May 15, 2018

To: Portland Planning & Sustainability Commission

Re: Residential Infill Project Proposed Draft

The Portland Historic Landmarks Commission (PHLC) has been closely following the development of the proposed draft of the Residential Infill Project (RIP), thanks to periodic briefings by Morgan Tracy and Brandon Spencer-Hartle, both at the Bureau of Planning & Sustainability, and Hillary Adam and Benjamin Nielsen, from the Bureau of Development Services. We appreciate and support many of the proposed code revisions; however, we have concerns that:

1. not enough has been included to limit demolitions and will result in the systematic demolition of potential historical resources;
2. the RIP fails to provide effective incentives to retain both historic and unranked/un-cataloged older housing; and
3. neighborhood compatibility, character, and historical cohesiveness will be compromised by certain provisions.

***Preservation of un-inventoried historic properties***

The PHLC is frequently tasked with evaluating infill development proposals in Historic Districts. Infill projects require sensitivity to context, whether or not the site is part of a formally designated historic district. The proposed “a” Additional Housing Opportunity Overlay zone covers the older East-side areas of Portland, where there are many historically-eligible properties, especially those in residential neighborhoods, that the City has not (yet) identified as historical resources and therefore have no protection from demolition. Some of these resources have been identified through past studies—such as the 1984 Historic Resource Inventory (HRI)— but many others have historic value, including many resources associated with Portland’s ethnic past. The “a” overlay will create big changes to these areas and likely incentivize demolition, especially of the more modest and affordable older houses. As identified in the City of Portland’s 2018 Housing Study, older historical populations in the “a” overlay have already experienced displacement at an alarming rate, particularly in Albina. Indeed, the proliferation of new, unaffordable housing in this area has substantially decreased the diversity in this and other areas subject to the “a” overlay.

Preservation of older resources helps Portland achieve sustainability goals, defines the unique character of Portland’s neighborhoods, provides an alternative to newer housing options, keeps the more affordable units on the market, and typically does not prevent greater density on a site. Since the proposed “a” overlay zone covers thousands of potential historic properties, the PHLC wants to ensure that the ability to construct housing and additional dwelling units in the form of multiple accessory dwelling units, duplexes, and triplexes does not further incentivize demolition of older houses.

As proposed, historic preservation incentives in the “a” overlay may apply to ADUs, duplexes, and triplexes in Historic or Conservation Districts, Historic or Conservation Landmarks, or properties categorized as Rank I, II, or III on the HRI. **We encourage you to consider opening a pathway to apply these additional standards and incentives for preservation more broadly—to any structure older than 50 years**. We acknowledge that some houses that are not historically significant will be eligible for this “incentives track,” but since it is a voluntary option, it may help to save older resources. This is particularly important given the amount of time that has elapsed since the last Historic Resource Inventory, as structures 50 years or older are generally considered eligible to be considered for historic resource designation at the state or federal level. Extending incentives to preserve structures older than 50 years would help to tip the scale in favor of preserving existing affordable, middle-housing rather than replacing existing older houses with expensive new housing that will be financially out of reach for many Portlanders. Furthermore, extending these incentives could reduce the number of demolitions without burdening property owners with additional fees or onerous process. Without adequate opportunities to avoid and minimize the adverse impacts to historical resources in the “a” overlay, it could be argued that the City is not meeting its stewardship obligations under Goal 5.

***Expand incentives to preserve historic housing and housing older than 50 years***

At present, the Proposed Draft includes only limited incentives to help retain identified historic resources in chapter 33.405 of the Proposed Draft code; these incentives are limited to aggregating allowed FAR for primary and accessory structures for use anywhere on the site. New restrictions are also placed on alterations to identified historic structures.

The PHLC believes, however, that the proposed incentives are not nearly robust enough, and an unintended outcome of the proposed code will result in the demolition of many of the smallest and most-affordable houses. Additional permitting incentives, such as fee waivers, to preserve these historic and older houses should be provided.

***Additional standards for historic resources are too permissive***

Proposed “additional standards for historic resources” in the “a” overlay zone could inspire incompatible over-sized proposals by suggesting a new entitlement rather than a maximum allowance. Provisions in these code sections allow for Historic Resource Review approval to exceed these limits, though the Commission, applying the relevant approval criteria in historic districts, would be challenged to support alterations on the scale of the maximum allowances. These standards should be reconsidered to better retain the integrity of the city’s historic resources.

