

# Gina Morvay

**#29333 | May 14, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

This is a horrible proposal to include parts of historic Ladds Addition (east of SE 12th) into an endless construction corridor so real estate developers can fill their pockets. What this is really about is a land grab to tear down historic housing, destroy available parking in our neighborhood, build unattractive and stylistically incongruous structures which completely shut off the light and views from their neighbors all to make a fast buck. Not to mention subjecting us to many years of construction noise and disruption. As a homeowner in the proposed area which will be changed, I am completely against it and will fight it whatever way I can, including supporting political candidates who understand Portland's neighborhoods are not for sale.

Testimony is presented without formatting.

# Opher Nadler

**#29338 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Opposed to current changes as they don't take into account the historic nature of the neighborhood and the need to preserve that feature; how a higher density with possible exceptions to current restrictions affects single homes next door and the ignoring the fact that there is already shortage of parking and allowing more development that does not incorporate parking into the design will exacerbate that problem.

Testimony is presented without formatting.

# Alan Carpenter

**#29339 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

You should include 1500-1520 SE 162 into the R2/R3 zone, RM1 zone. It is currently R7 but the owners would be amenable to including it in a multi zone. It is a fourplex in a SFR zone. Makes not sense not to include it in the proposed zone change.

Testimony is presented without formatting.

# Peter Martin

**#29347 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I strongly DISAGREE to the proposed merger of current zoning R2 and R3 into the so-called RM1 zoning status. This proposal shows complete disregard for the quality of life to the current residents and their communities in said zones. Such a proposal is means to the destruction of neighborhoods property values and takes advantage of those who can ill afford to lose their homes. It is a gross display of greed and moral turpitude.

Testimony is presented without formatting.



# Mary Clare Metscher

**#29366 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I do not think that these zoning changes should happen in this stretch of N. Williams. We have already seen a lot of development that has affecting our parking, our yard maintenance, and our general way of life. We have a nice neighborhood and allowing for more expansion is going to change that and change North Portland even further. I don't want to see that happen.

Testimony is presented without formatting.

# Ryan Woodward

**#29369 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I just want to say that I am extremely happy to see the buffer zones addressed next to areas where large structure would have otherwise decreased the value of our investments.

Testimony is presented without formatting.

# David Landrum

**#29371 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

These questions remain unanswered: Why just my side (west side) of Grand Ave.? Why not on the east side of Grand? Why not the north side of Morgan? Why not the east side of MLK in the same block? Who profits from this change?

Testimony is presented without formatting.

# Cole Poland

**#29381 | May 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

My wife and I are all for the planned zoning changes. This seems like it will limit confusion around how people can develop their land.

Testimony is presented without formatting.

**ADAM ZIELINSKI**

6488 SW Capitol Hwy. • Portland, OR 97239 • 503-970-0879 • [aszielinski@gmail.com](mailto:aszielinski@gmail.com)

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Planning & Sustainability Commission  
Residential Infill Testimony  
1900 SW 4th Ave, Suite 7100  
Portland OR 97201

May 15, 2018

Dear Planning & Sustainability Commission,

Over the past two decades, Portland has fallen way behind in building the amount of residential housing required to accommodate the population growth the city and region have experienced and is projected to experience. This has resulted in rapidly rising prices as well as the gentrification of formerly affordable neighborhoods and the displacement of many households in those communities.

The reason for this is obvious: Too many people are chasing too few housing units, driving up prices and pricing people out of the city. The residential zoning code is too restrictive, outlawing too many residential housing types and sizes that used to be perfectly legal. This has locked in a status quo that may have been appropriate for the 70's and 80's but has no chance to accommodate the growth of the past couple decades, or the decades to come, while maintaining affordability, quality of life, and economic and environmental sustainability.

Unfortunately the Residential Infill Project Proposed Draft is woefully inadequate to address this crisis of affordability, only scratching the surface of changes that should be made to actually fix and solve this problem.

The question planners and economists should be asking is, "What would Portland's residential zoning code need to look like in order to accommodate all the new households that have formed here over the past two decades, as well as the new households that are projected to come here or be formed here in the next few decades, while maintaining housing affordability, and economic and environmental sustainability, including a vibrant growing economy and the parks, greenspaces, and forest and farmland outside the Urban Growth Boundary?"

I think if you really analyzed and researched this question, it would quickly become apparent that Portland's existing zoning code is woefully inadequate and not up to the task, and the Residential Infill Project needs major changes.

