

a) Developers are buying viable houses for demolition in inner neighborhoods for \$350-800K and one-for-one or 1 for 2 or 3 replacements are being sold for \$550K to \$1.4million.

b) Where is the example of a split lot where the one or two replacement houses are less expensive than the house demolished?

c) Increasing the number of rental or condominium housing units on a site will accelerate speculation, demolition and displacement in the most vulnerable neighborhoods and remove our most affordable housing stock

We must address housing affordability as a regional issue with care and urgency, not as an excuse to provide a handout of speculative profits to developers at the cost of demolition, displacement, and livability.

November 9, 2016

1258 TIME CERTAIN: 2:00 PM – Accept the Residential Infill Project: Concept Report to Council as general conceptual parameters for subsequent zoning code and zoning map amendments (Resolution introduced by Mayor Hales) 2 hours requested

Exhibit A Concept Report

Mayor Hales, Commissioners:

Mary Ann Schwab, Community Advocate.

For the record, I attended four of the six Residential Infill open houses scheduled between June 15 and August 15, when most ONI Coalitions and Neighborhood Associations do not meet.

While I can't speak to how many Coalitions Neighborhood Association Boards, and Land Use and Transportation Committee, were able to review and take action on the Residential Infill initial report let alone this last minute bate and switch shenanigans by Portland for Everyone – 1000 Friends of Oregon program. Granted, I was taken by surprise when invited to attend the Portland for Everyone's work session event assisting their supporters prepare talking points. Actually, I felt blindsided.

Historically, when in Council Chamber's standing room only, citizens are invited to return the following week. I trust you will keep the sign-in sheets available for newcomers wishing to testify on Wednesday, November 16th. I am also asking you to schedule a second work session to review: Significant Implication outlined in the October 16th Residential Infill Project (RIP) Concept Report, represented by a coherent and cohesive third of the RIPSAC appointees. I support their shared perspectives to approach planning as neighborhoods, building around centers in neighborhood context — yes — consistent with supporting Goals in the 2035 Comp Plan. Please DONTREZONEUS.ORG

Worth repeating, I am asking City Council schedule a second work session to review public testimony today, and Wednesday, November 16, prior to the second reading, and voting a week later.

Thank you

Mary Ann Schwab, Community Advocate
605 SE 38th Avenue
Portland, OR 97214-3203

Exhibit A
Schwab.

November 04, 2016

Linda Bauer, Appointee - East Portland Action Plan
 Sarah Cantine, Architect - Boise NA Land Use
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 Michael Molinaro, Architect, Appointee – Southeast Uplift
 Barbara Strunk, Appointee – United Neighborhoods for Reform

We are representing a coherent and cohesive third of the RIPSAC appointees. Our shared perspective is to approach planning as neighborhoods, building around centers in **neighborhood context** consistent with supporting Goals in the 2035 Comprehensive Plan.

We have given many hundreds of hours both in the RIPSAC meetings and in meeting as a group to formulate our analysis and recommendations summarized in this analysis.

We all care deeply about our city and we applaud the effort to consider how and where to focus housing density and how to guide the growth of the city in a period of rapid growth. This was a promising start that ultimately ran entirely off the rails. **If the concern is affordability this project is a false promise. If the concern is a more walkable lively city, this is a false promise. If the concern is a reduction of house size this is a false promise, and finally if this is an attempt to reduce demolitions...well no, it is not.**

Subject: Comment on the October 2016 Residential Infill Project (RIP) Concept Report

We focus first on the significant implications of the “Concept Report to Council”. Following this is a discussion of the **10 RIP Recommendations** and how they address the issues that frame **concerns underlying the project** but fails to address from speculative demolitions and housing costs to a zoning code that is misaligned with policies and goals in the Comprehensive Plan. We then look for common ground in the **three subject areas** that the RIPSAC was chartered to address along with an assessment of the results in those areas. In the summary, we highlight recommendations.

Significant Implications of the “Concept Report”

- The entire inner east side and part of the west side of Portland is to be rezoned by assigning a “housing opportunity zone” overlay designation that increases allowed density by 200 to 300%. The already compromised R5 zoning density designation with its substandard minimum lot sizes is retained in name only. The plan encourages triplexes on every corner, duplexes *or* a house with two accessory dwelling units on every 3,000 to 7,000 SF lot, and small cluster housing plus ADUs on every lot of 10,000 SF or greater. This is an unprecedented “entitlement” for developers. It is *not* justified by a shortage of land designated for higher density in the Comprehensive Plan but by the claim that innovative housing is desired in Portland. At the same time it is a taking from every stakeholder for whom zoning provides stability and predictability promised in the Comprehensive Plan.
- Ownership standards are implicitly restructured from fee simple to a condominium basis since ADUs will no longer be “accessory” but able to be sold independently as will the duplexes, courtyard clusters, and corner tri-plexes that will be constrained to a single tax lot under the plan. Middle housing is primarily rental housing. Middle class resident owners will be displaced. Portland will transition to a city of investor-owners and renters.

- The density encouraged by this “overlay” is greater than that permitted in the multi-family R2 (2,000 SF per dwelling unit) zone further confusing the intent and integrity of the density designated code. The single family neighborhood zone, an essential characteristic of this city with one house per lot is effectively erased from most of Portland.
- By widely distributing density the proposal fails to focus density around centers consistent with the 2035 Comprehensive Plan. Neighborhoods that did not fit the ¼ mile bubble distance from corridors are declared “housing opportunity zones” in the name of “equity” without justification. The numerous skinny lots and lots with underlying lot lines less than 5,000 SF within this zone are defacto rezoned to R2.5. West side neighborhoods not within 1/4 mile of corridors and Portland’s west suburbs are not impacted presumably to diffuse opposition. The David Douglas school district is excluded while they develop a school expansion plan. Parking impacts are not addressed and transportation benefits are not analyzed. The false claim is made that this will produce more walkable neighborhoods
- The purported scale reduction is a clever gambit. The one size fits all approach allows structures greater than roughly 80% of the existing housing stock. Except for constraining the few very large houses and limiting the size of triplex and small lot units, little has been done to reduce the scale of buildings. Unpopular skinny houses are enshrined and allowed to grow higher. Nevertheless the home-builders, who vigorously supported the concept, are already asking for a larger envelope.
- The proposal entitles developers of new or remodeled multi-family structures on a *saleable area* of roughly 3875 square feet including the basement level plus a 15% density bonus in all impacted neighborhoods zoned R5. On a 7500 SF lot for example the saleable area increases up to 6200 SF. Additional height and area bonuses for converting existing homes to multi-family is proposed. The economic analysis (Appendix A) presumes that the *saleable area* of the structure is the FAR ration or 2500 SF for a 5000 SF lot.

Consequently the economic analysis may be characterized as flagrantly erroneous. Increasing the number of rental or condominium housing units on a site will certainly accelerate speculation, demolition and displacement in the most vulnerable neighborhoods and remove our most affordable housing stock.

- The “innovative” building types promoted by the plan are neither innovative nor apparently in high demand. All are currently allowed in the multi-family zones in the city of Portland. Very few developers have taken advantage of the available density entitlements. In fact most infill in the R2.5, R2, and R1 is built to a lower density than allowed. Three reasons might be that small scale condominiums are often problematic to finance, own, and manage.

Older houses divided into rental apartments are perhaps the most common examples of what the Report is calling “middle housing”. As an incentive to increase such existing house conversions a size and height bonus is recommended. Because fire, seismic, and acoustic privacy requirements make remodeling of existing housing is expensive, planning staff suggested that they will recommend changes to the Building Code to reduce requirements tailored to such conversion projects. This is unwise - except to protect historic resources.

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- The RIP outreach process was non-responsive to the public comment process. Staff chose to portray a complex and confusing survey as the primary basis for claiming that there was wide support for the Project. The project statistician described it this way: “In total, 2,375 respondents answered *at least one* non-demographic question, and 610 completed every closed-ended question”. A survey completed by 600 people covering a wide spectrum of issues and a far less aggressive approach is presented as the basis for claiming a wide diversity of public support for the RIP. The overwhelming opposition in public meetings to the ¼ mile bubble from folks who took the time to attend meetings and the 32 Neighborhood Associations that provided thoughtful comment go unmentioned. Of these, 28 expressed strong opposition to widespread application of middle housing. Only 4 expressed support.

Within the 4 neighborhoods expressing support some or all of the Recommendations may be appropriate. If so they should be considered as test sites for the “overlay” for a period of 5 to 10 years to evaluate the implications of these unprecedented policies.

- The RIPSAC itself was overwhelmingly weighted with builders, their lobbyist, developers, and industry partners along with the “housing advocates” who appear to have initiated the “grand bargain” theory that they cribbed from a failed Seattle process. In the end staff described this group as the *majority perspective* when they agreed with the staff proposed policies.

The Proposals: How they address concerns that should have guided the Project

We oppose one-size-fits-all zoning standards that we perceive as contradictory to goals in the adopted comprehensive plan and are not respectful of the variety of neighborhood characteristics that exist in the city, and which lead to simplistic and polarizing regulations. **Recommendations 1, 2, and 3** speak to improving scale, height, and setback standards they are little more than a distraction. And significantly they fail to recognize that *contextual standards* should be a guiding principle. Los Angeles and other cities are modeling a contextual approach. Portland is proposing a generic solution that encourages undifferentiated neighborhoods. **Not grand and no bargain.**

We support the diversity of the neighborhood character. This is a clear mandate in the 2035 Comprehensive Plan. District planning is needed to guide where and how additional density should be accommodated. The process should recognize that the condition of housing, scale, history, transportation, economic factors, and displacement considerations all play a significant role in defining what is appropriate. **All of the recommendations fail on the point and** instead recommend a uniform overlay that creates uncertainty for existing residents and owners and enormous opportunities for investors with no incentives to protect or enhance character.

We support “truth in zoning”. This is essential for rebuilding public understanding and confidence in the planning and zoning process and providing clear guidance for owners, designers, builders, and for the land use review process. Considering the primary metric for the zoning code is *density*, we oppose the widespread and indiscriminate application of a density “overlay”

proposed in **Recommendations 4 and 5 and 7 and 8** in the R5 and R7 zones. This only serves to confuse the public and to undermine the integrity and clarity of the code. Densities proposed for the now meaningless “R5-R7” zones would exceed those now allowed in the R2 zone and in some case the R1 zone.