***Neighborhood Compatibility***

Any Historic or Conservation District must be understood as a single historic resource. The most critical aspect of a historic district is not any individual building, but the cohesion of the district’s component parts, both new and old. One should be able to see a relationship of buildings to each other within a Historic District. Scale, massing, and setback are the most critical aspects of compatible design in a historic district, because compatibility cannot be achieved through materials and detailing alone. **The cohesion of an entire Historic District can be negatively affected by a single development that is significantly out of scale with the others, thus jeopardizing the historic status of all properties within the district.**

* The Proposed Draft Staff Report places an emphasis on encouraging more **cottage cluster-type development**, and proposed code revisions in the Planned Development chapter (33.854) support this. It is puzzling why so much emphasis has been placed on this development type when cottage cluster development is not typically found in any older neighborhoods, and may not be compatible with the character of Portland’s Historic or Conservation Districts. Many of these districts do, however, have low-scale, multi-family housing that should be studied as an appropriate model for infill in older single-dwelling residential neighborhoods. Some of these historic models, such as courtyard apartments, offer more efficient use of land and resources than freestanding “cottages.” Additionally, though the Proposed Draft would allow cottage clusters of up to 10 units to be reviewed through a staff-level, Type IIx Planned Development review, this should not supersede any Historic Resource Review requirements that may also apply. It should also be noted that the PHLC may not support cottage cluster developments proposed in certain Historic or Conservation Districts because this model may not be approvable under the applicable review criteria. However, the PHLC would suggest that this model might be highly compatible in areas such as outer East Portland that have very large lots and limited street frontages.
* While the allowance proposed in 33.405.060.C to allow up to **two detached ADUs on historic properties** is admirable in its attempts to preserve existing historic housing, the same allowance could lead to consequences that are out of scale and character with other development in the neighborhood, creating a jumble of smaller units and losing open space or tree cover. In some scenarios, it may make more sense to allow these two detached ADUs to be able to be combined into one accessory structure. This needs to be weighed against the concern that **the accessory structures should generally not be larger in scale or height than the primary structure**.
* With the addition of Floor Area Ratio (FAR) standards to single-dwelling residential zones, the Proposed Draft indirectly encourages the development of **tuck-under garages**, which would not be included in the FAR calculation if located sufficiently below grade. However, tuck-under garages of this depth have a negative impact on neighborhood streetscapes and in historic districts in two ways: they create a **visual interruption of the street pattern**. The garage ramp forms a void cutting through the street setback area of a residence, interrupting what is generally a common block topography. Tuck-under garages can also result in porches that are too high above and/or disconnected from the ground plane, which can have negative impacts on the pedestrian realm and the character of many historic districts and older neighborhoods. Detached garages set behind the primary house are almost always more appropriate and should be promoted rather than penalized.
* Finally, the PHLC is concerned that the addition of FAR standards to single-dwelling zones and setting the maximum height at 30-feet could inadvertently promote the development of new houses with **flat roofs**, rather than the pitched roof styles that are a defining characteristic of most houses in Portland’s Historic and Conservation Districts as well as other older neighborhoods outside of these districts. By promoting a form that is unlike that of most typical older neighborhoods, this provision will lead to less compatibility in older neighborhoods.

As advocates for the City’s historic built environment and its attendant social history, the PHLC is alarmed at the potential architectural and social impacts upon the City’s most sensitive historical ethnic populations potentially triggered by the “a” overlay. The RIP has highlighted the possibility that the City is not complying with Oregon’s Goal 5 planning rules. While its zoning protections, as they are currently constituted, provide a robust regime of protection, the failure of the city to update the HRI has resulted in the failure to protect potential historical resources. The HRI was never meant to be a static list, but one that is routinely updated. While other environmental resources have been inventoried and taken into account in the City’s planning efforts, historical resources have not. Due to this oversight, we fear the City is not meeting its Goal 5 obligations.

While housing opportunity, availability, and affordability are laudable goals, we fear the RIP will likely exacerbate the housing crisis due to the loss of smaller housing options, demolition of existing housing, their replacement with much more expensive new construction, and the displacement of the City’s ethnic communities. We offer the expertise of the PHLC to improve the RIP to avoid these impacts.

We thank you for your time and consideration of these requests, and we look forward to continued discussion with the Planning & Sustainability Commission and BPS staff regarding these proposed policy and regulatory changes.

Sincerely,

 

Kirk Ranzetta Kristen Minor

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