When people walk around older sections of Portland, such as close in neighborhoods in Northwest, Northeast and Southeast Portland, there are a lot of old residential housing buildings that people find attractive and charming, and they wonder why no one builds homes and apartments like these anymore. It's because they are illegal under Portland's zoning code; usually for no good reason. What we need to do is re-legalize old Portland and bring back the missing middle residential housing types such as duplexes, triplexes, fourplexes, even six, seven and eightplexes, etc, as well as small apartment buildings.

These should be allowed in all residential areas of the city, not just some areas as currently proposed. Homeowners and landowners in all parts of the city should have the same opportunities and should not be discriminated against based on geography. Limiting new housing options to only some areas of the city will only create negative unintended consequences over time.

**ADAM ZIELINSKI**

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The focus on drastically limiting housing square footages is misguided in my opinion, and will only create a windfall for all existing homeowners with homes larger than the proposed new square footage maximum. Low maximum square footages also make multiplexes less economical to build as few people want to live in extremely tiny apartments.

Housing affordability is determined mainly by supply and demand, not by square footage. Smaller homes are only more affordable on a relative basis to larger homes in the same market at the same snapshot in time. But less square footage does not by itself keep homes more affordable over time on an absolute basis in the face of persistent heavy demand in a given market.

Also misguided are zoning restrictions lowering height and reducing front setbacks from the street or sidewalk. Further restricting these variables will not improve affordability in any meaningful way, and will only make housing less affordable by restricting innovation and options.

To sum up, I am basically in agreement with the **Portland Small Developer's Alliance** recommendations, as well as the **Portland for Everyone** recommendations, although I would go even further than they do towards allowing more options and requiring and mandating less.

In short, more building types should be allowed everywhere, and fewer things should be required or mandated. Any residential building type that used to be allowed in Portland and still exists in old neighborhoods should be re-legalized.

- **Allow all housing options in all areas of the city** to improve equity outcomes and encourage the creation of additional walking scale neighborhoods.
- **Allow internal conversion of existing houses into multiple homes in all areas**, and provide additional incentives for housing preservation and reuse.
- **Revise the affordable housing bonus to include an additional home** as well as FAR increases for below-market rate, family-sized homes. Exempt affordable housing projects from additional requirements.
- **Create an accessible housing bonus**, allowing an additional home as well as FAR increases for projects that are 100% fully accessible.
- **Allow triplexes and fourplexes on mid-block lots and everywhere and anywhere.** Also allow these projects to access the improved affordable and accessible housing bonuses.
- **Ensure no net loss in ADU allowances over current conditions**, and actively incentivize the provision of secondary ADUs.
- **Create a true cottage cluster code** that encourages the development of smaller, more affordable homes.
- **Rezone all historically narrow lots from R5 to R2.5**, with design improvements, to let more households share land costs and provide housing options that more families can afford.
- **Support a healthy urban tree canopy** by designing flexible code provisions that incentivize saving trees and create less impervious surfaces.
- **Eliminate minimum parking requirements** for all housing types citywide.

Sincerely,

Adam Zielinski

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# Adam Zielinski

**#29395 | May 15, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Planning & Sustainability Commission, Over the past two decades, Portland has fallen way behind in building the amount of residential housing required to accommodate the population growth the city and region have experienced and is projected to experience. This has resulted in rapidly rising prices as well as the gentrification of formerly affordable neighborhoods and the displacement of many households in those communities. The reason for this is obvious: Too many people are chasing too few housing units, driving up prices and pricing people out of the city. The residential zoning code is too restrictive, outlawing too many residential housing types and sizes that used to be perfectly legal. This has locked in a status quo that may have been appropriate for the 70's and 80's but has no chance to accommodate the growth of the past couple decades, or the decades to come, while maintaining affordability, quality of life, and economic and environmental sustainability. Unfortunately the Residential Infill Project Proposed Draft is woefully inadequate to address this crisis of affordability, only scratching the surface of changes that should be made to actually fix and solve this problem. The question planners and economists should be asking is, "What would Portland's residential zoning code need to look like in order to accommodate all the new households that have formed here over the past two decades, as well as the new households that are projected to come here or be formed here in the next few decades, while maintaining housing affordability, and economic and environmental sustainability, including a vibrant growing economy and the parks, greenspaces, and forest and farmland outside the Urban Growth Boundary?" I think if you really analyzed and researched this question, it would quickly become apparent that Portland's existing zoning code is woefully inadequate and not up to the task, and the Residential Infill Project needs major changes. When people walk around older sections of Portland, such as close in neighborhoods in Northwest, Northeast and Southeast Portland, there are a lot of old residential housing buildings that people find attractive and charming, and they wonder why no one builds homes and apartments like these anymore. It's because they are illegal under Portland's zoning code; usually for no good reason. What we need to do is re-legalize old Portland and bring back the missing middle residential housing types such as duplexes, triplexes, fourplexes, even six, seven and eightplexes, etc, as well as small apartment buildings. These should be allowed in all residential areas of the city, not just some areas as currently proposed. Homeowners and landowners in all parts of the city should have the same opportunities and should not be discriminated against based on geography. Limiting new housing options to only some areas of the city will only create negative unintended consequences over time. The focus on drastically limiting housing square footages is misguided in my opinion, and

