

Residential Infill Project - Part 2 Testimony on Recommended Draft

Ordinance #190851

Adopted June 1, 2022

Teresa McGrath

#331895 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

we oppose all rip, rip one, rip two, and the impact on trees.... we fight to keep housing intact and oppose demolitions of all buildings that impact trees... when will you address investors who buy up houses in portland? it only makes portland worse

Testimony is presented without formatting.

Jeff Cole

#331894 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

RE Item 425: *Amend the Comprehensive Plan, Zoning Map, and Title 33 Planning and Zoning to comply with House Bill 2001 and Senate Bill 458 (amend Code Title 33 and the Portland Comprehensive Plan and zoning maps) While Portland must comply with state zoning mandates we must assure that future housing contributes to an overall positive environment - that means sufficient greenery and landscaping. Further, beyond the calming and psychologically supportive value of landscaping, decent sized trees help mitigate climate change and keep our city cool and livable. We must ensure changes to Title 33 that go beyond state requirements do not have unintended consequences in creating neighborhoods and streetscapes that lack greenery and sense of place. Radical changes in lot coverage or outdoor area requirements should not be entertained on the vague promise of other benefits. Victory should not be attained through defeat. Attached pics shows what we can build now on a r2.5 lot with virtually no greenery and massive areas devoted to concrete. Imagine a whole street of these. The details are important to ensure housing people also means creating nurturing environments for people. We must think about the cumulative impacts of zoning changes. Portland is now losing tree canopy in an reversible fashion - we must ensure housing expansion properly accommodates our urban forestry needs.

Testimony is presented without formatting.

Janet Baker

#331893 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I urge you to vote No to Amendment #2 described in this link:

https://www.portland.gov/sites/default/files/council-documents/2022/RIP2_CC_Amendment_Package_FINAL%20%281%29.PDF

This is basically the same as what was called Amendment #6 and was discussed by the Portland Planning and Sustainability Commission in their February 8th hearing. Like Amendment #2 there was no affordability requirement in the request for additional FAR for four-plexes. In this PSC hearing:

- o Jeff Bachrach objected to the proposed amendment. He said the amendment was a proposal to change RIP1 even before it really got going. He said we are already getting four-plexes built under RIP (16 four-plexes in process according to BPS at the time of this hearing). He asked since RIP1 seems to be working so why do we need this amendment.
- o Another staff member agreed this amendment isn't necessary. They said would rather tackle this amendment after they see the initial impacts of RIP1.
- o Katie Larsell said the discussion is making her uncomfortable. She said this amendment is not fully baked and may have unintended impacts. She said this amendment could result in developers building larger four plexes without any requirement for affordability. These larger units would be even less affordable then they be under the RIP1 standards.
- o Jeff Bachrach also made the point they never really thought RIP1 would generate a lot of affordable housing. So he said we should not be surprised if the initial plexes built under RIP1 aren't affordable. The assumption behind RIP was that just by creating more units, it would make housing 'more affordable'.
- o When they voted on Amendment #6 every commissioner voted No. I urge you to vote NO tomorrow on Amendment #2

Testimony is presented without formatting.

Kelly tadlock

#331892 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am writing to ask that you make efforts to halt the further destruction of tree canopy in PDX. In light of the severe climate issues it's dangerous to remove tree canopy for those most at risk. This would include the unhoused and the economically disadvantaged who depend on our tree canopy in severe hot weather. I am in full agreement with the following statements "Portland is in climate crisis. Allowing increased impervious area will create more heat and result in the loss of existing tree canopy as well as lost space to plant new trees in the future. City Commissioners should be leading by example—by finding ways to get all bureaus on board with coordinating strategies and specific policies and codes to meet this crisis, and by scrutinizing and rejecting any code changes that will exacerbate our climate problems. Portlanders died from last summer's heat dome. Now, more than ever, residents need the shade and numerable other health benefits that trees provide. It's in the details, the small-print of code where the City's stated priorities on climate and equity get eroded, a little at a time, and then in big chunks. The end result is canopy loss—which has already been documented here and here—together with increased pavement and expanding heat island effects, all of which fuel climate and equity problems. —These new amendments, which are being presented to the public late in the process, are not part of the state requirements and we urge you in the strongest terms to reject them outright, or at least to defer action on them until the City conducts a proper impact analysis on Portland's existing and future tree canopy and provides it to the public for review and comment."

Testimony is presented without formatting.

Stephenie Frederick

#331891 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

PLEASE POSTPONE ADOPTION OF PROPOSED AMENDMENTS TO RIP2. • Please do not sacrifice tree canopy to garages! • Please do not sacrifice canopy to side-by-side housing units. Go up, not sideways! Portland has already lost immense amounts of canopy in recent years. We must not lose any more, especially to policies that increase developer profits. Why are the proposed amendments even under consideration? The purpose of RIP-2 is to make RIP-1 comply with State of Oregon mandates related to large lots. It is not supposed to amend RIP-1. Under the aegis of officially revisiting RIP-1, we need to analyze the consequences of the proposed amendments before adopting them. The analysis must be shared with the city's residents. Take a moment to recall the commitment you made with the Climate Emergency Declaration, and postpone consideration of the proposed amendments.

Testimony is presented without formatting.

Matt Morrissey

#331890 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I have the following comments with reference to this. —Process. These changes go well beyond the original scope of RIP2. RIP2 was not, as it was presented to the public, designed to revisit RIP1, let alone expand its scope. The proposed amendments have not undergone proper analysis of potential impacts and unintended consequences. This analysis should be completed and shared with the public prior to City Council taking action on these new amendments. —Portland is in climate crisis.

Allowing increased impervious area will create more heat and result in the loss of existing tree canopy as well as lost space to plant new trees in the future. City Commissioners should be leading by example—by finding ways to get all bureaus on board with coordinating strategies and specific policies and codes to meet this crisis, and by scrutinizing and rejecting any code changes that will exacerbate our climate problems. Portlanders died from last summer’s heat dome. Now, more than ever, residents need the shade and numerable other health benefits that trees provide. It’s in the details, the small-print of code where the City’s stated priorities on climate and equity get eroded, a little at a time, and then in big chunks. The end result is canopy loss, which has already been documented, and together with increased pavement and expanding heat island effects, all of which fuel climate and equity problems. —These new amendments, which are being presented to the public late in the process, are not part of the state requirements and we urge you in the strongest terms to reject them outright, or at least to defer action on them until the City conducts a proper impact analysis on Portland’s existing and future tree canopy and provides it to the public for review and comment.

Testimony is presented without formatting.

Joan Bradley

#331889 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

RE: Two last minute amendments on RIP2 allow a building to take up to 60% of the lot and reduce outdoor/green space from 250 to 48 sq feet. I am requesting a no vote on adding these amendments on RIP2. If anyone thinks this a good idea, they are not paying attention to our catastrophic climate change. You should be requiring more green space instead of less. This is obviously favoring developers.

- Air quality improvements
- Reduction in urban heat island, shade provision
- Flooding mitigation through storm water storage
- Noise reduction
- Provision of food
- provides shade¹¹
- Reduces heat island effect¹¹
- Reduces likelihood of flooding through decreased run-off²¹
- Reduces stress, anxiety and depression, common symptoms experienced after a flood²³
- Community gardens provide local food source⁷
- Improve air quality⁹
- Lowers rate of cardiovascular disease

Taken from Commentary Climate change, health and green space co-benefits - PMC (nih.gov)

Testimony is presented without formatting.

Mary Hill

#331888 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I did testify at the April 21 meeting, and brought up my concerns regarding excessive tree removal, as part of the specifics of RIP2. Here is further testimony from me. Please consider these points carefully. Thanks! Mary Hill, 3411 SW Luradel St, Portland, OR 97219 Very recently housing advocates proposed some amendments to RIP2 that will have far greater impact on trees because the changes would apply not only to R10 and R20 zones but also to the much more common, and smaller, R5 lots, in single dwelling zones. One of the proposed amendments would increase the allowable size of four-plexes, a change that could allow space for a garage. A garage would mean more driveways, and more driveways will affect existing street trees and room to plant new ones. Another amendment would allow six two-story attached homes to be built with 60 percent lot coverage, and this would be allowed on any R5 lot (see far right graphic—the lot coverage is meant to say 60 percent). Given the predominance of R5 lots in the city, this amendment would have a significant impact on space for trees. Due to the increased building coverage permitted, the outdoor area requirements would be modified to allow individual smaller areas (48 square feet) rather than a single, larger 250-square-foot area. Talking Points —Process. These changes go well beyond the original scope of RIP2. RIP2 was not, as it was presented to the public, designed to revisit RIP1, let alone expand its scope. The proposed amendments have not undergone proper analysis of potential impacts and unintended consequences. This analysis should be completed and shared with the public prior to City Council taking action on these new amendments. —Portland is in climate crisis. Allowing increased impervious area will create more heat and result in the loss of existing tree canopy as well as lost space to plant new trees in the future. City Commissioners should be leading by example—by finding ways to get all bureaus on board with coordinating strategies and specific policies and codes to meet this crisis, and by scrutinizing and rejecting any code changes that will exacerbate our climate problems. Portlanders died from last summer’s heat dome. Now, more than ever, residents need the shade and numerable other health benefits that trees provide. It’s in the details, the small-print of code where the City’s stated priorities on climate and equity get eroded, a little at a time, and then in big chunks. The end result is canopy loss—which has already been documented here and here—together with increased pavement and expanding heat island effects, all of which fuel climate and equity problems. —These new amendments, which are being presented to the public late in the process, are not part of the state requirements and we urge you in the strongest terms to reject them outright, or at least to defer action on them until the City conducts a proper impact analysis on Portland’s existing and future tree canopy and provides it to the public for review

and comment.

Testimony is presented without formatting.

Louise Gray

#331887 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I object to inserting new issues into the RIP process. Many of us have supported RIP very reluctantly. Southeast Portland is becoming more of a heat island every year. As a long time resident I have watched more and more trees come down, some truly presented a danger. If you go through with this plan more of us in these areas without the historic tree cover will suffer heat problems and deterioration of the air. Portland air quality and tree canopy should not be additionally threaded. Don't make a serious mistake and further erode our air. We have plenty of bad air for our babies!!!

Testimony is presented without formatting.

Ellen Hansen

#331886 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

We need trees!

Testimony is presented without formatting.

Robert Bernstein

#331885 | May 19, 2022

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RIP 2 has not been amply vetted to the Public..no one knows about it..has received no press..Remind Council that RIP was passed by Planning and Sustainability Comm..by West side members over the objections of Eastside members, where most/almost all of implementation has occurred..This will harm our tree canopy even more with less room for large form trees..creates more deadly heat islands..disgusted with Governance in Portland.

Testimony is presented without formatting.

Thomas Karwaki

#331884 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

The University Park Neighborhood Association Land Use Committee opposes the process by which the amendments are being considered for inclusion in the RIP2 deliberations. We request a delay in Council action to allow full participation and engagement by the community and to allow for experts to model the impacts. This should be a delay of 2-4 weeks. We agree with the comments provided by Ginger Edwards and others that challenge these proposed amendments that will increase the allowed coverage by structures on properties. The UPNA Land Use Committee has been involved with RIP2, but these changes will reduce the tree canopy of Portland, exacerbate heat island impacts, and is in direct opposition to other City Council environmental and climate change policies. The proposed amendments are not required by Oregon Code, and may indeed not be in line with the Oregon Code.

Testimony is presented without formatting.

Midge Pierce

#331883 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

While RIP II may have good intentions, it does not provide guarantees for affordable housing, nor does it provide tools for assessment or environmental safeguards. Without measurements to determine whether equitable, affordable and environmentally sound goals are met, Council should not act on the RIP II amendments. Specifically, granting additional building coverage on lots (including R 5) that go beyond RIP I adds to greater environmental degradation. Increasing allowable building coverage will incentivize more demolition and decrease the green spaces important for combating climate change. Increasing allowable building mass results in removal of mature trees which are replaced by hardscapes, new construction and impervious surfaces that increase heat and worsen climate outcomes. Climate is further impacted by heavy truck traffic transporting demolition debris and building materials. Plus, Portland's aging, struggling infrastructure can not meet the demands of massive construction. RIP II subsidizes the housing industry without providing homes that most Portlanders can afford. Given the cost of new construction, the majority of newbuilds will remain beyond the reach of those most in need of housing. RIP II incentivizes new construction at the expense of low income Portlanders whose traditional source of cost-effective bungalows are disappearing. Affordable housing prices are driven up by developers putting profits above people. Lack of affordability, loss of green spaces, neighborhood instability and failure of educational institutions to accommodate the needs of families are driving out those with children. By passing this project, planners are contributing to economic, environmental and residential volatility. Supporters of Residential Infill should take a deep dive into who really benefits from RIP densification. It is not benefitting the low-income, marginalized who are in desperate need of housing. It does however, degrade the health and liveability and well-being of our city.

Testimony is presented without formatting.

Sarah Berry

#331858 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Hello, I grew up in NW Portland in the 60s/70s and have been very sad to see the gentrification of close-in neighborhoods and the expansion of suburban-style housing segregation. Historically neighborhoods like Ladd's Addition, Irvington and Lauehurst were unusual as quasi-gated communities on the East side. The rest of the east side was full of apartments and plexes (stemming from, but not limited to, streetcar lines). My NW neighborhood (now the "alphabet district") and others like Lair Hill and Albina were redlined as slums, but now draw people to Portland. Portlanders' have a long history of creative adaptation to housing options. The mixed culture, mixed income and mixed use neighborhoods they created are now Portland's cultural capital. People need dense, walkable cities more than ever. Portland is one of the best, but not because of its gated communities. Please don't let them continue to take over. Thank you Mayor and Council members

Testimony is presented without formatting.

Mildred Pierce

#331857 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

While RIP II may have good intentions, it does not provide guarantees for affordable housing, nor does it provide tools for assessment or environmental safeguards. Without measurements to determine whether equitable, affordable and environmentally sound goals are met, Council should not act on the RIP II amendments. Specifically, granting additional building coverage on lots (including R 5) that go beyond RIP I adds to greater environmental degradation. Increasing allowable building coverage will incentivize demolition of existing, affordable houses and decrease the green spaces important for combating climate change. Increasing allowable building mass results in removal of mature trees which are replaced by hardscapes, new construction and impervious surfaces that increase heat and worsen climate outcomes. Climate is further impacted by heavy truck traffic transporting demolition debris and building materials. Plus, Portland's aging, struggling infrastructure can not meet the demands of massive construction. RIP II subsidizes the housing industry without providing homes that most Portlanders can afford. Given the cost of new construction, the majority of newbuilds will remain beyond the reach of those most in need of housing. RIP II incentivizes new construction at the expense of low income Portlanders whose traditional source of cost-effective bungalows are disappearing. Affordable housing prices are driven up by developers putting profits above people. Lack of affordability, loss of green spaces, neighborhood instability and failure of educational institutions to accommodate the needs of families are driving out those with children. By passing this project, planners are contributing to economic, environmental and residential volatility. Supporters of Residential Infill should take a deep dive into who really benefits from RIP densification. It is not benefitting the low-income, marginalized who are in desperate need of housing. It does however, degrade the health and livability and well-being of our city.

Testimony is presented without formatting.

Brian Landoe

#331856 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am submitting the attached statement from the City's Urban Forestry Commission.

Testimony is presented without formatting.



May 19, 2022

Mayor Wheeler and Members of Portland City Council
Portland City Hall
1221 SW 4th Ave.
Portland, OR 97204

Dear Mayor Wheeler and City Commissioners,

The Urban Forestry Commission would like to express our concerns with the proposed amendment to the Residential Infill Project, Part 2 (RIP2) which would permit 60% building coverage in the R5 zones.

The UFC has tracked the RIP2 project over the last few months and supports the original intent to legalize certain middle housing development types in the R10 and R20 zones. Portland is experiencing a shortage of affordable housing and we acknowledge the need to address this by providing more middle housing options.

The duplex, triplex, and fourplex development types legalized in the original Residential Infill Project achieved greater housing density while maintaining existing lot coverage requirements. These requirements allowed for some on-site trees to be preserved, while also allowing space for new trees to be planted in accordance with Title 11's tree density requirements.

However, the proposed RIP2 amendment to allow two-story, six-unit townhome style developments to cover 60% of an R5 lot raises significant concerns. Given the proposed design of these structures, all on-site trees would be removed. The lack of cohesive open space and unpaved surfaces would similarly limit space for new tree planting. The cumulative impact will likely result in a decrease in tree canopy within residential zones while depriving residents of access to the services trees provide.

We are alarmed by the speed of which this amendment has moved forward and lack of opportunity to meaningfully engage on the issue. We request that City Council delay approving this amendment to allow for more time to review the impacts this would have on Portland's already declining tree canopy.

Sincerely,

The Urban Forestry Commission

Urban Forestry Commission
1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-TREE (8733) | Fax 503-823-4493

PORTLANDPARKS.ORG
Commissioner Carmen Rubio
Director Adena Long



John Gibbon

#331855 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

This testimony is both personal, given as a long time resident of Portland PUD that includes attached homes, and retired attorney, whose entire 40 year professional career has been given over to some type of work on issues related to common walled residences and community infrastructure development as well as an representative of my PUD's home owners association and my Neighborhood Association. In each of my roles I feel comfortable to, with reservations, support the proposed amendments put forward to enhance the possibility of construction of owner occupied common walled homes. Before I address the reasons for my reserved support for these amendments, as the person in my neighborhood responsible for addressing transportation and watershed issues I first want to thank the BPS staff, particularly Morgan Tracy, for their efforts on this challenging project. They have done an outstanding professional job in addressing the complicated planning issues that the new state laws have mandated, which in case of some areas of the City- like the Markham neighborhood, in the "urban edge", needed a careful but speedy response. In my opinion the plethora of red dotted lines appearing all over RIP Map App, showing the location of the "unmaintained " city rights of way demonstrates that Morgan and his BPS crew have met the challenge. I urge the council to make sure this data is retained and used by all the departments you each have responsibility when they need it. I can tell each of you, in the Markham neighborhood, and I suspect in all the neighborhoods that these streets exist, a fully informed city approach to this particular infrastructure has been, is and will be, with the adoption of RIP 2, critical to neighborhood liveability and as to giving Portlanders the ability to rationally make affordable housing choices. As a HOA neighbor to several attached homes and before that a townhouse - stacked flat condominium resident owner and an proudly retired common interest owners attorney I absolutely recognize that the amendments being submitted considered for RIP 2 are essential to hopefully reversing the effects of the history of discrimination against common wall housing. My personal experience tells me has this type of discrimination has pervaded the entire history post 1971 Oregon's land use planning program, putting in thrall to the all to human preference (if not an addiction) to single family style residences. However passionately I believe that expansion of common wall type housing is absolutely necessary to helping with both "houseless" and " housing affordability" crisis facing this state I nevertheless, based on my personal and professional have strong reservations about the naïve believe that some of the well intentioned advocates for this housing type have espoused, that truly successful multiple unit common wall housing can be built and maintain on any "urban" lot without any municipal involvement other than the one off step of subdivision alone, if the rules regarding

housing size and lot coverage are flexed enough. That this belief is perhaps arguably true in those parts of the City supported with adequate transportation and sewer infrastructure combined soil conditions sufficient to manage noninvasive onsite storm water disposal, but I have my doubts that there really are that many total lots and parcels that can meet that criteria. Moreover I am highly concerned that this "builders perspective" on common wall housing will unfortunately leave the residents , hopefully owners, of this type in a legal situation that is woefully inadequate to manage the ongoing physical and social challenges related to maintaining and preserving the value of this type of needed housing, let me be clear this is criticism based on the experience of living in some form of this housing type through more than 50 years of Portland Metro residence. None of that relevant experience leads me to believe that this housing type can without maintaining some robust form of community association governance can survive without the willingness of municipal government to step up when these communities face, as they almost surely will, face existential challenges produced by time and ongoing operation. So since I know that it is such a desperately needed housing type and I know that the City of Portland to date has generally had the ability to reasonably and humanely step up when needed - reserved support for the amendments. John Gibbon cell 503-708-6708

Testimony is presented without formatting.

Mary Hill

#331854 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Age: Despite all the differences between east and west subareas, age groups are not substantially different. South of Hwy 26 has the highest percentage of people over the age of 70 (13%). From Appendix_A-Existing_conditions_report_REPAIRED (5).PDF. I attended and testified when RIP2 was presented to the Mayor and City Commissioners, on April 21, 2022. Despite hearing two or more groups testify, before the Mayor and City Commissioners, to explicitly change RIP2 to include specific housing requirements for older adults, I don't find anything in the amendments that explicitly refers to those requests. The bar graph presented by one non-profit that shows the predicted aging of the population was compelling. You all saw that. Also, I have met numerous older adults who have moved to Portland because their children previously moved here. Please add something specific that addresses the needs of older adults: More ADA accessible units especially, and front porches. Most older adults want to live in "garden style" condos or apartments, all one level. We do not particularly want to downsize into bottom level units in stacked multiplexes. One other thing: I've lived in Portland since 1985. I distinctly remember getting a survey from the City of Portland, in the mail, that was mailed out to all residents, between 1986 and 1995. For true participatory democracy, I would strongly suggest you do this again. Most neighborhood associations meet in the evening, which isn't a great time for many older people. And with the SWNI no longer receiving funding from City of Portland, some SW neighborhood associations are no longer active, including the one where I reside. Thank you to PBS and to the City Commissioners and Mayor for considering this written testimony. Mary Hill

Testimony is presented without formatting.

Henry Honorof

#331853 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

My name is Henry Honorof. I'm a homeowner in the Eliot neighborhood of northeast Portland. I support every proposed amendment to the Residential Infill Project 2.0, particularly amendments 2 and 4, both of which will lead to more abundant, affordable, responsive housing options in Portland at a moment when we desperately need them. You have heard and will hear from others in detail about why these amendments are important for making Portland's housing system work better for working people. Mostly I want to say thank you and kudos to Council and staff for how you have handled this amendment process. The city government has been getting a lot of guff lately and I imagine you grow weary of the constant barrage of criticism – good faith and bad – that gets tossed at you. But I must say, this amendment process was a shining example of Council and staff listening, hearing, caring, and taking action. You heard from affordable housing providers like Habitat for Humanity and Proud Ground that culturally responsive fiveplex and sixplex townhomes can offer communities of color and other displacement-risk groups a path to owning a home that fits their needs and values. And you took action with Amendment 4, to make those culturally responsive plexes possible. You heard from young parents like me that the current rules are standing in the way of family-sized middle housing but that a small tweak can allow us to raise our children here on middle class budgets. And you took action with Amendment 2 to make family-sized middle housing possible. Of course, these amendments still need to be adopted and RIP2 needs to pass as amended before congratulations are truly in order. But as of today, I am feeling truly grateful for the open minds and energetic action that City Council has demonstrated, and the tireless work that staff has done to implement Council's direction. Thank you for your work, and please adopt of all the proposed amendments. (I am an organizer and volunteer lobbyist with Portland: Neighbors Welcome but writing only for myself.)

Testimony is presented without formatting.

Jennifer Shuch

#331852 | May 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please read the attached testimony. Thank you

Testimony is presented without formatting.

My name is Jennifer Shuch, I am a Concordia neighborhood resident and member of Portland: Neighbors Welcome. I support RIP2 with all of its amendments, particularly amendments 2, 3, and 4.

Amendment 2 will incentivize the building of 4-plexes in residential neighborhoods - this is important not only because of the housing shortage, but because unlike smaller plexes 4-plexes must have ground floor units that meet federal accessibility standards. While these standards are not as comprehensive as those governing ADA units in larger buildings, they allow for people who use mobility devices to easily enter and move around the unit. This is an incredibly important issue for me - years ago when a family member was injured in an accident, he had to leave NYC because of the lack of accessibility both in housing and transit there. For many disabled people, the only housing available is extremely expensive and limited. In addition, our population is aging and we are in the middle of a pandemic that disability advocates have long called a mass disabling event. We need more accessible and visitable housing, and we need it as soon as possible. Portland must encourage housing that meets the needs of all residents.

Amendment 4 will similarly be a step in the right direction for addressing housing inequity. Affordable builders like PCRI and Habitat for Humanity have found that their clients prefer side-by-side townhomes with front doors and porches over the stacked flats allowed under RIP1. This amendment will allow affordable housing providers to build culturally responsive housing that serves the needs of communities that have been displaced from North and Northeast Portland.

While Amendment 3 is a small change, it will enable more homeowners to take advantage of the wealth-building potential of ADU's and new housing types like detached duplexes. This flexibility is essential to ensuring that the infill housing the city needs actually gets built.

Thank you for your time and energy on this important initiative,
Jennifer Shuch

kelly lanspa

#331897 | May 18, 2022

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Portland is in climate crisis. Allowing increased impervious area will create more heat and result in the loss of existing tree canopy as well as lost space to plant new trees in the future. City Commissioners should be leading by example—by finding ways to get all bureaus on board with coordinating strategies and specific policies and codes to meet this crisis, and by scrutinizing and rejecting any code changes that will exacerbate our climate problems. Portlanders died from last summer’s heat dome. Now, more than ever, residents need the shade and numerable other health benefits that trees provide. It’s in the details, the small-print of code where the City’s stated priorities on climate and equity get eroded, a little at a time, and then in big chunks. The end result is canopy loss—which has already been documented here and here—together with increased pavement and expanding heat island effects, all of which fuel climate and equity problems. —These new amendments, which are being presented to the public late in the process, are not part of the state requirements and we urge you in the strongest terms to reject them outright, or at least to defer action on them until the City conducts a proper impact analysis on Portland’s existing and future tree canopy and provides it to the public for review and comment. Please do not pass these amendment and lead the city in ways that create a livable community. Portland residents over developers!

Testimony is presented without formatting.

shauna vincent

#331896 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I believe the proposed amendments to the Residential Infill Project are in opposition to the climate goals Portland needs. The proposed amendments eliminate the space needed for tree canopy. Portland was considered a green city when I moved here 21 years ago. I have seen a pattern: citizens ask for development that does not diminish quality of life, increases affordability, and respects the importance of tree canopy and greenspace. Increased affordability is promised. Developers tear down affordable homes, and remove large trees. Extravagant, expensive homes are built with no space left to ever accommodate a large or medium tree. Apartments are built that workers cannot afford. Many apartments sit empty while investors claim the rents are market rate. The government gives rental assistance to a few to try to keep them housed which rewards the price gouging investors. More families are forced into apartments by pricing (because the affordable houses keep getting torn down.) These families are in need of more green outdoor spaces. The proposed changes to RIP do not address the urgent need for trees and greenspace. Even a small yard can be an oasis for pollinators, birds, and people. Science has shown the health benefit of being outdoors in green space. Science has shown the importance of trees to help combat climate change. Portland has dramatically increased the number of rental units with no slowing of rent prices. To cram even more homes onto single family lots than what was already pushed through on the original is not livable or sustainable. This needs more sustained and thoughtful consideration. I urge you to halt these proposed amendments to RIP.

Testimony is presented without formatting.

Jan Zuckerman

#331850 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I have attended many city council meetings in the past several years, with youth, advocating for protection for trees. We don't need a climate scientist to tell us what we already know. Trees save lives. Our ecosystem is interconnected and everything we do is interconnected, which is exactly why our city decisions cannot be made in silos. This is how people die. Amendments to RIP2 will have irreversible impacts on the environment, creating more impermeable surfaces, less space for trees, more heat, more deaths and lock us into a future that none of our city's children should have to endure. As city leaders with power, you know that your decisions have serious long-term implications. Not long ago, members of the Portland Youth Climate Council asked the city to come up with criteria to determine the impact on climate in every policy decision made and reject any that exacerbate the climate problems we are already facing. They asked that any proposed amendments undergo rigorous analysis before a decision is made that we will later regret. The city told them that they were committed to this and youth are expecting more than words. They want action. This means that no amendments to RIP2 should be approved before this happens and if the city isn't prepared to take the lead on climate, then the amendments must be rejected until you do. This morning I was with a group of middle school students at the Willamette River, teaching them about the CEI Hub and the pros and cons of placing 90% of our fuels for the state of Oregon on infill, in an earthquake zone. We have come a long way and now understand the impact those decisions made- sacrificial harm, displacement of communities, pollution, dangers to health and safety and the serious impacts on the climate. I hope we can learn from our mistakes and do our due diligence to study the potential impacts and unintended consequences of our decisions. Please reject amendments to RIP2.

Testimony is presented without formatting.

Mary Vogel

#331849 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Mayor Wheeler and Members of the Council: Please see the attached testimony from Mary Vogel, CNU-A and PlanGreen, LLC.

Testimony is presented without formatting.



Fixing Complicated Problems

WRITING DURING THE LAST GILDED AGE, Henry George warned of the social and economic perils of giving away land value increases to landowners who had done nothing to earn them. In this new Gilded Age, wealth inequality coupled with persistently low interest rates is leading to a worsening redistribution of wealth, with a growing share flowing to the asset-rich while a growing share of families is priced out of decent housing. One positive outgrowth of the pandemic is the political will we've summoned to deal with two related challenges that have their roots in land policy: the housing affordability crisis and the wealth gaps created by structural racism.

A consensus is emerging among policy analysts and policy makers that both challenges are the result of exclusionary land policies. While exclusion is the principal driver, it is not the only one. More important, no single remedy will magically call forth more affordable housing and simultaneously close wealth gaps.

Dozens of local, state, and national governments—including that of Pasco, Washington, profiled in this issue—are reforming residential zoning that previously permitted only detached single-family dwellings. The logic of this intervention is sound. Single-family zoning constrains development with restrictions like minimum lot sizes. This drives up housing costs and excludes lower-income families from buying or renting in desirable neighborhoods. By relaxing these policies, it will be possible to produce more housing at lower prices. At least in theory.

Market fundamentalists argue that the financial incentives are so powerful that if we make it possible to build two, four, or even

twelve units on a parcel that formerly permitted one, we cannot help but solve the housing affordability crisis through increased production. But there is a big difference between permitting the development of multiple units and multiple units being developed. And there is no guarantee that these units will be affordable. Many unaffordable condos and apartments have been built in high-density locales like New York City, where affordable housing is in critically short supply. A lot of them are vacant. How can places like Pasco keep the same thing from happening?

Part of the answer has to do with the housing market. As I've noted before, housing represents two very different commodities traded in the same market. Each unit can satisfy the demand for shelter for a family or the demand for yield from hungry investors. Often, but not always, a housing unit can satisfy both—when the owner occupies the unit. But more and more frequently, households find themselves competing for available shelter against investors drowning in liquidity. With the exception of a pathbreaking intervention by the Port of Cincinnati that I will discuss another time, the investors usually win.

As global wealth inequality worsens, the wedge between shelter provision and investment opportunity is precipitating unassailable affordable housing shortages. But not *housing* shortages. We have some 20 million more units of housing in the United States than we have households, and there are more houses than households in every housing market in the country. Even in a tight market like Pasco, the U.S. Census reports that there are 23,126 housing units but only 22,174 households. The metro market that includes Pasco contains 106,104 housing units and 100,336 households.

One positive outgrowth of the pandemic is the political will we've summoned to deal with two related challenges that have their roots in land policy: the housing affordability crisis and the wealth gaps created by structural racism.

This oversupply is not vast, but it offers a good illustration: our problem is not supply, but the kind of housing we supply (or allow to be supplied).

Land, too, is a commodity traded in multiple markets—as an investment good and a good with multiple uses: residential, industrial, commercial, and agricultural. The price of land derives from a complex mix of social, statutory, and economic factors that are almost completely outside the aegis of the landowner. If more people migrate to a city or neighborhood, the land value goes up. If infrastructure improvements are made, like wastewater treatment or accessible transportation, the value of the land goes up. If local policies allow for more intensive development on a parcel, its value will go up.

Who wins when we allow multifamily construction on formerly single-family lots? Landowners who receive windfall increases in land values are among the big winners. This increase in property values puts nearby homeowners at risk, if it raises their tax bills. If zoning changes aren't designed to be part of a broader strategy to tackle affordability, they could inadvertently usher in displacement. Planners in Pasco know this and are working on a suite of balanced and comprehensive tactics to keep their community affordable.

This country's legacy of racial exclusion further complicates land and housing markets, while eluding all efforts to address it. Historically, deed restrictions, legal covenants, and other overt, but now illegal, practices ensured that people were kept out of neighborhoods based on skin color, ethnicity, or religious affiliation. These were supplemented with blatantly racist finance practices established at the birth of the modern housing finance system. For six decades, we have attempted to confront these forms of structural racism using public policy, with very limited success. It is an important cautionary tale.

Starting with the Civil Rights Act of 1964, the Fair Housing Act of 1968, and the Equal Credit Opportunity Act in 1974, the nation nominally prohibited discrimination in housing and lending. The Community Reinvestment Act of 1977 imposed further affirmative obligations on regulated lenders to meet the credit needs of their communities. And yet, in 2018 the Center for Investigative Reporting analyzed 31 million mortgages and found that people of color were denied conventional mortgages by regulated lenders at significantly higher rates than whites in 61 metropolitan areas, even after controlling for income and other socioeconomic factors. The national racial gap in homeownership rates is



This duplex in Portland, Oregon, is an example of “missing middle” housing that can provide more affordable options in formerly single-family neighborhoods. To be truly effective, the zoning changes that allow such housing must also mandate affordability and must be part of a broader housing strategy. Credit: Sightline Institute Middle Homes Photo Library via Flickr CC BY 2.0.

worse today than it was in 1960, when efforts to address housing discrimination began.

Closing the racial wealth gap will require much more than leveling the financial playing field and producing more housing units. Stable, affordable housing in high-opportunity areas is foundational to the long-term economic success of families. But increasing the housing stock does not necessarily increase affordable housing for lower-income households, nor does it ensure that historically excluded populations will have access to wealth-building homeownership opportunities in thriving neighborhoods.

We need aggressive inclusionary housing requirements that obligate landowners to build affordable housing when redeveloping former single-family sites. We also need to provide and protect opportunities for historically excluded families to purchase affordable homes and build wealth.

In almost every housing market in the United States, we're producing too much of the wrong kind of housing and letting the existing housing stock slip out of local control. Escalating rents are inspiring conversions of single-family homes to rental units at unprecedented rates. Single-family rental real estate investment trusts (SFR REITs) have become a hot investment. According to CoreLogic, investors acquired more than 25 percent of all the single-family homes purchased in the United States in the last two quarters of 2021. A single zoning reform will not change the way the market works, and nothing will stop global capital from bidding housing in desirable neighborhoods away from families that need shelter unless other actions are taken.

We need aggressive inclusionary housing requirements that obligate landowners to build affordable housing when redeveloping former single-family sites. We also need to provide and protect opportunities for historically excluded

families to purchase affordable homes and build wealth. Rather than giving away additional development rights to landowners, development rights should be sold. Development rights are traded actively in many private and some public markets in the United States. Municipalities could raise billions of dollars by selling development rights, and the proceeds could be used for affirmative efforts to address the racial wealth gap by, for example, providing generous down payment assistance or property tax relief.

Once we have established a reasonable supply of affordable housing, we need to preserve it. This will require shielding affordable housing stocks from global capital markets. This can be done easily with steeper capital gains taxes imposed on speculative property transactions. In Taiwan, land value increment taxes had a chilling effect on property speculation. In addition, deed restrictions can limit future sales prices. Alternative ownership arrangements like limited equity cooperatives or community land trusts can ensure permanent affordability. If we don't act now, we'll face continual affordable housing crises in the coming decades. But there is an important caveat: preserving affordable housing by limiting the financial upside will impede our efforts to close racial wealth gaps through homeownership. This illustrates the challenges of intervening in complex systems. Once we recognize the complexity, we can consider tradeoffs to find a practical and acceptable compromise.

At the Lincoln Institute, we applaud the recognition that land policy sits at the roots of major social and economic challenges. But simplistic interventions in complex land and housing systems will not address these staggeringly complex challenges. We cannot rely on increasing the supply of housing as a silver-bullet solution. We must layer zoning reform with other policies, trying different combinations in an iterative process. As we proceed, we should be mindful of the words of H.L. Mencken: "there is always a well-known solution to every human problem—neat, plausible, and wrong." □



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RIP 2 Testimony of Mary Vogel, CNU-A*/PlanGreen

For the most part, I support the amendments Council will be considering. I usually testify as a policy advocate for PDX Small Developer Alliance which started as a closed Facebook group administered by me and developer/planner Garlynn Woodsong. I hope you will hear from others in that group on May 19. Most "Missing Middle" housing that gets built will be provided by for-profit developers like them as there is not enough subsidy out there for non-profits to build all that's needed. Under the present system foundations would be forever playing a game of catch-up to try.

