



RESIDENTIAL INFILL PROJECT – PART 2

Bringing Portland Into Compliance with
State Legislative Mandates for Middle Housing

Morgan Tracy

Project Manager

Sandra Wood

Principal Planner

Shannon Buono

Senior Planner

JP McNeil

City Planner



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PSC RIP 2 Work Session #1

PSC Potential Amendments (part 1)

- 1. Remove or alter the wildfire risk**
in the proposed 'z' overlay
- 2. Create option for two detached units**
that can be divided using SB458
- 3. Modify the ADU codes**
regardless of fee-simple option

1. Remove or alter the wildfire risk

- **House Bill 2001** – requires cities to allow duplexes on *all lots*, and other middle housing (triplexes, fourplexes, cottage clusters, attached houses) in *most areas* by June 30, 2022

OAR 660-046-0010: Cities must adopt comprehensive plans (inventories, policies, and implementing measures) to reduce risk to people and property from natural hazards. Such protective measures adopted pursuant to Goal 7 apply to Middle Housing, including, but not limited to, restrictions on use, density, and occupancy.

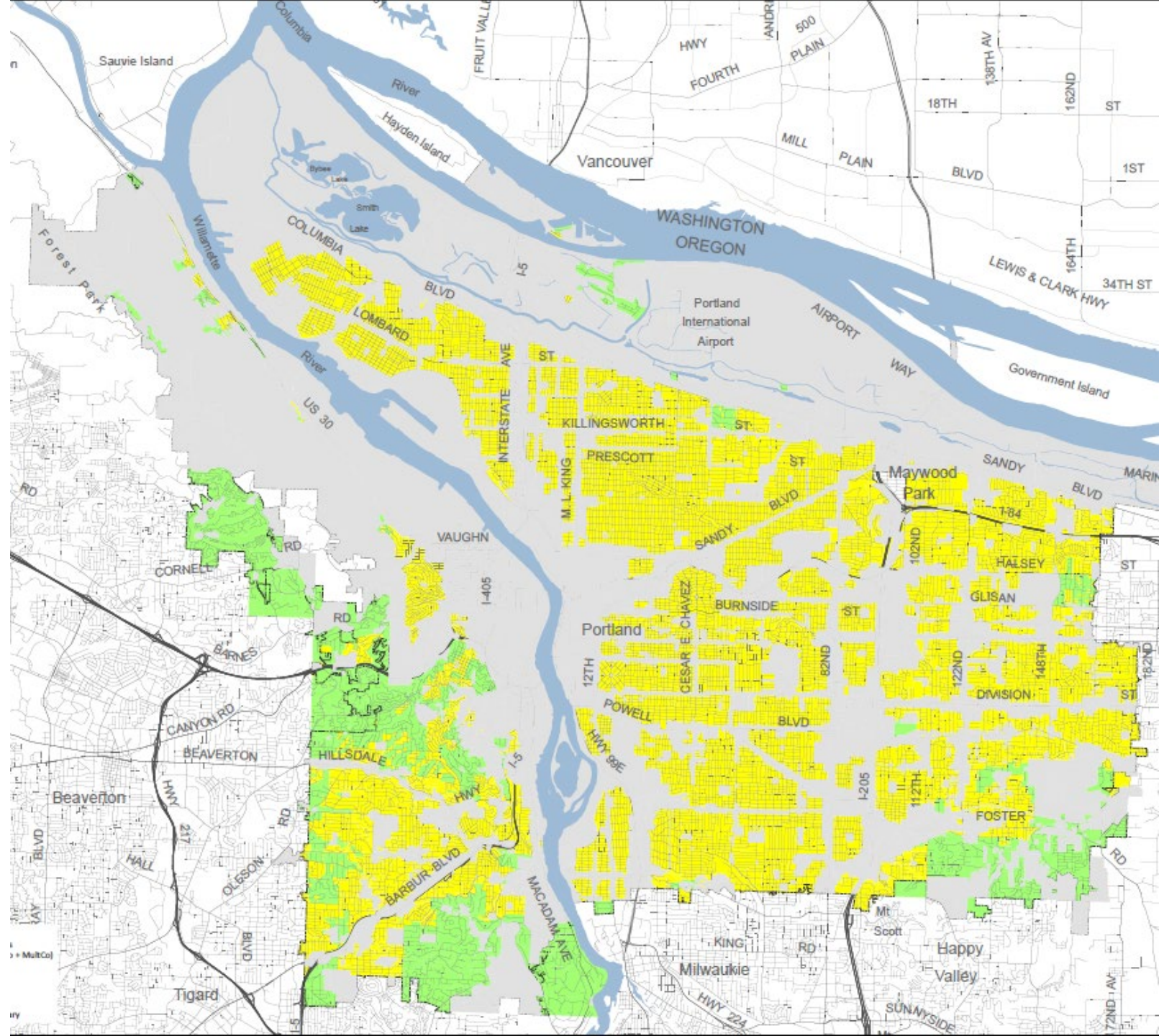
RIP Zones



R10/R20



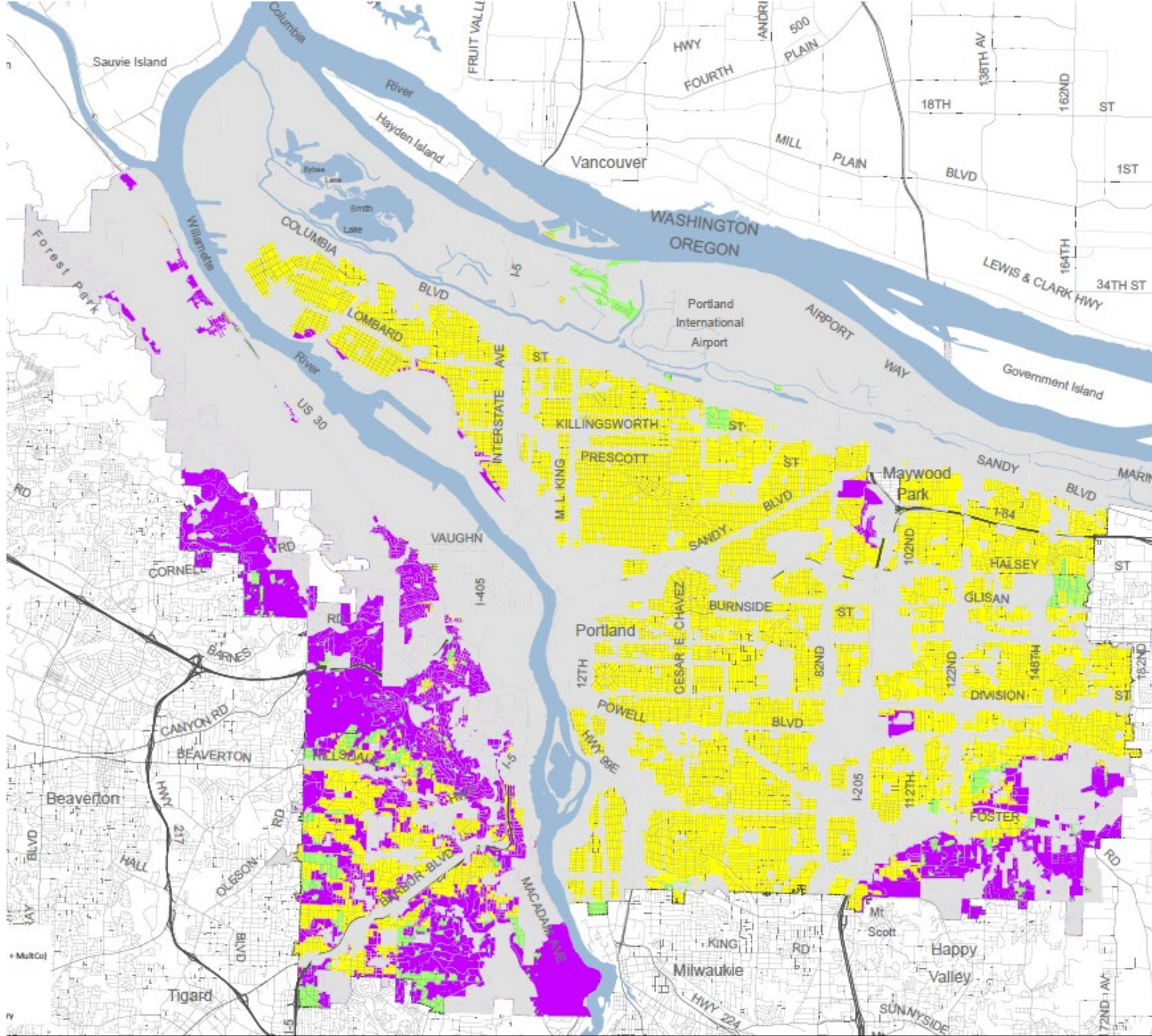
R2.5, R5, R7



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Wildfire Risk (2000)