will only create a windfall for all existing homeowners with homes larger than the proposed new square footage maximum. Low maximum square footages also make multiplexes less economical to build as few people want to live in extremely tiny apartments. Housing affordability is determined mainly by supply and demand, not by square footage. Smaller homes are only more affordable on a relative basis to larger homes in the same market at the same snapshot in time. But less square footage does not by itself keep homes more affordable over time on an absolute basis in the face of persistent heavy demand in a given market. Also misguided are zoning restrictions lowering height and reducing front setbacks from the street or sidewalk. Further restricting these variables will not improve affordability in any meaningful way, and will only make housing less affordable by restricting innovation and options. To sum up, I am basically in agreement with the Portland Small Developer's Alliance recommendations, as well as the Portland for Everyone recommendations, although I would go even further than they do towards allowing more options and requiring and mandating less. In short, more building types should be allowed everywhere, and fewer things should be required or mandated. Any residential building type that used to be allowed in Portland and still exists in old neighborhoods should be re-legalized. • Allow all housing options in all areas of the city to improve equity outcomes and encourage the creation of additional walking scale neighborhoods. • Allow internal conversion of existing houses into multiple homes in all areas, and provide additional incentives for housing preservation and reuse. • Revise the affordable housing bonus to include an additional home as well as FAR increases for below-market rate, family-sized homes. Exempt affordable housing projects from additional requirements. • Create an accessible housing bonus, allowing an additional home as well as FAR increases for projects that are 100% fully accessible. • Allow triplexes and fourplexes on mid-block lots and everywhere and anywhere. Also allow these projects to access the improved affordable and accessible housing bonuses. • Ensure no net loss in ADU allowances over current conditions, and actively incentivize the provision of secondary ADUs. • Create a true cottage cluster code that encourages the development of smaller, more affordable homes. • Rezone all historically narrow lots from R5 to R2.5, with design improvements, to let more households share land costs and provide housing options that more families can afford. • Support a healthy urban tree canopy by designing flexible code provisions that incentivize saving trees and create less impervious surfaces. • Eliminate minimum parking requirements for all housing types citywide. Sincerely, Adam Zielinski

Testimony is presented without formatting.



# Padraic Conway

**#29399 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I'm protesting this rezoning proposal. This is a quiet street with single family homes. Parking is already a major challenge. Rezoning to multi family homes will only add to the parking problems. People using the Max leave their cars directly outside my house and it is a challenge to get in and out of my driveway

Testimony is presented without formatting.

# Stephanie Crowell

**#29400 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

We have lived in Portland since 1991. We own the home at 1350 SE 80th Ave. We bought this home and moved here because we LOVED this neighborhood. It feels entirely unfair for the city to arbitrarily change my home's zoning and to intentionally change the entire nature of this neighborhood for the sake of infill and density. I would never have bought this home or moved here had I known the city's plans for density and resulting traffic. The city's plans are destroying the very things we have loved about living here.

Testimony is presented without formatting.