We oppose recognition of historic underlying lot lines except where these align with the density standards within an appropriate zone designation. The result for *all* neighborhoods burdened with these has been destabilization, demolition, and speculation. **Recommendation 8 and 9** are the nails in the coffin. The introductory narrative poses the misleading statement that “State law requires cities to recognize these lots as discrete parcels”. Significantly, Oregon law does not require that parcel boundaries trump zoning. **Recommendation 8b** appears to support that fact. **Recommendation 8a** recommends that such narrow (and skinny) lots be recognized *everywhere* in the housing opportunity overlay and simultaneously **rezoned to R2.5!** Since almost all are within the “opportunity overlay” this uses historic lot lines to trump zoning. The present restraints to demolition of existing housing are removed.

The R2.5 designation confers significant density and size bonuses. Recommendation 9 a,b,c,d,e allows 3 floors, larger(.7) FAR multiplier, higher roof and requires at least two unit replacement housing. The authors are playing false on every count. Assurances made by the PSC in 2015 to fix the underlying lot phenomenon in zoning reform are voided.

We support additional zoning density around Centers, and *where appropriate* along Corridors as in the current and 2035 Comprehensive Plan, to reinforce the establishment of *new and existing* centers, walking scale neighborhoods, use of transit and reduced auto dependency. This is a successful model advocated during the past 40 years and is yet to be realized, either in Portland or in the Metro Region. Scattered site middle housing in **Recommendations 4, 5, 6, and 9** undermine this goal.

We oppose scatter site density that will be the result of rezoning the entire eastside as a “housing opportunity zone overlay.” **Recommendations 4, 8, and 9 are diametrically opposed to the shaped density advocated in the Comprehensive Plan.** The last minute Comp Plan amendment P45 set an overly ambitious bubble around ill-defined corridors. Scattered “middle housing” defeats comprehensive plan goals to focus density around currently underbuilt walking scale centers. Our data will show that widespread application of “middle housing” zoning will accelerate land price increases in an already overheated market, decrease affordability, destabilize neighborhoods, cause loss of viable and more affordable housing, and increase demolition and displacement.

We object to untested “speculative” zoning - zoning that has some presumed social good intended but where zoning regulations are implemented without testing and modeling physical and economic impacts prior to implementing code changes. Too often these initiatives seem to be driven by interests whose primary concerns are for a particular niche of real estate development in contrast to the public interest. Earlier decisions to allow recognition of underlying lot lines, encourage skinny houses, and compromise lot sizes are prime examples. **Recommendations 4, 5, 6, 7, 8 and 9** are in this category and the “analysis” is fundamentally flawed. The illustrated examples are not modeled to the allowed envelope. The black box economic analysis in Appendix A begins by using the wrong numbers for “saleable area”.

We object to unsubstantiated claims of creating “affordable” housing for everyone by Portland For Everyone. **Recommendations 4 through 10** are being promoted as a “grand bargain” by housing advocates who have modeled their faith on a failed Seattle initiative

<http://www.seattletimes.com/seattle-news/politics/mayor-murray-withdraws-proposal-to-allow-more-density-in-single-family-zones/>) using the same slogan. There has been no analysis and no evidence that these proposals will result in affordable housing regardless of how it is defined. The economic analysis in Exhibit A is a flawed analysis based on false assumptions.

Higher density does not equate to less expensive housing. As long as there is strong demand for housing and it can be profitably built and sold, rezoning for increased density will cause the value of the land to increase, the demolitions to accelerate, and the housing prices to rise accordingly. We need examples of the densified city that is thereby made more affordable unless in a state of decay and depopulation.

Where is the example of a split lot where the one or two replacement houses (regardless of size) without public subsidy are less expensive than the house demolished? When is the cost per square foot for a smaller house less than for a larger house? Given the same quality the reverse is true. We must address housing affordability as a regional issue with care and urgency not an excuse to provide a handout of unwarranted entitlements and speculative profits at the cost of demolition, displacement, and livability.

Project Objectives, Points of Agreement and Results

Considering the *three areas* included in the RIPSAC charge are there were areas where we found common ground and points of agreement with the staff proposal and fellow RIPSAC members but almost none in the Report to Council.

Scale and Massing Issues: There was a good deal of consensus about the need to address issues of size, height, setbacks, placement of garages, off-street parking, etc. One of our principle concerns and one clearly expressed in the Comprehensive Plan is “one size does not fit all”. Both the Staff Report and The Report to Council clearly fail to address the issue. The Recommendations simply recognize the size of most recent infill and codify that building envelope, height, and setback. Where do we agree? We support floor area ration (FAR) as an additional tool to regulate size, support adjusting the regulation of side lot bays and eaves (Recommendation 3b), and support reducing the impact of garages on skinny houses (Recommendation 10) as a half measure.

Narrow and Skinny lots and Recognition of Underlying lots of record (lot splitting): There is a good deal of disagreement here since the one-for-two house demolition infill and skinny garage housing has become a business model for some developers who have represented these as “affordable” housing and thus aligned themselves with housing advocates. At \$600,000 to \$700,000 in some neighborhoods they don’t contribute to affordability.

These lot line policies have been applied indiscriminately across the city, are making a lot of adjacent neighbors very unhappy, have a heavy carbon and poor space use footprint, create an unattractive streetscape, and are not producing much additional or affordable housing. Market rate new housing is not affordable but is very profitable and is systematically removing more affordable housing. *We supported the initial staff recommendation that began to address Truth in Zoning by limiting the use of these underlying lot lines for splitting lots in the R5 zone.* But in the Report to Council these lots are being redefined as spot zoned R2.5 and that erases any point of agreement.

We do agree is that the underlying lots should be recognized where the lot division is consistent with the density standards in the zoning code. *Otherwise the experiment with complex and confusing code provisions encouraging this kind of wasteful demo-development should end.*

Innovative housing Types: As we explored these ideas it became increasingly clear that *the housing types discussed (except cottage clusters) were not so much innovative as not being built where the code allows*. Developers are not building to the density already generally allowed around centers and corridors. In preparing the Report to Council, staff commissioned a special study to see if carving up examples of existing housing into smaller apartments is feasible. Possible yes, and expensive. The current zoning around centers is appropriate and needs refinement not more scattered density across broad areas of the city. The cottage cluster proposal (Recommendation 6) appears to allow approximately five 1,000 SF units on a 10,000 SF lot plus basements. For some reason outside the “overlay” there would be 10 units allowed including the “ADU”s. This is the density of the R-1 zone with no off street parking and appears to be a hand out to niche developers.

These proposals in the first and more constrained version received a widespread and justifiably hostile reaction from the public as a handout to developers and a formula for speculation, accelerated demolition, and neighborhood disruption and displacement.

Summary Recommendations

Summary of recommendations in the context of the project goals include:

Scale and Massing Issues:

1. Create development typologies that fit neighborhood context and aspirations. (look for examples such as Nori Winter’s work in other cities) *One size does not fit all.*
2. Ensure that scale of houses fits neighborhood context, protect solar access and privacy, and maintain individual and shared green spaces.
3. The code must be clear. Use commonly understood terms. Provide clear definitions of what is allowed in each zone. Restore “truth in zoning.” Avoid inconsistent and confusing criteria such density when lot sizes or “overlays” governing dwelling unit counts, or unit size are the governing criteria.
4. Save viable existing housing. The most affordable housing is almost always housing that is already in place.

Narrow and Skinny lots and Recognition

5. Remove provisions that allow lots smaller than 4500 SF in the R5 zone. Allow historically platted narrow and skinny lots to be *confirmed only* in the R2.5 zone. **Recommendation 8b is a start.** *End the use of historic lines to trump zoning as advocated in Recommendation 8a.* This is not consistent with the Comprehensive Plan or a mandate of state law.

Innovative housing Types:

6. Direct density around centers, **consistent with the above commentary** and the Comprehensive Plan, to reinforce the establishment of centers, walking scale neighborhoods, use of transit and reduction of auto dependency.
7. For areas in the City intended for higher density, evaluate why the existing regulations not working well, adjust and proceed with rezoning for the higher density to reinforce centers and corridors where appropriate.

8. The dispersed density model recommended in the Report will destroy our best loved history and most admired assets. “Middle housing” is for transitional density between single family and higher density multi-family. There is no transition if middle housing is “everywhere” housing.
9. Authorize limited testing of middle housing ideas where the neighborhoods have expressed strong need and support for such an experiment and subsequent evaluation of the policy. Robust evaluation of the proposed policy impacts is necessary.
10. Test and model physical and economic impacts for significant changes to the zoning code prior to drafting and implementing such changes. *Testing includes implementing zone changes in neighborhoods that support the proposals and evaluating the impacts.*

Summary of recommendations for advancing:

- The RIP Report should not be endorsed or accepted for implementation by Council. We have a shortage of housing not a shortage land or a shortage of areas zoned for housing. The RIP Report may be looking forward one-hundred years but the development entitlements proposed are in effect the day of approval - and once given very difficult to unwind.
- The process and many of the recommendations are inconsistent with the goals and policies of the Comprehensive Plan on many levels as discussed above. Instead of “grand bargains” the BPS needs to understand how the current R1, R2, and R2.5 zones could be improved to accommodate transitional or “middle housing” densities.
- The City needs implementation of the Comprehensive Plan in the form of a modern flexible and easy to understand regulations with a long term focus on district and neighborhood planning. Actively engage neighborhood and business associations to participate in decision-making during planning exercises and for major developments to improve understanding of context and needed design guidelines.
- The Recommendations are not aligned with the Mayor’s goals to reduce demolitions, meaningfully temper the scale of houses, or increase density and provide smaller scale housing around centers. Expect much more demolition, speculation, reduced affordability and increased auto dependency from diffuse density.
- The **unprecedented** use of the **Housing Opportunity Zone Overlay** is no substitute for planning but rather a bone thrown to speculators, niche developers and housing advocates without regard for the existing context or fabric of the city.

We challenge ourselves and all Portlanders to think in terms of a vision for Portland and the region that builds on the structure of the good neighborhoods that we have and figure out how to encourage other cities in the region before we do irreparable harm to what we have with poorly conceived ad hoc policies represented by this Report.