I believe that the attached article, from the April 22 issue of the Lincoln Institute's **Land Lines** publication, *Fixing Complicated Problems*, by its President George McCarthy has some wisdom to impart:

For six decades, we have attempted to confront these forms of structural racism using public policy, with very limited success. It is an important cautionary tale...
...A single zoning reform will not change the way the market works, and nothing will stop global capital from bidding housing in desirable neighborhoods away from families that need shelter unless other actions are taken...
Alternative ownership arrangements like limited equity cooperatives or community land trusts can ensure permanent affordability. If we don't act now, we'll face continual affordable housing crises in the coming decades. But there is an important caveat: preserving affordable housing by limiting the financial upside will impede our efforts to close racial wealth gaps through homeownership.

McCarthy cites data and anecdotes and includes a Sightline photo of a Missing Middle duplex in Portland. Regarding Sightline, it's founder and ED, Alan Durning, has argued in his [second article](#) in an excellent series: *You cannot have affordable stable homes for all and also a universal wealth-building opportunity through homeownership—a "pathway to the middle class."* "You just can't."

I throw my hat in w/Durning here.

In other recent testimony on RIP2, I've argued the need for workforce co-op housing and explained: "Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit...in other words, it operates like rental housing, it just happens to be collectively owned by the people who live in the housing.

Again, I support the amendments offered by Council with the caveat that you need to get money into the RIP budget for workforce co-op housing in order to preserve the housing that gets built under RIP.

*CNU is the organization whose members coined the term "Missing Middle"

Matt Kelly

#331848 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I strongly encourage you to support Amendments 2, 3, and 4. These amendments make small but important changes to support housing affordability in our city. I say this as a tree-loving Portlander with a Gold-Certified Backyard Habitat yard. I have multiple Friends of Trees yard trees that I adore, and I am deeply concerned about the climate crisis. Pro-infill housing policies and pro-tree policies are natural friends. Allowing more housing options in our city can support our urban canopy while preventing tree-killing sprawl. I look forward to seeing both more neighbors, and more trees, in our city as we grow and change to meet the demand for stable, quality housing and the climate crisis. Thank you for supporting Amendments 2, 3, and 4.

Testimony is presented without formatting.

Luke Norman

#331846 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please see attached testimony from Portland: Neighbors Welcome in support all proposed amendments, especially #4, 2, & 3 to legalize and encourage more affordable and accessible homes

Testimony is presented without formatting.



Date: May 18, 2022

To: City Council

From: Equitable Zoning Work Group, Portland: Neighbors Welcome

Re: Residential Infill Project - Part 2 Amendments

Portland: Neighbors Welcome is a grassroots pro-housing, pro-tenant organization dedicated to ensuring that all Portlanders can find and keep safe, stable, and affordable homes.

We appreciate Council and BPS staff's responsiveness to community support for RIP2 and we support all of the amendments proposed, especially:

- **Amendment #4:** Legalize affordable 5-plex & 6-plex townhomes
- **Amendment #2:** Increase Fourplex FAR to encourage more accessible and family-sized housing
- **Amendment #3:** Remove a barrier to back-lot homes

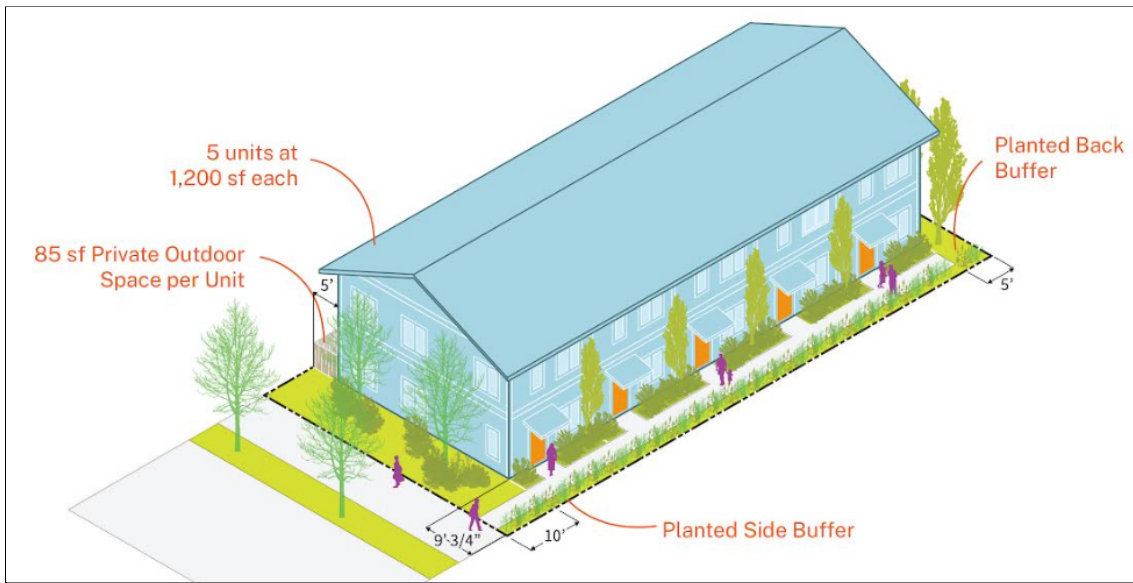
Amendment #4: Legalize affordable 5-plex & 6-plex townhomes

WE SUPPORT this change to legalize culturally-responsive affordable 5-plex and 6-plex townhomes.

Amending the lot coverage and open space requirements will allow affordable builders like Habitat and PCRI to build affordable townhomes with front doors, porches, and backyards.

These are the types of homes often requested by first-time homeowners, including communities of color who have been displaced from Portland's North & Northeast.

This is a small but important step to ensuring Portlanders of all incomes and races can achieve their dreams of homeownership.



(Example of an affordable 5-plex townhome legalized by this amendment)

Amendment #2: Increase Fourplex FAR to encourage more accessible and family-sized housing

WE SUPPORT this change to incentivize the development of more accessible and family-sized middle housing in our residential neighborhoods.

This change will build on the innovations of RIP to incentivize by allowing fourplexes to be a little bigger than triplexes, just as triplexes can be a little bigger than duplexes.

Incentivizing fourplexes supports more accessible housing, as fourplexes must provide homes that meet federal accessibility standards that are essential to meet the needs of Portland's diverse and aging population.

And increasing FAR will make it easier to build family-sized homes with 2-3 bedrooms, as new units in fourplexes would average 1,000 square feet on a standard R5 lot.

Amendment #3: Remove a barrier to back-lot homes

WE SUPPORT this small change that will make it easier to put a small owner-occupied home into the backyard of some existing homes.

This allows lower-cost homeownership, reduces needless demolition, and helps Portlanders with less capital take advantage of new zoning options.

Nate Ember

#331844 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I strongly support proposed Amendment 4 to make provisions for affordable five or six plex dwellings. I also support proposed Amendment 2 to increase FAR for four plex dwellings in order to make those housing options more practically feasible. More affordable housing capacity spread throughout the all neighborhoods across the city is critical as a means to improve equitable access to quality housing, and to address the dire housing crisis. As construction costs continue to rise, the financial feasibility becomes ever more necessary to see this potential realized in the market. The letter provided by the members of the Build Small Coalition also provides excellent supporting detail. Thank you

Testimony is presented without formatting.

Doug Klotz

#331843 | May 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached PDF in support all of the Amendments proposed to Residential Infill Project Part 2.

Testimony is presented without formatting.

Doug Klotz
1908 SE 35th PI
Portland, OR 97214
May 18, 2022

Mayor Wheeler and Commissioners

I support all of the Residential Infill Project Part Two proposed Amendments. Together, these final tweaks to R.I.P. will make it easier for more housing to be built, and for more of it to be accessible for those with disabilities, and will enable lower-priced housing than can currently be built.

Amendment #4 is especially significant as it allows for a different type of "Affordable 5-plexes and 6-plexes" (with 50% of units at 60 MFI), that would provide first floor entrances for up to 6 dwellings, to recall the front porches and yards in the neighborhoods that communities of color were displaced from. The amendment facilitates this by allowing an increase in lot coverage, (to 60%), while reducing the maximum height from 35 feet to 25 feet for this option. This would mean a maximum of two stories instead of three, reducing the visual impact of these dwellings. Here's what such houses could look like:



Amendment #2 is a seemingly slight increase in FAR for 4-plexes (0.8 to 0.9 in R-5, e.g.). The effect would be to encourage 4-plexes over 3-plexes. But the "bonus" is that four-plexes must also meet an FHA requirement for first floor units that requires a greater degree of accessibility for entrances and bathrooms. This is important for those with disabilities, the aged, and many other people

Amendment #3 would allow a home on a parcel behind another home. This minor change would allow needed housing in more situations.

I join with Portland: Neighbors Welcome, the many affordable housing builders, and people looking for a place to live in our city, in looking forward to the July 1st effective date of the RIP 2 package, including these amendments.

Thank you.

Kyna Rubin

#331851 | May 17, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached letter

Testimony is presented without formatting.



May 17, 2022

To: Portland City Council

CC: Shade-Equity Coalition (comprises 17 local tree, nature, climate, and equity groups)

From: Kyna Rubin, Trees for Life Oregon

Re: Latest proposed RIP2 amendments

The intent of RIP2 was to bring Title 33 into compliance with state mandates on large R10 and R20 lots. However, very recently we understand that housing advocates proposed some amendments to RIP2 that will have far greater impact on trees because the changes would apply not only to R10 and R20 zones but also to the much more common R5, or single dwelling zones.

One of the proposed amendments would increase the allowable size of four-plexes, a change that could allow space for a garage. A garage would mean more driveways, and more driveways will affect existing street trees and room to plant new ones.

Another amendment would allow six two-story attached homes to be built with 60 percent lot coverage, and this would be allowed on any R5 lot. Given the predominance of R5 lots in the city, this amendment would have a significant impact on space for trees. Due to the increased building coverage permitted, the outdoor area requirements would be modified to allow individual smaller areas (48 square feet) rather than a single, larger 250-square-foot area.

We have two major concerns about these proposed amendments. First, one of process. These changes go well beyond the original scope of RIP2. RIP2 was not, as it was presented to the public, designed to revisit RIP1, let alone expand its

scope. The proposed amendments have not undergone proper analysis of potential impacts and unintended consequences. This analysis should be completed and shared with the public prior to City Council taking action on these new amendments.

Second, at a time when Portland is in climate crisis, City leaders should be leading by example--by finding ways to get all bureaus on board with coordinating strategies and specific policies and codes to meet this crisis, *and* by scrutinizing and rejecting any code changes that will exacerbate our climate problems. Portlanders died from last summer's heat dome. Now, more than ever, residents need the shade and numerable other health benefits that trees provide. Allowing increased impervious area will create more heat and result in the loss of existing tree canopy as well as lost space to plant new trees in the future.

It's in the details, the small-print of code where the City's stated priorities on climate and equity get eroded, a little at a time, and then in big chunks. The end result is canopy loss--which has *already* been documented [here](#) and [here](#)--together with increased pavement and expanding heat island effects, all of which fuel climate and equity problems.

We understand that City Council will vote on RIP2 on June 1. While we support the City's housing and affordable housing goals, Portlanders need City staff and leaders to develop creative strategies to do so in a way that will also meet City climate and tree canopy goals. These new amendments, which are being presented to the public late in the process, are outside the original scope of the Title 33 changes. They are not part of the state requirements and we urge you in the strongest terms to reject them outright, or at least to defer action on them until the City conducts a proper impact analysis on Portland's existing and future tree canopy and provides it to the public for review and comment.

Thank you.

Michael Andersen

#331842 | May 17, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please see the attached testimony from Sightline Institute in support of Residential Infill Part 2 and all the proposed amendments. In support of Amendment 4, we also offer a quantitative analysis of the distinctions between each of Portland's zones after these amendments.

Testimony is presented without formatting.

Sightline Institute is a regional sustainability think tank. We think cities are good for our society, our environment and our economy, and that everyone who wants to live (or remain) in a city should be able to.

We support the Residential Infill Project 2 proposal and all proposed amendments. All these changes were crafted in conversation among housing advocates, nonprofit and for-profit home builders, planning commissioners, City Hall, bureau staff, and the attorney’s office. Collectively, they represent a fine-tuning of Portland’s landmark Residential Infill Project. They modestly adjust some of its details to meet each of the project’s fundamental goals: reducing needless demolition, improving flexibility on low-density lots, and reversing some of Cascadia’s harmful legacy of exclusionary zoning.

Sightline’s interest in several of the tweaks introduced by RIP2 come from a [summer 2021 project](#) in which we looked at the costs and prices of homes in Portland. Under current market conditions, we concluded, demolition infill projects would make economic sense on very few lots in Portland. In light of this, we [proposed](#) a few changes – loosening ADU size restrictions, allowing fee-simple back-lot homes in the form of “detached duplexes” – to allow true *infill* in more situations. These rules (including Amendment 3) would make it easier to add homes to low-density lots *without* demolishing inexpensive, but still habitable, existing structures.

Amendments 2 and 4, meanwhile, address other issues: the relatively weak incentive to build fourplexes, despite their significant public benefits of more accessibility and lower prices; and the cost factors of building sixplexes that could take advantage of RIP1’s larger affordability bonus.

The rest of this testimony will focus on an issue rightly raised by the attorney’s office: **at what point the distinctions between Portland’s various zones would become too blurry.** We would argue that this is ultimately a quantitative question. To help resolve that question, I can offer a little bit of arithmetic.

With 2019’s Better Housing by Design project and 2020’s Residential Infill Project 1, Portland established a sort of gradient (or, as an urban planner might say, transect) across its residential zones using floor area ratio. Each zone has a “base” FAR that is smaller than the next zone “up”: R5 allows smaller buildings than a comparable lot zoned R2.5, and so on. Each zone also has a “bonus” FAR that is larger than its zone’s base: a building in the R5 zone can be larger if it includes at least one below-market home.

This “bonus” FAR is usually larger than the base of the next zone up, but smaller than the *bonus* of the next zone up. Each zone also has, effectively, a “deep bonus” that follows a similar staircase.

Put together, this creates a sort of interwoven staircase pattern. In the table below, I’ve expressed this staircase in numbers. Inside the green and white boxes are the FAR ratios of each zone,¹ including its bonus and “deep bonus.”

deviation from row average	-15% to -35%	+15% to +35%	within ±15%						
	R7-R20	R5	R2.5	RM1	RM2	RM3	RM4	row average	
Base FAR	0.55	0.65	0.85	1	1.5	2	4		
Bonus	0.8	0.9	1.1	1.5	2.25	3	6		
Deep Bonus	1.2	1.2	1.2	2	3	4	7		
ratio: deep bonus to base	2.18	1.85	1.41	2.00	2.00	2.00	1.75	1.88	
ratio: deep bonus to bonus	1.50	1.33	1.09	1.33	1.33	1.33	1.17	1.30	
ratio: deep bonus to previous zone's deep bonus		1.00	1.00	1.67	1.50	1.33	1.75	1.38	
ratio: deep bonus to next zone's base	1.85	1.41	1.20	1.33	1.50	1.00		1.38	

In the yellow, purple and orange cells, I’ve shared a series of calculations (also available in [this spreadsheet](#)) that offer different ways of comparing the scale of deep bonuses within zones and among zones. In the rightmost column, I’ve averaged each ratio across all zones. I’ve then color-coded each “ratio” cell to show how much the ratio deviates from the average in its row.

In this color scheme, purple cells have slightly “bigger” zoning than might be expected compared to other zone transitions, orange zones have slightly “smaller” zoning than might be expected, and yellow cells are very close to the average. As you can see, the 1.2 FAR “deep bonus” in Portland’s R7-R20 zones is a bit bigger than typical, while the same 1.2 FAR deep bonus in Portland’s R2.5 zone is a bit smaller than typical. However, no ratio here varies from its row average by more than about a third. This suggests a relatively smooth “gradient” of residential zones in Portland.

There’s no simple path to a perfectly smooth gradient. Boosting a number in one zone would ripple into ratios elsewhere. However, these figures suggest that the zoning gradient proposed in RIP2 is pretty smooth.

Michael Andersen
senior researcher, housing and transportation
Portland, OR

¹ Because base FAR in Portland’s low-density zones varies based on unit count, I’ve split the difference and used the FAR ratio halfway between allowances for a duplex and triplex.

Mary Vogel

#331882 | May 16, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I'm writing you on behalf of myself and my business, PlanGreen, as I could not get response from Portland, OR Small Developer Alliance in a timely enough fashion. I am hoping they will still sign on. We hope you will champion a budget for co-operative housing here in Portland as part of RIP2. No one knows better than us that RIP2 is largely about zoning changes. But for small developers to actually BUILD what's in the policy, we need more than zoning changes. I've testified on that in the past on RIP1 on behalf of PDX Small Developers. As a model for what Portland could do, we want to call your attention to our April 28 testimony re: the Canadian Government's building plans for co-op housing.

<https://www.thenews.coop/161877/sector/housing/canadian-government-to-embark-on-a-500m-co-op-housing-spree/>
The testimony is on MapApp but here are some quotes from the article: "Canada's federal 2022 budget includes new funding to expand the country's co-operative housing sector, with the largest investment in new co-op housing in more than 30 years. The budget pledges CA \$500m from the National Housing Co-Investment Fund to launch a new Co-operative Housing Development Program, which will build 6,000 units – creating a new generation of co-op housing. National sector apex, the Co-operative Housing Federation (CHF Canada), will co-design the programme with involvement from the housing co-ops. The budget also includes the reallocation of \$1bn in loans from the Rental Construction Financing Initiative to support co-op housing projects." Portland could work with the National Co-Op Bank whose US Federal Charter emphasizes meeting the needs of communities that are economically challenged. We hope you will consider adding a line or two on COOPERATIVE HOUSING into RIP 2. We see it as a friendly amendment to some of what is being proposed by Portland: Neighbors Welcome. (We hope to get them to sign on to this letter too.) We also see it as one of the best ways to get working class and low-income renters into housing that offers them security, equity and legacy in housing. As too many have learned, most such renters are just one step away from homelessness. As we explained in our first testimony on RIP2, co-op housing is similar to rental housing. Rent is paid to the co-op--which just happens to be collectively owned by the people who live there.

Testimony is presented without formatting.

SOLUTION:

- **Amend the Low-income Rental Housing Property Tax Exemption (LIRHPTE) to explicitly include limited-equity cooperatives.**
- The state statutes that define the LIRHPTE (ORS 307.515 to 537) establish that the primary qualifying criteria is the property must be "offered for rent."
- Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit. So while the co-op owns the property, it's members pay rent to the co-op in order to cover its operating costs. Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing.
- One of the sections of a co-op's proprietary lease is Monthly Carrying Charges (Rent), and states "During the continuance of this lease, Member shall be liable for the monthly carrying charge (as rent) determined in the manner set forth in the bylaws of the co-op." And the co-op's bylaws can restrict membership and rents to be affordable to households under 60% AMI, which is compatible with LIRHPTE.

15 N. Polk St. | Eugene, OR 97402 | www.squareonevillages.org | info@squareonevillages.org

January 20, 2022

- Thus, a limited-equity co-op meets the overarching intent of the LIRHPTE program, but because of a nuanced discrepancy between rental and ownership, municipalities have declined to allow LECs to utilize the same benefits of tenant-landlord rental housing.



SquareOne Villages

Property Tax Exemptions for Limited Equity Co-ops

PROBLEM:

- SquareOne Villages (SOV) is developing 70 units of permanently affordable housing with groundbreaking anticipated in Fall 2022. Ownership of the land will be held in trust by SOV, and the improvements will be owned by a limited-equity cooperative (LEC) composed of the residents that live in the housing.
- **Multi-family affordable housing developed as a limited-equity cooperative (LEC) does not currently qualify for a property tax exemption under Oregon law**, whereas affordable housing developed as traditional rental or single-family homeownership does, even though they may be serving the same income levels and include similar or stronger affordability controls to ensure the housing remains affordable.
- LECs provide an opportunity to create resident-owned housing for people that would otherwise be unable to qualify for traditional homeownership. This provides a more stable and equitable alternative to rental housing for very low-income households, however the lack of a property tax exemption disincentives affordable housing developers from creating this housing option.
- Thanks to the recent approval of HB 3275 in 2021, a LEC that includes an “affordable housing covenant” can qualify for an exemption on the land. However, it does not exempt the improvements on the land, which accounts for the bulk of the property tax.

Janet Baker

#331798 | April 29, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached letter.

Testimony is presented without formatting.

Dear Mayor and Commissioners:

I was one of the founding members of United Neighborhoods for Reform (UNR), a grass-roots organization started in 2014 by a group of Portland citizens concerned about the environmental, economic and social consequences of demolitions in our neighborhoods.

Even before the official RIP process began in 2015, many of us already anticipated more negative impacts if infill development continued without better planning by the city. Even before RIP, affordable homes for purchase or rent were being demolished. Even before RIP, gentrification of many close-in city neighborhoods was forcing lower income Portlanders to move further out of the city. Even before RIP, mature trees were being cut down to make room for larger houses and duplexes built after the demolition of the original, smaller houses. These negative impacts were all well documented by people attending neighborhood meetings held by UNR across the city. Concerns raised in these meetings culminated in the "2014 UNR Resolution" submitted to City Council. A major part of this resolution asked the City to establish a task force to:

- Revise code to limit the mass, footprint, setbacks, and height of construction to that of average of existing homes in a neighborhood;
- Revision of current zoning and lot-splitting policies to protect existing housing and lot size; and
- Recommendations for tree and solar access protections.

The City formed the RIP Stakeholders Advisory Committee (RIPSAC), which included several invited members of UNR. However since that committee made its recommendations, RIP has been expanded/modified to the point that it is no longer recognizable as anything close to the original proposal.

The RIP process is no longer a product of broad citizen participation. Nearly all of the changes since the original RIP have come through the Portland Planning Commission which is heavily influenced by developers funding Portland Neighbors Welcome (PNW) and 1000 Friends of Oregon. A recent email from PNW outlining their strategy for pushing RIP 2 stated, "We don't currently expect big anti-housing turnout for this one [RIP2] which is exactly why we're targeting it. Our recent pitched battles at City Hall have reminded us that if we win at the planning commission, it's much easier to keep winning at City Hall."

As the developers push their agenda through the planning commission, the negative impacts associated with infill are now well documented in several recent studies as well as other analyses.

- Portland is losing its tree canopy and much of this loss is due to demolitions of small homes;
- Rental housing is being lost to demolitions;
- Infill housing is way more expensive than the existing housing stock being demolished.

All of the above environmental, economic and social issues will accelerate under RIP as building middle housing nearly always requires demolitions. Despite this, the City is already proposing modifications to RIP 1, well beyond required by the new state housing regulations and only eight months since RIP 1 was put in place. Before moving forward, the City needs to establish a credible system for tracking the unintended consequences of RIP. Please slow down. Take the necessary time to properly evaluate what you are doing. The damage from RIP will not be easily undone.

Thank you for listening,

Janet Baker

Constance Beaumont

#331782 | April 29, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please see the attached PDF. TESTIMONY ON RESIDENTIAL INFILL PROJECT, PART 2 Dear Mayor Wheeler and City Commissioners: Please consider the following comments on the RIP-2 proposal now before you: 1. Strengthen Requirements for Pedestrian-Friendly Housing to Reduce CO-2 Emissions: Language pertaining to street-facing facades in Section 33.110.235 of RIP-2 is good in that it seeks to “provide a pleasant pedestrian environment along the street by preventing large expanses of blank facades...from interrupting the connection between the residence and the public realm.” However, given the urgent need to address climate change, Portland must do more to motivate more people to take more short trips on foot rather than by car. Nineteen percent of all trips are one mile or less; 41%, 3 miles or less. These are walkable distances, but much (arguably most) of Portland’s new development is pedestrian-hostile. RIP-2 would be improved if it required that the new, higher-density development be pedestrian-friendly. Many health and urban design experts have observed that attractive streetscapes and pleasing aesthetics are critical to motivating people to walk rather than drive. To cite just two of the many observations that experts have made on how important pedestrian-friendly architecture is in motivating people to take short trips by foot rather than by carbon-emitting cars: a. “People are more likely to get out and be active in places that are attractive and aesthetically appealing.” Source: Urban Sprawl & Public Health: Designing, Planning, & Building for Healthy Communities b. “Streets that have bland architecture & that are dominated by long featureless horizons will not only be less interesting to the non-motorist but will also increase the perception of the distance that one needs to cover to reach a particular designation.” Source: Health & Community Design: The Impact of the Built Environment on Physical Activity 2. Delete Provisions Weakening Historic Resource Protection: Following up on my point above regarding the importance of encouraging pedestrian-friendly design, I urge the City Council to minimize the destruction of buildings that are already pedestrian-friendly. Many historic structures fall into this category. In sections dealing with 3-plexes, 4-plexes & ADUs (Sections 33.110.265.E and Section 33.205.020.B.1.c), RIP-2 has deleted language contained in an earlier version that would have prohibited the development of a 3-plex, 4-plex, or ADU "when the site had a historic resource that had been demolished within the previous 10 years without obtaining demolition review from the city." RIP should comply with Oregon’s Goal 5, which states that local governments “shall adopt programs that protect...historic...resources.” RIP should also comply with preservation-related policies in Portland’s 2035 Comprehensive Plan. These include: a. Policy 4.27: “Protect and enhance defining places...including historic and cultural resources, through application

of zoning, incentive programs, and regulatory tools;” and b. Policy 4.28: “Identify, protect, and encourage the reuse and rehabilitation of resources in centers and corridors.” 3. Monitor and Track RIP’s Effects: The changes proposed in RIP-2 are far-reaching and it is not at all certain that they will achieve the desired affordable housing. For these reasons, the Bureau of Planning and Sustainability should be required to track – and report publicly on – RIP’s effects. Among other things, this calls for measuring: (a) the number of affordable units created; (b) the number of demolitions -- and the extent to which natural resources embodied in demolished structures are lost; and (c) the size and type of mature trees removed to accommodate new construction. Final Note: Given that few Portlanders are aware of the proposal’s implications (thanks in large part to the Oregonian’s failure to report on RIP), and given the far-reaching implications of RIP-2, I would encourage the City Council to hold an additional hearing (i.e., in addition to the one scheduled for May 19), so that more city residents can have an opportunity to comment on this proposal. Thank you for your consideration of these views. Constance Beaumont

Testimony is presented without formatting.

TESTIMONY ON RESIDENTIAL INFILL PROJECT, PART 2

Dear Mayor Wheeler and City Commissioners: Please consider the following comments on the RIP-2 proposal now before you:

1. **Strengthen Requirements for Pedestrian-Friendly Housing to Reduce CO-2 Emissions:** Language pertaining to street-facing facades in Section 33.110.235 of RIP-2 is good in that it seeks to “provide a pleasant pedestrian environment along the street by preventing large expanses of blank facades...from interrupting the connection between the residence and the public realm.” However, given the urgent need to address climate change, Portland must do more to motivate more people to take more short trips on foot rather than by car. Nineteen percent of all trips are one mile or less; 41%, 3 miles or less. These are walkable distances, but much (arguably most) of Portland’s new development is pedestrian-hostile.

RIP-2 would be improved if it required that the new, higher-density development be pedestrian-friendly. Many health and urban design experts have observed that attractive streetscapes and pleasing aesthetics are critical to motivating people to walk rather than drive. To cite just two of the many observations that experts have made on how important pedestrian-friendly architecture is in motivating people to take short trips by foot rather than by carbon-emitting cars:

- a. “People are more likely to get out and be active in places that are attractive and aesthetically appealing.” Source: [Urban Sprawl & Public Health: Designing, Planning, & Building for Healthy Communities](#)
- b. “Streets that have bland architecture & that are dominated by long featureless horizons will not only be less interesting to the non-motorist but will also *increase the perception of the distance that one needs to cover* to reach a particular designation.” Source: [Health & Community Design: The Impact of the Built Environment on Physical Activity](#)

2. **Delete Provisions Weakening Historic Resource Protection:** Following up on my point above regarding the importance of encouraging pedestrian-friendly design, I urge the City Council to *minimize the destruction of buildings that are already pedestrian-friendly*. Many historic structures fall into this category.

In sections dealing with 3-plexes, 4-plexes & ADUs (Sections 33.110.265.E and Section 33.205.020.B.1.c), RIP-2 has deleted language contained in an earlier version that would have prohibited the development of a 3-plex, 4-plex, or ADU “when the site had a historic resource that had been demolished within the previous 10 years without obtaining demolition review from the city.” RIP should comply with Oregon’s Goal 5, which states that local governments “*shall* adopt programs that protect...historic...resources.” RIP should also comply with preservation-related policies in Portland’s 2035 Comprehensive Plan. These include:

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extent to which natural resources embodied in demolished structures are lost; and (c) the size and type of mature trees removed to accommodate new construction.

Final Note: Given that few Portlanders are aware of the proposal's implications (thanks in large part to the *Oregonian's* failure to report on RIP), and given the far-reaching implications of RIP-2, I would encourage the City Council to hold an additional hearing (i.e., in addition to the one scheduled for May 19), so that more city residents can have an opportunity to comment on this proposal.

Thank you for your consideration of these views.

Constance Beaumont

Mary Vogel

#331768 | April 28, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

CANADIAN GOVERNMENT TO EMBARK ON A \$500M HOUSE BUILDING SPREE – COOP NEWS

<https://www.thenews.coop/161877/sector/housing/canadian-government-to-embark-on-a-500m-co-op-housing-spree/> .
Here's a quote: "Canada's federal 2022 budget includes new funding to expand the country's co-operative housing sector, with the largest investment in new co-op housing in more than 30 years. The budget pledges CA\$500m from the National Housing Co-Investment Fund to launch a new Co-operative Housing Development Program, which will build 6,000 units – creating a new generation of co-op housing. National sector apex, the Co-operative Housing Federation (CHF Canada), will co-design the programme with involvement from the housing co-ops. The budget also includes the reallocation of \$1bn in loans from the Rental Construction Financing Initiative to support co-op housing projects." This may be the Trudeau Administration's sop to Cerberus after Canadians started saying "Canada is the New China"--referring to its crackdown on the truckers in Ottawa. IMO, \$500M for an entire nation seems a bit stingy! I guess coupled with the \$1B loan program, it's not so bad. Regardless, I hope that one or two of the Commissioners most involved in housing development will champion such a budget for co-operative housing here in Portland. We do have a privately held National Co-Op Bank with which we could work. Thank you for the opportunity to testify once again! Mary Vogel/PlanGreen

Testimony is presented without formatting.



mary@plangreen.net * <http://plangreen.net> * 503-245-7858 * WBE Registration /#: 5001

RIP 2 Testimony of Mary Vogel/PlanGreen

CANADIAN GOVERNMENT TO EMBARK ON A \$500M HOUSE BUILDING SPREE – COOP NEWS

<https://www.thenews.coop/161877/sector/housing/canadian-government-to-embark-on-a-500m-co-op-housing-spree/> .

Here's a quote:

"Canada's federal 2022 budget includes new funding to expand the country's co-operative housing sector, with the largest investment in new co-op housing in more than 30 years.

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Regardless, I hope that one or two of the Commissioners most involved in housing development will champion such a budget for co-operative housing here in Portland. We do have a privately held National Co-Op Bank with which we could work.

Thank you for the opportunity to testify once again!
Mary Vogel/PlanGreen

Heather Flint Chatto

#331763 | April 28, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Council Clerk Asked me to post my testimony slides here for the record as well, please see attached. The full slide set is included for reference and consideration by City Council.

Included are:

2 slides I showed about Art Farm and code barriers that limit a clear pathway. Also described in Paul Niedergang's written testimony, submitted letter and slides.

Three "Future Work Amendments" for RIP2 to advance affordability, housing options, equity and climate action: **1) Innovative Housing Demonstration Projects (IHDP) Policy 2) Include THOWs/Mobile Housing as a Cluster Housing Type 3) Create the RIP2 Financial Implementation Tools for more low-carbon housing and greater equity in who benefits and can participate in housing creation.**

These innovative approaches respond on all fronts to advance equity, inclusion, housing and climate goals and we ask City Council to support these, so the required code process can continue without delay while the commitment and intent is established now to advance our housing strategies with vision and leadership.

Thank you, Heather Flint Chatto,

FORAGE DESIGN + PLANNING, foragedesigner@gmail.com

Testimony is presented without formatting.

3 Amendments Advance Equity + Affordability + Climate

Proposed “Future Work” Amendments	Equity & Access	Housing Options	Affordable Strategies	Houseless Solutions	Climate Resiliency
1 Innovative Housing Demonstration Policy (IHDP)	✓	✓	✓	✓	✓
2 Add Tiny Houses on Wheels (THOW) as a Cluster Housing Type	✓	✓	✓	✓	✓
3 Add RIP Financial Implementation Tools Increase low-carbon housing & diversity in who benefits	✓	✓ <small>Ordinance #190851</small>	✓	✓	✓ <small>59</small>

RIP2 Testimony or Recommended Draft

Ordinance #190851

59

3 “Future Work” Amendments to Advance Shared Goals

Proposed “Future Work” Amendments	Equity & Access	Housing Options	Affordable Strategies	Houseless Solutions	Climate Resiliency
1 Innovative Housing Demonstrations Policy (IHDP)	Assesses code barriers, allows flexibility in site design to test innovation now	Incentivizes more innovative housing types with low risk	Demonstrates affordable, eco, & social models for more uptake	Increases supportive housing exemplars	Advances zero energy and EFOD models, broadens awareness
2 Add Tiny Houses on Wheels (THOW) as a Cluster Housing Type	Expands who can participate in creating housing	Expands housing types in residential zones for THOWs	Affordable housing type, pathway to ownership	Code parity: allowed now on commercial sites & shelters	Low carbon density NOW, no demo in new development
3 Add RIP Financial Implementation Tools Increase low-carbon housing & diversity in who benefits	Inclusion & access; not limited to those with know-how & \$\$\$	Increases adaptive middle housing opportunities	Expands who can participate in creating housing	Retain NOAH & “age in place”: additions/ADUs conversions	Incentivizes low-impact adaptive density & low-carbon housing

RIP: Testimony on Recommended Draft

Ordinance #190851

60

“FUTURE WORK” AMENDMENT 1

Innovative Housing Demonstration Pilot (IHDP) Policy

Need: Until permanent ordinances regarding innovative housing projects can be implemented, there is a need to allow a limited number of regulated innovative housing projects.

Action: Drawing on existing policy precedent, create a pathway to remove barriers that exist to a variety of alternative housing types that provide both greater affordability and environmental innovation.

A small set of pilot projects would help:

- test innovative housing models,
- evaluate code issues, and
- demonstrate viability with low risk.



This demonstration approach will increase the availability of built examples that model social, financial and environmental innovation in Portland neighborhoods.

Precedent: City of Redmond, WA

Innovative Housing Demonstration Projects (IHDP) Policy

Redmond Code

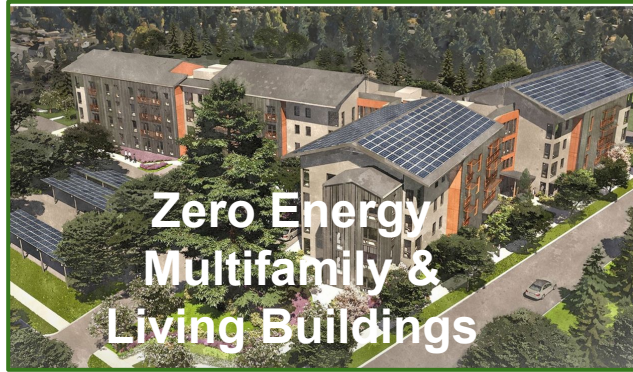
<https://www.codepublishing.com/WA/Redmond/CDG/RCDG20C/RCDG20C3062.html>

Policy Highlights

- **Allows for 5 alternative housing projects** via an application process
- **Purpose:** Increase affordable housing supply, and demonstrate innovation in more diverse housing types, sizes and income mixes
- **Allows flexibility in site and design standards** to support and test models
- **Process to identify potential zoning code changes** to support more innovation
- **Outlines submittal & review requirements**
- **Evaluation report provision**
- **5 yr. sunset clause**

Innovative Housing Demonstration Pilot (IHDP) Examples

We need more innovative housing models for affordability, equity, and climate responsive design. These are possible now, yet unnecessary barriers prevent wider application.



INNOVATIVE HOUSING TYPES

Environmentally Innovative

- Zero Energy Buildings
- Zero Waste Buildings
- Passive House
- Living Buildings



Ordinance #190651
176-11-07



INNOVATIVE HOUSING TYPES

Environmentally Innovative

- Zero Energy Buildings
- Passive House
- Living Buildings
- **Zero Waste Buildings**



27-story high rise featuring 293 units. The building is the first of its kind to receive a LEED Gold Certification from the US Green Building Council. Incorporating multiple green components, including solar energy, roof gardens and a membrane bioreactor-based wastewater treatment and recycling system installed in the building's basement. The system was the first urban, residential treated wastewater reuse application permitted in the USA.