-  R10/R20
-  R2.5, R5, R7
-  Wildfire Risk



PSC Objectives

- Increase total lots eligible for middle housing (beyond duplexes)
- Better address patterns of segregation
- Not add more RIP1 (R2.5, R5 and R7) lots to 'z' overlay

Options – within compliance timeframe

- a) Retain staff proposal – include current wildfire risk map
 - No revisions required
- b) Retain now, update with state wildfire maps post adoption
 - No revisions now, more precautionary approach
- c) Don't apply wildfire risk in R2.5-R7 zones
 - Requires some mapping work
 - Need rationale for distinguishing between zones

Options – likely to delay project

- d) Remove wildfire risk, restrict R10/R20 to duplexes and triplexes
Requires infrastructure planning work, analysis and mapping
- e) Remove wildfire risk from 'z'
Requires infrastructure planning work, analysis and mapping
- f) Remove now, apply statewide wildfire mapping post adoption
Requires infrastructure planning work, analysis and mapping
Creates issues for R10/R20 like RIP1 lots are facing now
- g) Use modified wildfire data inputs
Need to research and develop data/mapping methodology

Discussion

2. Create option for two detached units

- **Senate Bill 458** – requires cities to allow proposals for middle housing to be divided into separate lots through an expedited land division process.
- **House Bill 2001** – middle housing includes duplexes, triplexes, fourplexes, attached houses and cottage clusters.
 - A city may define a Duplex to include two detached dwelling units on a Lot or Parcel [OAR 660-046-0020]
 - A city is not required to set a minimum number of dwelling units in a Cottage Cluster, but if it chooses to, it may require a minimum of three, four, or five dwelling units [OAR 660-046-0205]

PSC Objectives

- Increase homeownership through fee simple expedited land division (SB458)
- Increase flexible development and site layout options
- Retain existing houses
- Allow 2nd unit to be larger than an ADU, less limited by existing house size

Options – within compliance timeframe

a) Detached duplex (staff preference)

Need revised standards to address two primary structures.