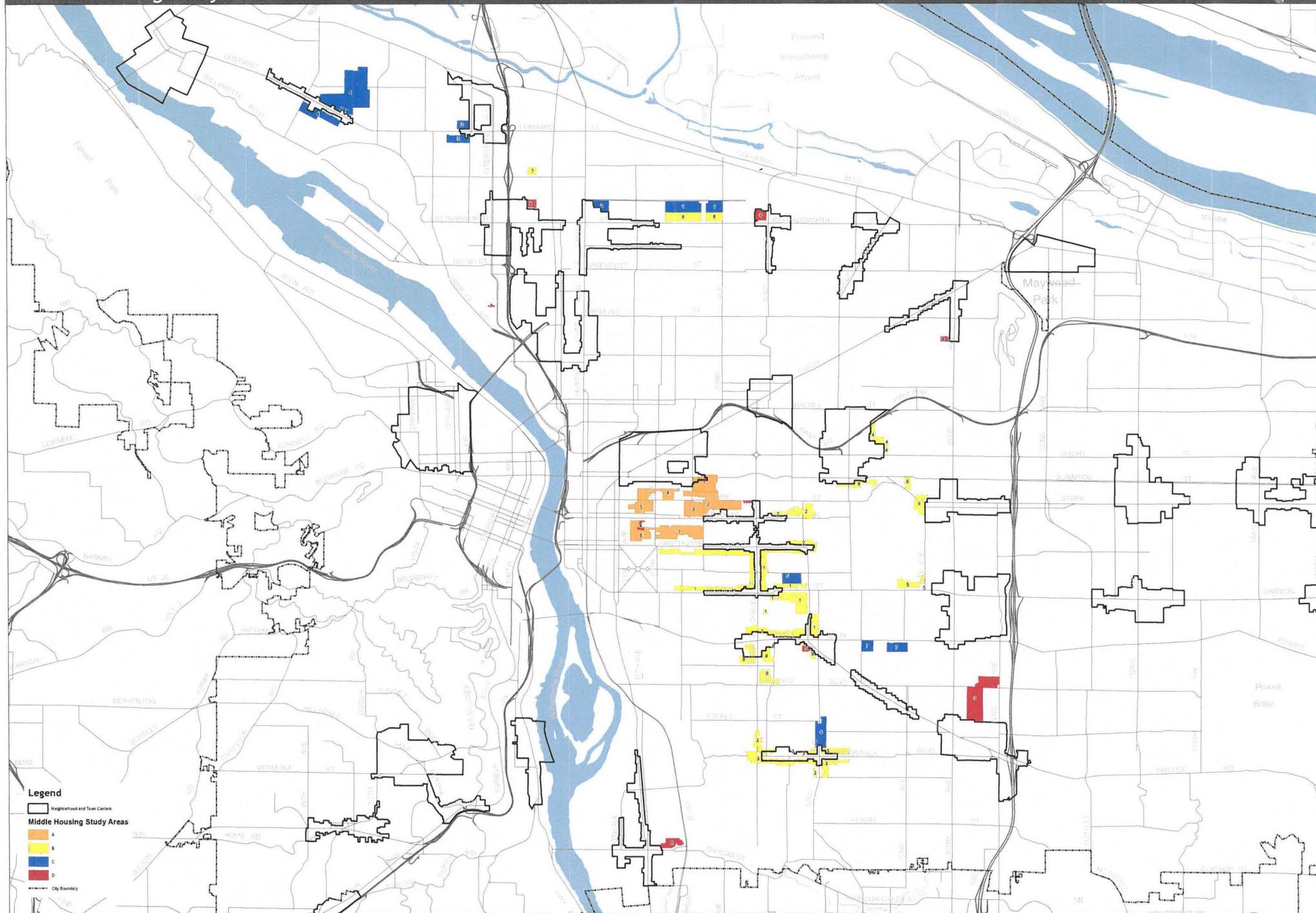
November 8, 2016
Testimony
Residential Infill Project
Michael J. Molinaro
RIPSAC member
4007 SE Taylor ST
Portland, OR 97214

Centers and corridors. This is the planning precept that we were all asked to embrace during the recent comprehensive planning process. Why, because it's a good one. It encourages growth near transit, services, and jobs. The comprehensive plan uses this phrase 49 times. Maps are dedicated to it. I know this concept works because I live in Sunnyside, through which run vibrant corridors, and it is a center that's the poster child of walkable neighborhoods.

Instead of this infill plan following the comp plan centers and corridors, it blankets the city with a zoning density greater than the R2 multifamily zones. This is unusual as we have heard again and again that there is enough existing capacity to welcome the next 20 years of Portland's growth. And, at your work session last week, staff again reinforced this.

We support additional density around centers and where appropriate along corridors. We do not support the **scattershot densification** proposed in this plan. In my own Sunnyside, I encouraged changing zoning from R2.5 to R2 along sections of Hawthorne and Belmont to allow the "Middle Housing" that we all know is needed. This request fell on deaf ears. These locations at "end grain blocks" and "adjacent to major streets" are exactly where planner Daniel Parolek advocates. In his speech on October 7th he stated, "Missing middle is not for everywhere". That advice is clearly ignored in this plan.

At Councils' February 2nd "Missing Middle" work session, the idea of testing 7 targeted areas as "Missing Middle Housing Study areas" was presented. (See attached map) We encourage you to act on this suggestion, and test these infill concepts to see if they deliver the hoped for results.



- Legend**
- ▭ Neighborhood and Town Center
 - ▭ Middle Housing Study Areas
 - ▭ A
 - ▭ B
 - ▭ C
 - ▭ D
 - ▬ City Boundary

January 26, 2016

City of Portland, Oregon // Bureau of Planning & Sustainability // Geographic Information System

The information on this map was derived from City of Portland GIS databases. Care was taken in the creation of this map but it is provided "as is." The City of Portland cannot accept any responsibility for error, omissions or positional accuracy.



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The R2.5 designation confers significant density and size bonuses. Recommendation 9 a,b,c,d,e allows 3 floors, larger(.7) FAR multiplier, higher roof and requires at least two unit replacement housing. The authors are playing false on every count. Assurances made by the PSC in 2015 to fix the underlying lot phenomenon in zoning reform are voided.

We support additional zoning density around Centers, and *where appropriate* along Corridors as in the current and 2035 Comprehensive Plan, to reinforce the establishment of *new and existing* centers, walking scale neighborhoods, use of transit and reduced auto dependency. This is a successful model advocated during the past 40 years and is yet to be realized, either in Portland or in the Metro Region. Scattered site middle housing in **Recommendations 4, 5, 6, and 9** undermine this goal.

We oppose scatter site density that will be the result of rezoning the entire eastside as a “housing opportunity zone overlay.” **Recommendations 4, 8, and 9 are diametrically opposed to the shaped density advocated in the Comprehensive Plan.** The last minute Comp Plan amendment P45 set an overly ambitious bubble around ill-defined corridors. Scattered “middle housing” defeats comprehensive plan goals to focus density around currently underbuilt walking scale centers. Our data will show that widespread application of “middle housing” zoning will accelerate land price increases in an already overheated market, decrease affordability, destabilize neighborhoods, cause loss of viable and more affordable housing, and increase demolition and displacement.

We object to untested “speculative” zoning - zoning that has some presumed social good intended but where zoning regulations are implemented without testing and modeling physical and economic impacts prior to implementing code changes. Too often these initiatives seem to be driven by interests whose primary concerns are for a particular niche of real estate development in contrast to the public interest. Earlier decisions to allow recognition of underlying lot lines, encourage skinny houses, and compromise lot sizes are prime examples. **Recommendations 4, 5, 6, 7, 8 and 9** are in this category and the “analysis” is fundamentally flawed. The illustrated examples are not modeled to the allowed envelope. The black box economic analysis in Appendix A begins by using the wrong numbers for “saleable area”.

We object to unsubstantiated claims of creating “affordable” housing for everyone by Portland For Everyone. **Recommendations 4 through 10** are being promoted as a “grand bargain” by housing advocates who have modeled their faith on a failed Seattle initiative

<http://www.seattletimes.com/seattle-news/politics/mayor-murray-withdraws-proposal-to-allow-more-density-in-single-family-zones/>) using the same slogan. There has been no analysis and no evidence that these proposals will result in affordable housing regardless of how it is defined. The economic analysis in Exhibit A is a flawed analysis based on false assumptions.

Higher density does not equate to less expensive housing. As long as there is strong demand for housing and it can be profitably built and sold, rezoning for increased density will cause the value of the land to increase, the demolitions to accelerate, and the housing prices to rise accordingly. We need examples of the densified city that is thereby made more affordable unless in a state of decay and depopulation.

Where is the example of a split lot where the one or two replacement houses (regardless of size) without public subsidy are less expensive than the house demolished? When is the cost per square foot for a smaller house less than for a larger house? Given the same quality the reverse is true. We must address housing affordability as a regional issue with care and urgency not an excuse to provide a handout of unwarranted entitlements and speculative profits at the cost of demolition, displacement, and livability.

Project Objectives, Points of Agreement and Results

Considering the *three areas* included in the RIPSAC charge are there were areas where we found common ground and points of agreement with the staff proposal and fellow RIPSAC members but almost none in the Report to Council.

Scale and Massing Issues: There was a good deal of consensus about the need to address issues of size, height, setbacks, placement of garages, off-street parking, etc. One of our principle concerns and one clearly expressed in the Comprehensive Plan is “one size does not fit all”. Both the Staff Report and The Report to Council clearly fail to address the issue. The Recommendations simply recognize the size of most recent infill and codify that building envelope, height, and setback. Where do we agree? We support floor area ration (FAR) as an additional tool to regulate size, support adjusting the regulation of side lot bays and eaves (Recommendation 3b), and support reducing the impact of garages on skinny houses (Recommendation 10) as a half measure.

Narrow and Skinny lots and Recognition of Underlying lots of record (lot splitting): There is a good deal of disagreement here since the one-for-two house demolition infill and skinny garage housing has become a business model for some developers who have represented these as “affordable” housing and thus aligned themselves with housing advocates. At \$600,000 to \$700,000 in some neighborhoods they don’t contribute to affordability.

These lot line policies have been applied indiscriminately across the city, are making a lot of adjacent neighbors very unhappy, have a heavy carbon and poor space use footprint, create an unattractive streetscape, and are not producing much additional or affordable housing. Market rate new housing is not affordable but is very profitable and is systematically removing more affordable housing. *We supported the initial staff recommendation that began to address Truth in Zoning by limiting the use of these underlying lot lines for splitting lots in the R5 zone.* But in the Report to Council these lots are being redefined as spot zoned R2.5 and that erases any point of agreement.

We do agree is that the underlying lots should be recognized where the lot division is consistent with the density standards in the zoning code. Otherwise *the experiment with complex and confusing code provisions encouraging this kind of wasteful demo-development should end.*

Innovative housing Types: As we explored these ideas it became increasingly clear that *the housing types discussed (except cottage clusters) were not so much innovative as not being built where the code allows*. Developers are not building to the density already generally allowed around centers and corridors. In preparing the Report to Council, staff commissioned a special study to see if carving up examples of existing housing into smaller apartments is feasible. Possible yes, and expensive. The current zoning around centers is appropriate and needs refinement not more scattered density across broad areas of the city. The cottage cluster proposal (Recommendation 6) appears to allow approximately five 1,000 SF units on a 10,000 SF lot plus basements. For some reason outside the “overlay” there would be 10 units allowed including the “ADU”s. This is the density of the R-1 zone with no off street parking and appears to be a hand out to niche developers.