<https://www.waterworld.com/international/desalination/article/16200715/nyc-highrise-reuse-proves-decentralized-system-works>

Hassalo on 8th,
Portland

RIP2 Testimony on Recommended Draft

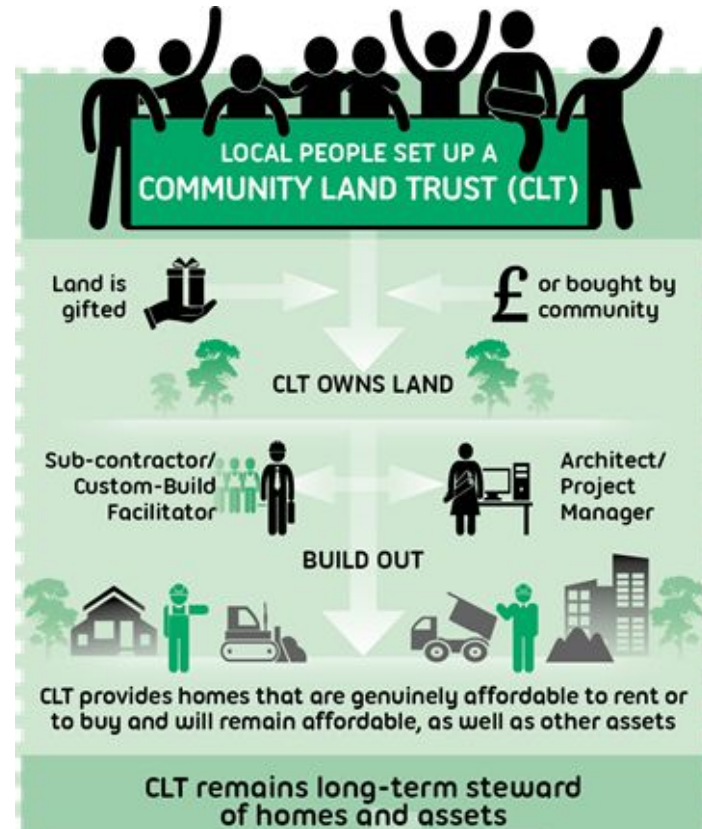
Ordinance #190351

65

INNOVATIVE HOUSING TYPES

Affordable/Cooperative/Socially Innovative

- Cohousing
- **Community Land Trusts**



4. Perpetual Affordability:

The CLT retains the option to repurchase the structures located on the land. The CLT is committed to preserving the affordability of housing and other structures.

Lopez Community Land Trust

Sustainable families and homes for a better future

Ordinance #190851

Lopezclt.org



Innovative Housing Types

Sustainable Economic Development & Food Access | **Equitable Food Oriented Development** (EFOD)

While conventional food systems work and Transit Oriented Development (TOD) may unintentionally cause harm to communities through gentrification, displacement, or extraction of local resources, EFOD instead fosters strong social capital networks, equitable asset development, increased civic engagement, and decreased displacement.

Learn more: *The Kresge Foundation, released **Equitable Food Oriented Development: Building Community Power***



EFOD: THE POWER OF FOOD-BASED COMMUNITY DEVELOPMENT | Ashland Market & Cafe, 80+ affordable housing units (Oakland, CA)

Long-time community organization Mandela Partners worked alongside local residents and stakeholders to develop the Ashland Market and Cafe, a 2,100-square-foot food hall, incubator, and community space on the ground floor of an affordable housing complex. The project was catalyzed in partnership with a resident-led advisory committee that eventually selected four local food entrepreneurs as the facility's inaugural tenants. Ashland Market & Cafe vendors live in the surrounding neighborhoods and sell foods that reflect their heritage and family histories. To support and encourage community-based entrepreneurship, kiosks rental rates are kept well below market and tenants are offered business development workshops, micro-loans, and legal assistance. Ashland Market & Cafe was funded using an innovative, mix of financial instruments including revolving loans, \$360,000 in federal Healthy Food Financing Initiative funds, and \$1.3M in public and private investments.

Benefits of the Innovative Housing Pilot Approach

- **Innovation** Opportunity to be a leader in continuing Portland's Legacy of Innovation
- **Low Risk, High Reward** Small set of pilots provides a pathway to test innovative housing models, study code barriers, and demonstrate viability with low risk
- **Transitional approach** Low-impact development can happen NOW while retaining future higher intensity development potential without demolition
- **Climate-responsive approach** Supports removing code barriers to more climate responsive and low impact housing types
- **Socially-responsive approach** Creates more opportunities to demonstrate affordable socially-supportive housing models that we have few example of (Cohousing & Community Land Trusts)

Creates a pathway to test creative affordable housing approaches we may not have considered yet.



The L.A. Dome Village was comprised of 20 Omni-Sphere domes which provided housing and supportive service for up to 34 individuals and family members. Located in the heart of downtown LA, it transformed an unsightly encampment site into a community of formerly homeless people.

“FUTURE WORK” AMENDMENT 2

Include Tiny Homes on Wheels in Cluster Housing

Benefits

- Increases equity and accessibility of who can own/build/create housing
- Provides much needed low-cost housing with greater flexibility at a price point and market category currently missing
- Adds to diversity of affordable housing choices (both rental and owned)
- Low-impact development infill
- Adds density that fits in with existing residential neighborhoods - turns more neighborhoods into density supporters with positive examples
- Transitional development approach on the housing continuum
- Housing dignity for low-income residents is not only gained but a source of pride in their uniqueness
- Makes home ownership much more in reach for many more people

RIP2 Testimony on Recommended Draft

Ordinance #190851



Tiny Homes & Affordability

-fraction of cost of typical housing

-increases availability of sites and providers to partner in the solution

- adds to the diversity of housing choices in an expedited low-impact way

- increases pathway to ownership model

that spaces are designed to be multi-purpose. Additionally, because tiny homes are generally so much more personalized than traditional homes, you really do get more bang for your buck, so to speak, in terms of usage. Plus, a smaller price tag means less loan interest to pay; it's not uncommon for mortgage holders to end up paying an additional 50% of what their home is worth in interest alone.

- 60% of tiny homeowners have no credit card debt.
- On average, a tiny home costs less than one-fifth what a traditional home would cost.
- The average sales price of a newly-built single-family home is \$383,900.
- The average listing price of a home on Zillow is \$275,000.
- The average cost of a built-to-suit tiny house is \$59,884.
- The average cost of a DIY home build is closer to \$23,000.
- The most luxurious tiny homes top out at \$180,000.
- One couple built their own 192-square-foot tiny home for less than \$8,000.
- 78% of tiny home dwellers own their home compared to 65% of traditional home dwellers.

Tiny Homes/THOW & Climate Benefits

- Efficient space living translates into environmental benefits in energy, water, waste and purchasing
- Significant reductions in GhG
- 93% reduction of energy of traditional houses
- 45% decrease in ecological footprint

Source:

<https://ipropertymanagement.com/research/tiny-home-statistics>

RIP 2 Testimony on Recommended Draft

Smaller Carbon Footprint

Living in a smaller home means less electricity or natural gas usage; it costs less to heat or cool a smaller space. Many tiny home builders also install energy-saving items like solar panels and washer/dryer combos that do the work of two machines in one.

On a related note, tiny house owners tend to use more fresh foods than pre-packaged or frozen. This is partially due to smaller fridge/freezer space, but it's also a part of the "tiny home culture." The early interest in tiny homes was, after all, to get away from big city life and get back to nature, living as cleanly and simply as possible.

Other common behavioral changes among new tiny house dwellers include greater conservation of water, increased composting, more purposeful purchasing habits, and less housekeeping and maintenance.

- A tiny home uses about 7% of the energy that a traditional house does.
- Moving to a tiny home can decrease a household's ecological footprint by 45%.
- Tiny homes emit an average of 2,000 pounds of greenhouse gasses each year; traditional homes emit 28,000 pounds.
- Tiny homes use an average 914 kilowatt hours (kWh) each year while traditional homes use 12,773 kWh.
- The ecological footprint of the average tiny home is 3.87 global hectares (gha); a traditional home's footprint is 8.4 gha.
- 85% of tiny homes operate at above-average energy efficiency.

Ordinance #190851

Affordability, Equity & Climate Concerns can be mitigated

Expand who benefits from RIP with financial tools and technical assistance.

- Without the financial tools that support adaptive development we continue to further gentrification, displacement, demolition and inequity in who benefits.
- We need the financial tools in place to help small local developers, residents and local communities with less knowledge gain access to technical assistance and resources,
- We need to help others “Age in Place” with adaptive strategies
- Financial tools can be a positive anti-displacement strategy

REC Testimony on Recommended Draft

Ordinance #190851



New infill: duplex sale price- \$800k each. Not Affordable Housing.

Industry will gravitate to hot markets where housing can be built for greatest profit. Further exacerbating the inequities of housing options in inner city areas over internal conversions which would yield more affordability.

“FUTURE WORK” AMENDMENT 3

Add RIP Financial Implementation Tools

Increase low-carbon housing & diversity in who benefits

Create the Package of Financial Tools for Internal Conversions to incentivize a better climate strategy over redevelopment.

- Low interest loans
- Fee Waivers
- Fast track permitting
- Tax incentives
- Technical assistance programs to help more communities do adaptive reuse and build new

These financial tools will support more fairness of who gets to build and who can afford to create and live in housing





ARTbarnARTfarm EcoHousing



ARTfarm | Existing Site Plan

ARTfarm Conceptual Design Plan

FORAGE DESIGN | PROGRESSIVE DEVELOPMENT GROUP

Tiny House Artist EcoVillage

TRANSFORMING A 20,000 SF SINGLE FAMILY RESIDENTIAL

PROPERTY IN SE PORTLAND INTO TINY HOUSE LOW- Ordinance #190851

INCOME ARTIST HOUSING

- TINY HOUSES
- BATHROOMS & SHOWERS
- COMMON SPACES (Office, Kitchen, Living Room, Storage, Laundry)

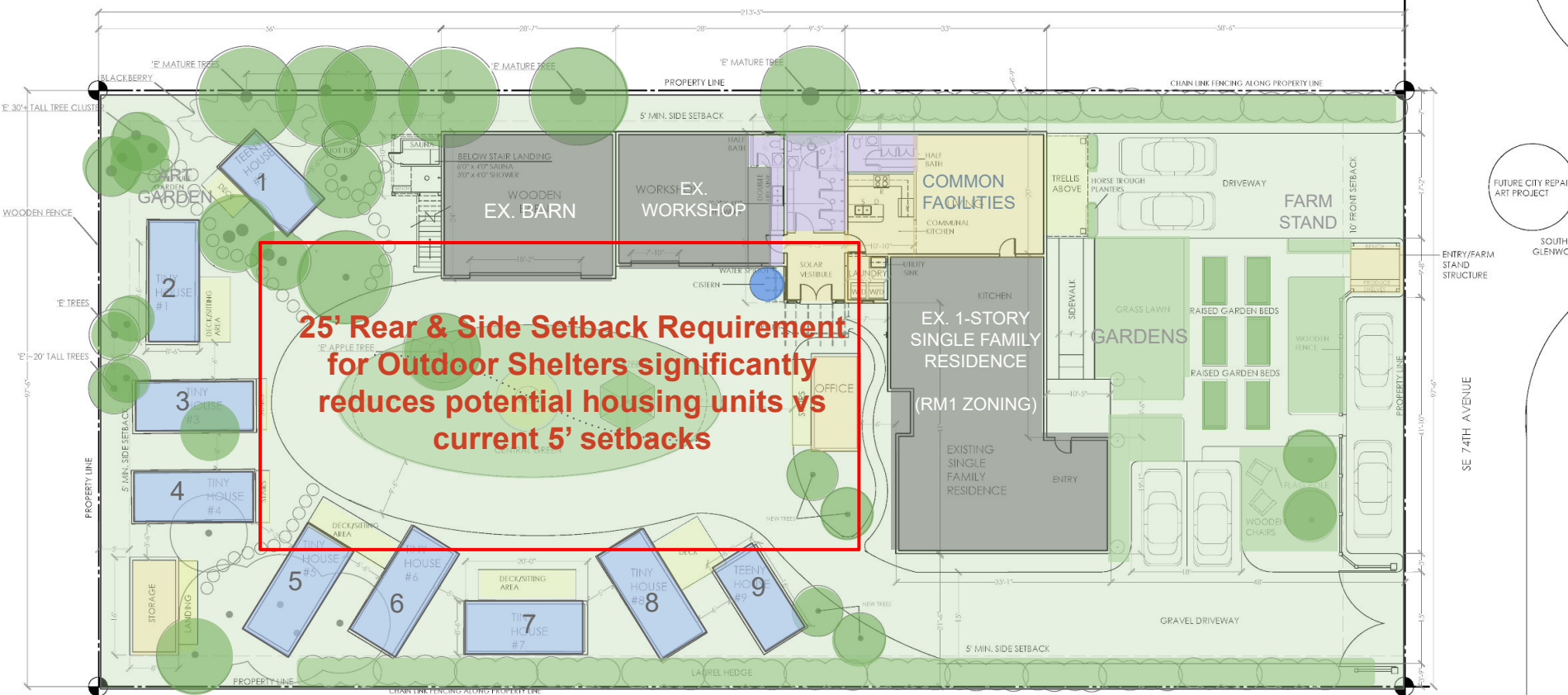
NEW AMENITIES

STORMWATER CISTERN & GREEN ROOF

COMMUNITY KITCHEN, COMMON ROOM, SHOWERS, BATHROOMS, STORAGE,

DECKS, HOT TUB, SAUNA, AND SHARED OFFICE/LIBRARY

GREEN SPACES, RAISED GARDEN BEDS, FRUIT TREES, COMMUNITY MARKET STAND, FIREPIT, BENCHES, GAZEBO, AND ART GARDEN



ARTfarm Conceptual Design Plan

FORAGE DESIGN | PROGRESSIVE DEVELOPMENT GROUP
 RIP2 Testimony on Recommended Draft

Ordinance #190851

- TINY HOUSES
- BATHROOMS & SHOWERS
- COMMON SPACES (Office, Kitchen, Living Room, Storage, Laundry)

Tamara DeRidder

#331797 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Thank you for the opportunity to speak with you about RIP2 as a resident, property owner, and 30-year land use planning professional. I have worked in the City of Gresham to design a pocket neighborhood of 7 units on one lot with developer Mike McKeel. With the changes proposed here with RIP2 the process would have been sped up by at least 6-months. I applaud the work that has been done to bring forward the implementation language in the proposed document. I ask for you to add to this proposal the three changes recommended by Heather Flint Chatto, dated April 26, 2022 by Forage Design. These recommendation seek to expand housing options to include those on wheels, create innovative housing demonstration program, and create a package of financial tools that support these RIP policies. Specifically, her recommendations state: 1. Innovative Housing Demonstrations Policy (IHDP) 2. Include Tiny Homes on Wheels (THOW) as a Cluster Housing Type, like the Art Farm. 3. Create the Package of Financial Tools to Support RIP Policy Implementation In addition, I agree with others that have testified that the size of ADUs should be increased to a max of 1,000 sq.ft. Plexes should be allowed to be attached and detached as well as established as townhomes, to allow ownership. Over all I strongly support the increase in home ownership. This should include condo subdivisions. Please make sure that the city infrastructure standards are updated as well to allow innovation. One such change should include allowing public water to be provided by a fiscally secured Home Owners Association Thank you for your consideration.

Testimony is presented without formatting.

Christian Rusby

#331762 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am a Portland resident who has struggled with housing and keep watching prices go up for a couple years. I have a permanent partial disability, and struggle to work and finding houses is super competitive. My fixed income makes me spend more and more time trying to just make it work and I have less time to be competitive for the full time work that will get me out of this mess. I heard about and support the “Future Work” Amendments proposed by Forage Design. I know many that would benefit from amendment 1 and 2 that would allow more affordable and adaptive houses for homeless people, more types of housing options so that I don't get push out away from things that I get in Portland. Amendment 3 helps me figure out how to pay for it, and this RIP rezoning more fair for those with less. Thanks for your help

Testimony is presented without formatting.

Darcy Wheelles

#331759 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support the “Future Work” Amendments proposed by Forage Design. Amendment 1 and 2 support more affordable and adaptive strategies for houseless communities, expands housing types, and more innovative strategies. These strategies can be put to immediate use to address the houseless crises we see on our streets. Amendment 3 adds needed financial tools and technical assistance to ensure we balance who benefits from RIP rezoning more equitably.

Testimony is presented without formatting.

Paul Niedergang

#331758 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

slides to accompany previously submitted testimony.

Testimony is presented without formatting.



ARTbarnARTfarm EcoHousing



A Tiny House Artist Eco-Village

A proposed arts-focused tiny house community with a replicable model of affordability, context-sensitive density and adaptive infill, with the greenest design possible



Learn more: foragedesign.org/residential/artfarmecovillage

RIP2 Testimony on Recommended Draft

Ordinance #190851

ARTfarm Conceptual Design Plan

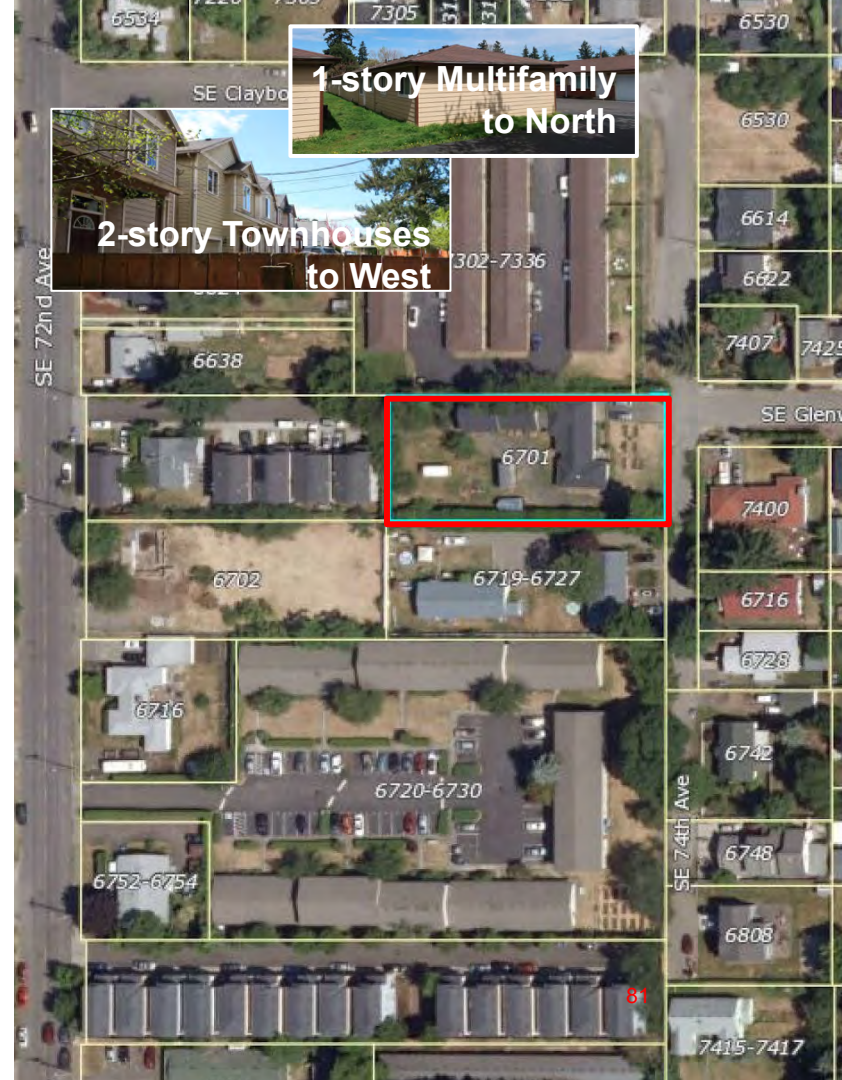
ARTbarn | ARTfarm

Affordable Artist Housing

- 20,000 s.f. multi-family zoned property on SE 74th in Brentwood Darlington
- **Goal to create low-cost tiny house village as a replicable model of affordable housing**
- Single family residence surrounded by higher density 1-2 story multi-family housing. Existing historic barn, small workshop, and 1 tiny house on wheels (THOW).
- **Multifamily zoning for up to ten units** - aiming for THOW project now, higher intensity use 10-15 yrs
- **Deep green, sustainable design:** net zero energy, green roof, onsite stormwater management, food production

RIP2 Testimony on Recommended Draft

Ordinance #190851



ARTbarn | ARTfarm

Tiny House Living

Compact, low-impact, affordable

(Images from Art Farm existing Tiny House on Wheels)



Sleeping Loft



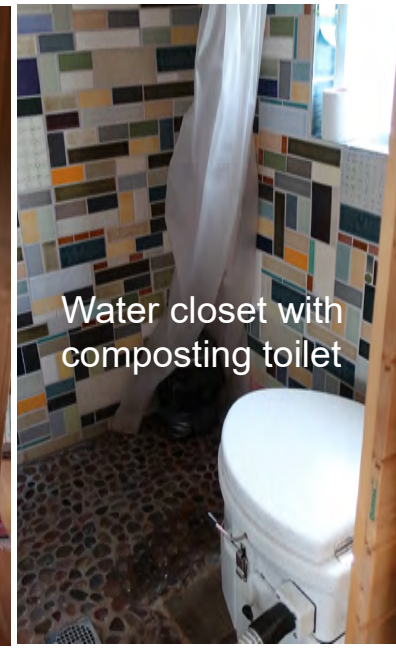
Galley kitchenette



Comfortable and compact



Ordinance #190851



Water closet with composting toilet



Greywater planter (precedent)



SOUTHEAST GLENWOOD ST

SE 74TH AVENUE



EXISTING SITE PLAN

SCALE= 1/16" = 1'-0"



ARTfarm | Existing Site Plan

RIP2 Testimony on Recommended Draft Ordinance #190331

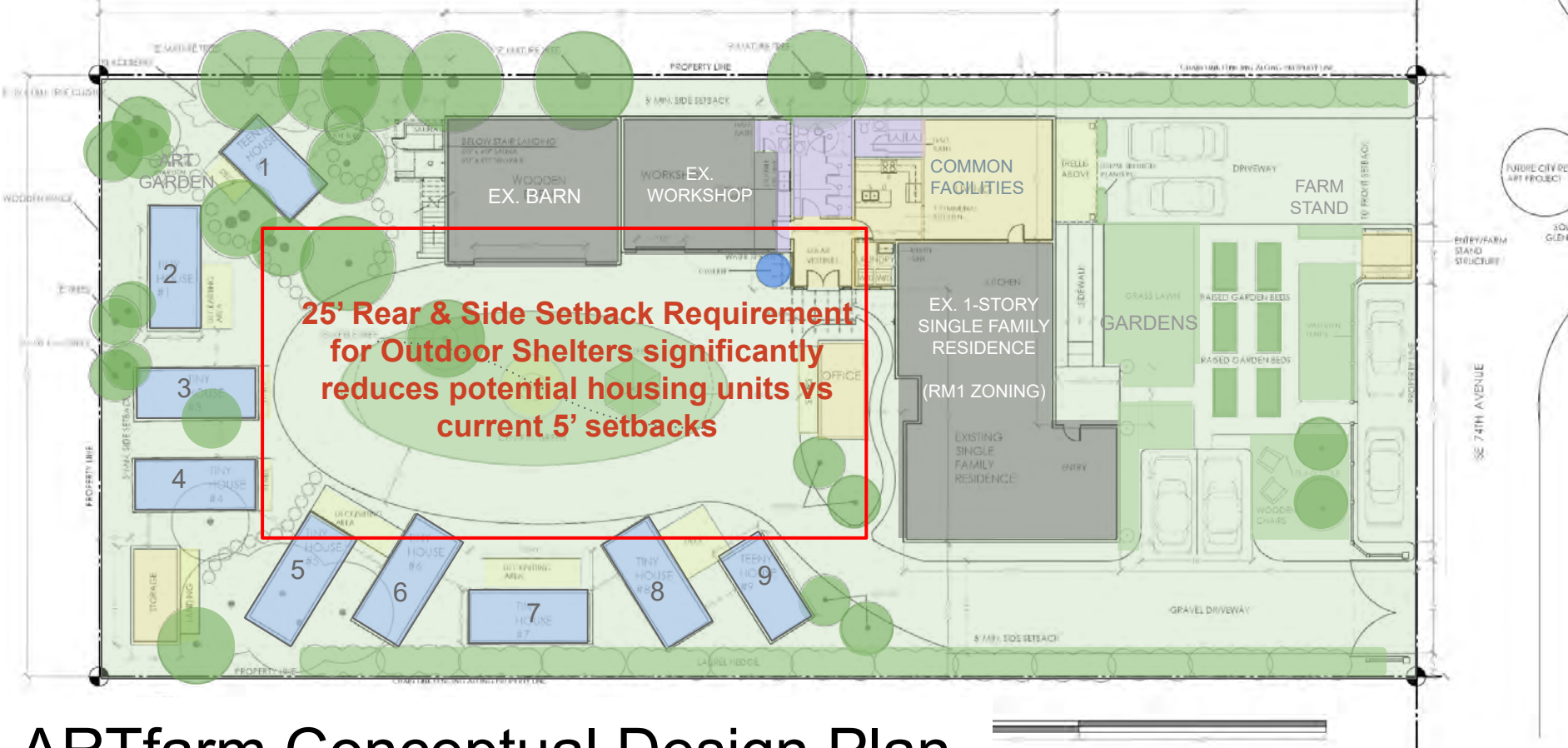


ARTfarm Conceptual Design Plan

FORAGE DESIGN | PROGRESSIVE DEVELOPMENT GROUP
 RIP2 Testimony on Recommended Draft

Ordinance #190851

- TINY HOUSES
- BATHROOMS & SHOWERS
- COMMON SPACES (Office, Kitchen, Living Room, Storage, Laundry)



25' Rear & Side Setback Requirement for Outdoor Shelters significantly reduces potential housing units vs current 5' setbacks

ARTfarm Conceptual Design Plan

FORAGE DESIGN | PROGRESSIVE DEVELOPMENT GROUP
 RIP2 Testimony on Recommended Draft

Ordinance #190851

- TINY HOUSES
- BATHROOMS & SHOWERS
- COMMON SPACES (Office, Kitchen, Living Room, Storage, Laundry)

OPPORTUNITIES FOR OFF-GRID OPTIONS

Water, electrical and Sanitation in Tiny Homes on Wheels: **Create opportunities for off-grid living:**

1. **solar panels and batteries for power**, rather than a required electrical hook-up;
2. **portable water tanks or other containers that are manually refilled**, rather than a site water connection, to provide potable water;
3. **greywater systems for bar sink and shower drainage**,
4. **composting toilets* and/or drain to tank and pump approaches** to provide for sanitation needs in innovative housing demonstration projects, especially those involving tiny homes on wheels.

*Composting toilets are allowed by Oregon building code since the 1970's. Link to ReCode Information and precedents. Art Farm has a THOW with a composting toilet.

<https://www.recodenow.org/composting-toilets-in-oregon/#:~:text=Permitting%20Composting%20Toilet%20in%20Oregon.to%20E2%80%9D%20the%20NSF%20standard%2041>



Water closet with composting toilet



Greywater planter (precedent)

Challenge

- The current system does not equitably allow the participation by the significant number of people who want to contribute to the solution.
- There are many sites around the city that are ripe for similar interim development.
- Tiny homes and THOW supports higher intensity interim use for affordable rental housing and can provide an alternative low-bar to entry home ownership
- Retains future potential of higher intensity uses without demolition.

RIPZ Testimony on Recommended Draft

Ordinance #190851



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Recommendations

- **Set up a Low-Cost Innovative Housing Demonstration Project** to allow for a limited number of Pilot Projects to demonstrate the viability of alternative options. (Support Future Work Amendment 1)
- **Allow THOW's as a Cluster Housing Type to create a by-right pathway for village clusters that does not require a Conditional Use and is not only limited to shelters.** A Type III review is lengthy and costly, and creates greater uncertainty which may deter projects.(Support Future Work Amendment 2)
- **Create a THOWs Policy Work Group** with City staff and practitioners to advise on strategies to remove code barriers
- **Allow for off-grid system connections** such as solar, composting toilets, water tanks, and greywater planters
- **Create the Package of Financial Tools & Technical Assistance** to increase greater stakeholder access and implementation of RIP2 (Support Future Work Amendment 3)

RIP2 Testimony on Recommended Draft

Ordinance #190851

Innovative Housing Demonstration Examples

We need more innovative demonstration projects as models that contribute to affordability and equity and environmental/climate responsive design



City Council - Please support the "Future Work" Amendments NOW

Mary Vogel

#331757 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

This is the part of my testimony that I didn't get to in my 2min+ today. "I also urge you to work with the State Legislature to support a property tax exemption for limited-equity cooperatives that provide housing for the low-income working class at the state level as well as that of Portland. Thanks!

Mary Vogel/PlanGreen *PDX Small Developer Alliance started as a closed Facebook group administered by me and Garlynn Woodsong, who is also on the Steering Committee for OR Co-Op Housing. I also noticed that Woodsong, along with several other small developers who used to be amongst our most active members, has signed onto the Build Small Recommendations submitted by Madeline Kovacs."

Testimony is presented without formatting.



SquareOne Villages

Property Tax Exemptions for Limited Equity Co-ops

PROBLEM:

- SquareOne Villages (SOV) is developing 70 units of permanently affordable housing with groundbreaking anticipated in Fall 2022. Ownership of the land will be held in trust by SOV, and the improvements will be owned by a limited-equity cooperative (LEC) composed of the residents that live in the housing.
- **Multi-family affordable housing developed as a limited-equity cooperative (LEC) does not currently qualify for a property tax exemption under Oregon law**, whereas affordable housing developed as traditional rental or single-family homeownership does, even though they may be serving the same income levels and include similar or stronger affordability controls to ensure the housing remains affordable.
- LECs provide an opportunity to create resident-owned housing for people that would otherwise be unable to qualify for traditional homeownership. This provides a more stable and equitable alternative to rental housing for very low-income households, however the lack of a property tax exemption disincentives affordable housing developers from creating this housing option.
- Thanks to the recent approval of HB 3275 in 2021, a LEC that includes an “affordable housing covenant” can qualify for an exemption on the land. However, it does not exempt the improvements on the land, which accounts for the bulk of the property tax.

SOLUTION:

- **Amend the Low-income Rental Housing Property Tax Exemption (LIRHPTE) to explicitly include limited-equity cooperatives.**
- The state statutes that define the LIRHPTE (ORS 307.515 to 537) establish that the primary qualifying criteria is the property must be "offered for rent."
- Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit. So while the co-op owns the property, it's members pay rent to the co-op in order to cover its operating costs. Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing.
- One of the sections of a co-op's proprietary lease is Monthly Carrying Charges (Rent), and states "During the continuance of this lease, Member shall be liable for the monthly carrying charge (as rent) determined in the manner set forth in the bylaws of the co-op." And the co-op's bylaws can restrict membership and rents to be affordable to households under 60% AMI, which is compatible with LIRHPTE.

15 N. Polk St. | Eugene, OR 97402 | www.squareonevillages.org | info@squareonevillages.org

January 20, 2022

- Thus, a limited-equity co-op meets the overarching intent of the LIRHPTE program, but because of a nuanced discrepancy between rental and ownership, municipalities have declined to allow LECs to utilize the same benefits of tenant-landlord rental housing.



mary@plangreen.net * <http://plangreen.net> * 503-245-7858 * WBE Registration /#: 5001

RIP 2 Testimony of Mary Vogel/PlanGreen

I'm Mary Vogel, testifying for myself and my small business, PlanGreen. I support the testimony of Portland: Neighbors Welcome with one friendly amendment re: CO-OP HOUSING. I've usually testified as a policy advocate for PDX Small Developer Alliance, but today I'm testifying as a person who needs and deserves security, equity and legacy in my own housing. [(See A Personal Note below)].

Small developer, Andrew Heben, prepared the Property Tax Exemption Problem-Solution paper on the screen. Heben develops in the Eugene area, but he has said that he would consider building a six-plex here in Portland based upon your decisions on RIP2. We are both on the steering committee of OR Co-op Housing.*

Please read the entire **one page paper** I've taken out one quote that may answer one of your questions: [NEXT SLIDE]

Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit... ..Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing.

I urge you to pass RIP 2 with the amendments suggested by P:NW submitted by Luke Norman and the CoOp housing amendment I'm suggesting.

A Personal Note

After a seven+ month HUD recertification ordeal for my apartment, I believe that a six-plex co-op offers one of the few solutions out of what for me has been a tortuous process, where I have felt treated like a criminal every step of the way. It offers me a way to get back to having more control over my life and doing what I love—housing/green infrastructure policy and its implementation and becoming a more productive member of society once again. I believe this is a way to reduce further homelessness as well.

I also urge you to work with the State Legislature to support a property tax exemption for limited-equity cooperatives **that provide housing for the low-income working class** at the state level as well as that of Portland.

Thanks!

Mary Vogel/PlanGreen

*PDX Small Developer Alliance started as a closed Facebook group administered by me and Garlynn Woodsong, who is also on the Steering Committee for OR Co-Op Housing. I also noticed that Woodsong, along with several other small developers who used to be amongst our most active members, has signed onto the Build Small Recommendations submitted by Madeline Kovacs.

Tim McCormick

#331756 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

We wish to propose two "FUTURE WORK" amendments, as in amendments directing City staff to areas of future focus. We believe they could support dramatically lower-cost, faster, more flexible and separately-ownable new homes than anything else so far included in draft legislation.

1. Allow Tiny Houses Villages as Cottage Cluster Housing

Allow COTTAGES (including detached multiplex units or accessory dwelling units) to be MOVABLE -- both by being on wheels, e.g. Tiny Houses on Wheels (THOWs), or by being demountable to/from permanent foundations. We propose that this can be enacted in a straightforward manner by simply adapting the provisions, already extensively vetted by BPS and other City agencies, that currently allow movable homes on residential lots under the S2HC reforms. These address the safety, permitting, design, environmental, etc issues specific to a movable (on wheels) unit.

2. Open the door to such new approaches with an "Innovative Housing Demonstrations Policy" (IHDP)

We strongly support the proposal from Heather Flint Chatto, Paul Niedergang, et al. Let's create an "open door" program allowing pilot initiatives to advance affordable housing types, expands diversity of stakeholder participation, and provides a framework to identify and remove code barriers. There's a good precedent in WA of Redmond's Innovative Housing Policy and it provides an existing model code that is low hanging fruit with high benefit and low risk that would serve a diverse constituency. Benefits: Win-win for city politically with low risk, addresses code improvements and identified priorities, provides a framework to address code barriers, and diversifies housing solutions. Learn more here: <https://www.pdxmainstreets.org/ihdp>

Testimony is presented without formatting.

April 27, 2022

To: Mayor Ted Wheeler, and Councilmembers, Portland City Council

First, thank you to the Bureau of Planning & Sustainability, Council, and the wide array of people who have worked on **Residential Infill Project Part 2**, and preceding reforms **RIP Part 1**, the **Shelter to Housing Continuum Project (S2HC)**, and state laws **HB2001 (Middle Housing)** and **SB458 (Land Division)**.

This pioneering work has helped change the national conversation on housing, and on opening our long-frozen low-density residential areas to the traditional and diverse housing forms that long have and in the future greatly will expand opportunity and enrich our city for all.

Housing Alternatives Network supports the stated goals of Residential Infill Project, and of the City to encourage diverse, affordable housing forms throughout the city, particularly to address the chronic, devastating deficit of 10,000s of homes affordable to lower-income households in Portland.

We support the recommendations on RIP2 offered by Habitat for Humanity, members of the Build Small Coalition, and Portland: Neighbors Welcome.

However, we wish to propose two **"FUTURE WORK" amendments**, which we believe could support dramatically lower-cost, faster, more flexible and separately-ownable new homes than anything else so far included in draft legislation.

1. Allow Tiny Houses Villages as Cottage Cluster Housing

Allow COTTAGES (including detached multiplex units or accessory dwelling units) to be MOVABLE -- both by being on wheels, e.g. Tiny Houses on Wheels (THOWs), or by being demountable to/from permanent foundations. We propose that this can be enacted in a straightforward manner by simply adapting the provisions, already extensively vetted by BPS and other City agencies, that currently allow movable homes on residential lots under the S2HC reforms. These address the safety, permitting, design, environmental, etc issues specific to a movable (on wheels) unit.