# Melissa Berube

**#29411 | May 15, 2018**

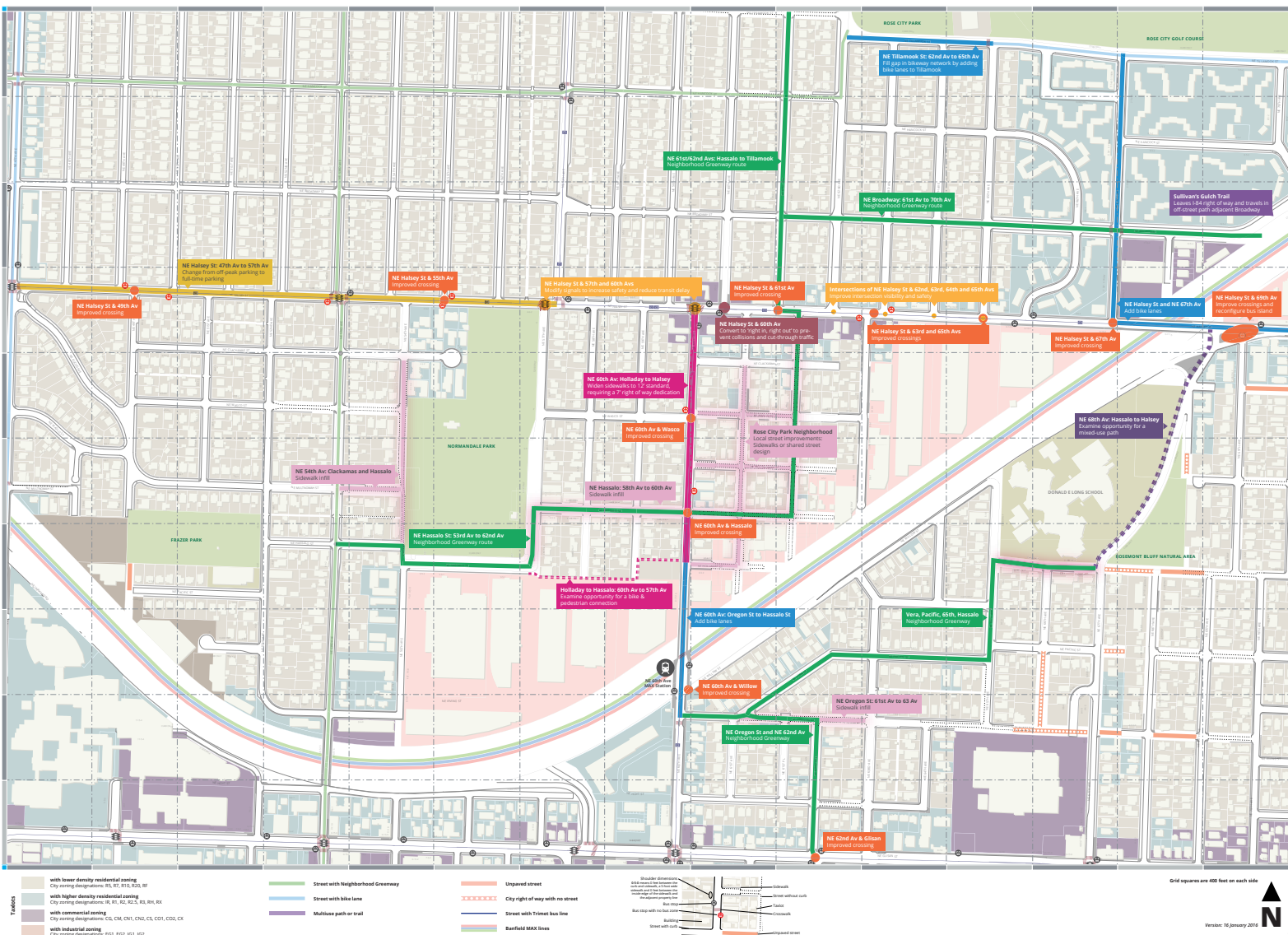
Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I do not support the building of any apartment building on NE Emerson St, east of MLK, and west of 14th. The street is VERY narrow, and would not be up to the task of supporting parking and multiple tenants.

Testimony is presented without formatting.

# NE 60TH AVENUE AREA

## POTENTIAL CHANGES AND IMPROVEMENTS



# Stephen Effros

**#29435 | May 15, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

As a family with young children, our support of the overall increase in future housing density in our neighborhood as well the development of additional mixed use developments nearby is tied to the City following through on long-planned pedestrian and bike access/safety improvements to NE 60th Ave in the vicinity of the 60th Ave MAX Station. NE 60th Ave between the station and NE Halsey has severely undersized sidewalks and no safe accommodations for bike riding; it is not safe for the current number of residents and commuters that use the 60th Ave MAX station, much less the planned additional residents that will come with these zoning changes. These infrastructure improvements must be made at the same time that additional housing is planned for this transit zone in order for it to be successful in the future. NOTE: I have attached a 2016 PBOT document showing proposed infrastructure improvements in the 60th Ave MAX station area.