These proposals in the first and more constrained version received a widespread and justifiably hostile reaction from the public as a handout to developers and a formula for speculation, accelerated demolition, and neighborhood disruption and displacement.

Summary Recommendations

Summary of recommendations in the context of the project goals include:

Scale and Massing Issues:

1. Create development typologies that fit neighborhood context and aspirations. (look for examples such as Nori Winter’s work in other cities) *One size does not fit all.*
2. Ensure that scale of houses fits neighborhood context, protect solar access and privacy, and maintain individual and shared green spaces.
3. The code must be clear. Use commonly understood terms. Provide clear definitions of what is allowed in each zone. Restore “truth in zoning.” Avoid inconsistent and confusing criteria such density when lot sizes or “overlays” governing dwelling unit counts, or unit size are the governing criteria.
4. Save viable existing housing. The most affordable housing is almost always housing that is already in place.

Narrow and Skinny lots and Recognition

5. Remove provisions that allow lots smaller than 4500 SF in the R5 zone. Allow historically platted narrow and skinny lots to be *confirmed only* in the R2.5 zone. **Recommendation 8b is a start.** *End the use of historic lines to trump zoning as advocated in Recommendation 8a.* This is not consistent with the Comprehensive Plan or a mandate of state law.

Innovative housing Types:

6. Direct density around centers, **consistent with the above commentary** and the Comprehensive Plan, to reinforce the establishment of centers, walking scale neighborhoods, use of transit and reduction of auto dependency.
7. For areas in the City intended for higher density, evaluate why the existing regulations not working well, adjust and proceed with rezoning for the higher density to reinforce centers and corridors where appropriate.

8. The dispersed density model recommended in the Report will destroy our best loved history and most admired assets. “Middle housing” is for transitional density between single family and higher density multi-family. There is no transition if middle housing is “everywhere” housing.
9. Authorize limited testing of middle housing ideas where the neighborhoods have expressed strong need and support for such an experiment and subsequent evaluation of the policy. Robust evaluation of the proposed policy impacts is necessary.
10. Test and model physical and economic impacts for significant changes to the zoning code prior to drafting and implementing such changes. *Testing includes implementing zone changes in neighborhoods that support the proposals and evaluating the impacts.*

Summary of recommendations for advancing:

- The RIP Report should not be endorsed or accepted for implementation by Council. We have a shortage of housing not a shortage land or a shortage of areas zoned for housing. The RIP Report may be looking forward one-hundred years but the development entitlements proposed are in effect the day of approval - and once given very difficult to unwind.
- The process and many of the recommendations are inconsistent with the goals and policies of the Comprehensive Plan on many levels as discussed above. Instead of “grand bargains” the BPS needs to understand how the current R1, R2, and R2.5 zones could be improved to accommodate transitional or “middle housing” densities.
- The City needs implementation of the Comprehensive Plan in the form of a modern flexible and easy to understand regulations with a long term focus on district and neighborhood planning. Actively engage neighborhood and business associations to participate in decision-making during planning exercises and for major developments to improve understanding of context and needed design guidelines.
- The Recommendations are not aligned with the Mayor’s goals to reduce demolitions, meaningfully temper the scale of houses, or increase density and provide smaller scale housing around centers. Expect much more demolition, speculation, reduced affordability and increased auto dependency from diffuse density.
- The **unprecedented** use of the **Housing Opportunity Zone Overlay** is no substitute for planning but rather a bone thrown to speculators, niche developers and housing advocates without regard for the existing context or fabric of the city.

We challenge ourselves and all Portlanders to think in terms of a vision for Portland and the region that builds on the structure of the good neighborhoods that we have and figure out how to encourage other cities in the region before we do irreparable harm to what we have with poorly conceived ad hoc policies represented by this Report.

James Gorter
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Portland, Oregon 97219
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RE: Residential Infill Project Concept Report, November 9, 2016

Mayor Hales and Commissioners,

My name is Jim Gorter and I am a member of the Residential Infill Project Stakeholder Advisory Committee. I am speaking for the RIPSAC 7, a coherent and cohesive third of the RIPSAC appointees. We have spent many hours in the RIPSAC meetings and many more hours meeting as a group to formulate our analysis and recommendations.

Our shared perspective is to approach planning as neighborhoods, building around centers in neighborhood context while supporting the goals of the 2035 Comprehensive Plan. The extensive written testimony submitted today represents the group's positions and lists the names of the RIPSAC 7 members.

This afternoon and next week you will hear from the members of RIPSAC 7 and from others supporting our analysis and recommendations as they address scale and mass, underlying lot lines, middle housing, demolitions, affordability and other issues.

We make a number of recommendations and I would like to highlight a few that relate directly to the primary reasons the mayor initiated the Infill Project.

First, create development typologies that fit neighborhood context and aspirations and ensure the scale of houses fits neighborhood context. Develop strategies that directly reduce demolitions.

Second, direct density and middle housing around centers consistent with the Comprehensive Plan. Test the middle housing ideas in areas that have expressed need and support before expanding to other parts of the city. Drop the unprecedented, widespread use of the Housing Opportunity Overlay. It is no substitute for good planning and zoning.

Third, allow confirmation of historic underlying skinny and narrow lots only in R2.5 zones.

Finally, put the desires of current residents ahead of those of developers or people who might move to Portland in the next decades.

We care deeply about our city, and we applaud the effort to consider how and where to focus housing density and how to guide the growth of the city in a period of rapid change. The Residential Infill Project was a promising start that ultimately ran entirely off the rails. If the concern is affordability, the project is a false promise. If the concern is equitable housing access in every neighborhood, this was never an Infill Project objective and is a false promise. If the concern is a more walkable lively city, this is a false promise. If the concern is a reduction of house size, this is a false promise, and finally, if this is an attempt to reduce demolitions, no, it will not do that.

Testimony to the Portland City Council

Residential Infill Project Concept Report

Susan King, 4712 SW Flower Ct.

November 9, 2016

This testimony will provide comment on specific elements of the concept proposal and general comments regarding related issues. Having attended one of the open houses in Multnomah during the summer of 2016, reviewed the report and watched the briefing before the Council on November 1, 2016 I am very concerned about the scale of the proposed changes to Portland, the underlying philosophy and the disregard for impact on many neighborhoods.

First, my experience has been that staff who were responsible for the preparation of this proposal have been unwilling to give credence to the concerns raised by those of us who have invested in the city and our property for many years and have, instead, continued to assert that we must all accept drastic changes to our neighborhoods that appear to be more aggressive than is necessary to accommodate growth. Secondly, the same staff have also verbally disregarded the related issues such as the inadequate parking that is currently accompanying both this proposal and developments that are endemic in the Portland area. They have failed to consider the impact of significant density increases on the street parking particularly in SW Portland, where there are no sidewalks and pedestrian traffic is already and will be in the future made much more dangerous with cars lining both sides of many streets. The Council must include requirements for adequate parking onsite of any new construction including single family, attached and multi-unit dwellings.

My second general comment is that while the city staff have asserted that this proposal is one of "opportunity" and "choice" and offers the potential for more affordable housing as our population increases, nothing in this proposal will guarantee such economic benefits. In fact, during the Council briefing, as you will recall, the price point which staff apparently considers "middle housing" is completely out of reach for many and as was pointed out by one Council member, may be even more unaffordable if interest rates rise. The proposal also fails to account for the choice that many of us have made in SW Portland to live on single family larger lots which preserve trees and contribute to a desirable environment. Many individuals will choose to live in neighborhoods that are fashioned like those from years past with houses very close to each other. That is a choice which should be supported but not at the expense of imposing that density on all areas of the city.

And third, when questioned during an open house, the city staff were quick to assert that this is not a zoning change. However, the use of overlays as this report recommends, essentially changes zoning without a formal process and is, in my opinion, deceptive and disingenuous. Zoning is for the purpose of predictability and this set of proposals offers a home investor no ability to determine whether to purchase given the flexibility of what could be built in the zoned neighborhood.

Specific comments on the report recommendations:

Recommendations 1-3 "Scale of Houses"

I generally support these recommendations given what many areas of the city are experiencing with

demolitions and very large houses built in their place often towering above the smaller single family units adjacent to them. It is interesting, however, that the concept proposal pays attention to the effects of building on current neighborhoods in these recommendations while proposing drastic changes in other parts of the report. This report is internally inconsistent.

Recommendation 4

There is already an allowance for duplexes on corner lots. I strongly oppose increasing this to a triplex on the same type of lot. The triplex would need to be very limited in size per unit to accommodate adequate parking which is essential. Additionally, allowing duplexes and duplexes with detached ADUs in single family areas is not acceptable nor is it necessary to meet the goal of increased housing.

Recommendation 5

The housing opportunity overlay zone within a quarter mile of a corridor is unacceptable. This same proposal was a part of the SW Community Plan many years ago and the neighborhoods resoundingly rejected it. I live and pay property taxes in an R7 zone within the limits of this proposal and the intrusion into a single family area with a mix of large and medium sized homes would destroy our neighborhood. It is distressing to see these same proposals come back as if they have never been considered and rejected in the past. Perhaps those who are supporting this report are hoping that the established population who remembers this history will leave so that unwise and unnecessary changes can be made without opposition.

Including increased density along a corridor such as Beaverton Hillsdale Highway is understandable and in keeping with the scale and character of existing and new construction. That is potentially an appropriate place to increase lower priced "housing opportunities" particularly if there is adequate public transportation and access to walkable services. Not every heavily trafficked area has such access as yet.

Recommendation 6

Cottage clusters are unacceptable. Again, as per my comments about recommendation 5, these are unnecessary and will result in a negative impact on existing neighborhoods. And adding the possibility of an ADU for each cottage is beyond rational.

Recommendation 7 b

Flexibility for house conversions that eliminate requirements for off street parking or waive SDCs is not acceptable. If Portland is going to accommodate population growth, the infrastructure of the city must grow with it. That includes streets, schools, sidewalks, parking etc. Noting in this proposal addresses the impact on any of those. In fact, it generally feels as if the City staff have determined that car traffic can be managed by making it harder and harder to move about and to park. While public transportation is desirable, it is not reality for many of us who pay taxes and work in and about the city. These proposals are out of touch with what is needed to accommodate growth in an appropriate and rational way.

Finally, I appreciate the questions that were raised by some members of Council during the briefing and urge you to reject this report and direct the Bureau of Planning and Sustainability to develop a more realistic, moderate and sensible approach to increased housing.