Forge Design has a low-income housing project (**Art Farm Tiny House Village Adaptive Affordable Housing**) intended as a replicable model of affordable housing, but have identified code barriers that make little sense. This policy would allow many more tiny house clusters to add density now on underdeveloped larger sites without having to go through the series of hurdles in permitting (e.g. campground permit like St. Johns Village, nor a Shelter to Housing conditional permit with many restrictions): neither of the current paths make sense. This amendment would allow much more affordable housing villages like this to happen much quicker and increase the available land and diverse stakeholder that can participate. It would also add greater code parity since THOW are allowed on Commercial and institutionally zoned properties now.

2. Open the door to such new approaches with an "Innovative Housing Demonstrations Policy" (IHDP)

We strongly support the proposal from Heather Flint Chatto, Paul Niedergang, et al. Let's create an "open door" program allowing pilot initiatives to advance affordable housing types, expands diversity of stakeholder participation, and provides a framework to identify and remove code barriers. There's a good precedent in WA of Redmond's Innovative Housing Policy and it provides an existing model code that is low hanging fruit with high benefit and low risk that would serve a diverse constituency. Benefits: Win-win for city politically with low risk, addresses code improvements and identified priorities, provides a framework to address code barriers, and diversifies housing solutions. Learn more here: <https://www.pdxmainstreets.org/ihdp>

Ken Hurst

#331755 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I'm writing to voice support for RIP2, the second part of the Residential Infill Project. With Portland's long-running housing shortage, we need to do everything we can to ensure that options exist across the spectrum from single-family, detached homes to middle-income housing to dense, multi-family apartments and condominiums. When I became a homeowner earlier this year (of a townhome), it was only because of the existence of denser housing options that I was able to continue to reside in Portland, a city I'm proud to call home. However, the supply of duplexes, tri- and four-plexes, townhomes, cottage clusters and the like is vastly shorter than the demand. To help alleviate the housing shortfall and mitigate the affordability crisis we currently find ourselves in, Council should pass RIP2. Please consider also expanding the options for up to six-plexes and increasing the FAR ratio for four-plexes by a modest 0.1. This will allow for increased density in our wonderful city while preserving the livability standards residents have come to enjoy and expect.

Testimony is presented without formatting.

Mary Vogel

#331754 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Over the years, I have testified on RIP as a rep of PDX Small Developer Alliance, but we haven't had a meeting in a while. So I am testifying on behalf of myself, Mary Vogel, and my small business, PlanGreen. I support the testimony of Portland: Neighbors Welcome with one friendly amendment re: CO-OP HOUSING. I've usually testified as a policy advocate, but today I'm testifying as a supplicant who needs your help (See A Personal Note below). Small developer, Andrew Heben, prepared the attached Property Tax Exemption Problem-Solution paper. Heben develops in the Eugene area, but he has said that he would consider building a six-plex here in Portland based upon your decisions on RIP2. We are both on the steering committee of OR Co-op Housing. Please read the entire 1page paper I've taken out one quote that may answer one of your questions: Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit... ..Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing. I urge you to pass RIP 2 with the amendments suggested by P:NW Equitable Zoning Group submitted by Luke Norman and the CoOp housing amendment I'm suggesting. A Personal Note After a seven+ month HUD recertification ordeal for my apartment, I believe that a six-plex co-op offers one of the few solutions out of what for me has been a tortuous process, where I have felt treated like a criminal every step of the way. It offers me a way to get back to having more control over my life and doing what I love—housing/green infrastructure policy and its implementation and becoming a more productive member of society once again. I also urge you to work with the State Legislature to support a property tax exemption for limited-equity cooperatives that provide housing for the low-income working class at the state level as well as that of Portland.

Testimony is presented without formatting.

RIP 2 Testimony of Mary Vogel/PlanGreen

Over the years, I have testified on RIP as a rep of PDX Small Developer Alliance, but we haven't had a meeting in a while. So I am testifying on behalf of myself, Mary Vogel, and my small business, PlanGreen. I support the testimony of Portland: Neighbors Welcome with one friendly amendment re: CO-OP HOUSING. I've usually testified as a policy advocate, but today I'm testifying as a supplicant who needs your help (See A Personal Note below).

Small developer, Andrew Heben, prepared the attached Property Tax Exemption Problem-Solution paper. Heben develops in the Eugene area, but he has said that he would consider building a six-plex here in Portland based upon your decisions on RIP2. We are both on the steering committee of OR Co-op Housing.

Please read the entire **1page paper** I've taken out one quote that may answer one of your questions:

Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit... ..Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing.

I urge you to pass RIP 2 with the amendments suggested by P:NW Equitable Zoning Group submitted by Luke Norman and the CoOp housing amendment I'm suggesting.

A Personal Note

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I also urge you to work with the State Legislature to support a property tax exemption for limited-equity cooperatives **that provide housing for the low-income working class** at the state level as well as that of Portland.

Thanks!

Mary

John Gibbon

#331752 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

This testimony is being submitted in relation to the property on which Habitat for Humanity is currently seeking approval for a 17 single family style home condominium development. But it does not any way constitute comment on that pending application but rather it is submitted to identify matters important to the Markham neighborhood related to RIP2 that can be raised by focusing on the immediate area surrounding this parcel. Those issues are- 1. Support for the PSCs position regarding retaining RIP 1 standard designation for lots regardless of RIP2 use of outdated fire risk mapping information that indicated the lots should be redesigned with the z overlay. This affected numerous lots to the west of the Habitat property in superblock laying between SW Taylor's Ferry Road and SW Marigold St. and SW 25th & SW26th (where an important active transportation project is scheduled soon.) 2) The removal of the z overlay on this parcel and a number of other properties north of SW Taylor's Ferry as a result of the RIP 2 analysis which reduced the effect of the NRI weight given to native tree canopy where owners preference or dilatory management on large lots lead to limits on future development. 3) The importance of identifying and evaluating the infrastructure impacts and development impacts of the non-maintained streets (or 25th Ave's case a non-maintained portion of a street) especially were their condition affects intersections with more heavily traveled roads and city infra structure systems. These are each issues the Council should give serious attention to as they each have and I suspect will have continued impact on neighborhood throughout the City which are on its "Urban Edge".

Testimony is presented without formatting.

Heather Flint Chatto

#331751 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

City Council Members,

I'm writing to advocate for leadership, vision, equity and low-carbon housing options.

The attached 3 "Future Work" Amendments are proposed to achieve more affordable housing with less barriers to equity, climate and affordability. Recognizing that state deadlines have necessitated a shorter public involvement and more narrowly focused process than typical, these recommended next steps are intended to support staff to meet their legislative and timing requirements, AND move the needle on key housing concerns and identified gaps.

I'm also advocating for project like Art Farm, a planned Tiny House zero energy village proposed now on a 20,000 sf RM1 site. It is an excellent example of a replicable adaptive model for adding affordable cluster housing on existing underdeveloped sites. However, while THOWs can be installed in commercial and institutional zones, in residential zones (like RM1 which allow higher densities), we could only do a project like this as an "Outdoor Shelter" with un-necessarily restrictive requirements of Conditional Use Process, 25' rear and side setbacks, costly utility connections and permanent foundations that limit the potential of land being used now as interim housing while still retaining their availability for higher permanent density. This prevents good projects from happening.

We believe there is a pathway to overcome these challenges and others without delays to RIP2. The 3 Future Work Amendments can be finessed but are shared now as a way to help us move beyond "we can't" thinking with the vision and leadership we need now, with delays. Approaches like this continue our legacy of innovation:

1. Create the Innovative Housing Demonstration Policy (IHDP) a pathway to test innovative multi-family housing types with low risk and assess code barriers. (See attached Art Farm example site plan and City of Redmond Innovative Housing Demonstrations Project code precedent www.codepublishing.com/WA/Redmond/CDG/RCDG20C/RCDG20C3062.html)

2. Include Tiny Houses on Wheels (THOWs) Cluster Housing: This is a widely supported pathway for affordable housing with greater equity of participants and can be rapidly scaled with low cost, making it a more achievable houseless and affordable housing strategy for those with less resources.

3. Create the RIP 2 Financial Tools to make the RIP goals operationalized with less demolition, climate impacts, and gentrification and greater equity for who can benefit and participate. This includes: Low interest loans, fast track permitting, tax abatements, technical assistance programs to help more communities do adaptive reuse and build new. These financial tools will support much greater equity of who gets to build and who can afford to create and live in housing.

These “Future Work” Amendments advance equitable affordable and sustainable housing. A commitment demonstrates your values with action, and can be achieved without delaying RIP2 now.

These Future Work Amendments address RIP goals of increasing housing alternatives, first with a creative pilot approach to test new housing with low risk while you evaluate code options and barriers. Second, a commitment to a follow up process that can include THOWs as a cluster housing type, taking the time you need to work out the code details for lot sizes and unit counts, and other requirements already in place for THOWs in other parts of the code. Finally, you can address a serious equity and climate gap in RIP with much-needed financial and technical assistance tools to empower more economically challenged and less resourced individuals to participate in creating more middle housing, not just developers with know-how and means. Developers are more often likely to teardown than covert and adapt because of the added time, complexity and uncertainty, so without the tools in place we are furthering inequities, incenting demolition by default because we haven’t funded the key pieces of our implementation needed to achieve the beneficial goals of RIP. Adding these tools are an essential equity and climate strategy.

I urge the City Council to demonstrate your commitment to address solutions and barriers in parallel. Support for these Future Work Amendments NOW allows you align words with action without delaying RIP 2. Support now informs future staff work plans and budgets to move forward with vision and innovation to advance greater equity, affordability, and climate action.

Please keep the record open through the Amendments Hearing in May so more communities can participate and fully dive into the policy.

Thank you for all your work,

Heather Flint Chatto, Urban Planner & Environmental Designer

FORAGE DESIGN + PLANNING, foragedesigner@gmail.com

Testimony is presented without formatting.

PROPOSED AMENDMENTS TO RESIDENTIAL INFILL PROJECT II (RIP2)

3 "Future Work" Housing Amendments

April 26, 2022

by Forage Design | For more info contact: foragedesigner@gmail.com

These Future Work Amendments are next steps to achieve more affordable housing with less barriers. We support staff to meet their legislative and timing requirements, recognizing that state deadlines have necessitated a shorter public involvement and more narrowly focused process than typical.

City Council support now can demonstrate commitment to address solutions and barriers in parallel, without delaying RIP 2. Action now informs future staff work plans and budgets to move forward with vision and innovation to advance greater equity, affordability, and climate action.

1. Innovative Housing Demonstrations Policy (IHDP)

Drawing on precedent in other cities (e.g. [Redmond, WA IHDP Policy](#)), direct staff to create an Innovative Housing Demonstrations Policy (IHDP) and Pilot Program for Portland to advance further study, remove unnecessary code barriers, and encourage greater innovative housing. Barriers exist to a variety of alternative housing types¹ that provide greater affordability and environmental innovation. Until permanent ordinances regarding innovative housing projects can be implemented, there is a need to allow and incentivize a limited number of regulated innovative housing projects. A small set of pilots (e.g. 10 middle housing projects) would provide a pathway to test innovative housing models, evaluate code issues, and demonstrate viability with low risk. This demonstration approach will broaden the array of local examples and strategies for low-impact, climate responsive housing and increase the availability of built examples that model social, financial and environmental innovation in Portland neighborhoods. This program will implement responses to the declared housing and climate emergencies by providing a pathway for regulations to be adjusted or in some cases waived, including zoning and building regulations as required to facilitate rapid-deployment of innovative housing solutions. *Innovative housing types this could address include: Tiny houses², Tiny Homes on Wheels³, (THOW) cottage clusters, zero energy and net positive energy buildings, living buildings, community land trusts, cohousing, and affordable housing paired with Equitable Food Oriented Development⁴ (EFOD).* ([see slides with examples and precedents](#))

2. Include Tiny Homes on Wheels (THOW) as a Cluster Housing Type

Expand allowance of Tiny Homes on Wheels (THOWs) as Cluster Housing by follow-up process. Currently, residential properties are limited to one THOW. However, THOW clusters are already allowed on institutional and commercially zoned properties and under the new Shelter to Housing Policy by Conditional Use as Outdoor Shelters. This amendment would facilitate the potential of quickly achievable housing now for low cost that could benefit both residents needing low-income affordable housing and more cost-efficient housing for houseless community members. Including THOWs as an allowed type would create greater parity in the code and open the potential of greater housing units on available urban land including underdeveloped multi-family zoned properties. Direct staff to initiate a work group of professionals and staff to assist in guiding this process. Code additions should include considerations such as site size and number of units, foundations and utility connection requirements for both interim and permanent villages, and on-grid and off-grid alternatives.⁵ (See [Mobile Dwellings Report on Interim Housing](#))

3. Create the Package of Financial Tools to Support RIP Policy Implementation

As a follow-up companion process to RIP, these financial tools incentivize adaptive density (internal conversions, additions and ADU's) which facilitate low-carbon, less impactful and more climate-friendly housing approaches over demolition. It will also support more fairness of who gets to build and who can afford to create and live in new housing based on increased financial tools and resources to help overcome language, knowledge and financing hurdles that limit more diverse populations from participation. Financial tools may include approaches such as: low interest loans, fast track permitting, tax abatements, fee-waivers, and technical assistance programs. These tools address concerns about climate and equity impacts of RIP 1&2 policies increasing fair access to knowledge, resources and opportunity.

¹ Precedent: City of Redmond Innovative Housing Demonstration Policy
<https://www.codepublishing.com/WA/Redmond/CDG/RCDG20C/RCDG20C3062.html>




² Tiny house Veteran's Village Example - <http://ahomeforeveryone.net/stjohnsvillage>

³ Example Tiny House on Wheels (THOW) Project - Art Farm Tiny House Artist Ecovillage - [RIP2 Testimony Presentation Slides](#)

⁴ <https://archive.curbed.com/2018/5/10/17259776/what-is-food-oriented-development-kresge-foundation>

⁵ [Mobile Dwellings in Oregon: Legislative Opportunities for Interim Housing](#), page 5. Mobile Dwellings Workgroup, Jan. 24, 2022.

3 Amendments Advance Equity + Affordability + Climate

Proposed “Future Work” Amendments		Description	Planning Precedents
1	 Innovative Housing Demonstrations Policy (IHDP)	Test innovative housing solutions with low-risk pilots <ul style="list-style-type: none"> Helps reduce code barriers Flexibility in Site Design Models affordable climate positive housing 	Redmond WA Housing Policy for Innovative Demonstration Pilots (View Code)
2	 Add Tiny Houses on Wheels (THOW) as a Cluster Housing Type	Affordable, quick to build, quality housing now that is easy to customize and move <ul style="list-style-type: none"> Scale up houseless options Unlock more underutilized urban land 	Shelter to Housing allows THOWs as Conditional Use, already allowed in Commercial/Institutional Zones; CA approach
3	 Add RIP Financial Implementation Tools Increase low-carbon housing & diversity in who benefits	More access, less demolition <ul style="list-style-type: none"> Technical Assistance Fee Waivers & Reductions Fast-Track Permitting Low-interest Loans \$ Rebates & Incentives 	SDC Fee waivers for ADU's, BES loans to help reduce cost barriers to RVs/THOW hookups, past green roof incentives

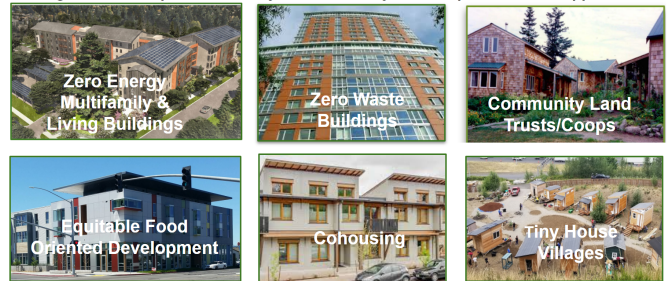
THOW: Tiny Homes on Wheels; ADU: Accessory Dwelling Unit, SDC: System Development Charges

3 Amendments Advance Equity + Affordability + Climate

Proposed “Future Work” Amendments	Equity & Access	Housing Options	Affordable Strategies	Houseless Solutions	Climate Resiliency
1 Innovative Housing Demonstration Policy (IHDP)	✓	✓	✓	✓	✓
2 Add Tiny Houses on Wheels (THOW) as a Cluster Housing Type	✓	✓	✓	✓	✓
3 Add RIP Financial Implementation Tools Increase low-carbon housing & diversity in who benefits	✓	✓	✓	✓	✓

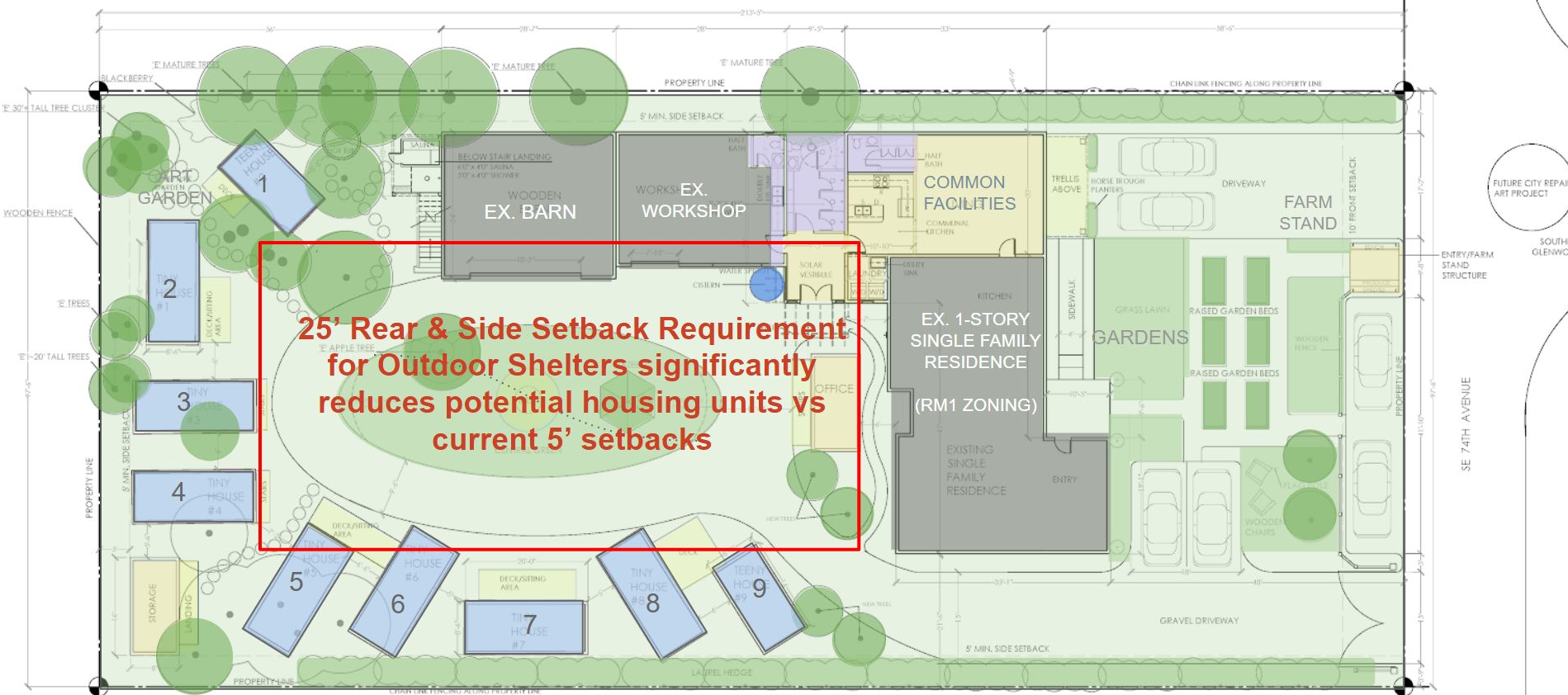
Innovative Housing Demonstration Pilot (IHDP) Examples

We need more innovative housing models for affordability, equity, and climate responsive design. These are possible now, yet unnecessary barriers prevent wider application.



3 “Future Work” Amendments to Advance Shared Goals

Proposed “Future Work” Amendments	Equity & Access	Housing Options	Affordable Strategies	Houseless Solutions	Climate Resiliency
1 Innovative Housing Demonstrations Policy (IHDP)	Assesses code barriers, allows flexibility in site design to test innovation now	Incentivizes more innovative housing types with low risk	Demonstrates affordable, eco, & social models for more uptake	Increases supportive housing exemplars	Advances zero energy and EFOD models, broadens awareness
2 Add Tiny Houses on Wheels (THOW) as a Cluster Housing Type	Expands who can participate in creating housing	Expands housing types in residential zones for THOWs	Affordable housing type, pathway to ownership	Code parity: allowed now on commercial sites & shelters	Low carbon density NOW, no demo in new development
3 Add RIP Financial Implementation Tools Increase low-carbon housing & diversity in who benefits	Inclusion & access; not limited to those with know-how & \$\$\$	Increases adaptive middle housing opportunities	Expands who can participate in creating housing	Retain NOAH & “age in place”: additions/ADUs conversions	Incentivizes low-impact adaptive density & low-carbon housing



ARTfarm Conceptual Design Plan

FORAGE DESIGN | PROGRESSIVE DEVELOPMENT GROUP
 RIP2 Testimony on Recommended Draft

Ordinance #190851



- TINY HOUSES
- BATHROOMS & SHOWERS
- COMMON SPACES (Office, Kitchen, Living Room, Storage, Laundry)

20C.30.62 Innovative Housing Demonstration Projects.

20C.30.62-010 Findings – Purpose.

The Redmond City Council makes the following findings:

- (1) The purpose of this interim zoning division is to allow development of a limited number of projects to evaluate opportunities to increase the availability of innovative housing in Redmond's single-family neighborhoods.
- (2) The innovative housing styles that will be allowed in all R-4 through R-8 zones under this division include but are not limited to cottages, compact single-family homes, and multiplex structures (duplexes, triplexes, and fourplexes) designed to look like single-family homes. Accessory dwelling units (ADUs) that are incorporated as part of the innovative housing are also encouraged. The City will consider other housing styles that meet the intent of this division. Multiplex structures are not an allowed housing style within the "Wedge" subarea of the North Redmond neighborhood.
- (3) The goals of innovative housing demonstration projects are to:
 - (a) Increase housing supply and the choice of housing styles available in the community.
 - (b) Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes and mixes of income levels.
 - (c) Promote high-quality design.
 - (d) Allow flexibility in site and design standards while promoting projects that are compatible with existing single-family developments.
 - (e) Help identify a work plan and any zoning code amendments that are necessary to support the development of innovative housing choices within single-family neighborhoods in Redmond.
- (4) Until permanent ordinances regarding innovative housing projects can be implemented, there is a need to allow a limited number of regulated innovative housing projects.
- (5) Following expiration of the ordinance codified in this division, City staff shall produce a report evaluating how well the project achieved the goals of the ordinance and the goals of the enabling Comprehensive Plan policy language. (Ord. 2463; Ord. 2409; Ord. 2265)

20C.30.62-020 Development Guide Amendment.

- (1) A zoning change applicable to all properties in the R-4 through R-8 zones is hereby established to allow the development standards contained in this division to apply for eligible innovative housing demonstration projects.
- (2) The change to the R-4 through R-8 zones shall be applicable only to those developments that comply with the provisions of this division, and which have been authorized to proceed pursuant to this division.
- (3) Developments not considered under the provisions of this division are subject to the development standards contained in this chapter and all other applicable sections of the Redmond Community Development Guide. (Ord. 2409; Ord. 2265)

20C.30.62-030 Submittal of Innovative Housing Demonstration Project.

- (1) Timing. Upon the effective date of the ordinance codified in this division, the City shall immediately begin accepting applications for innovative housing demonstration project proposals. The Innovative Housing Demonstration Program shall expire five years following its adoption, or when five projects developed under this division are completed, whichever occurs first, unless extended by the City Council, or unless the City Council specifically authorizes additional projects as provided for in this division.
- (2) Number of Developments. Except as described below, the City may approve up to five innovative housing demonstration projects, with no more than two projects demonstrating the same single housing type within any calendar year or within any single neighborhood, unless additional projects are allowed by the City Council as follows:
 - (a) The City Council may authorize the submittal of proposed innovative housing demonstration project proposals in addition to those described in subsection (2) of this section, provided such proposed projects demonstrate exceptional design quality and exceptional consistency with the requirements and parameters of this division.
 - (b) Proposals not authorized for submittal by the City Council may be resubmitted for consideration at the beginning of the next calendar year as long as the ordinance codified in this division remains in effect.
 - (c) For purposes of this division, the first calendar year shall begin on the effective date of the ordinance codified in this division, and then on January 1st thereafter.
- (3) Materials. Applications for an innovative housing demonstration project shall be made on forms provided by the City and shall include the following materials:

- (a) A site plan of the proposed development, indicating property lines, proposed setbacks, and lot coverage calculations. The site plan shall also include the location of all adjacent structures and distance to property lines, and the footprint of any existing structures on the property.
 - (b) Conceptual drawings of the proposed innovative housing type, including building footprints and building elevations, floor plans, and roof plans.
 - (c) A description of how the proposed development is consistent with the surrounding neighborhood character and neighborhood design standards.
 - (d) A description of how the proposed development complies with all the criteria and project parameters for an innovative housing demonstration project as described in this division.
 - (e) A description of the proposed unit type, including proposed square footage, unit mix, and number of bedrooms per unit.
 - (f) General information about the site including the number of dwelling units allowed by the zone and the number of proposed dwelling units, open space allowed and proposed, impervious surface allowed and proposed, and building height allowed and proposed.
 - (g) Photographs of the subject and adjacent properties keyed to the site plan.
 - (h) Additional information as required by the application forms provided by the City or deemed necessary by the review panel to consider the application.
 - (i) A conceptual site plan, including building footprint(s), demonstrating the type of development that would likely occur if the site were developed under the City's traditional zoning and design standards for the site.
- (4) Applications submitted under this division shall be available for public review for a minimum of two weeks prior to the neighborhood meeting described in RCDG [20C.30.62-040](#). (Ord. 2409; Ord. 2265)

20C.30.62-040 Neighborhood Meeting Required.

- (1) Developers of innovative housing projects submitted under this division shall schedule and host a neighborhood meeting following the guidelines established by the Planning Department and including attendance by City staff. The neighborhood meeting shall be held within two to eight weeks following submittal.
- (2) Notice of the neighborhood meeting shall be mailed to all property owners and residents within 500 feet of the proposed project with details of the proposed project, including a description of any modification or flexibility in site design standards that has been requested. The City shall also make every effort to include parties who have expressed an interest in the innovative housing program and shall work with the media to inform the community about the proposed developments.
- (3) Following the neighborhood meeting, the applicant shall consider public input received during the neighborhood meeting and consider recommendations, if any, for revising the proposed innovative housing project to respond to neighborhood concerns. Any revisions to the proposal shall be provided to the City within 90 days of the neighborhood meeting. (Ord. 2409; Ord. 2265)

20C.30.62-050 Authorization to Proceed.

- (1) Within six weeks of submittal of any revisions to the proposal that are made as a result of the neighborhood meeting, a review panel as described below shall decide which proposals will be authorized to submit development review applications pursuant to RCDG [20C.30.62-060](#). The review panel shall consider recommendations of staff, with input from the Technical Committee, to determine which applications submitted under this division will be authorized to proceed to the next level of review. The review panel shall consider applications based on the responses to the criteria for consideration contained in this division. The review panel shall consist of the following representatives to be appointed by the Mayor:
 - (a) One member of the Redmond Planning Commission.
 - (b) Two members of the Redmond Design Review Board.
 - (c) One member of the Redmond Technical Committee.
 - (d) One citizen representative, in the following priority:
 - (i) A member of any active Citizen Advisory Committee (CAC) for the neighborhood in which the project is located.
 - (ii) A member of a Neighborhood Citizen Committee for the neighborhood in which the project is located.
 - (iii) A member of any former Citizen Advisory Committee for the neighborhood in which the project is located.
 - (iv) A member of any active CAC from a neighborhood other than one in which the project is located.

- (e) In instances where there is no representative as described in subsection (1)(d) of this section, a second member of the Planning Commission shall be appointed to serve on the review panel.
 - (f) In addition to the five-member review panel identified in subsection (1) of this section, a Youth Advocate member is encouraged to participate on the review panel as a nonvoting member.
- (2) In addition to the requirements contained in this division, the review panel shall use the following criteria in determining which applications will be authorized to proceed to the next level of review:
- (a) Consistency with the intent of the innovative housing goals of providing a variety of housing choices (specifically demonstrating, but not limited to, those housing styles identified in this division), compatibility with surrounding single-family development, and improving housing affordability options.
- (3) Following authorization from the review panel to proceed, the applicant shall submit to the City an application for a site plan entitlement to be considered under the City of Redmond Type II permit process, unless another permit process is required.
- (4) Decisions of the review panel in selecting proposals that are authorized to proceed as innovative housing demonstration projects may be appealed to the City Council. (Ord. 2409; Ord. 2265)

20C.30.62-060 Permit Process.

- (1) Within six months following authorization from the review panel to proceed, the applicant shall submit the appropriate development review applications as described below. The applicant may request of the Code Administrator, in writing, a maximum extension of six months, provided it is demonstrated to the City's reasonable satisfaction that progress has been made in preparing the submittal.
- (a) Except for innovative housing demonstration projects that involve a subdivision as defined by the City of Redmond Community Development Guide, the City shall use a Type II review process as described in RCDG [20F.30.35](#) to review and decide on innovative housing demonstration projects, with the additional requirements as described in subsection (3) of this section.
 - (b) For innovative housing demonstration projects that involve a subdivision as defined by RCDG [20A.20.190](#), the City shall use a Type III review process as described in RCDG [20F.30.40](#) to review and decide on innovative housing demonstration projects, with the additional requirements as described in subsection (3) of this section.
- (2) In addition to complying with the approval criteria stated for a Type II or a Type III review process, the applicant must demonstrate that:
- (a) Except as otherwise provided in this division, the proposal is compatible with surrounding development with respect to building heights, roof forms, property lines, parking location and screening, access, and lot coverage.
 - (b) The proposal provides elements that contribute to a sense of community within the development by including elements such as but not limited to front entry porches, common open space, and common buildings or common spaces within buildings.
- (3) The applicant may propose additional modifications to the development standards requirements of the Redmond Community Development Guide upon demonstration that such modifications are important to the success of the proposal as an innovative housing project and are necessary to meet the intent of this division. The City shall prioritize review of any RCDG modifications that are deemed appropriate to allow for prompt consideration by the Planning Commission and City Council.
- (4) In order to meet the goals of the Innovative Housing Demonstration Program, there will be flexibility with regard to some normally applicable regulations and requirements. Standards listed in this subsection as well as parameters identified in RCDG [20C.30.62-070](#) will apply to innovative housing demonstration projects and will prevail if they conflict with existing regulations. Unless otherwise specified in RCDG [20C.30.62-070](#), all other regulations and requirements of the City of Redmond will continue to apply, except that applicants may propose additional modifications to the Redmond Community Development Guide, as provided for in this subsection.
- (a) The minimum lot size, restriction of not more than one dwelling unit per lot, and minimum number of required parking spaces found in the Redmond Community Development Guide shall be replaced by the standards identified in RCDG [20C.30.62-070](#).
 - (b) Planning application fees for the review of the proposed project shall be based on the number of single-family units that would be allowed by the underlying zone, regardless of the number of units being built under this division.
 - (c) Impact fees under the Redmond Community Development Guide shall be determined based on the impacts associated with the proposed development, and may be adjusted administratively upon demonstration that the impacts will be the same or less than those associated with a traditional development.
 - (d) Storm water fees and utility hook-up fees shall be determined based on the actual anticipated usage or on a per unit basis, whichever is less.

(5) The City’s approval of an innovative housing project does not constitute approval of a subdivision, a short plat, site plan entitlement, or a binding site plan, nor does it exempt the project from proceeding under the review requirements for a Type II or Type III development review process, whichever applies, or from obtaining all necessary permits required under the International Building Code.

(6) The City of Redmond reserves the right to deny an application for development under this division without prejudice. (Ord. 2409; Ord. 2265)

20C.30.62-070 Application Parameters.

This table sets forth parameters applicable to innovative housing project applications.

Parameters	
Housing Types	<ul style="list-style-type: none"> ℳ Any attached or detached single-family housing type, as defined by the Redmond Community Development Guide. ℳ Ownership housing is preferred, but projects that include a component of rental housing, such as accessory dwelling units as part of the single-family development, are also encouraged.
Design Standards	<ul style="list-style-type: none"> ℳ Except as specified below, regardless of the neighborhood in which the proposed development is located, the City’s standards for residential design for the Grass Lawn Neighborhood shall apply, while allowing flexibility when necessary to meet the intent of this division. ℳ Projects located in neighborhoods with adopted neighborhood residential design standards shall comply with applicable design standards for those neighborhoods, while allowing flexibility when necessary to meet the intent of this division. ℳ Any innovative housing development proposals located in the Willows/Rose Hill Neighborhood shall not preclude construction of the innovative housing development detailed in the Willows/Rose Hill Neighborhood Plan.
Site Requirements	<ul style="list-style-type: none"> ℳ Projects which meet ordinary lot standards for the zone in which the development is located are preferred. However, modifications to the minimum lot size, setbacks, lot coverage, minimum lot width circle, minimum lot frontage, minimum building separation, and maximum impervious surface area may be considered if it is demonstrated that said modifications are required for construction of the proposed housing type. ℳ Any modification to the lot standards shall minimize adverse impacts on adjoining properties.
Unit Size Limits	<ul style="list-style-type: none"> ℳ There shall be no minimum size requirements for the individual units, provided units meet the minimum livability standards as defined by the Building Code. ℳ For projects that include “size limited” housing units, a covenant restricting any increases in unit size after initial construction may be recorded against the property. ℳ Projects that include a mix of unit sizes within a single development are preferred, including homes that provide ground floor master suites or similar configurations with all living areas on one level.
Number of Units	<ul style="list-style-type: none"> ℳ Projects proceeding under this division shall be allowed no more than two times the density that is allowed by the underlying zone. ℳ Limitations on the number of units allowed per lot are waived. ℳ Existing single-family homes may remain on the subject property and will be counted as units in the total unit count.
Locations	<ul style="list-style-type: none"> ℳ Citywide in all R-4 through R-8 residential zoning districts. The City encourages projects located near transit service.
Number of Developments	<ul style="list-style-type: none"> ℳ Up to five, with no more than two projects demonstrating the same single housing type within any calendar year and within any one neighborhood. ℳ The City Council may authorize additional projects per RCDG 20C.30.62-030(2).
Public Notice	<ul style="list-style-type: none"> ℳ Neighborhood meeting, including City staff attendance, required prior to submittal of application for Type II or Type III permit review. ℳ Normal publishing and posting after application received. ℳ Mailing of notice to adjacent residents and property owners within 500 feet of the proposed development after application received.
Access Requirements and Utilities	<ul style="list-style-type: none"> ℳ The applicant shall work directly with the Public Works and Fire Departments to determine general flexibility for utility standards, road widths, public versus private, and turn-around requirements. ℳ The applicant shall verify with the Public Works Department that adequate water, sewer, and storm water capacity exists to service the proposed development.
Development Size	<ul style="list-style-type: none"> ℳ A maximum of 12 units shall be permitted as part of any innovative housing demonstration project.
Ownership Structure	<ul style="list-style-type: none"> ℳ Subdivision. ℳ Condominium. ℳ Single owner for entire project (to allow rental).
Community Buildings	<ul style="list-style-type: none"> ℳ Shall be clearly incidental in use and size to the primary residential units. ℳ Shall be commonly owned by the residents of the development, unless otherwise approved by the Technical Committee.
Accessory Dwelling Units	<ul style="list-style-type: none"> ℳ May be considered as part of any submittal.
ADA Compliance	<ul style="list-style-type: none"> ℳ Developments which include a portion of the units that are fully accessible under the provisions of the Americans with Disabilities Act, exclusive of such requirements under the Building Code, are strongly encouraged.
Affordability	<ul style="list-style-type: none"> ℳ Except as provided below, developers are strongly encouraged to include housing units that provide for a broad mix of income levels, including a portion of the units that are affordable to households earning 80 percent or less of the King County median income. ℳ The provisions of RCDG 20D.30.10, Affordable Housing, and RCDG 20D.30.15, Affordable Senior Housing Bonus, shall not be waived through this division.
Parking	<ul style="list-style-type: none"> ℳ Unless otherwise approved, the following minimum parking standards shall apply:

	<ul style="list-style-type: none"> • One stall per unit for units under 700 square feet in size. • One and one-half stalls per unit for units 700 to 1,000 square feet in size. • Two stalls per unit for units over 1,000 square feet in size. <p>℘ Shall be provided on the subject property.</p> <p>℘ Should be screened from public streets and adjacent residential uses by landscaping or architectural screening.</p> <p>℘ Shall be located in clusters of not more than six adjoining spaces.</p> <p>℘ Shall not be located in the front yard setback, except on a corner lot where it shall not be located in the front yard between the entrance to any cottage and the front property line.</p> <p>℘ May be located between or adjacent to structures if it is located toward the rear of the structure and is served by an alley or driveway.</p> <p>℘ All parking structures shall have a pitched roof design with a minimum slope of 4:12.</p>
Trip Generation	℘ The review panel may consider the number of vehicle trips that will be generated by a proposed innovative housing demonstration project in determining its appropriateness for the location.
Critical Areas	℘ All proposed innovative housing demonstration projects shall meet the criteria of the City's Critical Areas Ordinance (Chapter 20D.140 RCDG).

