



City of Portland
Historic Landmarks Commission

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To: Bill Cunningham

Re: Better Housing by Design

Thank you for relaying some informal comments on the ongoing Better Housing by Design (BHBD) project to the Planning and Sustainability Commission. The Portland Historic Landmarks Commission is aware that no testimony is being accepted. In March of this year, we did provide a letter to the PSC outlining some support and some concerns for what was then the Discussion Draft. No further updates to the project have been publically available, but we are aware of some potential shifts- as well as some aspects that have appeared not to change- in the proposed project.

The BHBD project appears headed towards creating some unfortunate results. The two biggest problems we still see with it are its lack of incentives to retain existing buildings and the confusing and uncertain regulatory environment that would be created in Historic or Conservation Districts.

As you may be aware, many supporters of sustainability and our environment have concerns about making demolition easier. Without real incentives to retain existing buildings, the most affordable older structures (i.e. the smallest/ least expensive/ oldest) will be knocked down. The loss of many of these older buildings across a city has implications for gentrification, affordability, and loss of place as well as falling well short of critical sustainability goals. What replaces these buildings will almost entirely be larger, more expensive, and not necessarily even more dense development. Developers have no incentive to add to and renovate an existing structure. They typically make money by building more expensive real estate, and doing that more efficiently (such as by duplicating designs). As City decision makers, we must provide both a carrot and a stick to developers. The time for us to act to reduce climate change is now. That includes making regulations that seriously support renovation and additions over demolition and rebuilding. BHBD currently provides almost nothing to disincentivize demolitions of older buildings.

New projects located in Historic or Conservation Districts should not be given a promise that they can earn extra FAR (for, say, affordable housing) and use it on that site. On some sites in certain historic districts, the base maximum FAR and heights allowed by code are already more than might be approved through Historic Resource Review. Historic Review approval criteria are form-, material-, and appearance-based, solely determined on context and not on whether a project is affordable, sustainable, or a good use. "Earned" FAR could perhaps be marketed outside of a historic district by a developer, but creating an expectation that developers could build even more bulk than other projects in a historic district will confuse and mislead developers.

We do want to acknowledge some of the positive provisions of BHBD as well, including:

- parking does not have to be provided on site for small sites,
- minimum density requirements may be waived for historic resources or for adding ADUs to existing,
- FAR cannot be transferred into a Historic or Conservation District, and
- FAR will be measured by bulk for residential uses just as it is for all other uses in the City, thereby better enabling internal conversions and better supporting the use of historic multi-family forms and building types in review for new construction in Historic or Conservation Districts.

BHBD, like the RIP project, is still a work in progress. Please exclude historic districts from earning extra FAR or height bonuses. Developers of affordable housing are arguably the MOST deserving of clear regulations, with very slim profit margins with which to have to redesign or appeal a project. Further, we must not default to "business as usual" models where we expect developers to do the right thing to adapt or retain older buildings. Without a carefully considered package of incentives, all the embodied energy and materials of many of these buildings will continue to go straight to a landfill.

Thank you for your attention to these issues.

Sincerely,



Kristen Minor

Chair



Maya Foty

Vice Chair

cc

Brandon Spencer-Hartle, BPS

Hillary Adam, BDS