Residential Infill Project

In 1959 the city of Portland banned most new small multifamily dwellings, such as duplexes, four-plexes, and internal home divisions. Since 1959 city code has made it illegal to build more neighborhoods with this classification of middle housing.

This ban has contributed to the deep Portland housing shortage, driving the poorest Portlanders out of their homes. By being forced to move, these same families lose out on job opportunities that are available in the city.

This code has been used for 60 years. It is now time to reassess its value to Portland. These small efficient ways to live (duplexes, four-plexes, and internal home divisions) encourage the development of small stores and markets, bus line viability, and walkable neighborhoods. All Portlanders would benefit from such improvements.

We urge you to support the missing middle housing amendment to the city's comprehensive plan by implementing the following regulations:

Revise the zoning code to allow for middle housing types in existing residential neighborhoods.

Remove the barriers to housing development of these projects.

Allow more 'missing middle' types in ALL Portland neighborhoods.

Support rules that incentivize efficient use of smaller spaces and energy efficient buildings.

Bring more affordable housing options online for future needs.

Eliminate McMansions and encourage the building of smaller houses.

Land use decisions made today will directly affect housing abundance, diversity, and affordability. We need to make sure that housing reflects

these values for all Portlanders. Please consider revising the 1959 city code to accommodate the needs of all Portlanders.

Selkey Patton

President, Fair Housing Council of Oregon

1221 SW Yamhill
Portland, Oregon



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Testimony on Residential Infill Project Concept Paper November 9, 2016

Mayor Hales, City Council Members, thank you for this opportunity to share our comments.

My name is Elaine Friesen-Strang. My husband and I have been long time residents of NE Portland. In fact, our children attended the same public grade and high schools that my husband did. It is our hope that we will continue to live in our neighborhood as we grow older and that our children too will live and raise their families in this great city. So, as with other residents, we have a personal stake in any plan that shapes the future of the city.

In addition to being a long-time Portlander, I am here today as the Volunteer State President for AARP Oregon. AARP is a nonprofit, nonpartisan, social change and membership organization. We have 500,000 members in Oregon and 65,000 right here in Portland. With a mission to enhance quality of life for all as we age, we are engaged in public policy, education, and community service at the national, state and local levels for our members and society. An important aspect of our work here in Oregon includes advocating for increasing housing options and successful aging in place. On behalf of AARP members who live in the City of Portland, I offer these comments on the Residential Infill Concept Report.

Overall, we believe the report is headed the right direction. In particular, we support the goals of expanding housing choice in terms of size and types of homes, encouraging walkable communities so people have easier access to services and supports, and prioritizing the preservation of neighborhood character and existing homes. However, we see a major gap in this report – the absence of any provision to foster and encourage increased stock of accessible housing. Without adequately addressing this issue the proposed recommendations are unacceptable and cannot make for an effective plan to guide future development in the city that meets the needs of all its populations.

AARP research tells us that 90% of people 65 and older want to remain in their homes and communities as they get older. However, if a move becomes necessary because their home may no longer be safe or meet their needs, they should not be forced to leave their community, abandon important social networks, or live in age-segregated communities or assisted living facilities simply because there are no other appropriate options.

Real Possibilities

And for those who rent, finding homes that are built or remodeled with universal design principles to meet their changing needs is near impossible. The Residential Infill Project represents a unique opportunity to proactively plan for our city's changing needs. The report projects that by 2035 the city will grow by approximately 123,000 households and that the city is becoming more diverse and older.

According to Metro, our region is expected to see a 106.4% growth in people 65+ compared to a projected 35% growth for the general population between 2010 and 2030. And according to the CDC, over a third of adults over the age of 65 and 22% of all adults report having some disability. The truth is each of us can and often do experience some physical disability in our lifetime, whether it is a skiing accident or mobility challenge brought on by a chronic condition.

AARP supports the recommendations made by Dr. Alan DeLatorre in his letter to the council dated November 2, 2016 for the city to enact regulatory and incentive-based policies that increase the stock of accessible housing as part of the Infill Project.

We also urge the council to consider examples from other jurisdictions that have enacted voluntary, incentive based, and mandatory policies to promote accessible and universal design housing. For example, the Rogue Valley Council of Government's Lifelong Housing program, Montgomery County Maryland's Design for Life Program, City of Austin's SMART home program, and New York Township of Babylon where new development and modification of existing residences containing universal design and accessibility features enjoy expedited permitting, reduction or waiver of permit fees, and flexibility on setback regulations.

This is our chance to shape the future of our city. AARP urges you to recognize the growing need for more accessible homes. Thank you for your continued commitment to making Portland a great place for people all ages and abilities.

Sincerely,



Elaine Friesen-Strang
Volunteer State President
AARP Oregon

My name is Robin Harman. As a resident I attended RIPSAC meetings over the last year.

The staffs stated Project Scope Sept 2015, **“To ensure that new or remodeled houses are well integrated and complement the fabric of neighborhoods.”**

Despite what was promised the committee was dominated builders, lobbyists and housing advocates, and I was appalled when they pushed through this self serving agenda to rezone most of the city to allow multifamily housing in single family zones. This was borrowed from a failed Seattle initiative and falsely marketed as an answer to affordability.

But the city’s own studies show that there is enough land already zoned to handle the next 20 years of growth. Every corner lot already is zoned for a duplex. The project has gone so far off the rails that it is almost unrecognizable. I don’t know the Who, the Why, but it has been given the bureau’s blessing.

We all want suitable and affordable housing, but this proposal **would not** create affordable housing, **but would cause widespread demolitions throughout the city.**

I object to the claims it would offer “affordable housing for everyone”, when there is no evidence, no analysis and no requirement for builders to build what we would consider affordable housing. It is a false promise, and we ask you not to accept it.

There was overwhelming opposition in public meetings, but it was largely ignored by staff. **Of the 31 Neighborhood Associations who provided thoughtful comment, 27 were strongly opposed to widespread “middle housing”,** with only 4 in support. Why not consider these neighborhoods as “test sites” to evaluate the success of this unprecedented “overlay” in those communities.

No attempt to respect neighborhood character, despite being a top priority voiced in public testimony. No truth in zoning, making zoning designations meaningless. It would escalate land prices, and encourage demolitions.

Southwest neighborhoods, would be devastated if this passes because they are not well served by mass transit, lack sidewalks, are on steep hills, are in landslide zones, have traffic gridlock and overcrowded schools.

IF Council accepts this Report, you would be handing an entitlement for builders who would be allowed to increase density in R5 zoning by 200-300 %, more density than R2.5. That would allow up to 10 units on the equivalent of 2 adjacent 5000 sq ft lots. This betrays the communities you serve.

We all love this city but the Report before you is a collection of hastily considered proposals that promote a density agenda, high jacked by the housing crisis, wrapped in the flag of affordability which it will not provide.

It does not achieve the objective of having new housing “complement the fabric of the neighborhood”,

Please consider the well balanced proposal put forth by a third of the RIPSAC appointees. It accommodates new residents, and respects current residents without destroying the neighborhoods that we already have. I ask you to review this carefully crafted and considered proposal. It will serve the needs of the city.

We are part of the way there, please don’t quit until we get this right. Once done, it can’t be undone.