(Ord. 2409; Ord. 2265)

This version of the Redmond Community Development Guide is effective through April 15, 2011.

The new Zoning Code, effective April 16, 2011, is available here: <https://www.redmond.gov/659/Zoning-Code> (<https://www.redmond.gov/659/Zoning-Code>)

City Website: <http://www.redmond.gov/>
 (<http://www.redmond.gov/>)
 Telephone number: (425) 556-2191
 Code Publishing Company
 (<https://www.codepublishing.com/>)

Andrew Crampton

#331749 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support RIP Part 2 because it creates homeownership opportunities for first-time buyers by allowing fee-simple lot division for middle housing. As a long time renter in the city, I would like the option to begin home ownership while not compromising my values of living in a walkable, sustainable neighborhood. I would also recommend Council encourage accessible and family-sized 4-plexes by increasing 4-plex FAR by 0.1.

Testimony is presented without formatting.

John Gibbon

#331748 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

As noted in my testimony provided on Quail Park's upper common parcel most of the most concerning portions of RIP 1's scattershot application to the project appear to have been addressed by the changes that have occurred as the result of the RIP 2 mandates. I as I also noted there was only real deficiency in dealing with Quail Park's upper homes (along the main road) as the somewhat perverse effect of the city's aspirational Natural Resource Inventory was reduced by the application RIP 2 requirements, that was the orphaning of only two homes in the lower Quail Park with direct frontage on the main road in a Z overlay area. I believe this result, which probably result in removing two of most viable internal redevelopment parcels in the park from the RIP palette, in part can be explained by these lots abutting or being immediately adjacent to the unimproved public right of way of SW 26th Place which because it retains many native trees near its Quail Park terminus draws (through NRI qualification) properties that otherwise might avoid Z designation into that limitation. This is only one of several reasons why in adopting these RIP 2 changes the council should moved understanding it will need to revisit issues surrounding these unimproved right of ways.

Testimony is presented without formatting.

Ben DeJarnette

#331747 | April 27, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support Residential Infill, Part 2, as well as the Portland: Neighbors Welcome recommendations to improve it. We need more abundant housing in neighborhoods like mine (Montavilla), and this is another small but important step.

Testimony is presented without formatting.

John Liu

#331753 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached letter.

Testimony is presented without formatting.

Portland Coalition for Historic Resources

**To: Mayor Ted Wheeler
Commissioner JoAnn Hardesty
Commissioner Mingus Mapps
Commissioner Carmen Rubio
Commissioner Dan Ryan
Morgan Tracy
CCtestimony**

April 25, 2022

Subject: RIP2 City Council Hearing Testimony

Dear Mayor and Commissioners,

The Portland Coalition for Historic Resources (PCHR) is an all-volunteer body including neighborhood leaders concerned with land use issues, housing, and historic preservation, together with participation by representatives from the two leading historic preservation organizations. Our members include experts in the designation, protection, and preservation of historic resources. We are submitting this letter out of concern for the City's

Despite the pressure from 1000 Friends/Portland Neighbors Welcome (PNW), homebuilders and allied PSC members to bring closure to the RIP project, you should make time to reconsider not just the aspirations and hopes you have for the outcome but what the long term downsides may be including widespread opposition from most of Portland's homeowners and the renters of single family houses, most of whom are unaware of RIP2 because of the very limited public notification by BPS.

Let's agree the city needs a variety of housing types, including that what is called "middle housing. Let's also appreciate that there is a shortage of single-family housing and a substantial lack of multi-family housing.

Let's agree that, as the city grows, additional density will be needed, especially to anchor and reinforce the variety of planned and maturing "centers."

Despite the slow uptake, most Portlanders seem to accept that ADUs provide homeowner flexibility and housing options that should be allowed. Likewise, side-by-side duplexes that are informed by the massing and scale of neighboring single dwellings are appropriate, in the cases where demolition of viable homes is not part of the bargain (which often becomes a 'zero sum' gain).

The state has mandated that additional density be allowed in single-family zones. It *does not*, however, require that every single-family area be rezoned and redefined to “middle housing” standards as set forth in RIP1, or the further untethering of standards proposed in the Draft RIP2.

In RIP 1 the PSC, BDS, and City Council backed themselves into an untenable and duplicitous corner by making all single-family zones into multi-family densities. Some of the advocates for RIP2 are suggesting that the city drop the pretense and just call everything R2.5 to R20 multi-family and further increase the allowed densities and incentives.

It should be highlighted that there is nothing in the Comprehensive Plan that envisions this form of random density or the elimination of single-family zoning. That is one and perhaps the only reason that BDS is keeping up this disingenuous façade in the code designation.

And what might be the downside of this approach to random density middle housing?

- Introducing chaotic density as the model for our neighborhoods will hobble the evolution of our ‘centers’ and could potentially increase individual’s dependency on automobiles. It will destabilize communities and neighborhoods and result in dislocation for lower income residents.
- The RIP 1 random density approach is clearly intended to introduce chaos as a means to encourage redevelopment of stable neighborhoods. RIP 2 simply accelerates and introduces more chaotic land use patterns, lot sizes, and unpredictable urban form.
- Evidence that affordable or more affordable housing will result from these measures is lacking except for subsidized housing developers. The PNW/1000 Friends aspirational claims are fervent but the evidence is speculative and without foundation that RIP1 or RIP2 will result in the promised benefits. At their February 8th meeting, several members of the PSC acknowledged that they never thought RIP would generate affordable housing. Even the BPS representative at that meeting could not answer the question about how many of the 16 four-plexes permitted so far under RIP1 were taking advantage of the affordability bonus.
- The purpose of single-family zoning as it appeared in the code for many years addressed issues of privacy, access to light, air, recreational space, and neighborhood stability. Environmental damages have already occurred as a result of increased demolitions and removal of trees. A recent PSU study reported a dramatic decline in our city’s tree canopy between 2015 and 2020, with half of the lost canopy occurring in residential areas with building permits, i.e., infill areas. RIP will only accelerate this loss of trees.

The RIP approach to planning flies in the face of the overwhelming desire of Portlanders to live in single-family houses, which under this code will be intentionally displaced as soon as out-of-town investors find that they can get a predictable and generous return. Another recent report documented Portland already lost 14% of its rental housing stock between the same five-year period. RIP will continue to fuel this decline.

It should be clear by now that the RIP justifications for fewer constraints and higher densities have no practical limits. What began as “social justice” demands to solve “housing shortages,” “housing affordability,” “lack of housing choices,” “access to all types of housing in every neighborhood,” retribution for past housing policy evils, etc. have now landed in the hands of investor/developers, who preach the virtues of a free market with less regulation, less plan review, and buildings that meet “market demands.” This approach does little to nothing in the way of increased access to homeownership, affordable rental options, or affordable housing.

There is a rational solution for the City to back out of this corner. Stop the train. Revisit the principles and goals of the Comp Plan. Rethink this “market-based” approach to urbanization and urban form where developers demand more and more because the middle housing rezoning is not producing promised results. Make middle housing part of a continuum of housing types and densities as it was intended to be. Test the changes to the code in limited districts, and monitor the impacts.

Making war on single-family dwellings will ultimately become a political football with numerous unintended consequences, and possibly unhappy results at the polls or simply abandonment of the City by middle income taxpayers.

Thanks for your consideration.

Regards,

Rod Merrick, AIA

Co-Chair, Portland Coalition for Historic Resources (PCHR)

Jonathan Greenwood

#331744 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

COUNCIL SHOULD SUPPORT RIP2 BECAUSE -It creates homeownership opportunities for first-time buyers by allowing fee-simple lot division for middle housing. -and it enables more people to take advantage of the wealth building opportunities associated with ADUs by legalizing detached duplexes. COUNCIL CAN IMPROVE RIP2 BY -Legalizing culturally responsive affordable 6-plex townhomes. Community based organizations like PCRI have heard from displaced communities that front doors, porches, and private backyards are a priority. But current lot coverage limits preclude side-by-side townhomes. Allow for small exceptions to lot coverage, setback, and open space requirements to ensure townhome style 6-plexes can be built. -Encouraging accessible and family-sized 4-plexes by increasing 4-plex FAR by 0.1. This change will incentivize the development of more 4-plexes in the city's residential neighborhoods, and will encourage more family-sized 2- and 3-bedroom units.

Testimony is presented without formatting.

Paul Niedergang

#331743 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

see attached PDF

Testimony is presented without formatting.

PROGRESSIVE DEVELOPMENT GROUP, INC
P.O. Box 14953
Portland, OR 97293

telephone:(503) 235-2396

email: paul@progresspdx.com

April 25, 2022

RIP2 Testimony, Paul Niedergang

Mayor Wheeler and Commissioners - My name is Paul Niedergang. I have lived in Portland since 1975 and have a small RE Investment and Development company called Progressive Development Group. I am testifying to encourage you to consider the attached three “Future Work” Amendments proposed by Forage Design + Planning as part of the Residential Infill Project – Part 2 process.

1. Create an Innovative Housing Demonstrations Projects (IHDP) Policy to address code barriers and advance alternative housing approaches now with low risk
2. Allow Tiny Homes on Wheels (THOWs) as a cluster housing type
3. Create the Financial Tools & Incentives needed for RIP implementation to align with climate and equity goals, not simply limited to those with technical knowledge and access to capital.

The City of Portland declared a “housing emergency” in 2015. In many ways the crisis has only worsened since then, so it is crucial that we encourage greater innovation to address the crisis.

To help unleash the power of the greater Portland community I strongly **recommend that the council direct staff incorporate an Innovative Housing Demonstrations Pathway as part of the RIP process.** Th IHDP would allow a limited number of Pilot Projects to demonstrate the viability of alternative options with low risk while studying options to reduce code barriers.

We have been working on developing an affordable tiny home village on a 20,000 SF RM1 site in SE Portland that we acquired in 2017. The concept is a non-profit Arts Focused Tiny Home Eco Village called Art Farm. The site came with a house, workshop and barn and we have since added one tiny home. Despite our best

efforts, we have been unable to figure out a common-sense permitting path for the concept. While THOWs are newly possible under the recent Shelter to Housing (S2H), the application is not for a shelter and the 25' rear and side yard setbacks severely limit the housing quantity and livability of a functional cluster. The conditional use process adds cost, complexity, uncertainty and delays.

If the goal is to create more housing with equitable participation, this does not meet the test. The goal should be to make a **replicable** adaptive density pathway available, that could be utilized by other under-developed sites around town.

The idea behind Art Farm is to **demonstrate the viability of one alternative development modality with the hope that other people will replicate and refine the model.**

This project arose out of the realization that over the past decade many artists have been displaced from their workspaces and have also found themselves priced out of the housing market. If we want to have art in our community, we need to have affordable spaces for artists to live and work.

Our proposed design would allow for up to 9 additional Tiny Homes with Common Kitchen and Rest Room facilities. We would like to see RIP2 allow this type of use on sites like this one.

1. **It would be ideal to create a by-right expedited pathway for tiny home “cottage clusters” that would not require a Conditional Use permit.** A Type III review is lengthy and costly and creates greater uncertainty which may deter more housing projects.
2. It would also be beneficial to allow an “off grid” option by eliminating the requirement for utility hookups.

There are currently many unpermitted tiny home cluster developments in Portland because there is no practical and affordable way to permit this particular use. I believe it is better to create a legal path for this type of development rather than have it proliferate in an arbitrary, under the radar manner.

While not as critical as providing homes for houseless people this type of project

is still an important waypoint on the continuum. I encourage you direct staff to make changes to RIP2 to enable projects of this nature to be permitted and built.

--END OF TESTIMONY--

Milton Jones

#331741 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Slow down! This rushed process is embarrassing.

Testimony is presented without formatting.

Brian Hoop

#331740 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Dear Mayor Wheeler and members of Portland City Council: Thanks to staff at the Bureau of Planning and Sustainability and utility bureaus for their leadership on missing middle housing policy efforts and for Portland City Council's past support for Residential Infill Project 1. We are writing to express Housing Oregon's support for two amendments to legalize affordable sixplex townhomes and encourage accessible fourplexes. Housing Oregon is a statewide membership-based association of affordable housing nonprofits committed to serving and supporting low-income Oregonians across the housing needs spectrum – from homeless to homeowner. Our members represent a broad range of organizations – from those that provide multi-family affordable rental housing to those focusing on affordable homeownership opportunities at precisely the scale of development RIP promises. RIP2 offers the opportunity for creating new wealth building options for owners of small homes, especially for lots disproportionately in East and outer North Portland – areas of the City with larger communities of color. Current regulations requiring these homeowners to build smaller ADUs in these high-displacement-risk communities prevent these homeowners from benefiting from the wealth-building opportunities ADUs provide to other homeowners. Our members include Portland Community Reinvestment Inc, Proud Ground, Habitat for Humanity Portland Region, Hacienda and others advocating for two key amendments that did not make it into the RIP2 draft: 1. Ensure that more affordable 5-and 6-plexes are being built in Portland Our members, such as PCRI, have heard from their constituents that new housing should allow more culturally appropriate townhomes that create space for families of all ages and evoke the front doors, porches and private backyards that displaced families of color remember. This amendment addresses the limits of RIP1, which legalized affordable sixplexes, but included lot-coverage limits that forced them to be built as three-story stacked-flats, not townhomes. The change allows affordable townhomes by making small exceptions to lot coverage, setback, and open space requirements for projects that meet the city standard for regulated affordability. The amendment would allow multiple options creating new standards for affordable: • Two-story side-by-side townhomes yielding a mixture of 3-bedroom and 2-bedroom units, • Three-story, smaller footprint townhomes yielding up to six 3-bedroom homes, and, • Improve existing standards for affordable five-to-six-plex stacked flats yielding more affordable 3-bedroom homes. 2. Encourage developers to add more units to a project by allowing graduated Floor-Area-Ratio for four-plexes as currently allowed for duplexes and triplexes This amendment addresses a missed opportunity in RIP1 to build accessible housing for Portlanders, since current regulations require fourplexes to meet accessibility standards, such as a

wheelchair-ready bathroom on the ground floor. Additionally, fourplexes create the cheapest new housing in these zones without public subsidy by splitting land and fixed costs among more households, with break-even rents 1/3 of those for new oneplexes. Specifically, the amendment adds a modest 0.1 bump in FAR (for a total of up to 0.8, up from just 0.7), which would help create more fourplexes while also facilitating more family-sized units to be built across the city. This is increasingly important as low-income families are disproportionately more likely to have elderly relatives and young children in their households. Thank you for your continued attention to this critical affordable housing issue. I can be reached at 503-475-6056 or brian@housingoregon.org.
Brian Hoop Executive Director Housing Oregon

Testimony is presented without formatting.

April 26, 2022

*Sheila Stiley, Board
chair – NW Coastal
Housing*

*Kymberly Horner –
Vice-chair - Portland
Community
Reinvestment Inc.*

*Rachael Duke,
Secretary -
Community Partners
for Affordable
Housing*

*Trell Anderson,
Treasurer –NW
Housing Alternatives*

*David Brandt,
Housing Works*

*Wakan Alferes
Homes for Good*

*Ernesto Fonseca -
Hacienda CDC*

*Maria Elena Guerra -
Farmworker Housing
Development Corp*

*Garrick Harmel –
Casa of Oregon*

*Nkenge Harmon
Johnson – Urban
League of Portland*

*Kristy Rodriguez –
Housing Authority of
Malheur & Harney
Counties*

Mayor Ted Wheeler and City commissioners
City of Portland
1221 SW 4th Ave
Portland, OR 97204

Dear Mayor Wheeler and members of Portland City Council:

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Housing Oregon is a statewide membership-based association of affordable housing nonprofits committed to serving and supporting low-income Oregonians across the housing needs spectrum – from homeless to homeowner. Our members represent a broad range of organizations – from those that provide multi-family affordable rental housing to those focusing on affordable homeownership opportunities at precisely the scale of development RIP promises.

RIP2 offers the opportunity for creating new wealth building options for owners of small homes, especially for lots disproportionately in East and outer North Portland – areas of the City with larger communities of color. Current regulations requiring these homeowners to build smaller ADUs in these high-displacement-risk communities prevent these homeowners from benefiting from the wealth-building opportunities ADUs provide to other homeowners.

Our members include Portland Community Reinvestment Inc, Proud Ground, Habitat for Humanity Portland Region, Hacienda and others advocating for two key amendments that did not make it into the RIP2 draft:

Ensure that more affordable 5-and 6-plexes are being built in Portland

Our members, such as PCRI, have heard from their constituents that new housing should allow more culturally appropriate townhomes that create space for families of all ages and evoke the front doors, porches and private backyards that displaced families of color remember.

This amendment addresses the limits of RIP1, which legalized affordable sixplexes, but included lot-coverage limits that forced them to be built as three-story stacked-flats, not townhomes. The change allows affordable townhomes by making small exceptions to lot coverage, setback, and open space requirements for projects that meet the city standard for regulated affordability.

The amendment would allow multiple options creating new standards for affordable:

- Two-story side-by-side townhomes yielding a mixture of 3-bedroom and 2-bedroom units,
- Three-story, smaller footprint townhomes yielding up to six 3-bedroom homes, and,
- Improve existing standards for affordable five-to-six-plex stacked flats yielding more affordable 3-bedroom homes.

Encourage developers to add more units to a project by allowing graduated Floor-Area-Ratio for four-plexes as currently allowed for duplexes and triplexes

This amendment addresses a missed opportunity in RIP1 to build accessible housing for Portlanders, since current regulations require fourplexes to meet accessibility standards, such as a wheelchair-ready bathroom on the ground floor. Additionally, fourplexes create the cheapest new housing in these zones without public subsidy by splitting land and fixed costs among more households, with break-even rents 1/3 of those for new oneplexes.

Specifically, the amendment adds a modest 0.1 bump in FAR (for a total of up to 0.8, up from just 0.7), which would help create more fourplexes while also facilitating more family-sized units to be built across the city. This is increasingly important as low-income families are disproportionately more likely to have elderly relatives and young children in their households.

Thank you for your continued attention to this critical affordable housing issue. I can be reached at 503-475-6056 or brian@housingoregon.org.

Sincerely,



Brian Hoop
Director, Housing Oregon

Mary Vogel

#331739 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Over the years, I have testified on RIP as a rep of PDX Small Developer Alliance, but we haven't had a meeting in a while. So I am testifying on behalf of myself, Mary Vogel, and my small business, PlanGreen. I support the testimony of Portland: Neighbors Welcome with one friendly amendment re: CO-OP HOUSING. I've usually testified as a policy advocate, but today I'm testifying as a supplicant who needs your help (See A Personal Note below). I find especially helpful for my own situation the suggestions of P:NW Equitable Zoning chair, Luke Norman, who calls for culturally adaptive six-plex creation in more parts of town. [See attached testimony from Mary Vogel/PlanGreen]

Testimony is presented without formatting.



SquareOne Villages

Property Tax Exemptions for Limited Equity Co-ops

PROBLEM:

- SquareOne Villages (SOV) is developing 70 units of permanently affordable housing with groundbreaking anticipated in Fall 2022. Ownership of the land will be held in trust by SOV, and the improvements will be owned by a limited-equity cooperative (LEC) composed of the residents that live in the housing.
- **Multi-family affordable housing developed as a limited-equity cooperative (LEC) does not currently qualify for a property tax exemption under Oregon law**, whereas affordable housing developed as traditional rental or single-family homeownership does, even though they may be serving the same income levels and include similar or stronger affordability controls to ensure the housing remains affordable.
- LECs provide an opportunity to create resident-owned housing for people that would otherwise be unable to qualify for traditional homeownership. This provides a more stable and equitable alternative to rental housing for very low-income households, however the lack of a property tax exemption disincentives affordable housing developers from creating this housing option.
- Thanks to the recent approval of HB 3275 in 2021, a LEC that includes an “affordable housing covenant” can qualify for an exemption on the land. However, it does not exempt the improvements on the land, which accounts for the bulk of the property tax.



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Mary Vogel

#331738 | April 26, 2022

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Mary Vogel

#331737 | April 26, 2022

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Ryan Makinster

#331736 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

April 26, 2022 Ted Wheeler, Mayor Portland City Council 1221 SW 4th Ave, Room 340 Portland, OR 97204 By E-mail Re: Residential Infill Project 2.0 (Agenda Item 338, Wednesday April 27, 2022) Dear Mayor Wheeler, The Home Builders Association of Metropolitan Portland (the “HBA”) represents over 1400 businesses and tens of thousands of women and men who work in the residential building and remodeling industries throughout the greater Portland area. We are dedicated to maximizing housing choices for all who reside in the region while promoting housing access and availability for everyone. First, thank you and the council for your continuing work on RIP through RIP2. RIP and the city initiatives that preceded it served as a model and catalyst for the statewide middle housing legislation that was not only the first in the nation, but a framework which other cities and states are emulating to address the housing crisis affecting our nation. The City of Portland (the “City”) is gripped in a housing affordability crisis. Recent reports from ECONorthwest clearly demonstrate the nexus between the underproduction of new homes, rising housing costs, and increases in those experiencing homelessness. Importantly, the Residential Infill Project (“RIP”) will help support the creation of new, diverse housing types that will serve those on all rungs of the economic ladder. According to the August 2020 Oregon Regional Housing Needs Analysis Technical Report, prepared by ECONorthwest for Oregon Housing and Community Services, by 2040 Portland will require an additional 133,732 units, of those 25,793 can be attributed to current underproduction. With a need for almost 6,700 units a year, it is imperative that the city make more land developable for more units while also making the processes more efficient, predictable and ultimately offering opportunities that are economically viable. To this end, we support the stated goals and direction of RIP2, namely prioritizing compliance with HB 2001 and SB458 by the state’s deadline of June 30, 2022 which includes updating R10-R20 codes to comply with HB 2001, but would also suggest some additional changes to realize the housing production needed to address the current shortage and increased demand over the next 20 years. Although, not contained in the staff or Planning Commission recommendations, we recommend allowing detached “plexes” through the middle housing continuum, rather than just for duplexes. As with all things in residential construction, the more options to develop a lot, the more likely it will convert and this holds true with middle housing as well. Allowing detached plexes, gives builders the ability to maximize development choices on individual lots which in turn makes them more economically viable and possibly more likely to develop with more middle housing units. For example, in some jurisdictions, builders specifically avoid lots with any large trees centrally located because the cost they add to the

project makes them too risky or uneconomic or if they plan to develop it, they choose to develop a large, higher priced single-family unit that can absorb the cost for removing the tree. However, if they were allowed to develop three or four detached units on the lot while leaving the tree in place, the lot which they previously passed up may now be viable option for the market and at a lower price per unit than originally envisioned. Just a detached plexes and the flexibility it creates will make it more likely that lots will develop and with more units, allowing for lot coverage based on pre-dedication lot sizes does as well. As the number and type of lots becomes more constrained, the viability of those lots for development, especially multiple units, does as well. Lots that may qualify for a quadplex originally, may, after dedication, only qualify for a triplex or less. Not only does this potentially forego one or more units on a lot, it can also be the difference between middle housing units or just one single family unit, at a higher price point, being built due to simple market economics. There is already an example where this concern is manifest, lots abutting un- and under-developed alleyways. Under PBOT policy, these will have to be improved to wider alleyways, with required right of way dedication, where they are currently undeveloped and feasibly only viable as one-way alleys. This would require substantial dedication attached to lots on both sides of the alley and without a pre-dedication coverage calculation, significantly diminish the developable lot size for these parcels, ultimately putting in jeopardy middle housing development on these lots. In addition to these concerns and suggestions surrounding the implementation of HB2001, we would like to highlight to issues pertinent to SB 458 and expedited land division for fee simple middle housing ownership. First, SB 458 clearly requires that townhouses be eligible for middle housing expedited land divisions, in addition to duplexes, triplexes, four-plexes and cottage clusters. There is no exemption in state law for cities that already have their own process for townhouses, or “attached homes” as Portland defines them. The current, traditional, land division process for these units in Portland is not afforded the protections, timeline efficiencies or appeal limitations guaranteed all middle housing, as defined by HB 2001 to include townhouses, and as such, needs to be updated through this ordinance. Second, due to lot densities and the lot coverage required to produce middle housing combined with smaller and more constrained developable lots, shared stormwater and private sewer laterals are necessary to see increased development of these housing types. Without some sharing of stormwater facilities, it may be unfeasible to build these homes due to availability of stormwater facility space. And, allowing for a shared private sewer lateral with a single connection to the main within an easement, with each middle housing unit tapping into the shared lateral, avoids the expense (and lack of street frontage) that would be associated with individual laterals/connections for each unit. HBA understands the intent of RIP2 is, ultimately, to update RIP to comply with the requirements of HB 2001 while also addressing the process needs to allow for fee simple ownership through an expedited land division process created by SB 458. However, we will continue to highlight additional changes needed to realize the full potential of middle housing development in Portland and ask that if you are unable to find away to addressing our suggestions during the limited time left in the process, that they are taken under consideration and included in future staff work plans as directed by the council. Over the past five years, HBA has served as an ally and RIP supporter and is heartened by the City’s efforts to permit elegant density in our

neighborhoods. We appreciate the City's efforts to bring RIP to fruition and the work currently being down through RIP2. It is good start to addressing the housing affordability and supply crisis the city faces, but more work is needed. HBA continues to stand with those who work to facilitate new, diverse housing options across the City. Thank you for considering our recommendations and we look forward to continuing this effort well after this ordinance is adopted. Sincerely, Ryan Makinster Director of Policy and Government Affairs

Testimony is presented without formatting.

April 26, 2022

Ted Wheeler, Mayor
Portland City Council
1221 SW 4th Ave, Room 340
Portland, OR 97204

By E-mail

**Re: Residential Infill Project 2.0
(Agenda Item 338, Wednesday April 27, 2022)**

Dear Mayor Wheeler,

The Home Builders Association of Metropolitan Portland (the “HBA”) represents over 1400 businesses and tens of thousands of women and men who work in the residential building and remodeling industries throughout the greater Portland area. We are dedicated to maximizing housing choices for all who reside in the region while promoting housing access and availability for everyone.

First, thank you and the council for your continuing work on RIP through RIP2. RIP and the city initiatives that preceded it served as a model and catalyst for the statewide middle housing legislation that was not only the first in the nation, but a framework which other cities and states are emulating to address the housing crisis affecting our nation.

The City of Portland (the “City”) is gripped in a housing affordability crisis. Recent reports from ECONorthwest clearly demonstrate the nexus between the underproduction of new homes, rising housing costs, and increases in those experiencing homelessness. Importantly, the Residential Infill Project (“RIP”) will help support the creation of new, diverse housing types that will serve those on all rungs of the economic ladder.

According to the August 2020 Oregon Regional Housing Needs Analysis Technical Report, prepared by ECONorthwest for Oregon Housing and Community Services, by 2040 Portland will require an additional 133,732 units, of those 25,793 can be attributed to current underproduction. With a need for almost 6,700 units a year, it is imperative that the city make more land developable for more units while also making the processes more efficient, predictable and ultimately offering opportunities that are economically viable.

To this end, we support the stated goals and direction of RIP2, namely prioritizing compliance with HB 2001 and SB458 by the state’s deadline of June 30, 2022 which includes updating R10-R20 codes to comply with HB 2001, but would also suggest some additional changes to realize the housing production needed to address the current shortage and increased demand over the next 20 years.

Although, not contained in the staff or Planning Commission recommendations, we recommend allowing detached “plexes” through the middle housing continuum, rather than just for duplexes. As with all things in

residential construction, the more options to develop a lot, the more likely it will convert and this holds true with middle housing as well. Allowing detached plexes, gives builders the ability to maximize development choices on individual lots which in turn makes them more economically viable and possibly more likely to develop with more middle housing units. For example, in some jurisdictions, builders specifically avoid lots with any large trees centrally located because the cost they add to the project makes them too risky or uneconomic or if they plan to develop it, they choose to develop a large, higher priced single-family unit that can absorb the cost for removing the tree. However, if they were allowed to develop three or four detached units on the lot while leaving the tree in place, the lot which they previously passed up may now be viable option for the market and at a lower price per unit than originally envisioned.

Just a detached plexes and the flexibility it creates will make it more likely that lots will develop and with more units, allowing for lot coverage based on pre-dedication lot sizes does as well. As the number and type of lots becomes more constrained, the viability of those lots for development, especially multiple units, does as well. Lots that may qualify for a quadplex originally, may, after dedication, only qualify for a triplex or less. Not only does this potentially forego one or more units on a lot, it can also be the difference between middle housing units or just one single family unit, at a higher price point, being built due to simple market economics.

There is already an example where this concern is manifest, lots abutting un- and under-developed alleyways. Under PBOT policy, these will have to be improved to wider alleyways, with required right of way dedication, where they are currently undeveloped and feasibly only viable as one-way alleys. This would require substantial dedication attached to lots on both sides of the alley and without a pre-dedication coverage calculation, significantly diminish the developable lot size for these parcels, ultimately putting in jeopardy middle housing development on these lots.

In addition to these concerns and suggestions surrounding the implementation of HB2001, we would like to highlight to issues pertinent to SB 458 and expedited land division for fee simple middle housing ownership.

First, SB 458 clearly requires that townhouses be eligible for middle housing expedited land divisions, in addition to duplexes, triplexes, four-plexes and cottage clusters. There is no exemption in state law for cities that already have their own process for townhouses, or “attached homes” as Portland defines them. The current, traditional, land division process for these units in Portland is not afforded the protections, timeline efficiencies or appeal limitations guaranteed *all* middle housing, as defined by HB 2001 to include townhouses, and as such, needs to be updated through this ordinance.

Second, due to lot densities and the lot coverage required to produce middle housing combined with smaller and more constrained developable lots, shared stormwater and private sewer laterals are necessary to see increased development of these housing types. Without some sharing of stormwater facilities, it may be unfeasible to build these homes due to availability of stormwater facility space. And, allowing for a shared private sewer lateral with a single connection to the main within an easement, with each middle housing unit tapping into the shared lateral, avoids the expense (and lack of street frontage) that would be associated with individual laterals/connections for each unit.

HBA understands the intent of RIP2 is, ultimately, to update RIP to comply with the requirements of HB 2001 while also addressing the process needs to allow for fee simple ownership through an expedited land division process created by SB 458. However, we will continue to highlight additional changes needed to realize the full

potential of middle housing development in Portland and ask that if you are unable to find away to addressing our suggestions during the limited time left in the process, that they are taken under consideration and included in future staff work plans as directed by the council.

Over the past five years, HBA has served as an ally and RIP supporter and is heartened by the City's efforts to permit elegant density in our neighborhoods. We appreciate the City's efforts to bring RIP to fruition and the work currently being down through RIP2. It is good start to addressing the housing affordability and supply crisis the city faces, but more work is needed.

HBA continues to stand with those who work to facilitate new, diverse housing options across the City. Thank you for considering our recommendations and we look forward to continuing this effort well after this ordinance is adopted.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Ryan Makinster", with a long horizontal flourish extending to the right.

Ryan Makinster

Director of Policy and Government Affairs

Cc: Dan Ryan, Commissioner
Jo Ann Hardesty, Commissioner
Carmen Rubio, Commissioner
Mingus Mapps, Commissioner

John Gibbon

#331734 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

The changes produced by RIP 2 will have a substantial impact on a majority of the homes in the Quail Park Association. Most of the homes outside of the expanded ezone or in direct contact with that zone along Quail Creek will have the z overlay removed and like all other lots in the R-7 zones throughout the city have a broad range alternative development possibilities available to them. The RIP 2 changes effectively resolve significant issues that RIP 1 may have presented to the Quail Post Road water system LID by creating 3 different and somewhat randomly distributed development alternatives for lots subject to the same fixed future LID assessments. Now with one small exception all the lots in Quail Parks will be in only 2 (rationally disturbed) development categories, R-7 adjacent to the project's main road and R-7 z near the expanded environmental zone. Previously many more lots in the project were subject to the R-7z designation presumably based the existence of a fair number of large native trees which the 1970s era designed control homes in Quail Park had been sited around. Including these lots in the z overlay area due to these trees qualifying for Natural Resources Inventory inclusion, however well justified ecologically, unfortunately was and remains very problematic in terms neighborhood safety and operational needs stewardship. Even though the implementation of the Tree Code has helped clarify the discussion of where safety concerns are essentially unassailable it has not in any way assuaged concerns regarding very large trees safety outside areas of presumed danger near homes. HOA costs associated with maintaining such trees in compliance with the code especially in response to such safety concerns have grown substantially with little indication managing the trees in strict compliance with the code will produce claimed ecological benefits or homeowner satisfaction. Accordingly this means that the substantial reduction in the z overlay within Quail Park is to be applauded because it reduces the costs to its homeowners from having to in effect pay twice, in maintenance costs for problematic trees and foregone development options as the result of their continued existence. Unfortunately it appears that the only lots in Quail Park, 9720 and 9722 Quail Post Road not affected by the reduction of the z overlay, while well positioned for more intense redevelopment due to nearly direct access to the road remain constrained to proximity to heavily treed lots and perhaps unimproved right of way located outside of both the planned unit development and the local improvement district. This issue deserves council consideration.

Testimony is presented without formatting.

Meg Langford

#331733 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please support RIP2 to help create homeownership opportunities for first time homebuyers and downsizers, and create more opportunities for homeowners to add ADUs. Looking at many areas of Portland, you'll find historical examples of great, creative small multifamily housing that makes neighborhoods more vibrant and livable for people across life stages and styles. Let's add to that legacy in the 2020s! Please improve RIP2 by 1) legalizing culturally responsive affordable 6-plex townhomes by allowing small exceptions to lot coverage, setback, and open space requirements and 2) enabling accessible and family-sized 4-plexes by increasing 4-plex FAR by 0.1 as outlined by Portland: Neighbors Welcome.

Testimony is presented without formatting.

Nate Ember

#331732 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

As both an individual and an owner of Ink:Built Architecture, a company focused on housing affordability at all scales; I strongly support the letter submitted by the Members of the Build Small Coalition. Their analysis and suggestions represent excellent improvements to RIP that should enhance the feasibility of infill housing that's more affordable for more Portlanders. Thank you

Testimony is presented without formatting.

jim gorter

#331731 | April 26, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Dear Mayor Wheeler and Commissioners, A couple of years ago, Mayor Wheeler said the solution to Portland's housing crisis was like a three legged stool: The Residential Infill Project, Better Housing by Design, and robust anti-displacement programs. Well, the stool has tipped over spilling our most vulnerable residents onto the ground. The Anti-Displacement Action Plan has no action! Portland has lost 4000 single family rentals since 2015. I recently turned down offers to sell a small plex (older middle housing) because the buyers' plan was to kick the poor, elderly and seriously ill to the curb, then upgrade the property and raises the rents. Even Portland Neighbors Welcome makes no claims that RIP will benefit the most vulnerable. Less than a year into RIP1, there is a lot of clamoring to make changes. Any changes to RIP standards for FAR, number of units, and design need to mandate significant affordability and family sized units. City Council needs to implement vigorous anti-displacement policies and preserve naturally occurring affordable housing stock. As a start, require BPS, BDS, and PHB to measure production of affordable units created by RIP and track displacement.

Testimony is presented without formatting.

Sean Gillen

#331710 | April 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support the Portland: Neighbors Welcome Recommendations.

Testimony is presented without formatting.