Testimony is presented without formatting.

# Jason Gottgetreu

**#29461 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hello, I support the proposed Comp Plan & Zone Change. Thank you. Jason Gottgetreu

Testimony is presented without formatting.

# Ruth Haag

**#29490 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

There are no other 3 story buildings in this neighborhood and parking is terrible. Some of the plans I have seen for increased density do not have sufficient parking. There are no curbs so my neighbors park on the grass. This makes it difficult to mow. All of the houses in this area are single family dwellings.

Testimony is presented without formatting.

# Jeremy Henderson

**#29505 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I'm for it. Density is a good thing, and people deserve to live in good neighborhoods like this without owning a large house.

Testimony is presented without formatting.



# Toby Welborn

**#29526 | May 15, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am torn about this proposal. While densification would help with several of the area's growing pains, I do not believe that the plan as written provides a successful blueprint. Living near an area designated RM4 with insufficient resident parking and a max station, our neighborhood has parking issues, waste/discarded trash, petty crime, and high speed traffic. As it stands, the proposal would intensify these issues. I also am not finding anything to guarantee that the proposed housing will be affordable and/or what defines affordable. There is no proposed open space with higher density, no proposed transportation infrastructure, nor are there clear provisions on how utilities would be improved to deal with increased loads (and would this cost fall on the local neighborhood residents?). The street offsets and the construction code updates are a good step but why is relaxing off-street parking a good thing? Is the best use for our roads a parking area for vehicles or should they be a "complete street" where the community gathers, neighbors interact, and kids safely play games. If we increase densities, can we propose neighborhood permit parking or neighborhood garage areas and neighborhood roads closed to non-delivery or service traffic? Can we propose green space offsets for the number of proposed residents within walking distance? The more the merrier (e.g. densification is good) but it sucks when there is no place to sit or stand and moving around is difficult without bumping into and impacting others.

Testimony is presented without formatting.

# Eric Schoenbrunn

**#29531 | May 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I wish to see no change to the zoning of my property or that of my neighbors. Do not destroy Portland character, homes, or homeowner property values for the sake of developers that do not have a long term vested interest in the wellbeing of Montavilla.

Testimony is presented without formatting.

# Kristie Williams

**#29554 | May 16, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am STRONGLY asking that you please require ample parking for all the up zoning that is taking place in our neighborhoods... the recent zoning definition has now made it even easier for developers to increase the number of units with no accountability for the "lack of parking" mess they leave behind. In addition, the city isn't thinking around other areas they could be smarter... for instance as I am converting my garage to an ADU I am required to "curb" my driveway. No good explanation other than the car can no longer drive "thru" the front of the garage therefore at a time when parking is a shortage they are making it even more difficult for people to have parking. I could "appeal" it for a few thousand dollars but if isn't agreed to then I do not received my money back. Also, as developers are coming in with all these units, the requirements for permitting my ADU are so stringent I can't afford it. Portland is more in support of development than they are for Portlanders trying to embrace and incorporate the growth at a grass roots level. I plan to vocal on these issues. I am a Realtor that believes in ETHICAL and PRACTICAL growth. I am also a small business owner that is finding people are frequenting my storefront (located in Montavilla) less and less due to not being able to park. You aren't encouraging small businesses by limited the variety of customers that are able to access the storefront. -

Testimony is presented without formatting.

# Nikolai Ursin

**#29579 | May 16, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the proposed changes to the comprehensive plan pertaining to R2 zones. The new RM1 zone will allow greater flexibility for developing more housing units, which will hopefully lead to more affordability.

Testimony is presented without formatting.