RH
 28-4- Opposed Middle Housing Proposal

PORTLAND NEIGHBORHOOD DENSITY				10/29/2016			YES	NO
DATA FROM ONI	5/15/2016			NEIGHBORHOODS SUBMITTING TESTIMONY ON RIP 9/16 PROPOSAL				
NEIGHBORHOOD ASSOCIATION	POPULATION 2010	AREA	POP./ACRE	NEIGHBORHOOD ASSOCIATION	POPULATION 2010	AREA	POP./ACRE	
ALAMEDA	5214	393	13.3	PREPARED BY MICHAEL MOLINARO, AIA				
ARBOR LODGE	6153	557	11.1	SEUL REPRESENTATIVE TO RIP				
ARDENWALD-JOHNSON CREEK	4748	741	6.4					
ARGAY	6006	1216	4.9					
ARLINGTON HEIGHTS	718	576	1.2					
ARNOLD CREEK	3125	718	4.4	ARNOLD CREEK	3,125	718	4.4	
ASHCREEK	5719	757	7.6	ASHCREEK	5,719	757	7.6	
BEAUMONT-WILSHIRE	5346	470	11.4	BEAUMONT-WILSHIRE	5,346	470	11.4	
BOISE	3311	276	12					
BRENTWOOD-DARLINGTON	12994	1117	11.6	BRENTWOOD-DARLINGTON	12,994	1117	11.6	
BRIDGETON	725	119	6.1					
BRIDLEMILE	5481	901	6.1	BRIDLEMILE	5,481	901	6.1	
BROOKLYN	3485	700	5					
BUCKMAN	8472	697	12.2					
CATHEDRAL PARK	3349	536	6.3					
CATHEDRAL PARK	3349	536	6.3					
COLLINSVIEW	3036	465	6.5	COLLINSVIEW	3,036	465	6.5	
CONCORDIA	9550	853	11.2					
CRESTON-KENILWORTH	8227	513	16					
CRESTWOOD	1047	221	4.7	CRESTWOOD	1,047	221	4.7	
CULLY	13209	1971	6.7	CULLY	13,209	1971	6.7	
DOWNTOWN	12801	535	23.9					
EAST COLUMBIA	1748	1359	1.3					
EASTMORELAND	5007	705	7.1	EASTMORELAND	5,007	705	7.1	
ELIOT	3611	518	7					
FAR SOUTHWEST	1320	391	3.4	FAR SOUTHWEST	1,320	391	3.4	
FOREST PARK	4129	11960	0.3					
FOSTER-POWELL	7335	568	12.9					
GLENFAIR	3417	203	16.8					
GOOSE HOLLOW	6507	279	23.3					
GRANT PARK	3937	319	12.3					
HAYDEN ISLAND	2270	1342	1.7					
HAYHURST	5382	730	7.4	HAYHURST	5,382	730	7.4	
HAZELWOOD	23462	2625	8.9					
HEALY HEIGHTS	187	35	5.3	HEALY HEIGHTS	187	35	5.3	
HILLSDALE	7540	1131	6.7	HILLSDALE	7,540	1131	6.7	
HILLSIDE	2200	448	4.9					
HOLLYWOOD	1578	142	11.1	HOLLYWOOD	1,578	142	11.1	
HOMESTEAD	2009	569	3.5	HOMESTEAD	2,009	569	3.5	
HOSFORD-ABERNETHY	7336	773	9.5					
HUMBOLT	5110	352	14.5					
IRVINGTON	8501	551	15.4	IRVINGTON	8,501	551	15.4	
KENTON	7272	1983	3.7					
KERNS	5340	501	10.6					
KING	6149	408	15.1					
LAURELHURST	4633	425	10.9					
LENTS	20465	2355	8.7					
LINNTON	941	4930	0.2					
LLOYD DISTRICT	1142	542	3.3					
MADISON SOUTH	7130	1149	6.2	MADISON SOUTH	7,130	1149	6.2	
MAPLEWOOD	2557	398	6.4	MAPLEWOOD	2,557	398	6.4	
MARKHAM	2248	288	7.8	MARKHAM	2,248	288	7.8	
MARSHALL PARK	1248	366	3.4	MARSHALL PARK	1,248	366	3.4	
MILL PARK	8650	677	12.8					
MONTAVILLA	16287	1402	11.6					
MT SCOTT-ARLETA	7397	553	13.4					
MT. TABOR	10162	995	10.2					
MULTNOMAH	7409	923	8	MULTNOMAH	7,409	923	8	
NORTH TABOR	5163	371	13.9	NORTH TABOR	5,163	371	13.9	
NORTHWEST DISTRICT	13399	934	14.3					
NORTHWEST HEIGHTS	4806	723	6.6					
NORTHWEST INDUSTRIAL DISTRICT	8	1494	0					
OLD TOWN CHINA TOWN	3922	135	29					
OVERLOOK	6093	1673	3.6					
PARKROSE	6363	1169	5.4					
PARKROSE HEIGHTS	6119	636	9.6					
PEARL	5997	245	24.5					
PIEDMONT	7025	615	11.4					
PLEASANT VALLEY	12743	4311	3					
PORTSMOUTH	9789	699	14					
POWELLHURST-GILBERT	30639	2676	11.4					
REED	4399	439	10					
RICHMOND	11607	814	14.3	RICHMOND	11,607	814	14.3	
ROSE CITY PARK	8982	748	12	ROSE CITY PARK	8,982	748	12	
ROSEWAY	6323	535	11.8	ROSEWAY	6,323	535	11.8	
RUSSELL	3175	510	6.2					
SABIN	4149	301	13.8					
SELLWOOD-MORELAND	11621	1155	10.1	SELLWOOD-MORELAND	11,621	1155	10.1	
SOUTH BURLINGAME	1747	283	6.2					
SOUTH PORTLAND	6631	872	7.6	SOUTH PORTLAND	6,631	872	7.6	
SOUTH TABOR	5995	514	11.7					
SOUTHWEST HILLS	8389	1936	4.3	SOUTHWEST HILLS	8,389	1936	4.3	
ST. JOHNS	12207	5427	2.2					
SULLIVAN'S GULCH	3139	205	15.3					
SUMNER	2137	481	4.4	SUMNER	2,137	481	4.4	
SUNDERLAND	718	1056	0.7	SUNDERLAND	718	1056	0.7	
SUNNYSIDE	7354	382	19.2	SUNNYSIDE	7,354	382	19.2	
SYLVAN-HIGHLANDS	1317	697	1.9					
UNIVERSITY PARK	6035	642	9.4					
VERNON	2585	189	13.7					
WEST PORTLAND PARK	3921	472	8.3	WEST PORTLAND PARK	3,921	472	8.3	
WILKES	8775	1779	4.9					
WOODLAWN	4933	449	11					
WOODSTOCK	8942	835	10.7					
TOTAL NEIGHBORHOODS REPRESENTED					32			
TOTAL POPULATION REPRESENTED IN TESTIMONY					174,919	26.8	OF TOTAL POP	
YES TO RIP PROPOSAL					33,266	19.02%		
NO TO PROPOSAL					141,653	80.98%		

Summary of the Residential Infill Project

CONCEPT REPORT



Portland is changing.

By 2035, the city will grow by approximately 123,000 households. About 20 percent of this growth is expected to be in single-dwelling residential zones. The composition and housing needs of the population also is changing. The city is becoming more diverse and older. The average household will be smaller with fewer children per household. The goal of the Residential Infill Project is to adapt Portland's single-dwelling zoning rules to meet the needs of current and future generations.

**Your input is needed
on these concept
recommendations in
November 2016.**

City Council will hold public hearings on these 10 concept recommendations on November 9th and 16th, 2016 at Portland City Hall.

Based on City Council's direction, specific code amendments will be developed for consideration through a separate legislative process in 2017, that will include required public notice, review and hearings.

Scale of Houses Limit the size of houses while maintaining flexibility. Lower the house roofline. Improve setbacks to better match adjacent houses.

Housing Choice Allow more housing types in select overlay zone areas within the size allowed for a house. Increase flexibility for cottage clusters on large lot citywide. Provide flexibility for existing houses.

Narrow Lots Rezone historically narrow lots to R2.5 in select areas. Make citywide improvements to the R2.5 zone. Revise parking rules for narrow lots.



The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings. If you need special accommodation, please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 1-800-735-2900.

October 2016

www.portlandoregon.gov/bps/infill

email: residential.infill@portlandoregon.gov



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon

Charlie Hales, Mayor • Susan Anderson, Director



Concept Recommendations

SCALE OF HOUSES

1. Limit the size of houses while maintaining flexibility

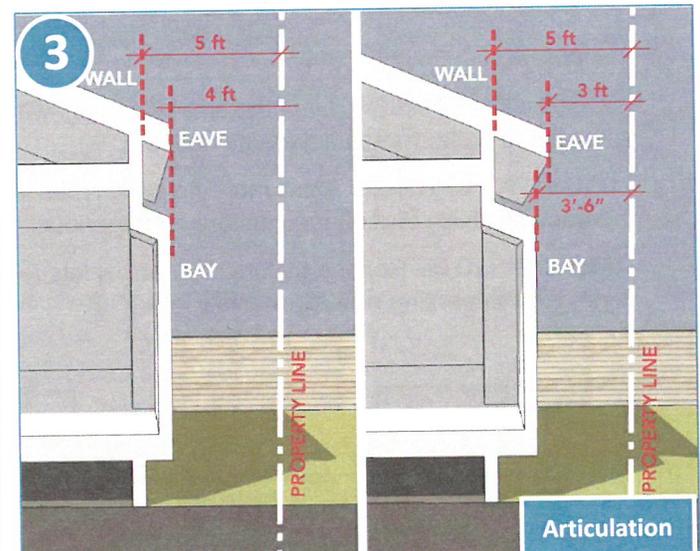
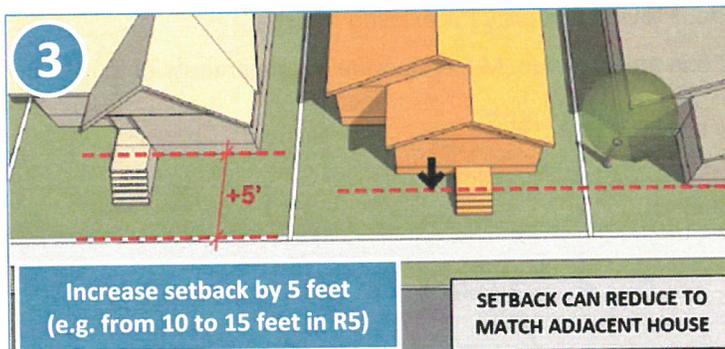
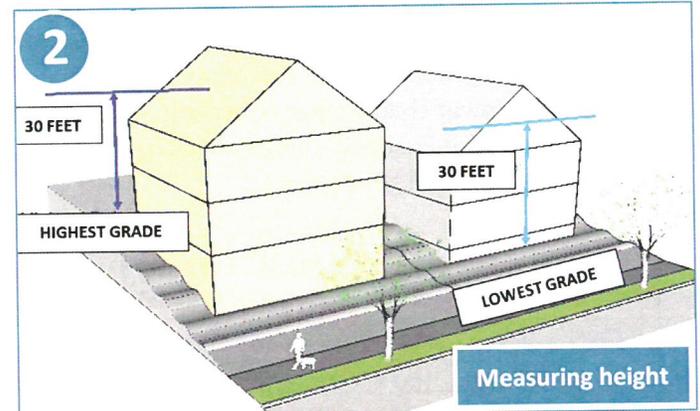
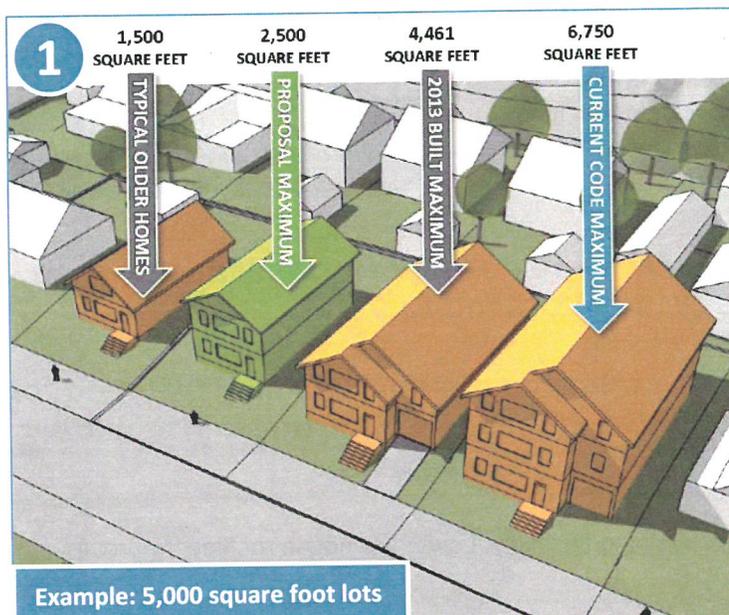
- Establish a limit on house size that is proportional to lot size and zone using a floor area ratio (FAR).
- Exclude basements and attics with low ceiling heights from house size limits.
- Allow bonus square footage for detached accessory structures (0.15 bonus FAR).
- Maintain current building coverage limits.

2. Lower the house roofline

- Restrict height to 2½ stories on standard lots.
- Measure the basepoint from the lowest point 5 feet from a house, not from the highest point.
- For down-sloping lots, allow use of average street grade as a basepoint alternative.
- Ensure that dormers are a secondary roof mass.

3. Improve setbacks to better match adjacent houses

- Increase minimum front setback by 5 feet; provide an exception to reduce setback to match existing, immediately adjacent house.
- Encourage building articulation by allowing eaves to project 2 feet into setbacks and bay windows to project 18 inches into setbacks.