Gary Runde

#331708 | April 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I would like to thank the Project Team and the PSC for taking, what appears to be, a very deliberate approach to getting RIP2's Recommended Proposal wrapped up. One item that created success, was when the PSC made it clear that R10, and more so R20 Lots, tended to be distant from public transportation and very lacking in Infrastructure that would be expensive to build out. "Quick work" on the R10/R20 Zones has allowed the time to address Cottage Clusters, Attached Homes (Town homes) and the infamous SB458 land Divisions. I watched as 3,000 parcels were pulled from the RIP1 z-overlay for R2.5/R5/R7 Zones for two reasons (HB2001 excluded all but P-Zones for Z-Overlay, and the use of outdated Wild Fire Risk map as a criteria). In Testimony as an individual, I implore the PSC and City Council to: (1) do NOT bow to Activist pressure in today's hearing, and lower min lot sizes established in RIP1 & RIP2. (2) As part of Council sign-off on RIP2, formally Commit to revisiting the Z-Overlay Zones R2.5-R20 AFTER the new State Wildfire Maps are complete in about 2 years. (3) Remain FIRM on the RIP1 and RIP2 rules that do NOT allow Middle Housing on Streets currently not approved for maintenance by the City per PBOT , and clearly shown in red-hashed lines on this very MAP APP for RIP2 public testimony. As a Representative for Land Use in our West Portland Parks Neighborhood Association, as well as Land Use Chair for the Southwest Coalition of Neighborhoods, I have utilized this Z-Overlay Map to get many folks on-board with with both RIP1, and now RIP2 Governance. Thank you for taking the time to read and submit my public testimony to record. Gary Runde

Testimony is presented without formatting.

Milton Jones

#331704 | April 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

The purpose and extent of the Z Overlay should be expanded to encompass protection of the City's tree canopy.

Testimony is presented without formatting.

Dave Peticolas

#331703 | April 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am writing to ask for your support for Part 2 of the Residential Infill Project, including all the recommendations from Portland: Neighbors Welcome. Creating more opportunities for home ownership is a vital strategy for Oregon that should have bi-partisan support. Home ownership helps people build wealth and provide stability for their families; it also helps current and future Oregon businesses by spurring the creation of the housing needed for new workers. Phase 1 was a great start and an inspiration for other cities. Let's build on that success and continue to lead the way.

Testimony is presented without formatting.

Linda Nettekoven

#331702 | April 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Dear Mayor Wheeler and City Commissioners: I have three general comments on the RIP2 package in addition to comments on the specific proposals before you. 1) Having served 7 years on the Comp Plan CIC and 3 terms on the Public Involvement Advisory Committee, I am dismayed at the lack of public engagement on this final phase of the RIP2 process. I recognize staff is working to meet a State deadline in completing this work. However both mailings and conversations with the public seem to have been quite limited. And with the PSC amendments, this package is more than a few simple adjustments to the R-7, R-10, and R-20 zones as originally advertised. 2)) Adequate measurement of the impacts of the Residential Infill Project is critical in determining how well the changes to our zoning code are bringing about desired outcomes. I am hearing different numbers from different sources. Please require the preparation and sharing of regular reports on the number & location of new units being built, the number of resulting demolitions and tree removals , etc., etc. 3) As Portland struggles to address climate change, recent reports on our city's significant loss of tree canopy also add to our ongoing concerns about the inequitable distribution of green infrastructure across the community. As mentioned above, please ask Urban Forestry to monitor closely the size and type of trees being removed to accommodate new construction along with the types of trees that are replacing them. 4) I support the temporary removal of the wildfire risk hazard component as proposed with the understanding that the need for such a component will be re-evaluated as soon as the State Wildfire Hazard Mapping Project is completed. 5) I support the "detached duplex" option where an existing house is being retained and the height of new units is similar to what is allowed for cottage clusters. 6) The possible increase in allowable FAR for 4-plexes again raises issues about design and context. Much of the potential increases in density will be well received by the community if they are executed in ways that take in to account the structures that surround them. When the city first began allowing "skinny houses", the City sponsored a design competition to develop desirable prototypes. Can we not find some way to work with the private sector to generate a series of prototypical designs especially for 4-plexes and cottage clusters that would readily "fit" in established neighborhoods? This might also encourage more, small builders to undertake these projects. Thank you for considering my comments. Sincerely, Linda Nettekoven

Testimony is presented without formatting.

Brian Nelson

#331714 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached letter.

Testimony is presented without formatting.

OPPOSITION TO THE RIP2 PROPOSED CODE AMENDMENT SECTION
33.110.202 **“When Primary Structures are Allowed”**

Dear Mayor Wheeler and Portland City Council:

My name is Brian Nelson. I live at 11606 SW Oak Creek Dr, Portland Or, 97219. My email address is briannelson.us@gmail.com. I own a vacant parcel in SW Portland. The lot does not have a street address. The tax ID# for the lot is R331391.

I oppose the proposed code change to **33.110.202. “When Primary Structures are Allowed”**. I do support the other changes proposed for the RIP2 project.

I am testifying in opposition to the proposed code change to 33.110.202 Section C. Subsections 4. And 5. The proposed code amendment has added the requirement “and has a front lot line” to sections C.4.a, C.4.b(4) and C.5. This proposed code changes to 33.110.202 Section C will render numerous lots that are now buildable to unbuildable status because they do not have a front lot line. In my case the current code allows me to build a home on my lot. I verified this by way of an Early Assistance Planning application response I received from Portland planning on July 29, 2021. If this proposed code change is adopted it will render my lot unbuildable. Market value on my tax assessment is \$256,250. The property taxes on that lot are over \$2,500 per year. If the code change is approved the property will be of little value. I learned of another property in the same situation by way of the online public testimony posted through the Map App. Scott Wyse owns a lot with an assessed value of \$245,000 and pays over \$3,600 yearly property tax. This code change will make his lot unbuildable and worth very little.

I am on the Portland planning email list and followed RIP2 since November 2021. I attended the virtual Westside and Eastside meeting on November 17th and 18th 2021. I watched every Planning and Sustainable Commission YouTube meetings which delt in detail with what I thought were all of the aspects of the RIP2 code changes. At no time was a change to 33.110.202 brought up. The only document containing the proposed code change to 33.110.202 is the Proposed Zoning Code Amendment document on page 14 and 15. A proposed code change that takes away current property owners rights and uses and devalues properties affected by the code change by hundreds of thousands of dollars per individual property should not be buried in Exhibit C of the City Council’s Agenda. Pages 14 and 15 of the 204-page Zoning Code Amendments document.

The previous 6 months of discussions and documents presented throughout the RIP2 process emphasized creating additional housing opportunities and increasing housing supply. At no time in the process was there any mention of eliminating the buildability of lots without a front lot line. If this proposed code change to 33.110.202 had been brought up in the community meetings or Planning commission meetings that were conducted online there would have been time for community involvement and comment needed to include an acceptable version of it.

The proposed code changes to 33.110.202 on page 15 will render buildable lots that do not have street frontage unbuildable. The code change adds **and has a front lot line** in three locations. Portland Code 33.910 defines Front Lot Line as A lot line, or segment of a lot line, that abuts a street. This change will make lots that do not have street frontage unbuildable if included and passed. I feel this is a very dramatic part of the RIP2 project because it takes hundreds of thousands of dollars of land value from each City of Portland resident that owns a vacant lot without street frontage. Such a financially life altering code change should have been included in numerous documents and not just in the 204 page Zoning Code Amendment document which very few people read page by page. I see this as violating the Statewide planning Goal 1 Citizen involvement and the City of Portland Community involvement Program. Which is outlined in the Council's Exhibit A Finding of Fact Report. Page 3 on the last 2 lines read "To meaningfully involve, in decision making, those who potentially will be adversely impacted by the results of those decisions."

State of Oregon law requires Measure 56 public notices sent to affected property owners. I find inconsistencies regarding the City of Portland Measure 56 public notice landholder notification. Measure 56 required the city to mail notifications to landowners when the city intends to adopt an ordinance that would limit or prohibit uses previously allowed in a zone. Changes to 33.110.202 prohibit building on lots without street frontage so a Measure 56 notice was required. I did not receive a notice. Scott Wyse with written testimony # 331463 told me he did not receive a Measure 56 notice. The Exhibit A Findings of Fact Report on Page 47 states that on November 10, 2021, 10,290 Measure 56 notices were sent out to each lot or parcel of property where there are limits or prohibition of land uses previously allowed in the affected zone. In the Council's Documents and Exhibits Volume 3 Additional Documents Volume 3 Appendix A: Existing Conditions Report, on Page 8 it states that there are approx. 133,000 lots in the R7, R5, and R2.5 zones and approx. 16,000 R10, and R20 lots. If there are 16,000 R10 and R20 lots and only 10,290 mailed out that is only 2/3rds of the property owners that received Measure 56 notices. 5,710 properties did not receive notices. My lot is in the R10 zone. The Scott Wyse property is also in the R10 zone and he did not receive a notice. I assume the R7, R5, and R2.5 133,000 lots did not receive notices because they were in RIP1. Some of the 133,000 lots are impacted by **33.110.202 "When Primary Structures are Allowed"** proposed change. If notices were not mailed Goal 1 requirement were not met.

This code change would create potential **Measure 49 financial claims** against the City of Portland. Oregon House Bill 3540 created Measure 49 which allows for financial compensation to property owners when unfair burdens that are the result of new land use regulations.

I am asking the Mayor and City Council to not approve any changes to **33.110.202 “When Primary Structures are Allowed”** code due to the limited timeframe available to make changes.

REASONS FOR OPPOSITION TO CODE CHANGES TO **33.110.202 “When Primary Structures are Allowed”**

1. I do not agree with the conclusion in the *“Commentary”* on page 14 of the proposed code amendment document that there are significant development challenges in terms of access and utilities. If there are challenges to access and utilities those challenges are the responsibility of the property owner and are not a burden on the City. State of Oregon building codes and City building codes allow for access to properties through easements and State and City building codes allow utilities to be installed and constructed through easements.
2. Building a home on an existing lot of record in most cases does not require a lot confirmation. By changing the code to require a lot to have street frontage it would result in many lots within the city limits of Portland to become unbuildable. The parcel I own has a recorded easement which provides me access to SW 34th Ave and provides an easement for utilities. I do not have significant challenges with access or utilities.
3. This code change is at odds and in conflict with the state ORS Statutes Chapter 376. Easement of Necessity. **Easement by Necessity**: ORS 376.150-376.200 govern easements by necessity. The statute may be used only if the claimant is unable to gain access to the property. ORS 376.180(9).
4. In the documents and exhibits Exhibit C on page 10 the last line states “Other changes in this chapter address consistency or clarification issues.” That statement makes one think that code changes such as this are minor especially since there had been no mention of this code change in any previous documents nor any mention of it in any part of the community involvement process. It appears that this change to 33.110.202 was viewed by the RIP2 planners as a housekeeping item to clean up the code. The unintended consequences of this proposed code change would have a devastating impact on the owners of vacant lots that do not have a front lot line.

5. This code change would create potential Measure 49 financial claims against the City of Portland. Oregon House Bill 3540 created Measure 49 which allows for financial compensation to property owners when unfair burdens that are the result of new land use regulations. A \$250,000 buildable lots value most likely be reduced to less than \$50,000 if the words **“and has a front line”** is added to the 33.110.202 code for consistency or clarification issues.

6. Regarding consistency or clarification issues! **“and has a front line”** is not clear. To the general public front lot line could be thought of as the lot line closest to the street. I had to look it up in the Portland Codes. Code 33.910 defines Front Lot Line. A lot line, or segment of a lot line, that abuts a street. I was aware of it because in July of 2021 I received a Early Assistance Land Use Planner Response document. This document confirmed that I could build on my property R331391 and access my property through the recorded easement. In that document the planner wrote “On a lot with no street frontage, all property lines are considered sides”.

7. Based on the Early Assistance Response I received on July 29, 2021 I am allowed to build a home on my property and all of my property lines are considered side property lines. If the proposed changes are made to **33.110.202 “When Primary Structures are Allowed”** by adding **“and has a front line”** as proposed to the code on page 15 of the Exhibit C draft my property and numerous other City of Portland vacant building lots will become unbuildable.

8. STATEWIDE PLANNING GOALS.

Goal 1 was not met in the following 3 areas regarding 33.110.202.

a) Goal 1 not met: there was no discussions and citizen involvement. Regarding the code changes to 33.110.202 which decreases home ownership opportunities and takes away City of Portland property owners right to build on a vacant lot without a front lot line.

b) Goal 1 not met: The Portland Community Involvement Program passed on June 15, 2016 because it did not as stated in the Councils Exhibit A “To meaningfully involve, in decision making, those who potentially will be adversely affected by the result of those decisions.) Meaningfully involved in my view would have been to contact some of the affected property owners of lots with no front line. To my knowledge this was not done because none of these owners testified at the Planning and Sustainability Commission hearings. There is a limited number of these lots without street frontage so it would not have been much work involved to contact some of them. I was not contacted nor was Scott Wyse who owns a vacant lot with no street frontage.

c) Goal 1 not met: Measure 56 public notice requirements. I find inconsistencies in regard to the City of Portland Measure 56 public notice landholder notification. Measure 56 required the city to mail notifications to landowners when the city adopts an ordinance that would limit or prohibit land uses previously allowed in a zone. Changes to 33.110.202 prohibit building on lots without street frontage so a Measure 56 notice was required. I did not receive a notice. Scott Wyse with written testimony # 331463 told me

he did not receive a Measure 56 notice. Exhibit A Findings of Fact Report on Page 47 states that on November 10, 2021 10,290 Measure 56 notices were sent out to each lot or parcel of property where there are limits or prohibition of land uses previously allowed in the affected zone. In the Council's Documents and Exhibits Volume 3 Additional Documents in the Volume 3 Appendix A: Existing Conditions Report, On Page 8 it states that there are approx. 133,000 lots in the R7, R5, and R2.5 zones and approx. 16,000 R10, and R20 lots. If there are 16,000 R10 and R20 lots 10,290 is only 2/3rds of the property owners that received Measure 56 notices. 5,710 properties did not receive notices. My lot is in the R10 zone. The Scott Wyse property is also in the R10 zone and he did not receive a notice. I assume the R7, R5, and R2.5 133,000 lots did not receive notices because they were in RIP1. A number of 133,000 lots are impacted by **33.110.202 "When Primary Structures are Allowed"** proposed change. If notices were not mailed Goal 1 requirements were not met.

Because of reasons I have listed I request that you do not adopt any changes to the code **33.110.202 "When Primary Structures are Allowed"** and due to limited time for changes and public comment before passage of RIP2 any changes to that code be addressed at a later date since there are classified as consistency and clarification issues.

John Flynn

#331699 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am a Southeast Portland resident and registered architect, running a small practice that often engages in residential development projects in Portland. I have seen the first iteration of the Residential Infill Project provide increased opportunities for denser development and expect that RIP2 will do the same. However, the reality of turning development standards into built results requires more than enhanced code provisions. I encourage City Council to initiate, through specific Bureaus such as BPS and Prosper Portland, programs that will allow for alternative housing models – and the financing tools that will support them. My colleagues at Forage Design + Planning/PDX Main Streets have proposed an Innovative Housing Demonstration Policy (IDHP) which would allow for the implementation of affordable and environmentally low-impact development. I support this because I see the ever-increasing costs of development and construction running counter to the benefits of RIP and RIP2. Having a policy and program in place that allows for the testing of new design models and their realization as livable places will effectively address the current challenges of houselessness and affordability.

Testimony is presented without formatting.

Michael Andersen

#331697 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please see the attached letter from Sightline Institute, Portland: Neighbors Welcome, Disability Rights Oregon, AARP Oregon, Habitat for Humanity Portland Region and Margaret Van Vliet in support of a small 0.1 FAR bump for fourplexes compared to triplexes. This would incentivize, and provide the physical space required for, the wheelchair-friendly bathrooms and living space that federal law requires for ground-floor homes in four-unit structures.

Testimony is presented without formatting.



To: Portland City Council
Re: Residential Infill Project Part 2

In 2022, Portland-area tenants and homeseekers are facing some of the lowest vacancy rates, and potentially the steepest price increases, in decades. This will be particularly harmful to those of us whose home searches are constrained by disability, low income, or other factors.

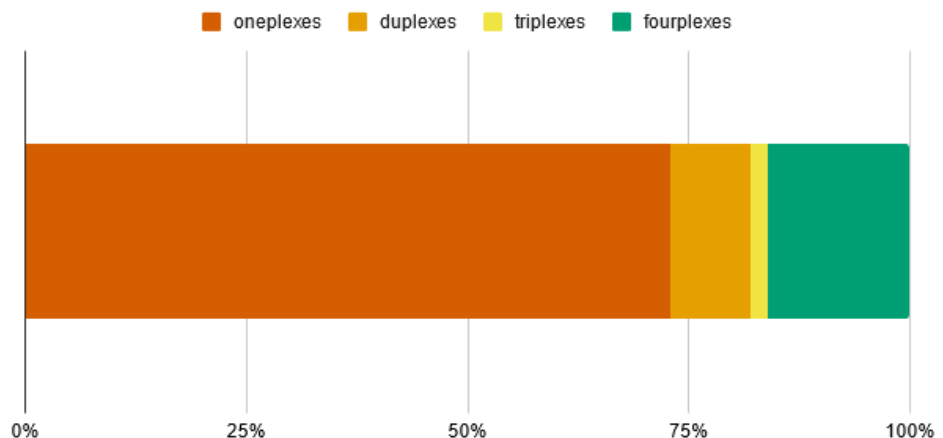
As advocates for housing, especially low-cost and universally accessible housing, we urge the city council to consider a small tweak to its low-density zoning code that would **encourage the construction of fourplexes over the construction of oneplexes, duplexes, and triplexes.**

As you know, Portlanders are living longer, as are people around the state, country and world. One complication of this happy news is that the number of people living with limited personal mobility is poised to skyrocket in the coming decades. One in three Americans over age 75 has a mobility disability; the first baby boomers just turned 75. We should do what we can to prepare our housing stock for the near future.

Unfortunately, the first five months of Portland's new zoning code suggest that this isn't happening as fast as it might. Of new oneplex, duplex, triplex and fourplex permits issued following Aug. 1, 73% were for oneplexes and just 16% were for fourplexes.

Building permits issued under Portland's new zoning

Aug. 1 - Dec. 31, most recent data available on these four project types



Fourplexes are better for accessibility than other types in that they trigger the federal Fair Housing Act's [requirement that all ground-floor units](#) meet [accessibility standards](#), such as a wheelchair-ready bathroom on the ground floor. (This goes beyond the lower "visitability" standard that the city is able to require on its own.)

Fourplexes also reduce housing costs more than other types do. They split fixed costs such as land among more households, forcing the landlords of existing homes to compete with lower-priced new homes. And they reduce displacement in two ways by increasing the number of homes created per demolition. That means more homes can exist in Portland, which reduces competition for old homes. And it reduces the number of demolitions per home created.

Because of how Portland's caps on building size work, fourplex homes are also a little cheaper than triplex homes, simply because each unit would have to be a little smaller. Under our proposal, **market-rate fourplex homes on a standard 5,000 square foot lot would average 1,000 square feet.** That's about the size of the median U.S. detached home in 1950, enough for a two-bedroom or a small three-bedroom. (Triplex homes, if built on the same lot, would average 1,167 square feet, but of course there would be only three.)

For all these reasons, Portland's current code favors duplexes more than oneplexes and triplexes more than duplexes: each of the second and third homes in a structure allows that structure an additional 0.1 FAR (on a standard R5 lot, 500 additional square feet). We propose extending this sequence to include fourplexes, too, in recognition of their additional benefits to the public.

To preserve the "leg up" for projects that include at least one below-market home, such projects would continue to receive a further 0.1 FAR bonus above the allowance for market-rate projects. (This wouldn't be large enough to interfere with the larger 1.2 FAR size allowance for projects that are at least 50% below-market, so wouldn't require any changes to that code.)

Here is a table summarizing the current FAR allowance system:

# of homes	Housing type	R7		R5		R2.5	
		FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)
1	Oneplex	0.4	n/a	0.5	n/a	0.7	n/a
2	Duplex or oneplex + ADU	0.5	0.6	0.6	0.7	0.8	0.9
3	Triplex or duplex + ADU or oneplex + 2 ADUs	0.6	0.7	0.7	0.8	0.9	1.0
4	Fourplex						

And our proposed amendment:

# of homes	Housing type	R7		R5		R2.5	
		FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)
1	Oneplex	0.4	n/a	0.5	n/a	0.7	n/a
2	Duplex or oneplex + ADU	0.5	0.6	0.6	0.7	0.8	0.9
3	Triplex or duplex + ADU or oneplex + 2 ADUs	0.6	0.7	0.7	0.8	0.9	1.0
4	Fourplex	0.7	0.8	0.8	0.9	1.0	1.1

Our city faces many far more difficult choices in confronting our several overlapping housing crises. Please consider this **simple, no-cost option** for incentivizing more universally accessible and less expensive infill housing in Portland. It's one small step the city can take in the direction of fixing the challenges we face.

Luke Norman
equitable zoning team lead, Portland: Neighbors Welcome

Matthew Serres
managing attorney, Disability Rights Oregon

Bandana Shrestha
state director, AARP Oregon

Preston Korst
director of government relations, Habitat for Humanity Portland Region

Michael Andersen
senior researcher, Sightline Institute

Margaret Van Vliet
former director, Portland Housing Bureau
former director, Oregon Housing and Community Services

Joel Statz

#331696 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I'm testifying in support of the Residential Infill Project, Part 2. It will create home ownership opportunities for first time buyers by splitting duplexes and fourplexes into their own lots, which will make them less expensive. It will also legalize detached duplexes, which will allow owners of smaller homes to build ADUs. I believe this is an important step in increasing urban density by addressing Portland's 'missing middle' housing. Thank you.

Testimony is presented without formatting.

Paul Runge

#331695 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Dear Councilors, My name is Paul Runge. I'm a 30 year old resident of SE Portland near 82nd and Powell. I support reducing front setbacks from 10' to 5' or less, especially for affordable developers like Habitat for Humanity. When home prices are through the roof, a climate crisis worsens, and homelessness looms larger than ever, why would we mandate what are mostly private front yard parks/garden displays rather than saying some of that land could be housing? Let's change that. I also support providing a 125 sf (0.1 FAR) or greater bonus for fourplexes. Doing so incentivized their creation, and since they're required to meet HUD accessibility standards, that means we'd be incentivizing accessibility. Sounds great to me and 0.1 additional FAR shouldn't introduce any neighborhood character issues. Last, I support amending the residential infill project to allow fee-simple lot splits. There's a ton of demand for detached ownership homes. That's apparent in the prices but also in a recent HUD report showing that housing type comprises a big part of our region's current housing shortfall: roughly 15k units in 3 years. See here: <https://www.huduser.gov/portal/publications/pdf/PortlandVancouverHillsboroOR-WA-CHMA-21.pdf>
Thanks for considering and for your service, Paul Runge 97206

Testimony is presented without formatting.

Julia Holgado

#331694 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support Residential Infill Part 2. It is unacceptable that there are so many homes priced far out of the range of the average professional. Creating more opportunities for potential homeowners and better yet allowing more people to be homeowners enabled them to build lasting relationships with the city and those living in it. We must not wait any longer to lay the groundwork for strengthening and building lasting communities in the city.

Testimony is presented without formatting.

Benjamin Holtzman

#331693 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Residential Infill Part 2 will go a long way to address housing availability and pricing in the city of Portland. While the American dream paints a picture of young Americans buying single family homes when joining the workforce, the American reality is such that many of these Americans are forced into rental properties. The pricing of single family homes is too high and the availability is too low. Higher density housing options will address these immediate concerns while also allowing these younger Americans to build equity in the same way the generations before them were afforded. Not only do you address the immediate concerns of the people of Portland but in doing so you create tighter knit communities where everyone has a reasonable chance of achieving their dreams.

Testimony is presented without formatting.

Simon Spitler

#331691 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I believe in the power of the middle class and that we should be providing people more opportunities to build equity and wealth, not less. A safe and warm home should be a human right, not a privilege afforded only to the wealthiest people. I see many other testimonies suggesting that access to affordable housing would negatively affect their property values, but I don't see a better way to invest in our city and our communities than to make more affordable housing available, especially given the state of the houseless population. As a local homeowner myself, I see a shocking number of frankly dilapidated single family homes priced out of even a reasonably well paid persons budget, which in my opinion, is a travesty.

Testimony is presented without formatting.

Connor Wilkinson

#331689 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I would like to put forth my strong support for the RIP2 project. I believe it has the potential to significantly help the dire housing shortage that Portland faces, particularly with regards to helping first-time homeowners (which I hope to be eventually!) get access to the housing market. Increases in the housing supply have myriad positive downstream consequences that can help the entire city. Given the serious issues Portland faces with regards to lack of housing, skyrocketing home prices, and expensive rent, the people of this city need any help we can get with improving housing availability. I am also in strong support of the amendments recommended by Portland: Neighbors Welcome. While the currently-proposed state of the RIP2 project can certainly help improve our housing shortage, these amendments could help even more. I hope to see the Council supporting these amendments as well.

Testimony is presented without formatting.

Jennifer Stevens

#331688 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am a homeowner and I wholeheartedly support the rezoning. We need more affordable housing in Portland and we need to build a city now that our children won't be priced out of 25 years down the road. Times change and so should zoning to adapt to the challenges ahead. We have both a homeless and climate crisis and our old zoning laws are standing in the way of solutions that Portland can implement right now. Please rezone to allow more homes.

Testimony is presented without formatting.

Francisco Delgado

#331687 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I have been a Portland resident for over 3 years now and the current housing strategy has failed to address the major issues that are plaguing our city's rent and mortgage spikes. The proposed HB2001 and SB458 requirements would help put us towards a major solution to these problems: more affordable housing, denser housing. As such, I support the Portland: Neighbors Welcome Recommendations which include: 1) Council should SUPPORT RIP2 because: It creates homeownership opportunities for first-time buyers by allowing fee-simple lot division for middle housing. RIP2 creates a process for splitting duplexes and fourplexes onto their own lots so they can be sold like oneplexes. These units will be smaller and less expensive than oneplexes, creating new homeownership opportunities for downsizers and first time buyers. It enables more people to take advantage of the wealth building opportunities associated with ADUs by legalizing detached duplexes. The size of the detached dwelling unit would no longer be tied to the size of the primary unit, meaning owners of small homes in North and East Portland will be able to build full sized ADUs, which qualify for fee simple lot division and can be financed with a standard 30-year mortgage. 2) Council can IMPROVE RIP2 by: Legalizing culturally responsive affordable 6-plex townhomes. Community based organizations like PCRI have heard from displaced communities that front doors, porches, and private backyards are a priority. But current lot coverage limits preclude side-by-side townhomes. We support the work BPS and affordable housing providers like PCRI and Habitat for Humanity have done to allow for small exceptions to lot coverage, setback, and open space requirements to ensure townhome style 6-plexes can be built. Encouraging accessible and family-sized 4-plexes by increasing 4-plex FAR by 0.1. This change will incentivize the development of more 4-plexes in the city's residential neighborhoods, and will encourage more family-sized 2- and 3-bedroom units. In addition, unlike duplexes and triplexes, ground floor units in 4-plexes must meet HUD accessibility standards. While this requirement is crucial for getting more accessible housing built, it could deter some developers from building 4-plexes unless balanced with an incentive in the form of a FAR

Testimony is presented without formatting.

Alexandra Clarke

#331686 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Many City Infill² designated properties are located in important steep west hills watersheds to Tryon Creek State Park and streams that travel the area to the Willamette River. I want to share important environmental concerns that, with the new RIP2 coming on line, the construction of multiple improvements on the large lots along SW Boones Ferry Road and Terwilliger Street, as well as other designated Portland RIP2 areas, will probably negatively impact the integrity of the Tryon Creek and other important watersheds' underground/above ground streams, wetland areas, storm drains, ditches, and landscape by bulldozing properties to conform with builder/developer plans without consideration for the natural geography of the watershed. Plus, chemicals and asbestos from the older houses either being torn down or renovated will seriously impact the integrity of the air, soil, ground water, wetland, and streams. For instance, new owners of 9209 SW Boones Ferry Road, Portland, 97219, as of February 15, 2022, Bethany Rubens and Steven L. Wilson (Wilson Contracting) Seattle, WA, are tearing a 1916 house interior apart. The house had earlier suffered a massive fire reported as a total loss by the Portland Fire Inspector. There was no owner information posted on Portland Maps for two to three weeks after the owners started working tearing out the interior of the house. Unmasked workers, none wearing protective clothing, were filling huge orange dumpsters with removed house debris. The containers were hauled off once to twice per day for two weeks prior to property owner information being posted on line. That debris included old lath and plaster, sheet rock, insulation, burned timbers, ceiling tiles, pipes, and wiring -- all containing friable asbestos and other chemically contaminated debris. The filled, uncovered containers were left outside in the parking area next to SW Boones Ferry Road for 8 to 24 hours prior to pick up, which was completed by a pickup truck backing up around the street, and prior to leaving, pulling a loosely fitting tarp over the load. I was finally compelled to take photos of one of the subject containers, which was filled with loose friable asbestos debris. As such, debris was strewn all over the parking area from the house side gate and into the storm drain. That storm drain goes directly to a ditch that feeds to Tryon Creek. As well, any contaminated debris scattered on the ground at the side and back of the property would have leached into the watershed, underground stream, and above ground stream that travel directly to Tryon Creek. I complained to BDS when no permits were posted and it did not appear that DEQ was involved. Finally, the BDS inspector checked on the building after the majority of the removal work had been completed reporting that he only saw one dumpster containing yard debris and that the owners were not making structural changes to the interior. Of course, he arrived after all of the debris was torn out of the house. What

surprised me is that he had to see the massive tear out renovation project on a fire damaged building dating to 1916. He did not express concerns about asbestos and chemicals? Therefore, I doubt that asbestos and chemical contaminates are in his purview. I filed a complaint with Oregon DEQ. The developers at 9209 SW Boones Ferry Rd. have not publicly disclosed renovation plans and have blatantly gutted a burned out house full of asbestos and chemicals, without an asbestos survey or permits, with runoff debris flowing into the storm drain at the NE corner at the front of the 9209 property. (City land for which the owner is responsible.) This was, and is a dangerous situation for me, my neighbors, plants, domestic animals, wildlife, and fish. Situations like the one I described in this narrative will have a great impact on humans, spawning salmon, and (possibly) lamprey traveling up Tryon Creek, as well as, trout, frogs, insects, and other water loving animals in the watershed, tributaries, and main Tryon Creek areas. This is all not to mention deer, elk, snakes, raccoons, possums, and cougar also sighted in the area. Though Tryon Creek State Park is a part of Oregon State's park system, the areas that feed Tryon Creek, in this case, SW Boones Ferry Rd. and Terwilliger St. areas are part of the City of Portland's and Multnomah County's contribution to the overall health of Tryon Creek and the Willamette River. RIP2 property developments can have great impact on the environment and neighboring buildings' safety if area geography is ignored. Many inspectors look the other way. This particular watershed is historically full of springs and old wells. As mentioned above, there is an underground stream that runs along the west side property line from the north at SW Primrose to about six houses south where it surfaces as a stream flowing to Tryon Creek. If developers take advantage of expanded housing opportunities in similar, vulnerable areas to cut down more trees and bulldoze the vacant portions of steep watershed properties, my property and others will be negatively impacted with flooding and pollution. This is not to mention the environmental impact on plants, wildlife and fish in the steep watershed, Tryon Creek, and the Willamette River. For example, there is already heavy storm runoff from the three SW Primrose properties developed in 2009 that impacts the property directly behind me at the west where a good portion (but not all) of the runoff is piped from where storm runoff enters my west neighbor's NE property line into the underground stream at my West property line -- some of the volume spreads out onto my property. My laurel hedge holds the runoff from the steep incline at the north side of my property from impacting the foundation of my house and flooding the basement area. My gas line is located there, as well as my waterline. The incline is important to containing the runoff because it seeps into the short hillside above to distribute water underground to the laurel hedge roots. The roots mitigate erosion and take up some of the water. As such, developers leveling off neighboring properties in steep watersheds to accommodate additional housing improvements will have devastating consequences. To conclude, it seems to me that it will be important for BES to take a proactive approach in cooperation with BDS to oversee these new RIP2 construction, deconstruction, and renovation projects coming on line over the next few years to make sure these projects respect watershed geology, are not subjecting neighboring properties to flooding, polluting our neighborhoods, and watersheds with cancer causing materials and other contaminants. It will be helpful going forward with RIP2 plans informing neighbors and the public about the resources afforded by BES and Oregon DEQ to protect our environment and how the public can help achieve

environmental and safety goals as we work our way through this new RIP2 development phase for Portland.

Testimony is presented without formatting.













Scott Denny

#331685 | April 20, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support the Portland: Neighbors Welcome Recommendations and every possible way of getting rid of residential unit quantity zoning limits.

Testimony is presented without formatting.

Doug Klotz

#331683 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Adopt RIP2 with amendments by PNW and others. See PDF

Testimony is presented without formatting.

Support for RIP-2, and for amendments suggested by Portland: Neighbors Welcome and others

The original Residential Infill Project started in 2015, and took years to develop and pass PSC and Council. It took effect in August 2021, and we are now at 7 years since it's start. In this time staff and housing providers have agreed on several tweaks that would make the low-density residential zones work better, and produce more affordable as well as market rate housing. These will ensure that future construction will be more effective in mitigating our housing crisis.

I support the suggestions of Portland: Neighbors Welcome (PNW) for two amendments (these are also supported by the joint letter of PNW, DRO, AARP, Sightline and Habitat for Humanity, as well as others).

The first amendment suggestion is to facilitate "culturally-responsive" affordable six-plex townhouses. RIP legalized some six-plexes, but discussions with communities of Color, that have been displaced in the past, brought up the need and desire for a building type that could bring back the front doors and front porches that were a valuable feature of their previous housing.

The Bureau of Planning and Sustainability talked with affordable builders and determined that the six-plex model be configured to encompass a building with 6 townhomes, side-by-side down a typical lot, with a few tweaks. One would be to reduce the front setback from 10' to 5', which is a common setback in some older neighborhoods. Two is to allow the outdoor space to be 48 sq. ft. per unit (overlapping with setbacks), instead of a shared courtyard. These are features that Habitat for Humanity and Proud Ground say will allow them to build what their clients are asking for.

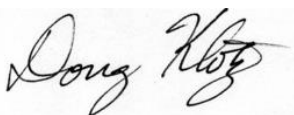
The second amendment suggestion is to encourage fourplexes by tweaking the FAR allowance slightly. Currently (in R-5) a "oneplex" (single house) is allowed 0.5:1 FAR. A duplex is allowed 0.6 FAR, and a triplex is allowed 0.7 FAR. Yet this progression stops there, with 4-plexes not allowed any more FAR. Since August 1st, 75% of permits in the zone are one-plexes, with the smaller fourplexes are only 16% of projects. Changing the allowed FAR so it is 0.8 FAR instead of 0.7 will likely result in more fourplexes, at much lower cost than oneplexes. And, under federal regulations, a four-plex must have certain accessibility features like an at-grade entry and accessible bathroom, which helps many folks with mobility issues.

These two changes have the potential to make a measurable difference in housing production in years to come.

I also support the several suggested changes listed in the Build Small Coalition (BSC)'s letter of April 14. #1 includes the 4-plex bump from 0.7 to 0.8 FAR in R-5, as well as their suggestion of an additional 0.1 FAR if a unit is regulated affordable. The BSC suggestion #2 describes a regulated affordable package, available if 50% of homes are 60% MFI rental or 80% MFI ownership, or 100% at 100%MFI ownership, which allows two-story Townhome-style plexes, 3-story Townhome-style 6-plexes, and improved stacked flats units. BSC #3 and #4 will also support other useful development patterns in the low-density residential zones. This builders' group, with 16 signers, has more valuable suggestions in #6 through #9 in their letter.

I want to thank staff for all their work, on a short timeline, in gathering needed tweaks to the original RIP, and taking into account new concerns of wildfire risks, and required legislative changes. I support the RIP2 proposal, and hope you will be able to incorporate most if not all of the changes suggested above by the organizations and individuals with the most concern for making RIP work. This will bring more, and in some cases less expensive, housing to reality in our city, which has been in a housing crisis for years now.

Thank you.



Paul Majkut

#331681 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

It is proven in the attached Portland Tribune article, and the PSU report referenced therein, that Portland's tree canopy is shrinking, primarily in residential areas directly affected by the new RIP policies. The City professes to support expanding tree canopy especially in east Portland where 125 degree temperatures were measured during the heat dome last summer. But the neither the new RIP policies (1 and 2), nor any other city rules assure the retention of mature trees or the retention of permeable areas for and the planting of new large shade trees where existing houses are knocked down and lots are cleared for more dense housing. Please establish such policies now.

https://pamplinmedia.com/pt/9-news/541463-432774-portland-losing-tree-canopy?wallit_nosession=1
Moreover, the City has not renewed or explained the non renewal of the Friends of Trees contract for planting and maintaining trees in the City. Please renew this contract now.