Could have unintended consequences for other parts of code

b) Two-unit cottage cluster

Uses proposed cottage cluster standards

Would be ineligible on 'z' zoned lots

Clearer distinction between attached/detached housing types

Options – likely to delay project

c) Divide off an ADU

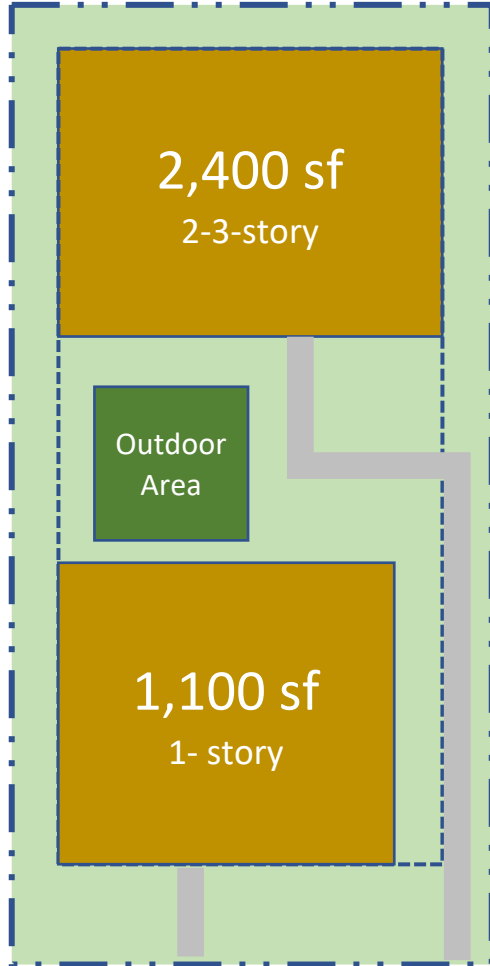
Ineligible under SB458

Requires creation of new land division code

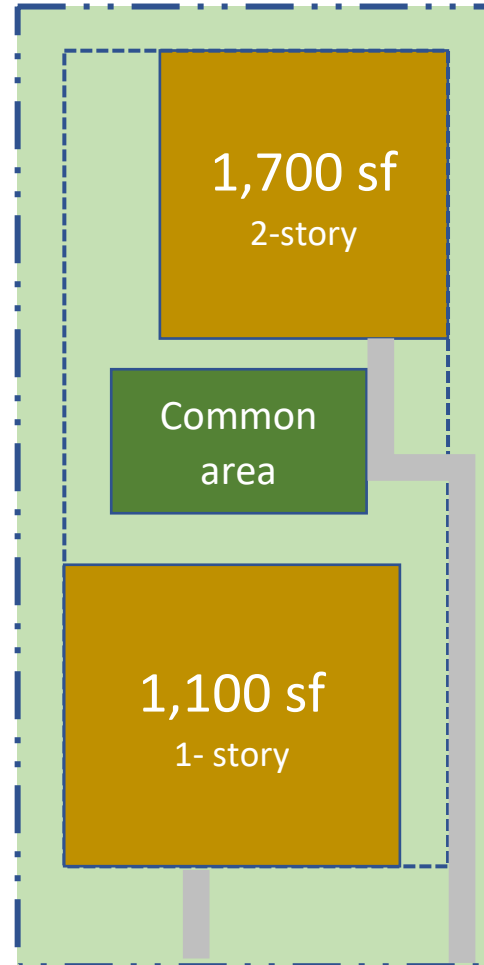
Creates possible conflict with SB1051

Comparing Options – existing house

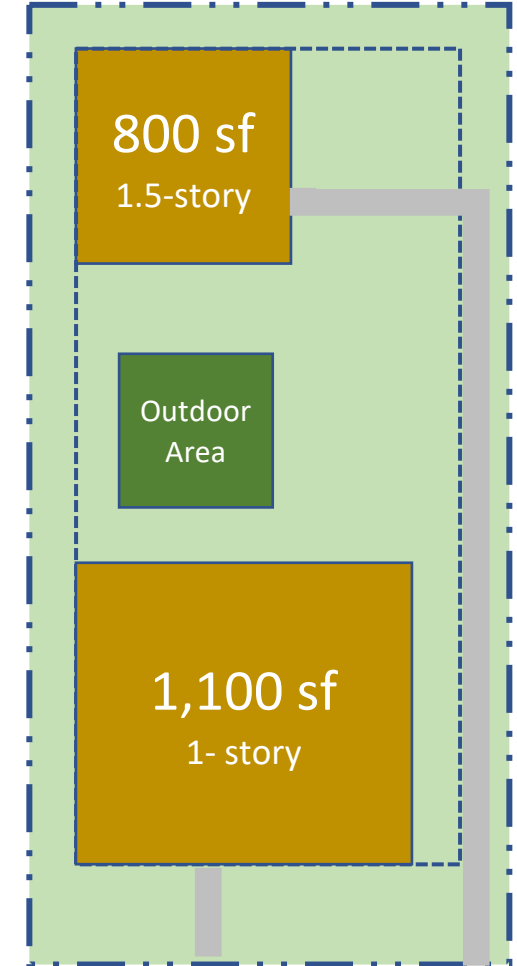
a. Detached duplex



b. Cottage Cluster

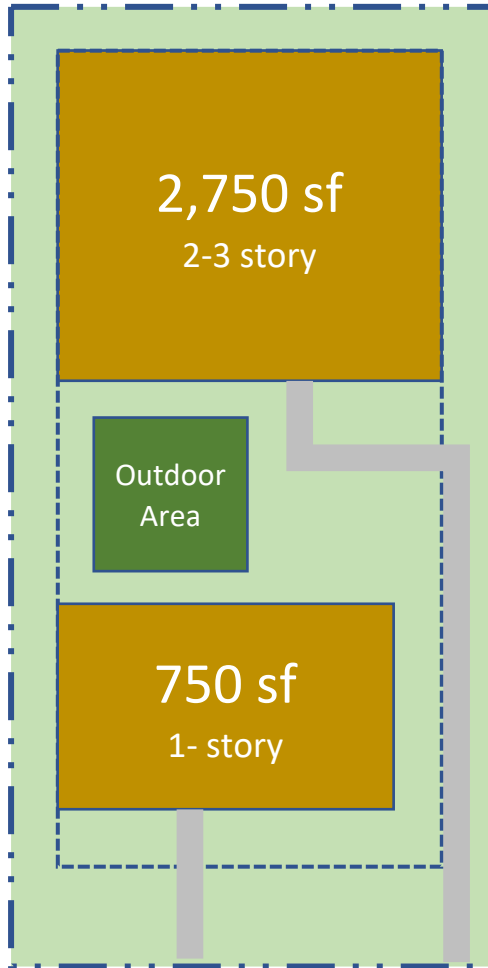


c. ADU

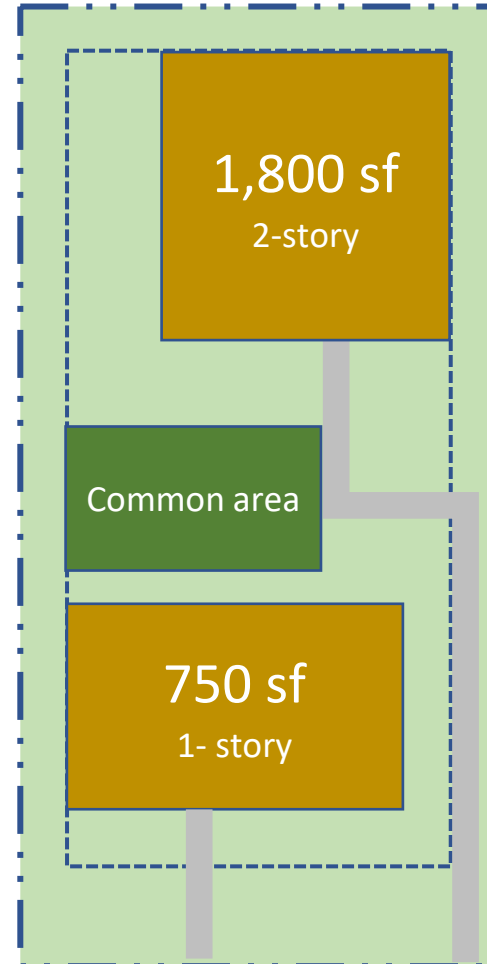


Comparing Options – small existing house

a. Detached duplex



b. Cottage Cluster



c. ADU



Considerations

- Should there be added/different **development standards**?
- Should this be limited to **existing home** sites?
- Should this be limited to **smaller** (<1,100 sf) existing homes?
- Should there be an **affordability** requirement?

Discussion

3. Modify ADU codes to be more flexible

- **Senate Bill 1051** –

- A city shall allow the development of at least one accessory dwelling unit for each detached single-family dwelling, subject to reasonable regulations relating to siting and design.
- “accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling.

PSC Objectives

- Increase flexible development and site layout options
- Retain existing houses