For additional information, contact
 Bureau of Planning and Sustainability staff:
 Morgan Tracy, Project Manager 503-823-6879
 Julia Gisler, Public Involvement 503-823-7624

AN UPDATE TO PORTLAND'S SINGLE-DWELLING ZONING RULES

HOUSING CHOICES

4. Allow more housing types in select areas and limit their scale to the size of house allowed

- a) Within the Housing Opportunity Overlay Zone in R2.5, R5 and R7 zones, allow:
 - House with both an internal and detached accessory dwelling unit (ADU).
 - Duplex.
 - Duplex with detached ADU.
 - Triplex on corner lots.
- b) Establish minimum qualifying lot sizes for each housing type and zone.
- c) Require design controls for all proposed projects seeking additional units.

5. Establish a Housing Opportunity Overlay Zone in select areas

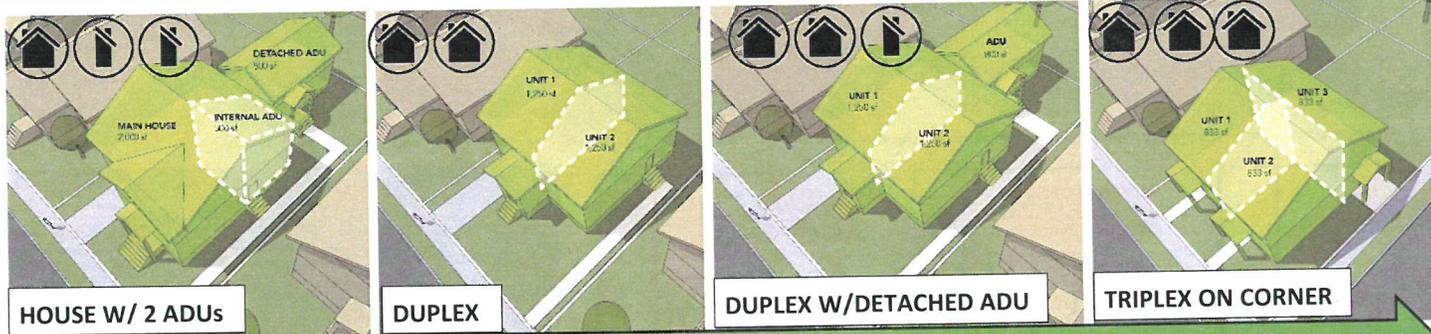
- a) Apply a housing opportunity overlay zone to the following areas:
 - Within a ¼ mile (about five blocks) of centers, corridors with frequent bus service, and high capacity transit (MAX) stations.
 - Within the Inner Ring neighborhoods, and medium to high opportunity neighborhoods as designated in the new Comprehensive Plan.
- b) Exclude areas within the David Douglas School District until school district capacity issues have been addressed.
- c) Prior to adopting any specific zoning changes, refine the Housing Opportunity Overlay Zone to produce a boundary that considers property lines, physical barriers, natural features, topography and other practical considerations.

6. Increase flexibility for cottage cluster developments on large lots citywide

- a) On single-dwelling zoned lots of at least 10,000 square feet in size, allow cottage clusters subject to Type IIx land use review.
- b) Cap the total square footage on a cottage cluster site to the same FAR limit [see Recommendation 1] and limit each new cottage to 1,100 square feet.
- c) Inside the Housing Opportunity Overlay Zone [see Recommendation 5], the number of cottages allowed equals the same number of units that would otherwise be permitted.
- d) Outside the Housing Opportunity Overlay Zone, allow one ADU for each cottage.
- e) Develop specific cottage cluster rules to ensure that development is integrated into the neighborhood.
- f) Explore additional units when the units are affordable (i.e. at 80 percent or less Median Family Income)

7. Provide flexibility for retaining existing houses

- a) Scale flexibility:
 - Allow modest additional floor area for remodels, additions and house conversions.
 - Allow modest additional height when an existing house's foundation is being replaced or basement is being converted.
- b) Housing choice flexibility:
 - Inside the Housing Opportunity Overlay Zone [see Recommendation 5], allow an additional unit when an older house is converted into multiple units or retained with a new cottage cluster development.
 - Pursue additional flexibility for house conversions, such as parking exemptions, systems development charge (SDC) waivers or reductions, building code flexibility and City program resources that facilitate conversions.



HOUSE W/ 2 ADUs

DUPLEX

DUPLEX W/ DETACHED ADU

TRIPLEX ON CORNER

NUMBER OF UNITS ALLOWED WITHIN SAME HOUSE SIZE LIMIT

4

Concept Recommendations

NARROW LOTS

8. Rezone historically narrow lots to R2.5 in select areas

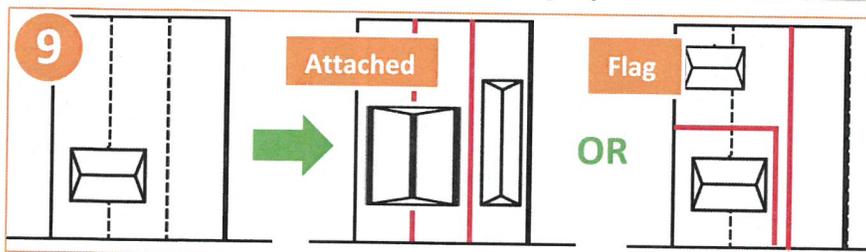
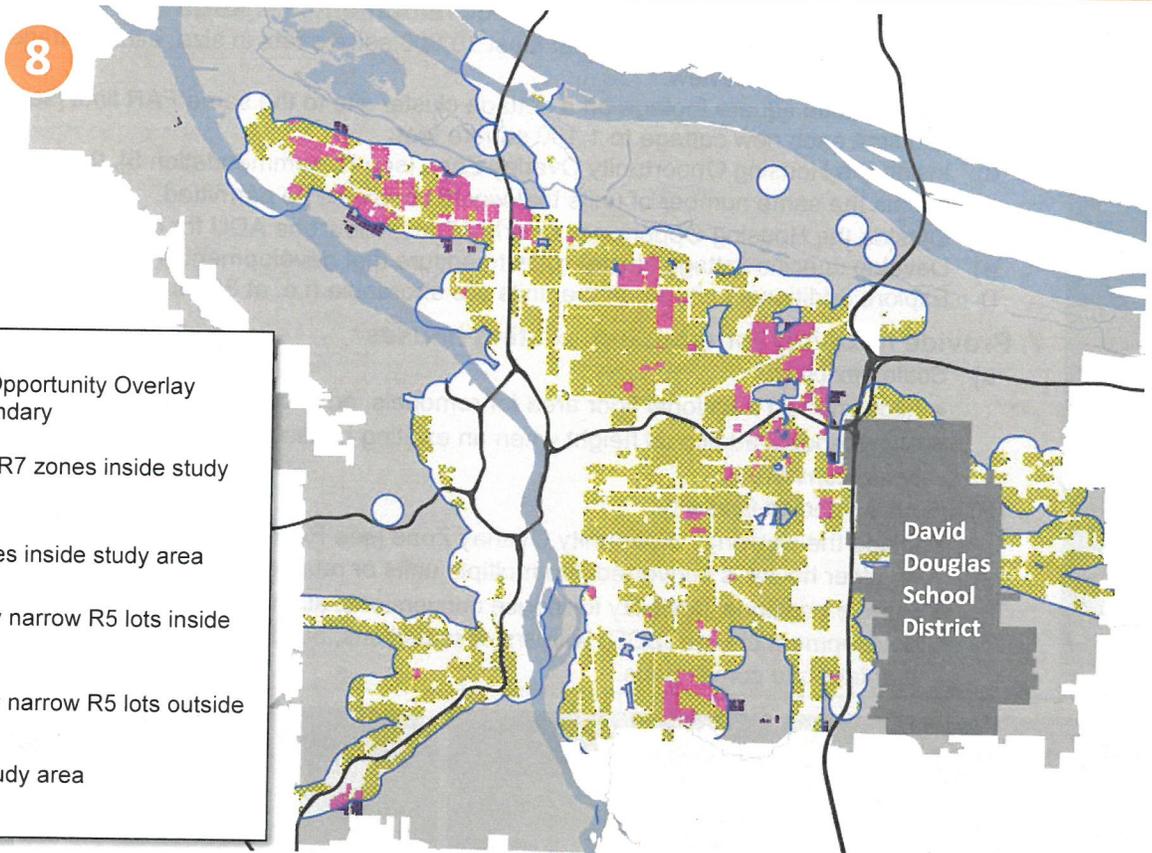
- Allow historically narrow lots to be built on by rezoning them to R2.5 if located within the housing opportunity overlay zone [see Recommendation 5].
- Remove provisions that allow substandard lots to be built on in the R5 zone.

9. Citywide improvements to the R2.5 zone

- On vacant R2.5 zoned lots of at least 5,000 square feet, require at least two units when new development is proposed. Allow a duplex or a house with an accessory dwelling unit (ADU) to meet the requirement.
- Reduce minimum lot width from 36 feet to 25 feet for land divisions.
- Allow a property line adjustment to form a flag lot when retaining an existing house.
- Require attached houses when a house is demolished.
- Allow 3-story attached homes and limit detached houses on narrow lots to 2 stories.

10. Revise parking rules for houses on narrow lots

- Allow, but don't require parking on narrow lots.
- When a lot abuts an alley, parking access must be provided from the alley.
- Allow front-loaded garages on attached houses on narrow lots if they are tucked under the first floor of the house and the driveways are combined.
- Do not allow front-loaded garages for detached houses on narrow lots.





You are receiving this notice because a demolition is proposed at and this property is in the fallout zone for hazardous materials.

Know Your Rights

Once an application for demolition or major renovation is submitted to Portland Bureau of Development Services (BDS) there is an automatic 35-day delay before a permit is issued. If you are within 150 feet of the demolition site, you should get a notification letter from BDS within 5 to 7 days after the application date. For major renovations: If your property abuts or lies directly across the street, you should get a door hanger notification from the owner at least 35 days before permit issuance by BDS. If proper notification doesn't occur, call **BDS (503-823-7300)** and record a complaint of noncompliance. For information on permits issued on properties visit <http://www.portlandmaps.com> and click the Permits/Cases tab. Always refer to the permit number and lot address when discussing issues with agencies.

During the 35-day delay: Asbestos and lead surveys

The demolition or major renovation contractor must perform asbestos and lead-based paint surveys. Ask the contractor to show you the results of the surveys. If results are not made available to you, call BDS and file a complaint. Also contact **OSHA (503-229-5910)** and **Construction Contractors Board (CCB) (1-503-934-2229)** and ask for immediate resolution of noncompliance and that surveys be completed and made available. (OSHA is responsible for worker safety at demolition sites and CCB for contractor education/training.)