Testimony is presented without formatting.

Preston Korst

#331680 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

See attached testimony for RIP2 Changes. Preston Korst

Testimony is presented without formatting.

April 15th, 2022

To: Mayor Wheeler and City Commissioners,

My name is Preston Korst and I am the Director of Government Relations at Habitat for Humanity Portland Region. As an affordable builder in the city, we want to first thank each of you for your demonstrated commitment to affordable housing and the actions the city is taking to serve our low income-earning neighbors. We view the city as a key partner in combating inequities in the housing market. This is illustrated by employing bond dollars for new home construction, leveraging federal funding for service providers, and the recent work done on the Residential Infill Project (RIP).

Since RIP's implementation, the city has seen 70 newly allowed four-plex homes permitted and 36 ADU allowances in R2.5-7 zones. This occurred in just 7 months since RIP's conception. We should be proud of that unlocked development, while also seeking to improve the current design so that Portland can better address its severe [housing unit shortage](#). We believe that the current update known as "RIP2" is a great opportunity to do so. Not often do so many different groups agree on zoning updates, but Habitat has worked with a broad coalition of non-profits, private builders, and zoning reform advocates to propose two key updates to the code.

In particular, we hope that the commission will vote in favor of the proposed amendments forwarded by the Planning and Sustainability Commission's RIP2 draft. We also hope you will consider two more key amendments that did not make it to the draft:

- 1) ***Encourage developers to add more units to a project by allowing graduated Floor-Area-Ratio for four-plexes as we currently allow for duplex and triplex buildings.*** By adding a modest 0.1 bump in FAR (*for a total of up to 0.8, up from just 0.7*), the city would help create of more four-plexes while also facilitating more family-sized units to be built across the city. This is increasingly important as low-income families are disproportionately more likely to have elderly relatives and young children in their households.
- 2) ***Ensure that more affordable 5-and 6-plexes are being built in Portland.*** This can be done by expanding development standards for qualifying projects so that builders can choose between several building options, including the currently permitted stacked-flats option.
 - **Option A:** Create new standards for affordable two-story side-by-side "townhome-style" plexes. This would yield a mixture of three-bedroom and two two-bedroom units.
 - 1.2 Floor Area Ration
 - 65% lot coverage
 - 5-foot front setbacks (5-foot setbacks all round)
 - 48 sf outdoor space per unit, overlapping with setbacks

- **Option B:** Create standards for an affordable three-story, smaller footprint “townhome-style” plexes. This would yield up to six 3-bedroom homes:
 - 1.4 FAR
 - 60% lot coverage
 - 10-foot front setback
 - Unchanged outdoor space

- **Option C:** Improve existing standards for affordable five-to-six-plex stacked flats (the only development type allowed currently). This would yield more affordable three-bedroom homes:
 - Increase FAR to 1.4 (currently 1.2)
 - Other standards remain unchanged

With our housing supply constricted after decades of under production, it is no wonder that homeownership rates among People of Color is 30% below that of white households. It is precisely why we should be tailoring our zoning code to maximize affordable housing and first-time homeownership opportunities, to meet a variety of physical needs, family sizes, and buyer preferences. These proposed standards will allow for more flexibility (on any standard lot) and encourage more affordable housing developers to build on the much cheaper and much more abundant infill lots across the city.

Thank you for your consideration of our proposed amendments,



Preston Korst

Director of Government Relations
Habitat for Humanity Portland Region

Andrew Larson

#331676 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support this movement, especially since I come from a background of a low income family, and been trying to make do on my own in this city. Things are hard enough, with other expensive bills that need to be paid, or college loans.

Testimony is presented without formatting.

Lacie Warhurst

#331675 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

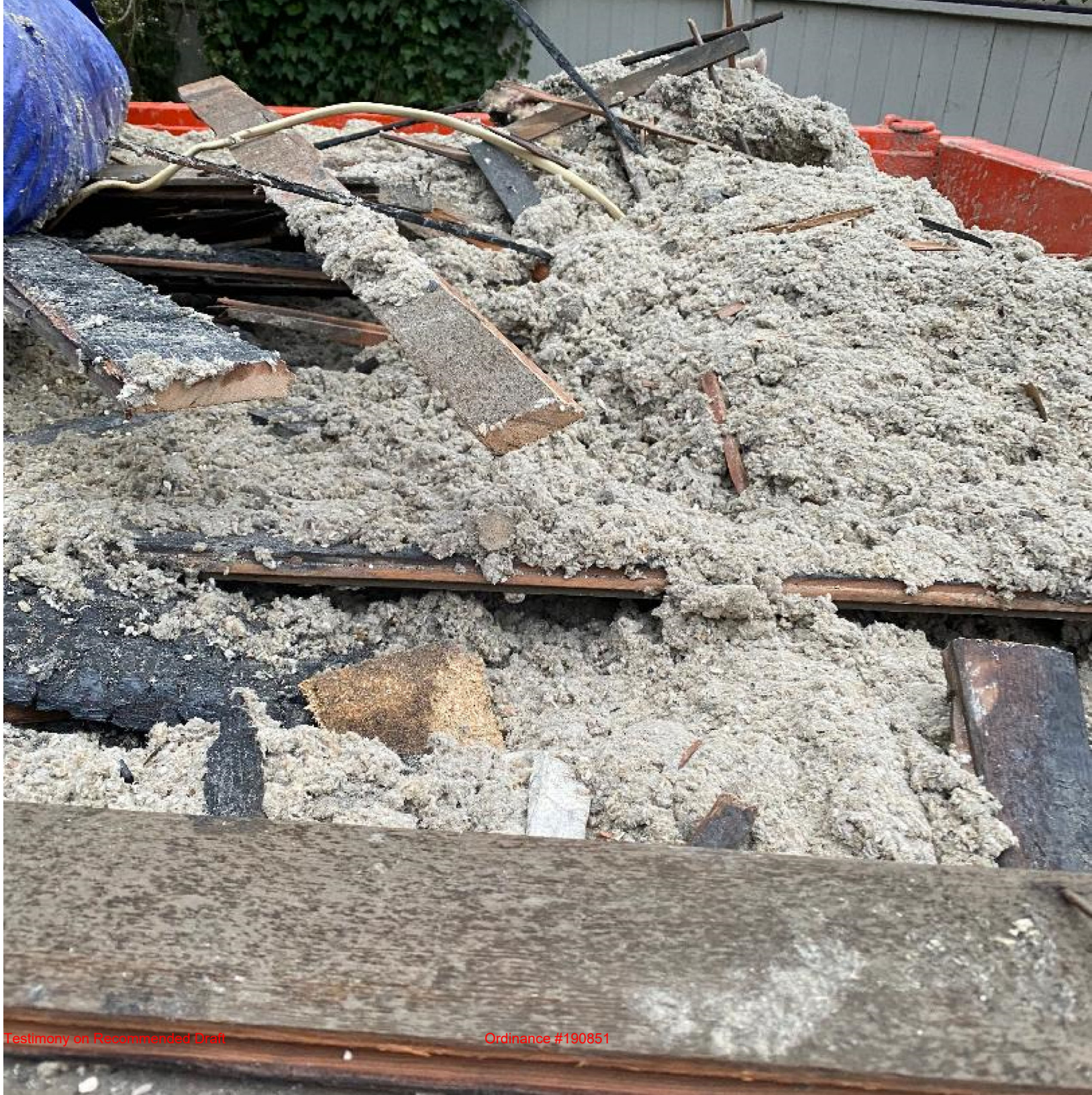
We support the Portland: Neighbors Welcome Recommendations

Testimony is presented without formatting.













Andrew Goodell

#331670 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I'm Andy Goodell and I'm writing to support RIP 2. I was a first-time homebuyer of a townhouse on a small divided lot, where I still live. I love it, and think others should have the same opportunity. In addition to helping with the housing shortage, houses like mine are also good for the environment. Infill has shorter commutes and a higher transit/bike/walk share of trips. Houses with shared walls are more energy efficient, and obviously using less land for housing leaves more land for farms and forests.

Testimony is presented without formatting.

eli rostamian

#331669 | April 19, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

First, thanks to the team PSC and especially Joan Fredrickson for bringing it to this point. The impact of the RIP 1 and 2 is tremendous in our life style. It will provide housing (affordable) for many many people. It is difficult to live in a place that have and have nots are two distinct communities. The younger generation will not have a place to live (buy or rent). As a PSU grad many years ago, it was always a great point of appreciation that while being student and working for minimum wage, it was possible to live alone in an apartment. This RIPs will bring that back. Additionally, it is easy to see that urban areas will expand. It is better for American social picture - will bring people closer together. Thank you in advance for your approval. Please feel free to contact me at any time.

Testimony is presented without formatting.

Brett Myers

#331663 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

My home site should not be constrained as the majority of the property totaling 1 acre is open and fairly level and would easily support several (up to 3) more homesites. There is a small strip of area with trees that is in the e(p) zone near creek that represents only 20% of the property that does not need to be built on or affected to still leave well spaced ample homesites behind and to the side of the current house if the City does not change zoning. The recent removal of dead trees behind the house (permitted) was inspected by the City and environmental zone is in process of being reduced to just the 20% currently treed area so this property should qualify as not constrained as it is fairly flat and only trees section would be considered wildfire potential which would be well away from potential home sites.

Testimony is presented without formatting.

Robert Unverzagt

#331661 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

We support the Portland: Neighbors Welcome Recommendations: legalize culturally responsive and affordable 6-plex homes and increase 4-plex FAR by .1 in order to encourage accessible and family-sized homes.

Testimony is presented without formatting.

Noah Lukasiak

#331658 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I believe that housing should become more affordable. Due to the recent hikes in rent local portlanders are unable to afford to live in their native city, so they must move away or risk becoming homeless adding to the growing homeless population. I think that the best way to combat this is by making more affordable housing and distressing rent cost. we can start to help the city of Portland heal.

Testimony is presented without formatting.

Karl Keefer

#331656 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am super excited by all of the changes that were already ushered in with RIP, and offer my emphatic support for more policy changes that lead to increases in affordability of housing in Portland. We badly need more housing density, and the thoughtful approach taken in RIP and RIP2 are great first steps. The costs of exclusionary zoning to our neighborhoods, communities, and the city as a whole, vastly outweigh the benefit to property owners that comes from artificial scarcity. To the extent the city is able to expand RIP2 to allow more density in more places, all the better!

Testimony is presented without formatting.

Luke Norman

#331655 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Please see the Portland: Neighbors Welcome testimony attached in support of RIP2 with two modest amendments to add more affordable and more accessible homes to our neighborhoods - Thank you

Testimony is presented without formatting.



Date: April 18, 2022

To: City Council

From: Equitable Zoning Work Group, Portland: Neighbors Welcome

Re: Residential Infill Project - Part 2

Portland: Neighbors Welcome is a grassroots pro-housing, pro-tenant organization dedicated to ensuring that all Portlanders can find and keep safe, stable, and affordable homes.

Today Portland faces a housing crisis for our communities of color—with [ZERO neighborhoods](#) affordable to the average Black and Native homeowner. And during the pandemic we know the affordability crisis has worsened with the median sale price [increasing by OVER \\$100,000](#) in just the last two years.

Fortunately, we know the solution—ALLOW more homes and more housing types in all of Portland's neighborhoods. We took an important step forward with the Residential Infill Project (RIP), which repealed the ban on triplexes and fourplexes across most of Portland.

Now Portland has the opportunity to build on that effort by making targeted changes to the zoning code to ensure the homes we legalized are BUILT.

Fortunately due to the hard work by the Bureau of Planning and Sustainability staff and the Planning and Sustainability Commission the [Residential Infill Project - Part 2](#) (RIP2) will:

- **Expand homeownership opportunities for first-time buyers**
- **Create new wealth building options for owners of small homes**

Council should build on that foundation by making **two important changes** to RIP2 to:

- 1. Legalize culturally-responsive affordable sixplex townhomes**
- 2. Encourage accessible and family-size fourplexes**



RIP2 expands homeownership opportunities for first-time buyers

When Council legalized the “missing middle” housing with RIP, the new duplexes, triplexes and fourplexes would either be rented as apartments or (more rarely, due to the costs involved) sold as condos because the city required these new homes to share a single tax lot.

Fortunately RIP2 brings Portland into compliance with state law to provide *expedited, “fee simple” lot splits for middle housing, so duplexes to fourplexes* can be split onto their own lots and sold like oneplexes. As new duplexes, triplexes, and fourplexes will be smaller and less expensive than new oneplexes, this creates new homeownership opportunities for both downsizers and first-time buyers in Portland.

RIP2 creates new wealth building options for owners of small homes

Today owners of small homes (less than 1,067 square feet) are required to build smaller accessory dwelling units than owners of large homes. These small homes are disproportionately in East and outer North Portland, preventing homeowners in high-displacement-risk communities from benefiting from the wealth-building opportunities ADUs provide to other homeowners.

Fortunately, RIP2 *allows homeowners to build a “detached duplex,”* with fewer unfair size restrictions for small homes. These homes also qualify for the “fee simple” lot splits, which creates a new wealth generation option for homeowners, since they can be sold as separate homes in the future.

And unlike ADUs, these *detached homes can be financed with a standard 30-year mortgage.* Being eligible for mortgages, requires less upfront capital for homeowners than building an ADU (though detached homes will trigger system development charges).

And new flexibility in site design will also make it easier for homeowners to add an extra home while still preserving trees on their lot.

Council should build on that foundation by making **two important changes** to RIP2:



Amendment #1: Council should legalize culturally-responsive affordable sixplex townhomes

Portland's history of prioritizing white, well-off voices through our housing policies has resulted in displacement and lack of homeownership options for too many in our communities of color. To address this legacy, affordable builders like PCRI have listened to these communities and heard that *new housing should include [townhomes](#) that create space for families of all ages* and feature the front doors, porches and backyards that displaced families remember.



Unfortunately, while RIP legalized affordable sixplexes, lot-coverage limits force them to be built as three-story stacked-flats, not townhomes. Fortunately, the Bureau of Planning and Sustainability engaged affordable builders to identify changes that *allows affordable townhomes by making small exceptions to lot coverage, setback, and open space requirements*:

- **Increase maximum lot coverage from 50% to 65%**
- **Decrease front setbacks from 10 to 5 feet**, enough to fit six townhomes on a 100' deep lot
- **Allow 48 sf outdoor space per unit, overlapping with setbacks**, in place of the courtyard-style open space requirement

Council should pass an amendment supported by affordable builders like Habitat for Humanity and Proud Ground that allows affordable sixplex townhomes in every neighborhood.



Amendment #2: Council should encourage accessible and family-size fourplexes

One of the innovations of RIP was to incentivize the creation of more abundant and more affordable housing by allowing duplexes to be a little bigger than oneplexes and triplexes to be a little bigger than duplexes.

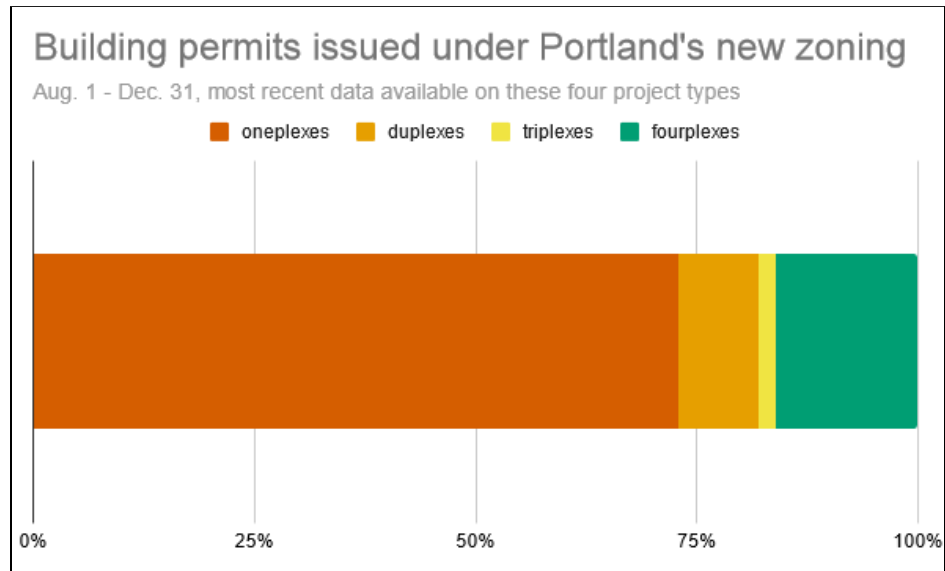
However since RIP legalized fourplexes, just 16% of projects in low-density zones have proposed one, while 75% of permits were issued to build new oneplexes:

This misses an opportunity to build accessible housing for Portlanders, since *fourplexes must meet [accessibility standards](#), such as a*

*wheelchair-ready bathroom on the ground floor. **Additionally, fourplexes create the cheapest new housing in these zones without public subsidy** by splitting land and fixed costs among more households, with *break-even [rents 60% lower than those for new oneplexes](#).**

Fortunately, we can *encourage more accessible and more affordable new housing, by allowing fourplexes to be a little bigger than triplexes*. This builds on RIP's innovation of encouraging duplexes and triplexes by allowing them to be a little bigger than oneplexes.

To preserve the benefit for projects that include at least one affordable home, those projects would continue to receive a further 0.1 FAR bonus above the allowance for market-rate projects.





Here's the current FAR allowance system:

# of homes	Housing type	R7		R5		R2.5	
		FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)
1	Oneplex	0.4	n/a	0.5	n/a	0.7	n/a
2	Duplex or oneplex + ADU	0.5	0.6	0.6	0.7	0.8	0.9
3	Triplex or duplex + ADU or oneplex + 2 ADUs	0.6	0.7	0.7	0.8	0.9	1.0
4	Fourplex						

And the FAR allowance with the proposed amendment:

# of homes	Housing type	R7		R5		R2.5	
		FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)	FAR (base)	FAR (with bonus)
1	Oneplex	0.4	n/a	0.5	n/a	0.7	n/a
2	Duplex or oneplex + ADU	0.5	0.6	0.6	0.7	0.8	0.9
3	Triplex or duplex + ADU or oneplex + 2 ADUs	0.6	0.7	0.7	0.8	0.9	1.0
4	Fourplex	0.7	0.8	0.8	0.9	1.0	1.1

Council should increase fourplex FAR by 0.1 to encourage accessible and family-size fourplexes offering 2-3 bedrooms (homes averaging 1,000 square feet on a standard R5 lot).

By passing RIP2 with these *two modest amendments*, Council can take a meaningful step towards realizing Portland's housing goals by encouraging more affordable and more accessible homes across all of our neighborhoods.

Brad Baker

#331653 | April 18, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

The Eliot Neighborhood Association's Land Use and Transportation Committee are writing to express our support for RIP2. The high cost of land for new housing is a primary component of housing unaffordability. RIP2 and facilitating the lot partitions mandated by SB458 target this problem directly. We strongly support the City's efforts to embrace this solution, and to do so quickly and innovatively. We would also like to support minor adjustments to RIP2 suggested by Habitat for Humanity, PCRI and others, including allowing affordable 6-plex townhomes and increasing 4-plex FAR by at least 0.1. We recognize zoning changes cannot address housing affordability without changes in building codes and recommend a critical review of those by the Council to reduce requirements and regulations that appear to be designed to protect existing homeowners from innovative developments, like RIP, instead of facilitating the kind of dense, urban development that is proven to reduce carbon emissions, forestall sprawl and associated environmental degradation, and create wealth-building opportunities for populations historically denied that option. More flexible zoning and cost-effective building codes leading to more affordable new housing options will be a triple win: for carbon emissions, utilization of existing urban infrastructure, and racial justice. We remain very concerned about the housing emergency and feel the city is not going nearly far enough towards solving it. This is one more small slow step in the right direction when we should be making faster and larger ones. Thank you for your consideration.

Testimony is presented without formatting.



April 18th, 2022

To: Mayor Wheeler
Commissioner Hardesty
Commissioner Mapps
Commissioner Rubio
Commissioner Ryan
Council Clerk

Re: Residential Infill Project - Part 2 (RIP2)

We are writing to express our support for RIP2.

The high cost of land for new housing is a primary component of housing unaffordability. RIP2 and facilitating the lot partitions mandated by SB458 target this problem directly. We strongly support the City's efforts to embrace this solution, and to do so quickly and innovatively. We would also like to support minor adjustments to RIP2 suggested by Habitat for Humanity, PCRI and others, including allowing affordable 6-plex townhomes and increasing 4-plex FAR by at least 0.1.

We recognize zoning changes cannot address housing affordability without changes in building codes and recommend a critical review of those by the Council to reduce requirements and regulations that appear to be designed to protect existing homeowners from innovative developments, like RIP, instead of facilitating the kind of dense, urban development that is proven to reduce carbon emissions, forestall sprawl and associated environmental degradation, and create wealth-building opportunities for populations historically denied that option. More flexible zoning and cost-effective building codes leading to more affordable new housing options will be a triple win: for carbon emissions, utilization of existing urban infrastructure, and racial justice.

We remain very concerned about the housing emergency and feel the city is not going nearly far enough towards solving it. This is one more small slow step in the right direction when we should be making faster and larger ones.

Thank you for your consideration.

Sincerely,

Brad Baker
Land Use Chair, Eliot Neighborhood Association
2301 NE Rodney Ave
Portland, OR 97212

Candace Avalos

#331650 | April 16, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I'm writing to support the Portland: Neighbors Welcome Recommendations, also found below:

COUNCIL SHOULD SUPPORT RIP2 BECAUSE: It creates homeownership opportunities for first-time buyers by allowing fee-simple lot division for middle housing. RIP2 creates a process for splitting duplexes and fourplexes onto their own lots so they can be sold like oneplexes. These units will be smaller and less expensive than oneplexes, creating new homeownership opportunities for downsizers and first time buyers. It enables more people to take advantage of the wealth building opportunities associated with ADUs by legalizing detached duplexes. The size of the detached dwelling unit would no longer be tied to the size of the primary unit, meaning owners of small homes in North and East Portland will be able to build full sized ADUs, which qualify for fee simple lot division and can be financed with a standard 30-year mortgage.

COUNCIL CAN IMPROVE RIP2 BY: Legalizing culturally responsive affordable 6-plex townhomes. Community based organizations like PCRI have heard from displaced communities that front doors, porches, and private backyards are a priority. But current lot coverage limits preclude side-by-side townhomes. We support the work BPS and affordable housing providers like PCRI and Habitat for Humanity have done to allow for small exceptions to lot coverage, setback, and open space requirements to ensure townhome style 6-plexes can be built. Encouraging accessible and family-sized 4-plexes by increasing 4-plex FAR by 0.1. This change will incentivize the development of more 4-plexes in the city's residential neighborhoods, and will encourage more family-sized 2- and 3-bedroom units. In addition, unlike duplexes and triplexes, ground floor units in 4-plexes must meet HUD accessibility standards. While this requirement is crucial for getting more accessible housing built, it could deter some developers from building 4-plexes unless balanced with an incentive in the form of a FAR

Testimony is presented without formatting.

Jennifer Shuch

#331649 | April 16, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

testimony attached

Testimony is presented without formatting.

To The Portland City Council:

Hello, my name is Jennifer Shuch. I am a Concordia neighborhood resident and a member of Portland: Neighbors Welcome. I was a supporter of the Residential Infill Project, and I am excited about the current opportunity to make small improvements to incentivize more infill development in the city's residential neighborhoods.

RIP2 includes provisions that will create new homeownership and wealth-building opportunities through fee simple lot divisions and detached duplexes. Fee simple lot division will help ensure that at least some of the housing created through RIP will be condos rather than rental homes. Homeownership is out of reach for so many Portlanders - these smaller, less expensive units will help more people move out of rental housing and into their own homes. The provision allowing for detached duplexes will provide the opportunity for people living in small homes on larger lots - a configuration not uncommon in areas like Cully and East Portland - to take full advantage of the wealth-building opportunities provided by ADUs.

But there is more that Council can and should do to ensure that the beneficial impacts of RIP are maximized. PCRI conducted a survey that found that Portlanders from displaced communities want features like porches, front doors, and small private backyards. Habitat for Humanity has similarly found that those with aging relatives do not want to live on the third floor of a stacked-flat style building. In order to ensure that the affordable housing built under RIP is culturally responsive, legalize side-by-side 5- and 6-plex townhomes should be legalized. Council should support the proposal crafted by Habitat for Humanity, PCRI, Proud Ground, and the Build Small Coalition.

In addition, the city should incentivize the building of 4-plex buildings through a 0.1 FAR bump. This modest increase in FAR would allow for more 2- and 3-bedroom ("family-sized") units, and give developers the flexibility they need to build more buildings with 4 units. 4-plexes are crucial to RIP's success, not only because they contain more units, but because their ground floor units must be visitable. We are currently in the middle of a mass disabling event, and at the same time Baby Boomers are reaching their 70s. The city must do whatever it can to ensure that there is an adequate supply of ground floor units that meet basic accessibility requirements. 4-plexes is one important tool to achieve this. Portland: Neighbors Welcome, Habitat for Humanity, The Sightline Institute, Disability Rights Oregon, and AARP Oregon have signed on to a letter advocating for a 0.1 FAR bump. Council should adopt this proposal.

On a personal note, I live in half of a duplex in a residential neighborhood. I would love to see more plexes of all shapes and sizes in my area. It is not houses but people that make a community feel safe and welcoming. I hope we all get to meet many more neighbors in the future.

Thank you for the work you are doing on this important issue.

Jennifer Shuch

Susan Millhauser

#331645 | April 15, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I believe the Z overlay should not apply to this property. The existing City natural resource and flood hazard overlays and Multnomah County Drainage District/the Corps of Engineers requirements regarding the levee (removal and fill, prohibition against habitable structures), etc. already in place protect the portion of the property that is potentially affected by a flood hazard. The unencumbered portions of the lot have plenty of room for additional density! This area is close in to services and amenities, easily accessible by emergency services, etc. There are many similar lots to the northeast on Levee Rd that are similarly proposed for the Z overlay and my comments would apply to them generally as well.

Testimony is presented without formatting.

Jennifer Shuch

#331644 | April 15, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

To The Portland City Council: Hello, my name is Jennifer Shuch. I am a Concordia neighborhood resident and a member of Portland: Neighbors Welcome. I was a supporter of the Residential Infill Project, and I am excited about the current opportunity to make small improvements to incentivize more infill development in the city's residential neighborhoods. RIP2 includes provisions that will create new homeownership and wealth-building opportunities through fee simple lot divisions and detached duplexes. Fee simple lot division will help ensure that at least some of the housing created through RIP will be condos rather than rental homes. Homeownership is out of reach for so many Portlanders - these smaller, less expensive units will help more people move out of rental housing and into their own homes. The provision allowing for detached duplexes will provide the opportunity for people living in small homes on larger lots - a configuration not uncommon in areas like Cully and East Portland - to take full advantage of the wealth-building opportunities provided by ADUs. But there is more that Council can and should do to ensure that the beneficial impacts of RIP are maximized. PCRI conducted a survey that found that Portlanders from displaced communities want features like porches, front doors, and small private backyards. Habitat for Humanity has similarly found that those with aging relatives do not want to live on the third floor of a stacked-flat style building. In order to ensure that the affordable housing built under RIP is culturally responsive, legalize side-by-side 5- and 6-plex townhomes should be legalized. Council should support the proposal crafted by Habitat for Humanity, PCRI, Proud Ground, and the Build Small Coalition. In addition, the city should incentivize the building of 4-plex buildings through a 0.1 FAR bump. This modest increase in FAR would allow for more 2- and 3-bedroom ("family-sized") units, and give developers the flexibility they need to build more buildings with 4 units. 4-plexes are crucial to RIP's success, not only because they contain more units, but because their ground floor units must be visitable. We are currently in the middle of a mass disabling event, and at the same time Baby Boomers are reaching their 70s. The city must do whatever it can to ensure that there is an adequate supply of ground floor units that meet basic accessibility requirements. 4-plexes is one important tool to achieve this. Portland: Neighbors Welcome, Habitat for Humanity, The Sightline Institute, Disability Rights Oregon, and AARP Oregon have signed on to a letter advocating for a 0.1 FAR bump. Council should adopt this proposal. On a personal note, I live in half of a duplex in a residential neighborhood. I would love to see more plexes of all shapes and sizes in my area. It is not houses but people that make a community feel safe and welcoming. I hope we all get to meet many more neighbors in the future. Thank you for the work you are doing on this important issue. Jennifer

Shuch

Testimony is presented without formatting.

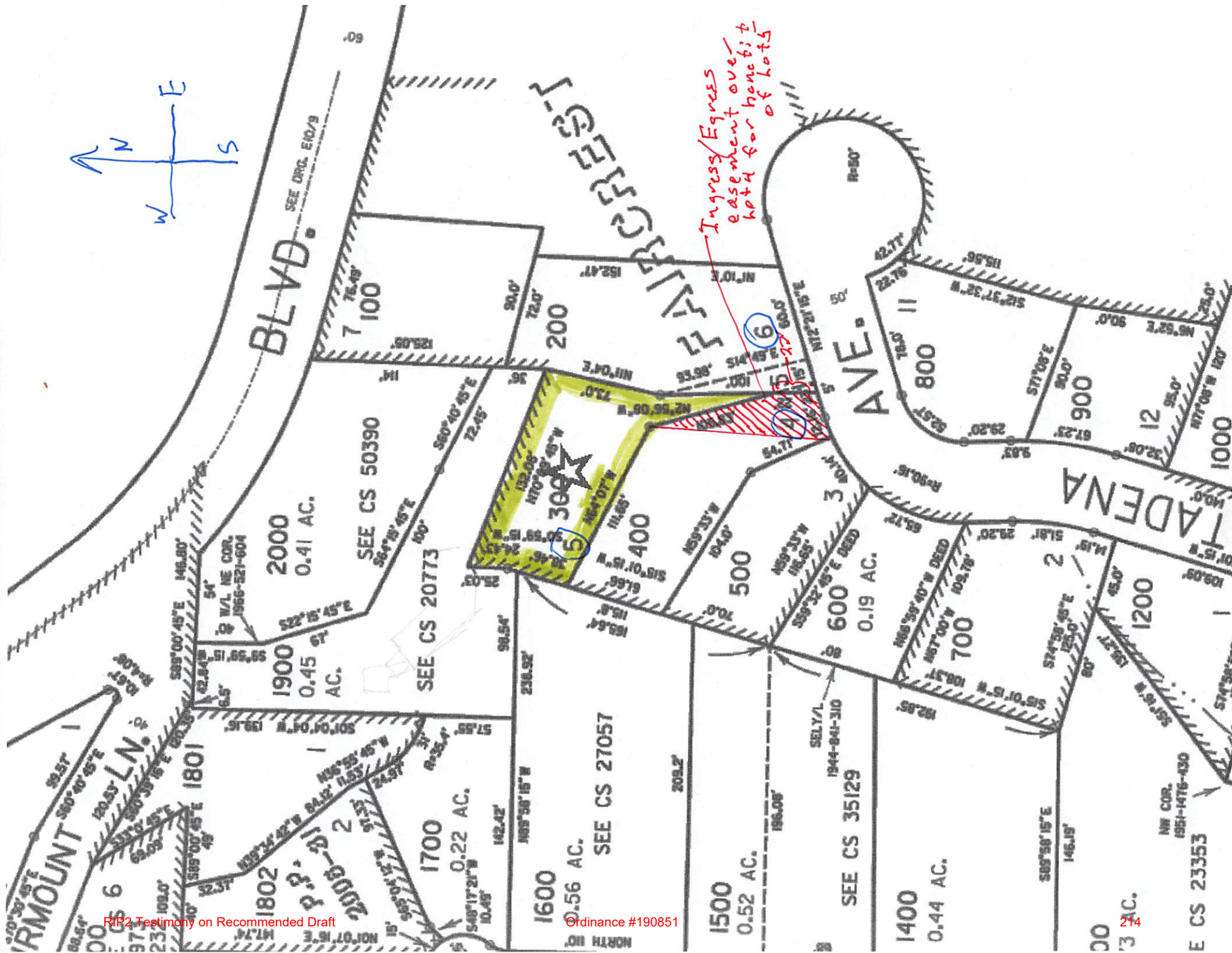
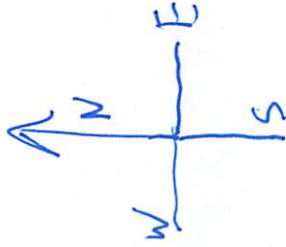
Scott Wyse

#331643 | April 15, 2022

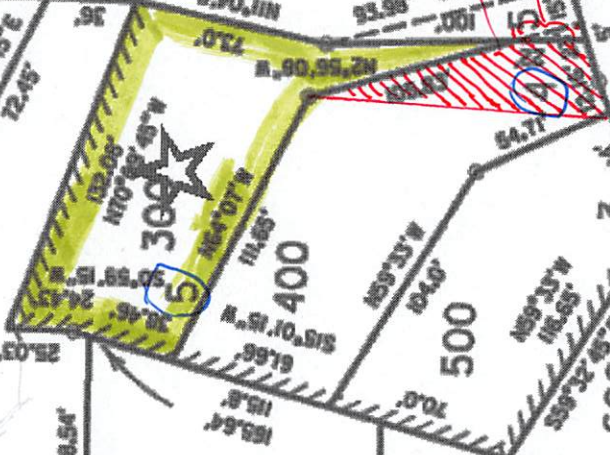
Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

When I viewed on-line the record of the testimony I submitted yesterday, I noticed that it was converted to a single block of text without the original paragraphs I included in the submittal I made. That made it difficult to read. To make it easier to read, I am now resubmitting it as an attachment which has it broken up into its original paragraphs.

Testimony is presented without formatting.



Ingress/Egress easement over lots for benefit of lots



**OPPOSITION TO PROPOSED AMENDMENTS
TO SECTION 33.110.202 OF THE MUNICIPAL CODE
OF THE CITY OF PORTLAND**

The proposed amendments to Section 33.110.202 of the Municipal Code of the City of Portland would, if passed, cause some valuable property which is currently available for residential development to become undevelopable, functionally useless, and of little value. Such a result would be contrary to Portland's need for additional residential development, and would be unfair to those of us who would see our property rendered undevelopable and stripped of its potential for any significant economically beneficial or productive use or value.

I am a member of Walker Ventures, LLC, an Oregon limited liability company, which owns Lot 5 Faircrest (Lot 5), in the City of Portland and an adjoining lot at 3332 SW Fairmont Lane (3332). Walker Ventures, LLC is a family owned limited liability company whose principal members are my brother, Duncan Wyse, my sister, Wendy Wyse, and me. Our parents purchased both Lot 5 and 3332 during the 1960s and built their residence on 3332. During their residency, Lot 5 was held by them with the potential for future development as a site for a single family residence and was vacant except for a small green house structure. After our parents died, both properties were transferred to Walker Ventures, LLC as a means to manage any development of Lot 5 and the disposition of both properties.

Lot 5 is approximately 9,000 square feet and is un-utilized. It has an easement for ingress and egress to SW Altadena Avenue, but it does not have a "front lot line" adjoining SW Altadena Avenue or any other city street. A diagram of Lot 5 (outlined in green) and its access easement over Lot 4 to SW Altadena Avenue (cross-hatched in red) is attached. Under Section 33.110.202 as it currently exists, Lot 5 is a developable lot. It is ideally suited to be developed as a single family home in a quiet neighborhood and with a beautiful view.

The proposed amendments to Section 33.110.202 would add the words "has a front lot line" in three places. Because Section 33.110.202 as it currently exists allows "primary structures" to be developed on a lot of record without the requirement that the lot have a front lot line, Lot 5 is currently allowed to have a single family residence built upon it. However, under the amendments proposed, our Lot 5 would become undevelopable because it does not have a "front lot line".

We do not know how many other properties within the City of Portland besides Lot 5 may be similarly affected by the proposed amendments, which would turn currently valuable property into property without economically beneficial or productive use, and, therefore, of little value. There may well be a good number of lots which would be similarly affected by the proposed amendments. We have not undertaken the effort which would be required to determine how many other lots within the City may be similarly affected and rendered undevelopable by the proposed amendments. In *Lucas v. S.C. Coastal Council*, 505 US 1003, at 1015 & 1019, 112 S Ct 2886, 120 L Ed2d 798 (1992), the United States Supreme Court held that a governmental regulation that denies "all economically beneficial or productive use of land" requires compensation. The City of Portland may want to consider whether it is prepared to compensate

all property owners who may be so affected by the proposed amendments.

Now that our parents are gone, we have been considering how Lot 5 can best be developed with a single family residence. Such a use would serve to increase the housing stock within the City and advance the goal of the City to increase its residential stock.