# Matthew Christen

**#29583 | May 16, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Chair Schultz and Members of the Commission, I am a property owner whose property (3614 NE Garfield Ave) will be subject to the proposed Comprehensive Plan Map and base and overlay zone changes. I fully support the proposed changes for my property from R1 to MD-C in the Comprehensive Plan Map and from R1ad to RM2d in the base and overlay zone designations. There are several reasons why the changes to my property are fully consistent with the intent of the adopted goals and policies of the 2035 Comprehensive Plan. Chapter 5's intent, in part, is to "ensure adequate access to housing for a socially-and economically- diverse population" and "concentrate new housing in and around centers and corridors near transit and services to reduce the housing/transportation cost burden." Policy 5.4 "encourage[s] new and innovative housing types that meet the evolving needs of Portland households, and expand housing choices in all neighborhoods." Policy 5.5 requires the City to "Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options." Policy 5.6 requires the city to "enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of designated centers, corridors with frequent service transit..." Before this proposed change to my property, I had been conducting my own due diligence to determine how to go about getting a zoning change to allow more density on my property with the goal of building a high-density, affordable multi-dwelling building (up to 36 studio/micro apartments) on my property. With this proposed change, this type of middle housing development on my property becomes more of a reality. I intend to provide this housing to those who have been priced out of a lot of the housing opportunities in the area. Further, my intended use of the property will concentrate new housing within 1/4 mile to "frequent service transit" corridors on NE MLK and NE Fremont and within 0.3 mile to similar corridors on N Vancouver and N Williams. In sum, this zoning change will have the effect of directly meeting Chapter 5 goals and policies. This proposed change will also be consistent with the Design and Development Chapter policies. Policy 4.16 provides: "Encourage design and development that complements the general scale, character, and natural landscape features of neighborhoods. Consider building forms, scale, street frontage relationships, setbacks, open space patterns, and landscaping...." The proposed zoning changes to my property will be consistent with the community character of the vicinity. There are two very

large multi-dwelling structures across the street from my property, one that is 32 units (Beech Street Apartments) and the other contains 64 units (Allen Fremont Plaza). The City has approved a 28 unit (at market rate) project down the street from my property at 3525 NE Garfield. The City is also reviewing a multi-unit proposal on 3536 NE Garfield, two properties south of my property. Directly north of my property is an adult foster care facility that houses several adults and staff. And, to the east of my property is NE MLK with multiple commercial businesses and a multi-story Planned Parenthood structure. As you can see, the current development pattern and existing built environment on my immediate block has moved away from single-family homes to one that consists of high-density, multi-dwelling development. The proposed zoning change to my property will be consistent with the pattern of development and character of the surrounding area. I could go on about the complete consistency of your proposed changes to the zoning of my property with the 2035 Comprehensive Plan but I am certain that the City's adept and wise, trailblazing planners can clearly see and communicate with you all that the change is consistent with 2035 Comprehensive Plan. In sum, I ask that you all support the recommended changes affecting my property since they will be consistent with the 2035 Comprehensive Plan. Sincerely, Matthew Christen

Testimony is presented without formatting.

# Courtney Aronson

**#29585 | May 16, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I feel that the zoning of R1 is sufficient for the side of the street my house is on. My back yard shares a fence with R5 neighborhood and most of the buildings on my side of the street are single family homes. I feel if the developers are allowed to build four story housing it would cause the standard of living to decline for those of us that live in our houses and for those who own R5 and share the property line. The city does nothing to address the parking issues it'll cause. Plus developers are buying perfectly good houses and demolishing them to build on Mohawk between Lombard & Willamette to replace them larger apartments. Please keep it R1 on the side my house is located on from N Willamette to N Lombard.

Testimony is presented without formatting.

# Gilbert Lissy

**#29622 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

People do not move to Portland to be in a New York or San Francisco. While they may bike or use mass transit for work, on the weekends they enjoy the outdoors and need a car. I have not seen bikes with ski racks nor families biking with young children on their way to the coast! Further reduction in off street parking requirements will fill the streets, reducing the neighborhood feel that Portlanders now enjoy and decreasing visibility and safety for pedestrians as well as for bikes and autos trying to cross at intersections.

Testimony is presented without formatting.



# AJ Hutchens

**#29625 | May 17, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

ABSOLUTELY OPPOSED...I have lived in my homeowner residential neighborhood for 30+ years. The neighborhood will be destroyed with an infiltration of skinny squeeze box housing, a fight for parking on the street, and more foot and car traffic flow worse than it already is. Don't want the noise. Don't want more litter. Let this type of housing stay on the commercial main streets, city centers, but do not let it bleed over into nearby blocks on quiet streets out of desperation. We pay outrageous taxes to Multnomah Co to have what we have now. Homeowners have worked and paid darn hard to live where they chose to live based upon building and lot size and the appearance of the neighborhood. Don't want to see less green and more cement and smaller space. Don't want our property value to go down. I just learned of this proposal when I received my blue letter. I'm sure the commission has already made their decision and this is just a formality for us but I hope not. Please do not make these changes. We already have enough anger and hate floating around Portland-this will only add to it. What does Portland want to be known for...you know it used to be called the most livable city in America; reason why many migrated here. I have heard it referred to now as "sewage".

Testimony is presented without formatting.