If surveys show presence of either lead or asbestos, ask for the abatement plans. If the owner/contractor does not comply, follow same path as for surveys, including calling OSHA and CCB. Also contact **Department of Environmental Quality (DEQ) (503-229-5982)** for confirmation of asbestos abatement notice and **Oregon Health Authority (OHA) (971-673-0440)** for confirmation of lead abatement notices. If abatement is not registered at either agency, ask for an immediate hold on permit issuance by BDS until hazardous materials issues are resolved.

During actual demolition

You should get a notice at least 5 days before any demolition activity. Notify BDS if this did not occur.

Cover all vegetable gardens and children's play equipment with plastic and close all windows and doors within 300 feet of the site.

If demolition workers are not wearing protective masks and garments, immediately call OSHA and CCB and request a stop work order.

If the structure and debris are not kept wet by the contractor to minimize dust, call CCB and complain that proper steps are not being taken to protect neighbors and request a stop work order. Also call DEQ and OHA and record complaint and ask for site inspection of conditions and tests for presence of lead or asbestos on neighboring exterior surfaces. (Note: Even with abatement, hazardous materials can still be present; only full, responsible deconstruction can approach elimination of risk.)

The city and state do not effectively inspect or enforce asbestos and lead abatement during demolitions. **Public watchdog actions are the primary means of protecting public health.** Therefore, until agencies can demonstrate responsible oversight, **you are on the front line** and need to hold developers accountable every step of the way. To contact your neighborhood association visit

<http://www.portlandoregon.gov/oni>.

Information provided by United Neighborhoods for Reform (UNR) as a public service,

<http://unitedneighborhoodsforreform.blogspot.com/>.

Herbert helps Ducks

UO rallies around freshman QB SEE SPORTS, B1

James P. Foster MNA 25025W Multnomah Blvd Portland OR 97215

Portland Tribune

TUESDAY, NOVEMBER 1, 2016 • TWICE CHOSEN THE NATION'S BEST PAPER • PORTLANDTRIBUNE.COM • PUBLISHED TUESDAY AND THURSDAY



THE REZONING STRUGGLE

Long debate over increasing housing density goes to City Council; public hearings Nov. 9, 16

By JIM REDDEN
The Tribune

The heated controversy over increasing density in single-family neighborhoods is finally headed to the City Council after months of study, debate and planning. Supporters believe rezoning neighborhoods to allow small-scale multifamily dwellings will increase livability, create more housing, and preserve farm and forests outside the urban growth boundary as the city grows. "We are in favor of the proposed changes allowing both additional units and a range of housing types in residential areas. The increased density, especially in inner neighborhoods and in centers and corridors,

will help make walking a good transportation option for a wider range of Portland's residents," says Oregon Walks, a pedestrian advocacy group. Opponents argue the change will destroy the character of existing residential neighborhoods without guaranteeing that many people can afford the new housing. "This proposal would radically increase density in areas of the city that are currently zoned for single-family homes and would further encourage the demolition of viable, existing, and affordable residences," says the board of the Beaumont-Wilshire Neighborhood Association. The proposal — developed by the Bureau of Planning and Sustainability —

has been the subject of community meetings, on-line surveys, and letter-writing campaigns. It will be discussed by the council for the first time at a work session Tuesday morning, Nov. 1, followed by public hearings Nov. 9 and 16. If the council agrees to move forward with the proposal, it cannot be finalized until late next year, at the earliest. **Limiting McMansions** The proposal was developed as part of the Residential Infill Project, which Mayor Charlie Hales created two years ago. It includes recommendations ranging from limiting the size of new homes to rezoning nearly two-thirds of the city's single-family neighborhoods within a Housing

Opportunity Overlay Zone. The goal is to encourage the construction of more duplexes, triplexes, four-plexes, accessory dwelling units, garden apartments and cottage clusters. They are intended to help Portland absorb the 123,000 new households expected here by 2035. Most of those who have already weighed in on the proposal support at least some of the recommended restrictions on the size of new homes. They include lowering rooflines and requiring that setbacks better match adjacent houses. The new maximum size would be 2,500 square feet, which is just over one-third of the 6,750 square feet currently

Dozens of Southwest Portland residents protested against the rezoning concept during the annual Multnomah Days parade in Multnomah Village on Aug. 20. TRIBUNE FILE PHOTO

State claims Roy Jay, late wife misspent \$1.4 million

DOJ: Businessman used nonprofits' funds for personal benefit

By NICK BUDNICK
The Tribune



Condos, cars and fine suits are not why Project Clean Slate was granted nonprofit status. The well-known Portland program was supposed to help felons expunge their records so they could find work. But state attorneys probing prominent Portland businessman Roy Jay's oversight of the program, as well as two other nonprofits, have concluded he and his late wife improperly spent at least \$1.4 million from the charities to benefit themselves and their companies as well as pay personal expenses for Jay's dwellings, vehicles and clothing. The first public reveal of the Oregon Department of Justice's findings in its long-running investigation of Jay and the nonprofits he set up comes in an unusual setting — the Clackamas County probate case over his late wife's estate. It suggests the state is in a position to pursue legal action directly against Jay, a gregarious, business leader whose name has been floated as a potential Portland mayoral candidate. The state's claim accuses his late wife, Juanita Walton — a cancer victim who died in April — of "misconduct" in connection with the Jay-led

Portland businessman Roy Jay has denied using nonprofit funds for personal benefit. TRIBUNE FILE PHOTO

At the center of the investigation is Project Clean Slate, which has received at least \$1.8 million in government funding and more than \$400,000 in other funds from other nonprofits as well as felons.

See ROY JAY / Page 3

Neighbors weigh in on pollution from Precision Castparts

Residents press DEQ to keep air pollution monitors in place

By PAUL KOBERSTEIN
For The Tribune

Sometimes it pays to push government officials. They just might do what you want them to do. For example, last week at a community meeting held to discuss air, water and soil pollution near Precision Castparts' Southeast Portland plant, citizen protest made a difference. Uncase

about air quality has been growing among residents since last winter, when U.S. Forest Service moss studies detected high levels of toxic pollution in Southeast Portland near Bullseye Glass Co. and Precision Castparts, a titanium manufacturer. Last spring, the Oregon Department of Environmental Quality installed three air monitors at different locations around the Precision Castparts plant, located near Johnson Creek Boulevard and Southeast 46th Avenue. At about the same time, the plant installed heavy-duty air



TRIBUNE PHOTO: ADAM WICKHAM

See PRECISION / Page 2 Sarah Clark of South Portland Air Quality, questions Tom Roick of Oregon DEQ.

Portland Tribune Inside

ENTICING JAPAN SEE LIFE, PAGE B10

"Pamplin Media Group's pledge is to deliver balanced news that reflects the stories of our communities. Thank you for reading our newspapers." — DR. ROBERT B. PAMPLIN JR. OWNER & NEIGHBOR



Rezoning: How about affordable housing?

■ From page 1

allowed.

For example, in an Aug. 9 letter to the project, the historic preservation organization Restore Oregon said it supports "(t)he limited size of infill housing that would avoid out-sized McMansions and create a more harmonious sense of continuity."

Not everyone is convinced the restrictions go far enough, however.

"The allowable building size is greater than roughly 80 percent of the existing housing stock. The proposal does nothing to reduce the scale of buildings, except for constraining a few very large houses, and will certainly accelerate demolition and displacement in the most vulnerable neighborhoods at all levels," says Rod Merrick, an architect who serves on the Eastmoreland Neighborhood Association board.

But there are even deeper divisions over the most controversial recommendation — rezoning nearly two-thirds of existing single-family neighborhoods to allow more so-called missing middle housing. The proposal exempts the David Douglas School District in East Portland because its schools do not have the capacity to absorb the new students that additional housing would attract.

The rezoning recommendation is supported by some developers, affordable-housing advocates, land use watchdogs, and a handful of neighborhood organizations.

For example, on Aug. 15, Ruth Adkins, policy director of the Oregon Opportunity Network, wrote: "Oregon ON's position, as an endorser of Portland for Everyone, is that we need a broad range of housing types, prices, and sizes in all residential neighborhoods."

But the rezoning recommendation is opposed by some historic preservationists, grassroots neighborhood activists, and far more neighborhood associations.

And the Portland Historic Landmarks Commission wrote on Aug. 15, "(W)e have serious concerns about this project and do not support the current proposal because it will promote increased demolition and the concomitant erosion of neighborhood character."

Emphasis shifts midstream

Hales created the Residential Infill Project in response to growing complaints about the increasing number of older and smaller homes being demolished and replaced with large new ones. As part of the project, a 26-member Stakeholder Advisory Committee was appointed to help the staff draft recommendations to ensure such replacement houses better fit into the scale of existing neighborhoods, among other things. The committee includes developers, land use watchdogs, affordable housing advocates, and representatives of neighborhood associations, such as Merrick.

But as the work began, the debate over the lack of affordable housing in Portland heated up. Some affordable housing developers and others proposed building more missing middle housing, which, they argued, would cost less than the large replacement homes.

Doing so would require rezoning portions of the city's existing single-family neighborhoods, where multifamily housing is currently prohibited. The idea was embraced by some developers and land use watchdogs on the project committee, and by a majority of the City Council. It included a policy in the update of the Comprehensive Plan approved earlier this year to allow such housing within a quarter-mile of MAX stations or major transportation corridors.

A split over missing middle housing

Some support expanding the project's mission to include more affordable housing.

"The greatest asset of our city is its people, and our city is at its best when we can offer abundant housing of all types so that everyone can have a decent and affordable place to call home," the Cully Association of Neighbors wrote on July 12.

Others question how many Portlanders will actually be able to afford the new missing middle housing.

"While the city has seen substantial increases in the annual production of dwelling units, there is an equally dramatic decrease in the range of households able to afford either existing or new units. Simply increasing the allowable supply of housing has not demonstrably increased affordability, given the current housing market," the Bosco-Milligan Foundation/Architectural Heritage Center wrote.

And some were even upset the project expanded its purpose.

"Basically, what began in response to grassroots anguish over demolition and inappropriate residential infill construction has morphed into a recommendation for major erosion of single-family zoning in Portland," the Irvington Neighborhood Association Land Use Committee wrote on Aug. 15.

Affordable housing developer and committee member Eli Spevak calls the proposal "a grand bargain."

"In exchange for more front doors, you get less massing of houses in almost all of the city," says Spevak, also a member of the Planning and Sustainability Commission.

After the November hearings, the council is expected to send the proposal back to the Bureau of Planning and Sustainability to be drafted into City Code revisions. The Planning and Sustainability Commission that advises BPS will then hold one or more hearings on the proposal before sending it back to the council for more hearings and approval.

To learn more, visit <http://www.portlandoregon.gov/bps/67728>.