The proposed amendments are contrary to that objective because they would turn Lot 5 and any similarly affected lots into undevelopable lots and, therefore, prevent them from being developed for any residential use. The proposed amendments would have the (likely unintended) consequence of reducing the amount of land in the City available for residential use. This effect can be avoided either by not adopting the proposed amendments or, alternatively, by refashioning them so that they do not have this result.

For these reasons, we urge the City Council to either not adopt the proposed amendments to Section 33.110.202, or, alternatively, to instruct staff to propose new language which would not render Lot 5 and other similarly affected lots to be undevelopable.

Respectfully submitted

Scott C. Wyse

Aaron Brown

#331642 | April 14, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I am writing in to express my full support for the policy recommendations proposed by Portland: Neighbors Welcome in support of the Residential Infill Project 2. So many of Portland's overlapping problems will be less difficult to tackle if we have more abundant housing, and the proposals suggested by PNW will help maximize the number of new homes for new and existing Portlanders in which to live.

Testimony is presented without formatting.

Scott Wyse

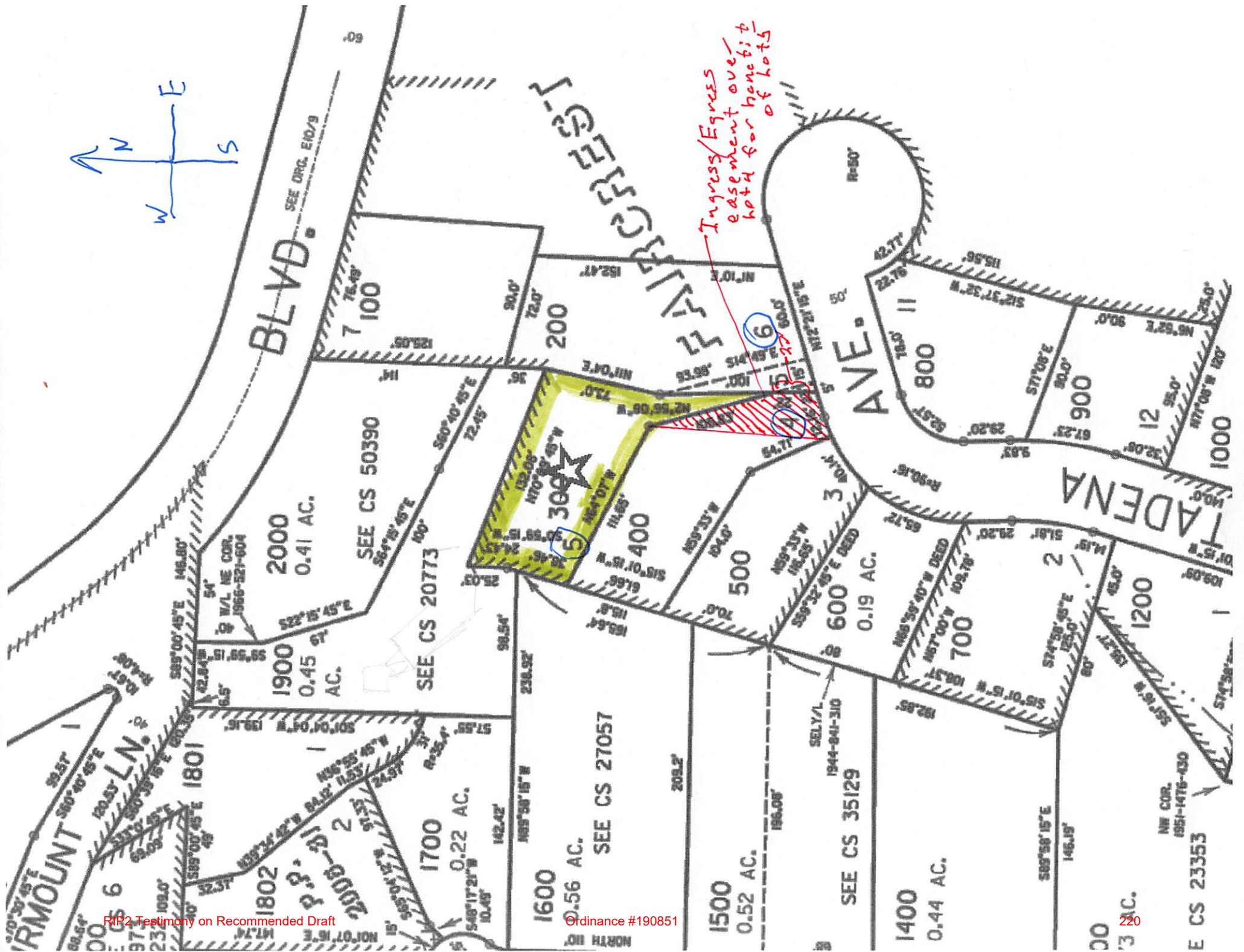
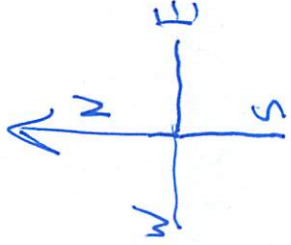
#331638 | April 14, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

OPPOSITION TO PROPOSED AMENDMENTS TO SECTION 33.110.202 OF THE MUNICIPAL CODE OF THE CITY OF PORTLAND The proposed amendments to Section 33.110.202 of the Municipal Code of the City of Portland would, if passed, cause some valuable property which is currently available for residential development to become undevelopable, functionally useless, and of little value. Such a result would be contrary to Portland’s need for additional residential development, and would be unfair to those of us who would see our property rendered undevelopable and stripped of its potential for any significant economically beneficial or productive use or value. I am a member of Walker Ventures, LLC, an Oregon limited liability company, which owns Lot 5 Faircrest (Lot 5), in the City of Portland and an adjoining lot at 3332 SW Fairmont Lane (3332). Walker Ventures, LLC is a family owned limited liability company whose principal members are my brother, Duncan Wyse, my sister, Wendy Wyse, and me. Our parents purchased both Lot 5 and 3332 during the 1960s and built their residence on 3332. During their residency, Lot 5 was held by them with the potential for future development as a site for a single family residence and was vacant except for a small green house structure. After our parents died, both properties were transferred to Walker Ventures, LLC as a means to manage any development of Lot 5 and the disposition of both properties. Lot 5 is approximately 9,000 square feet and is un-utilized. It has an easement for ingress and egress to SW Altadena Avenue, but it does not have a “front lot line” adjoining SW Altadena Avenue or any other city street. A diagram of Lot 5 (outlined in green) and its access easement over Lot 4 to SW Altadena Avenue (cross-hatched in red) is attached. Under Section 33.110.202 as it currently exists, Lot 5 is a developable lot. It is ideally suited to be developed as a single family home in a quiet neighborhood and with a beautiful view. The proposed amendments to Section 33.110.202 would add the words “has a front lot line” in three places. Because Section 33.110.202 as it currently exists allows “primary structures” to be developed on a lot of record without the requirement that the lot have a front lot line, Lot 5 is currently allowed to have a single family residence built upon it. However, under the amendments proposed, our Lot 5 would become undevelopable because it does not have a “front lot line”. We do not know how many other properties within the City of Portland besides Lot 5 may be similarly affected by the proposed amendments, which would turn currently valuable property into property without economically beneficial or productive use, and, therefore, of little value. There may well be a good number of lots which would be similarly affected by the proposed amendments. We have not undertaken the effort which would be required to determine how many other lots within the City

may be similarly affected and rendered undevelopable by the proposed amendments. In *Lucas v. S.C. Coastal Council*, 505 US 1003, at 1015 & 1019, 112 S Ct 2886, 120 L Ed2d 798 (1992), the United States Supreme Court held that a governmental regulation that denies “all economically beneficial or productive use of land” requires compensation. The City of Portland may want to consider whether it is prepared to compensate all property owners who may be so affected by the proposed amendments. Now that our parents are gone, we have been considering how Lot 5 can best be developed with a single family residence. Such a use would serve to increase the housing stock within the City and advance the goal of the City to increase its residential stock. The proposed amendments are contrary to that objective because they would turn Lot 5 and any similarly affected lots into an undevelopable lots and, therefore, prevent them from being developed for any residential use. The proposed amendments would have the (likely unintended) consequence of reducing the amount of land in the City available for residential use. This effect can be avoided either by not adopting the proposed amendments or, alternatively, by refashioning them so that they do not have this result. For these reasons, we urge the City Council to either not adopt the proposed amendments to Section 33.110.202, or, alternatively, to instruct staff to propose new language which would not render Lot 5 and other similarly affected lots to be undevelopable. Respectfully submitted Scott C. Wyse

Testimony is presented without formatting.



Ingress/Egress easement over lots for benefit of lots

Madeline Kovacs

#331632 | April 14, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Attached please find RIP2 Recommended Draft recommendations from Build Small Coalition members, with input from progressive and nonprofit local developers. Sincere thanks to all who have worked on RIP1 and RIP2 so far; Portland has demonstrated extraordinary leadership. We hope this trend will continue as we improve middle housing codes and refine our tools & incentives to maximize production of regulated affordable homes in all neighborhoods.

Testimony is presented without formatting.

April 14, 2022

Dear Mr. Mayor and Portland City Commissioners,

Firstly, everyone who has worked on RIP1 and/or RIP2 should be proud: Portland has exhibited extraordinary leadership, spurring reforms statewide and around the country. Since RIP1 passage, many cities and multiple other states have introduced legislation (re)legalizing “missing” middle housing types. We specifically wish to thank both BPS and the utility bureaus in advance for their continued work to help with the collective goal of making middle housing development a reality.

While we understand the more limited scope of RIP2 relative to the HB 2001 deadline, **we encourage this Council to consider whether we are poised to deliver on the promises of RIP1 and address our ongoing housing crisis.** We must do everything in our power to both prevent the housing shortage from becoming more acute, while doing all we can to open up below-market rental and homeownership opportunities in ALL our neighborhoods.

We have gained new information since RIP1 went into effect, and we should apply those lessons with this update. **A few minor changes should be considered to improve rules and incentives, with a laser focus on affordable housing production.** The recommendations below are focused on the viability of recently-legalized middle housing options, and on improving performance of rules and incentives for regulated-affordable homes:

Summary of key changes for affordability:

- Achieve FAR (home size) parity and improve viability of four-plexes,
- Create feasible development paths for affordable 5- to 6-plexes, and
- Fully implement SB 458 to remove barriers for affordable, fee-simple attached homes.

1. Graduate FAR for four-plexes: allow up to 0.8 FAR (from 0.7)

- a. Maintain bonus of additional 0.1 FAR (to 0.9) if regulated affordable

Narrative: Floor Area Ratio (or “living area”) in single-dwelling zones is currently graduated according to the number of homes, giving +0.1 FAR for duplexes above single-detached homes, and an additional +0.1 FAR for triplexes and above. Permitting an additional +0.1 FAR for four-plexes above triplexes would greatly increase feasibility of more 2- and 3-bedroom, family sized homes. Four-plexes carry some additional benefits with them: Unlike duplexes and triplexes, four-plexes must meet Fair Housing Act requirements for accessibility of ground-floor homes. Land and fixed costs are also shared among more units, further lowering *price per home*. *While we appreciate that one goal of the FAR limits is to keep plex units relatively small and inexpensive, the lack of FAR for four-plexes may have the unintended consequence of making other redevelopment options, such as*

a comparatively expensive single- detached home, more compelling than a plex of any type: As of February 8, permits under RIP1 had only yielded 16 four-plexes compared with 80 single-detached homes with no ADUs.

2. **Ensure that development standards for qualifying five-to-six-unit projects meeting affordability standards are feasible - both stacked and side-by-side.** To qualify a project must be either:
 - 50% or more homes at 60% MFI rental/ 80% MFI ownership, or
 - 100% of units at 100% MFI ownership, *permanently* up to 120% MFI
 - a. Create standards for **affordable two-story side-by-side “townhome-style” plexes.** This would yield some three-bedroom but mostly two-bedroom homes:
 - i. 1.2 FAR
 - ii. 65% lot coverage
 - iii. 5 foot front setbacks (5 foot setbacks all round)
 - iv. 48 sf outdoor space per unit, overlapping with setbacks,
 - b. Create standards for **affordable three-story, smaller footprint “townhome-style” plexes.** This would yield up to six three-bedroom homes:
 - i. 1.4 FAR
 - ii. 60% lot coverage
 - iii. 10 foot front setback
 - iv. Unchanged outdoor space, and
 - c. Improve standards for affordable five-to-six-plex stacked flats (only development type allowed currently). This would yield more affordable three-bedroom homes:
 - i. Increase FAR to 1.4 (currently 1.2)
 - ii. Other standards remain unchanged

Narrative: We should be tailoring our code to maximize affordable rental and first-time homeownership opportunities, and to accommodate differences in physical ability and household size. These standards will allow flexibility, on a standard lot, for nonprofit organizations working to meet community-specific needs and preferences - whether they be one’s own front door in a townhome or a fully physically accessible stacked flat. Portland did a *potentially* revolutionary thing in legalizing up to six homes with an aggressive affordability requirement. To realize its full benefit, and to serve as many income-qualifying households as we can, we must ensure that development standards are suitable and flexible. Portland must also invest in lasting affordability, or our efforts will be lost too soon given the market trends. This is especially important to Portland’s stated commitments to equity and to addressing the racial disparity gap in homeownership.

3. **Create a path for affordable attached homes, mirroring the development standards in #2(a)&(b) per historical PSC Amendment 5.** For only those attached home projects that meet the affordability requirements identified for five-to-six-plexes:
 - a. Adjust minimum lot sizes for each attached house to 800 sf
 - b. Increase allowed density to match minimum lot sizes,
 - c. Reduce minimum lot depth to 50 feet, and
 - d. Incorporate any other small adjustments to match #2(a)&(b).

Narrative: In addition to the innovative “deeper affordability bonus” for five- and six-plexes, we recommend permitting analogous five to six unit attached home projects that meet the same affordability levels. These projects are most likely to occur on corner lots where each home can meet street frontage requirements, creating opportunities for first-time homeownership and having one’s own front door - priorities explicitly expressed by community members accessing these homes. This suggestion, together with #2 above and #4 below, also helps fulfill the stated goals of historical PSC Amendment 5, creating a fee-simple path for affordable five-to-six home projects. The concept was supported by the PSC, who directed staff to keep working on it.

4. **Fully implement SB 458 to permit expedited Middle Housing Land Divisions (MHLDs) for all attached house projects**, including both market-rate and affordable (per the development standards proposed in #2 above).

Narrative: SB 458 clearly requires that townhouses be eligible for middle housing expedited land divisions, in addition to duplexes, triplexes, four-plexes and cottage clusters. Springfield, Eugene, and many other cities are proposing to make townhouses eligible for middle housing land divisions, regardless of the fact that townhouses can already use the existing subdivision and partition process. Implementing the expedited process for a townhouse project consisting of up to six units on an existing lot would be significant in reducing time and costs for townhouse creation. The express intent of SB 458 is to allow a path to facilitate easier land divisions for middle housing types, and HB 2001 clearly defines a townhouse as middle housing. *In the midst of a housing crisis, why wouldn't we do everything that we can to facilitate more efficient paths for affordable homeownership where feasible?*

Attached homes in Portland are also known as “Townhouse Projects” according to the State. To quote OAR 660-046-0020 “Townhouse Project” means one or more townhouse structures constructed, or proposed to be constructed, together with the development site where the land has been divided, or is proposed to be divided, to reflect the Townhouse property lines and any commonly owned property.”

Summary of additional code improvements:

- Adjust ADU size allowances for fairness to smaller homes and for visitability,
- Adjust cottage cluster standards for better site layout and flexibility,
- Improve strategies to preserve existing homes while adding new ones,
- Allow for shared stormwater and single tap into main for sewer and water, and
- Calculate lot coverage based on pre-dedication lot size.

5. **Adjustments to ADU size for visitability and fairness for smaller homes:**
 - a. Allow a visitable (or fully accessible) ADU up to 900 sf of living area,
 - b. Calculate ADU size from combined duplex living area, not larger of two, and
 - c. Improve “ADU fairness” by allowing up to 800 sf or up to size of the primary house.

Narrative: While the new “detached duplex” option creates a valuable new path for fee simple homeownership, it doesn’t eclipse the need to refine ADU standards, providing flexibility to meet different needs: (a) Given the extra sf needed for a visitable ADU, increasing the size to 900 sf will ensure that other spaces in the home are not impacted by the visitable requirement. *The 900 sf building size also complements the PSC’s amendment allowing a 900 sf footprint for accessory*

structures. Together, this makes a two bedroom, one-story, fully accessible ADU much more feasible. (b) There are many smaller duplexes throughout Portland with potential to add an ADU. We propose that the livable sf of the duplex (both units combined) be used to calculate the maximum size of the ADU in order to increase preservation of existing homes. This will ensure that an ADU is in proportion to the combined existing duplex structure. (c) In order not to penalize owners of smaller homes, make maximum ADU size 800 sf or that of the primary home, whichever is smaller. This is still smaller than many jurisdictions (e.g. Seattle (1,000 sf), San Diego (1,200 sf), and Corvallis (900 sf or 85% of primary, whichever is less)) but can still accommodate two bedrooms. If not possible, then increase ADU size up to 85% of the main house (vs.75% allowed currently) or 800 sf.

6. **Adjust “cottage cluster” standards for better site flexibility, and label “cluster housing”** for greater accuracy per statewide middle housing definitions:
 - a. Allow up to 50% of cottages to be attached
 - b. Set maximum number of units relative to site size (instead of blanket 16 unit cap)
 - c. Allow small clusters (four or fewer) on lots under 5,000 sf

Narrative: a) Allowing some cottages to be attached allows for much greater flexibility in layout and design, including considerations such as terrain, local context, large tree preservation, and more. b) While we understand the regulatory complexities surrounding density, a blanket cap makes less sense than a graduated approach proportional to site area. c) Finally, allowing tiny cottage clusters on smaller lots echoes recently-reduced minimum lot sizes for other middle housing types.

7. **Improve strategies to preserve existing homes by building behind them.**

- a. Allow attached duplexes and triplexes to be built behind the existing house.

8. **Allow for shared stormwater and private sewer lateral with multiple connections (single tap into main) for sewer & water.**

Narrative: Allowing for a shared private sewer lateral with a single connection to the main within an easement, with each middle housing unit tapping into the shared lateral, avoids the expense (and lack of street frontage) that would be associated with individual laterals/connections for each unit. Many attached- and courtyard-style homes being built now already do this.

9. **Calculate lot coverage based on pre-dedication lot size** to match how FAR is calculated.

Thank you for your ongoing work and dedication to housing our full community, affordably.

Signed, *(continued on next page)*

Preston Korst, Habitat for Humanity

Diane Linn, Proud Ground Community Land Trust

Douglas MacLeod and Madeline Kovacs, UrbanRoost Development LLC

Alexis Biddle, 1000 Friends of Oregon

Elizabeth Decker, JET Planning

Kol Peterson, Accessory Dwelling Strategies

Eric Thompson, Oregon Homeworks

Neil Heller, Neighborhood Workshop
Shane Boland, Owen Gabbert LLC
Jill Cropp, Studio Cropp Architecture
Annie Fryman, Abodu
Sean Heyworth and Mike Mitchoff, Portland Houseworks
John Miller, BackHome ADU
Garlynn Woodsong, Woodsong Associates
Dirk Knudsen, Dirk Knudsen Real Estate
Joe Wykowski, Community Vision

Kol Peterson

#331620 | April 12, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

RIP 2 contains so much groundbreaking zoning language. I'm truly proud of the City's planning staff for the work it has achieved in such a tight timeframe. While this isn't the purview of the City of Portland, the legislative language for SB 458 should be modified to state that the resulting lots CAN have more than a single dwelling. The current language in SB 458 stipulates that the resulting lots must contain "Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas". Rather, the ideal language should read: "Resulting lots or parcels can have more than one dwelling per lot". This type of legislative fix would allow for the resulting parcels from an expedited lot partition to result in a property that contains a stacked duplex, or a house with a basement ADU, for example. As it stands, any middle housing with stacked units will not be able to take advantage of lot splitting. Indeed, the existing SB 458 language will actually compel people to undue existing basement ADUs. This is fundamentally not in line with policy of RIP or HB 2001. I bring this up in advance as something that this City should support or introduce as an Oregon-wide legislative fix to foster the development of more flexible housing configurations and opportunities for affordable property ownership, and as a matter of fairness for housing developers who built prior to the knowledge of SB 458. I also support the suggested code amendment package that members of the Build Small Coalition will submit. We tailored these suggestions to be respectful of the impending deadline for adoption. Hopefully, they are fairly simple technical fixes to make and won't be too burdensome.

Testimony is presented without formatting.

Gerson Robboy

#331604 | April 6, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

I support the recommendations of Portland: Neighbors Welcome.

Testimony is presented without formatting.

eli rostamian

#331596 | March 28, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Having followed all the meetings, let me take this opportunity to thank all the team members for passing this (Eli, David, Morgan, and commissioners. Sorry for missing most of the names). Much appreciated. It is really hurtful to see all these young folks (Millennials, especially) not being able to live in a decent home - and America is so big, so much land. Passage of RIP basically creates more housing, urban areas, bring people and communities closer. Most people in the neighborhood love the progress.

Testimony is presented without formatting.

Ellen Hansen

#331592 | March 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

A study recently presented to the City Council says we are losing tree canopy at an alarming rate. RIP encourages loss of trees. What kind of life will we be left with with no green spaces, no big trees.

Testimony is presented without formatting.

Erica Thompson

#331591 | March 21, 2022

Testimony to **Portland City Council** on the **Residential Infill, Part 2, Recommended Draft**

Attached please find the PSC's recommendation for the Residential Infill Project -- Part 2. thank you.

Testimony is presented without formatting.

Mayor Wheeler and City Commissioners
City Hall
1220 SW 4th Ave
Portland, OR 97205

Dear Mayor and City Commissioners,

The Planning and Sustainability Commission (PSC) is pleased to offer our support for the Residential Infill Project – Part 2, scheduled for your consideration in Spring 2022. The Commission voted unanimously on February 8, 2022, to recommend adoption of the Zoning Code amendments and related changes to the zoning map which will collectively add more residential infill options to complement Part 1 of the project which was adopted in 2020.

Adoption of this project will bring Portland into conformance with Oregon House Bill 2001 and Senate Bill 458 regarding providing pathways to create middle housing. To accomplish this, the proposal:

- Expands middle housing allowances to low density R10 and R20 areas.
- Adds two new types of middle housing options throughout the city: cottage clusters and higher density townhouses.
- Creates a new “Middle Housing Land Division” procedure to enable middle housing to be divided into separate fee-simple lots for increased homeownership opportunities.

Due to the compliance requirements of those bills, the PSC was confined in both project scope and timeline. We support most of Bureau of Planning and Sustainability’s staff proposal;

however, in response to thoughtful and creative testimony received, there were several amendments that the PSC voted to incorporate into our Recommended Draft. Three of the more substantive amendments are described here:

1. Narrowing the use of wildfire risk in the proposed Constrained Sites 'z' Overlay Zone.

When this project is adopted, middle housing will be allowed in all residential areas of Portland except for areas constrained by natural resources or natural hazards – the Constrained Sites 'z' Overlay Zone. With this project, staff proposed to include the presence of wildfire risk as a component for the 'z' Overlay Zone.

The Commission was concerned with this approach for several reasons. First, it could perpetuate the exclusivity of R10 and R20 zoned neighborhoods by limiting housing options in those areas. Second, the 'z' Overlay Zone places new constraints on R2.5, R5, and R7 neighborhoods that were included in the first part of the Residential Infill Project. Underlying these impacts is the Commission's concern that the wildfire maps informing the overlay zone are more than 20 years old and do not reflect more recent climate models or capture current development.

In weighing competing Comprehensive Plan policies relating to increasing access to housing and limiting development in areas prone to natural hazards, the Commission arrived at a measured and precautionary approach for the lower density zones, while not expanding the 'z' Overlay Zone in the higher density zones that were already discussed during the first Residential Infill Project. The Commission acknowledges the need for a holistic review of wildfire risk based on new data and recommends that, until this data and analysis is available, higher density R2.5, R5, and R7 zones currently covered by RIP 1 remain unencumbered by the wildfire risk component of the 'z' Overlay Zone. For R10 and R20 zones not currently included in RIP 1, the Commission is recommending that the 'z' Overlay Zone include wildfire risk as currently mapped.

This is an interim solution and we recommend that the issue be revisited after new data is available from the State of Oregon so that wildfire risk and emergency response can be more holistically evaluated in terms of other risks from climate change as well as against infrastructure demands, capital expenditures, and overall housing affordability to ensure equitable land use and housing outcomes.

2. Creating a “detached duplex” option

The PSC heard testimony calling for “greater ADU fairness” and creating more options for fee-simple homeownership. Based on existing Accessory Dwelling Unit (ADU) rules, the size of the ADU cannot be larger than 75% of the size of the house or 800 square feet. For smaller houses, this meant that the ADU could not achieve the full 800 square feet. Testifiers also sought to allow ADUs to be divided to create new homeownership opportunities. However, a key limiting factor is that SB458 does not apply to ADUs.

Administrative rules adopted by DLCD to implement HB2001 permit, but do not require, cities to allow “detached duplexes.” The PSC discussed several options to address these issues and is ultimately recommending adding this option to the slate of middle housing types. This type of middle housing provides for two units in separate buildings to be called a duplex, and thus be eligible for a middle housing land division. The size of the two units is limited by the overall floor-to-area maximum for the site, which offers greater benefits to existing smaller homes. In order to leverage this option as a tool for anti-displacement, we included a requirement that this only be available for sites that preserve an existing house.

3. Reducing minimum lot size standards for triplexes and fourplexes.

The PSC reduced the minimum lot sizes adopted with RIP1 for triplexes and fourplexes to match the lot sizes required for houses and duplexes. Setbacks, building coverage, FAR and height limits determine the overall building size allowed on a lot. While staff expressed concerns that resulting unit sizes would trend toward smaller studio and single room units, the PSC found that providing greater flexibility for developers to create such units, if they so choose, was a net benefit since more units overall would be created and they would still need to meet minimum size requirements of the building code.

There was interest from the PSC to create more viable pathways for affordable housing providers to utilize the deeper affordability bonus that Council adopted as part of RIP1. The providers and others noted that the current rules allow six units, but to comfortably fit on a 5,000 square foot lot, the units must be “stacked” two-over-two-over-two. Constructing units as six “side-by-side” is less costly and generally preferred since each unit has a ground floor entrance. The challenge of this approach is that on smaller lots, a 6-unit “side-by-side” building

occupies much of the available open area and requires extensive relaxation of the zoning development standards.

We attempted to develop a workable alternative, but simply did not have sufficient time to fully research, develop and vet a proposal. We have asked project staff to continue to work with affordable housing providers in the hopes that a workable solution can be presented to Council for your consideration as part of your hearings process.

The PSC is very excited with the prospects of Middle Housing Land Divisions to create more first-time homeowner possibilities from middle housing that gets built. We did not spend an extensive amount of time with this part of the proposal and understand that staff is currently undertaking a series of discussions with infrastructure bureaus to ensure the application process is in place by July 1, 2022. We want to communicate the importance that the process not create obstacles or undue burden that might undermine successful implementation of this new type of land division.

The PSC recognizes that the Residential Infill Project – Part 2, while including several measures to reduce displacement risk, may not go as far as needed to fully address the City's housing cost and displacement issues, but that there are limits within both statute and market economies that cannot be redressed through zoning alone. This Commission will continue to encourage Council to enact policies and take actions that improve housing affordability and reduce displacement of low-income households.

In conclusion, we recommend the Residential Infill Project – Part 2 for adoption by City Council because it provides multiple pathways to ownership access and plays a key role toward meeting our housing supply and equity goals. It is also necessary to meet, and in some ways exceeds, Oregon's requirements under HB2001 and SB458.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. Thompson', with a long horizontal flourish extending to the right.

Erica Thompson
Vice Chair



SquareOne Villages

Property Tax Exemptions for Limited Equity Co-ops

PROBLEM:

- SquareOne Villages (SOV) is developing 70 units of permanently affordable housing with groundbreaking anticipated in Fall 2022. Ownership of the land will be held in trust by SOV, and the improvements will be owned by a limited-equity cooperative (LEC) composed of the residents that live in the housing.
- **Multi-family affordable housing developed as a limited-equity cooperative (LEC) does not currently qualify for a property tax exemption under Oregon law**, whereas affordable housing developed as traditional rental or single-family homeownership does, even though they may be serving the same income levels and include similar or stronger affordability controls to ensure the housing remains affordable.
- LECs provide an opportunity to create resident-owned housing for people that would otherwise be unable to qualify for traditional homeownership. This provides a more stable and equitable alternative to rental housing for very low-income households, however the lack of a property tax exemption disincentives affordable housing developers from creating this housing option.
- Thanks to the recent approval of HB 3275 in 2021, a LEC that includes an “affordable housing covenant” can qualify for an exemption on the land. However, it does not exempt the improvements on the land, which accounts for the bulk of the property tax.

SOLUTION:

- **Amend the Low-income Rental Housing Property Tax Exemption (LIRHPTE) to explicitly include limited-equity cooperatives.**
- The state statutes that define the LIRHPTE (ORS 307.515 to 537) establish that the primary qualifying criteria is the property must be "offered for rent."
- Unlike traditional homeownership, in a housing co-op each member signs a proprietary lease with the co-op and pays monthly rent to the co-op in exchange for exclusive rights to a specific dwelling unit. So while the co-op owns the property, it's members pay rent to the co-op in order to cover its operating costs. Or in other words, it operates similar to rental housing, it just happens to be collectively owned by the people who live in the housing.
- One of the sections of a co-op's proprietary lease is Monthly Carrying Charges (Rent), and states "During the continuance of this lease, Member shall be liable for the monthly carrying charge (as rent) determined in the manner set forth in the bylaws of the co-op." And the co-op's bylaws can restrict membership and rents to be affordable to households under 60% AMI, which is compatible with LIRHPTE.

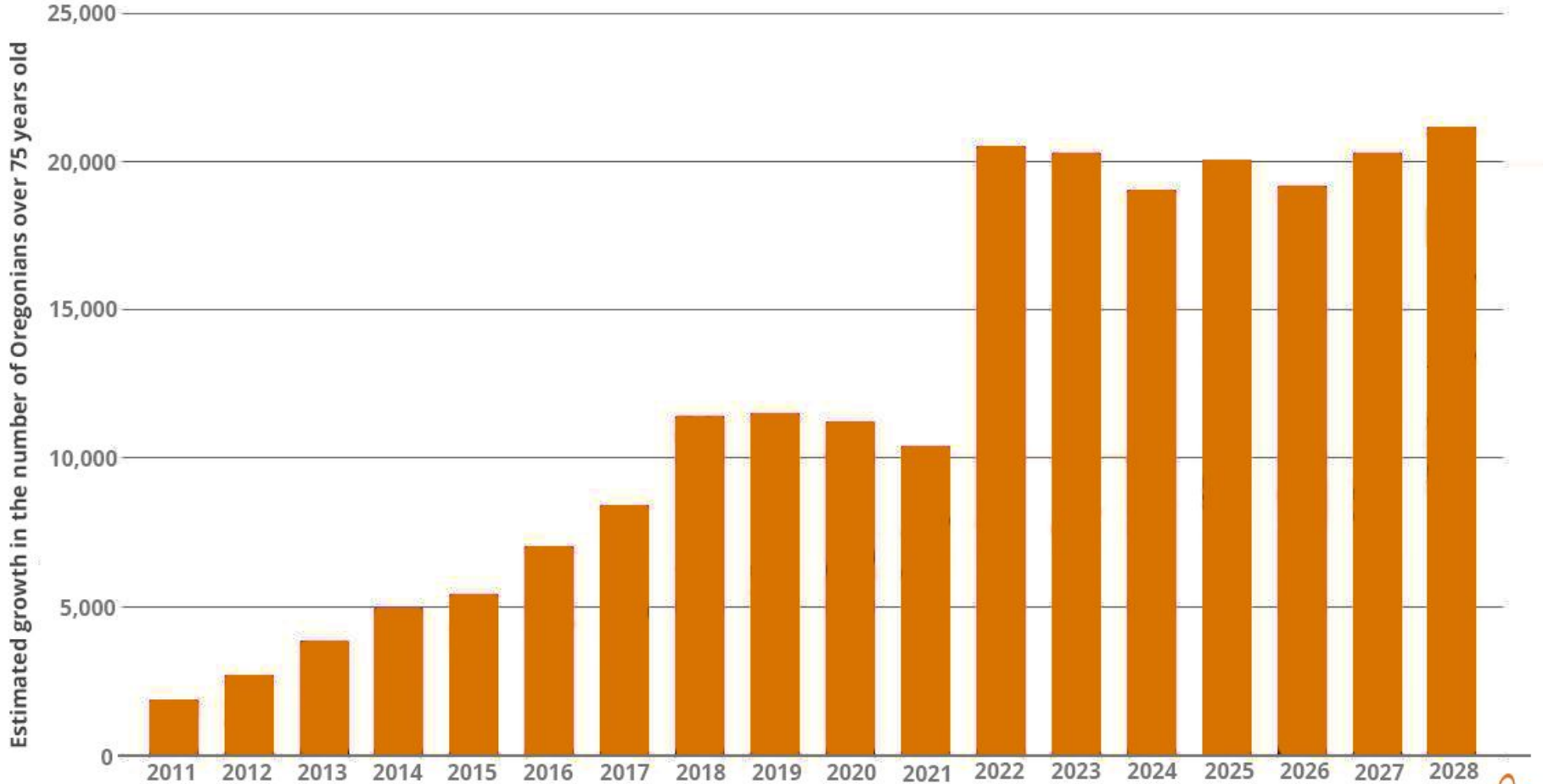
15 N. Polk St. | Eugene, OR 97402 | www.squareonevillages.org | info@squareonevillages.org

January 20, 2022

- Thus, a limited-equity co-op meets the overarching intent of the LIRHPTE program, but because of a nuanced discrepancy between rental and ownership, municipalities have declined to allow LECs to utilize the same benefits of tenant-landlord rental housing.

The annual growth of Oregonians over 75 years old is about to skyrocket

source: Oregon Office of Economic Analysis



City Council Meeting - Wednesday April 27, 2022 2:00 p.m.

Agenda No.	First Name	Last Name
338.01	Jennifer	Shuch
338.02	Michael	Andersen
338.03	Mary	Vogel
338.04	David	Sweet
338.05	Jenna	Knobloch
338.06	Luke	Norman
338.07	Rachel	Springer
338.08	Eric	Lindsay
338.09	Jacob	Antles
338.10	DOUGLAS	KLOTZ
338.11	Mary	Hill
338.12	Jonathan	Greenwood
338.13	Johann	Hannesson
338.14	Henry	Honorof
338.15	Heather	Flint Chatto
338.16	Eric	Thompson
338.17	Sam	Galvan
338.18	Matt	Kelly
338.19	Matthew	Serres
338.20	Madeline	Kovacs
338.21	Kol	Peterson
338.22	Douglas	MacLeod
338.23	Preston	Korst
338.24	Aaron	Brown
338.25	Athul	Acharya
338.26	Tim	McCormick
338.27	Brad	Baker
338.28	Eldo	Varghese
338.29	John	Gibbon
338.30	Sarah	Berry
338.31	Scott	Wyse
338.32	Heidi	Hart
338.33	kiel	johnson
338.34	Brian	Nelson
338.35	Paul	Niedergang
338.36	Brian	Posewitz
338.37	Alexis	Biddle
338.38	Emily	Guise
338.39	Jeremy	Chen
338.40	Diane	Linn
338.41	Neil	Heller
338.42	Jordan	Lewis
338.43	Emily	Kemper
338.44	Shane	Boland
338.45	Anna	Kemper
338.46	Sean	Heyworth
338.47	Sam	Stuckey
338.48	Ryan	Makinster
338.49	Tamara	DeRidder
338.50	Stephen	Judkins

City Council Meeting - Thursday, May 19, 2022 2:00 p.m.

Agenda No.	First Name	Last Name
425.01	Jennifer	Shuch
425.02	Doug	Klotz
425.03	Mary	Vogel
425.04	Bradley	Bondy
425.05	Jonathan	Greenwood
425.06	Luke	Norman
425.07	Eric	Lindsay
425.08	Madeline	Kovacs
425.9	Diane	Linn
425.10	Michael	Andersen
425.11	John	Gibbon
425.12	kyna	rubin
425.13	Preston	Korst
425.14	Henry	Honorof
425.15	Scott	Wyse
425.16	Nicholas	Buri
425.17	Thomas	Karwaki
425.18	Athul	Acharya