# Steven Szigethy

**#29641 | May 17, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Honorable Commissioners: I oppose the elimination of housing unit density maximums in the R1 and R2 zones, both citywide and in north Westmoreland. North Westmoreland just went through a protracted rezoning process as part of the Comp Plan and Map Refinement processes. Downzoning from RH to R2.5 was originally proposed during the Comp Plan update to account for the cancellation of the Harold Street MAX station and the presence of a combination of single-family homes, small duplexes and apartment courts. Later, through the Map Refinement process, staff decided that R1 would be more appropriate, so as to not create a handful of non-conforming apartment buildings. While concerning at first for some of us who thought R2.5 was the best compromise, most of us have since accepted the R1 proposal, which will go into effect on 5/24/18. Then came Better Housing by Design (BHBD). This proposal essentially brings north Westmoreland back to RH density, negating years of planning and outreach work and potentially bringing hundreds of more residential units to an area that has seen degraded transit service, zero supportive retail development, and continued harmful particulate emissions from the Union Pacific Brooklyn Yard and Oregon Highway 99E. Another negative is that the proposal increases the front setback line. This decreases options for existing homeowners wishing to expand their homes or build covered front porches, and will encourage developers to push buildings closer to the rear setback line, where most backyard privacy issues are experienced. Finally, I believe BHBD answers a question nobody is asking. On the design topic, most existing development I'm seeing in the R1 and R2 zones is well-designed and does not warrant a change to dimensional requirements. On the density side, there remains plenty of underutilized land in RH, RX, CM and CS zones where high-density residential development can occur to meet our city's demand for housing and to do so in transit-accessible, mixed-use locations. The R1 and R2 zones, as currently regulated, are less intense zones that provide opportunities for thoughtful, small and medium scale multifamily development, including the "missing middle" housing types activists are asking for. Please leave the R1 and R2 zones alone and direct staff to start over on this project, or to scrap it altogether. Respectfully, Steven Szigethy

Testimony is presented without formatting.

# David Kelso

**#29665 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please provide any details regarding any proposed changes with regard to waiving SDC's for development on this parcel as it is currently within an exempt zone given its close proximity to the 122nd & Burnside light rail station. Does this re-zoning classification affect this in any way?

Testimony is presented without formatting.

# Aaron Schalon

**#29666 | May 17, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Traffic control and traffic calming need to be addressed along this corridor. Cars are now frequently driving at high speeds down Couch St. in order to try to evade the traffic congestion on E. Burnside and 20th streets. It has created a very dangerous situation for pedestrians and cyclists. The intersection at E. Burnside and 20th needs improved signals, particularly it needs the addition of a left turn arrow on 20th. Currently as there is an almost constant flow of traffic along 20th, those trying to make a left turn onto Burnside (from either direction) have to wait until the signal turns red and then run it to make the left turn, usually several cars do this at a time. It is an extremely dangerous situation for cyclists and pedestrians as well as further congests Burnside as those vehicles cannot start on their green light until the vehicles running the red light on 20th clear their turns. Traffic enforcement is non-existent, the new 20 mph residential speed limits are totally ignored. Infrastructure needs to be put in place to resolve these issues. Street parking is almost completely utilized all the time. If higher density and lower onsite parking is being proposed, street parking permit zones should be created just like the congested areas on the west side of the city. It is time to treat both sides of the river with parity. Thank you for your consideration.

Testimony is presented without formatting.

# Tex Rankin

**#29675 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am against this purposed change. This will not be beneficial for the neighborhood.

Testimony is presented without formatting.

# Carl Allen

**#29676 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Bad for the neighborhood! I urge you not to pass these purposed changes! THANK YOU

Testimony is presented without formatting.

# Roger Kruse

**#29678 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Bad News! The last thing that we need is a zoning change! Waste of time and tax dollars.

Testimony is presented without formatting.

# Dorothy Hester

**#29681 | May 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

It sounds like your proposed draft will limit development for smaller lots and would only help the owners of large lots. Not in favor

Testimony is presented without formatting.



Doug Klotz  
1908 SE 35<sup>th</sup> Pl.  
Portland, OR 97214  
5-18-18

## Better Housing by Design comments to Planning and Sustainability Commission

Chair Schultz and Commissioners:

I wanted to update comments from my March 10<sup>th</sup> letter, which I believe you were copied on.