- Allow ADU to be at least as large as the house, or up to 800 sq ft
- Allow smaller homes same development allowances as larger homes

Options

- a) Leave ADU program intact, rely on flexibility from item #2
- Maintains current “accessory” relationship
 - Already well known and understood
 - Prior options better address the desire for larger second unit
 - Keeps a clearer distinction between ADUs and cottage clusters

Options – building coverage

b) Change building coverage limits by either:

i) Remove 15% building coverage standard for ADUs only

- Counter to the accessory structures project principle of treating accessory buildings (e.g. sheds, garages, ADUs) similarly

ii) Remove 15% coverage limit for all accessory structures

- Would allow many detached unpermitted accessory structures
- Can lead to more stormwater runoff issues
- Can lead to reduced contiguous open area

Options – ADU size

- c) Allow ADUs to be larger by either:
- i) Allow any ADU be as large or larger than a house, up to 800 sf
 - When the unit is larger, how is it “accessory”
 - Inconsistent with 2016 Accessory Structures Project
 - ii) Allow any ADU to be up to 99% of house size up to 800 sf
 - Still retains an element of being “accessory”
 - More consistent with 2016 Accessory Structures Project

Discussion

Next Time (January 25th at 5:00pm)

- Overview of the SB458 land division process
- Review and discuss remaining PSC potential amendments
- Staff's technical amendment Q&A