I'm disappointed that not much has changed from the Discussion Draft. I still believe that there is a need for a different set of standards for corridors. These are the streets where many lots adjacent to RM2 zoning, are zoned CM-2, with a FAR of 2.5:1 Base and 4:1 Bonus, as well as zero front or side setbacks.

I note that the Maximum Lot Coverage in RM2 has been increased from 60% to 70% on Neighborhood and Civic Corridors. This is a small first step. I think the Lot Coverage should go to at least 75% if not 85% to be more appropriate for these Corridors. There is now also a provision from reducing the 10' front setback to 5'. I hope the Commission will also direct staff to reduce the Front and side Street setbacks to 5', and, if the floor level is at least 2' above grade, to allow the reduction of the Front and side Street setbacks to zero, like so many old (and new in CS) multifamily buildings.

I also now realize that the required side setback in RM-2 is also an impediment to increased FAR. This should be reduced to zero. Not only are residential units common with lot line side walls, in the many Mixed Use buildings, but the example below shows how notches in the side wall can bring windows there as well.

And perhaps the key change for these Corridors (which seem a good geography to consider), is increasing the FAR to be closer to par with the Mixed Use zoning that is mapped along with the multifamily on these Corridors. The FAR should be increased to 2:1 or 2.5:1 base in RM-2, and bonus of 3:1 or 3.5:1, and Deep Affordability of 4:1. A provision for 10' extra height is already included for the Deep Affordability, so the 4:1 would be usable.

*This portion of the zoning map shows SE Belmont at 37<sup>th</sup>, with the yellowish R-1 zoning mixed with the reddish CM-2 zoning. Many inner corridors have this spot zoning that reflects historical development, not a conscious planning of a residential district. The Multifamily buildings should fit in better with their counterparts in MU.*



Here are some examples of residential-only buildings with zero setbacks:

*This building at 30<sup>th</sup> and SE Stark is at zero street setbacks, but voluntarily set the ground floor residential unit facades back about 4'. These units are also about 2' above grade. The zero setback allows the upper floors to extend to the street lot line, as well as parts of the ground floor.*



Reducing side setbacks to zero doesn't necessarily mean there won't be windows there. It allows flexibility for parts of the building near the street, for instance, to fill the width of the lot, while other parts further back, have side setbacks.

*This example at 37<sup>th</sup> and Belmont shows insets within a zero-setback side wall. The end apartments extend to the property line, and have windows at the front and rear of those units, while the middle units have side windows.*



As you talk with staff, I hope you will explore ways to get more density and more units in the Multifamily zones where they occur on Neighborhood and Civic Corridors, to take advantage of the High Opportunity those locations offer.

Sincerely,

A handwritten signature in black ink that reads "Doug Klotz". The signature is written in a cursive, flowing style.

Doug Klotz

# Doug Klotz

**#29779 | May 18, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

New comments on Proposed Draft, see PDF

Testimony is presented without formatting.



# Doug Klotz

**#29791 | May 18, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Chair Schultz and Commissioners: I want to add that I appreciate a change from the Discussion Draft, that allows a zero front setback when the building has a significant front courtyard entry. This will help encourage this much-loved style of multifamily building.

Testimony is presented without formatting.

# Ruth Kastner

**#29824 | May 19, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The address of this parcel is 701 NE 28th Ave and the State ID is 1N1E36BC 80033, according to the document sent to me. I oppose any increase in development density in this area, especially any increase in commercial development. I oppose new residential construction that does not provide its own on-site parking. It is already hard to find street parking here, and need for parking will only increase with higher density development. Parking demands have increased astronomically in recent years. Please reverse this trend rather than exacerbate it. Thank you for the opportunity to comment.

Testimony is presented without formatting.







# Lesa Dixon-Gray

**#29825 | May 20, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Our 1910 duplex sits on a very busy corner (Hawthorne and 23rd). It's on a tiny lot (2475 sq ft) and currently has a driveway that can fit two cars. I've often hoped (and once inquired) about the possibility for a retail shop on the bottom floor, with an apartment upstairs. For this particular property, that possibility is intriguing to me. I worry, though, that because the lot is so small, some of the opportunities that are gained for property owners of larger lots, wouldn't be bestowed on my property. And as a caregiver, who has had to retrofit my own home, I welcome the requirement for wheelchair and disability access. The concern is parking... At the very least, if you're requiring the bottom floor to be ADA accessible in any new construction, then you should require disability parking (people in wheelchairs don't usually ride bikes). I do think that one or two other parking spaces should also be a requirement. Currently in that neighborhood, even street parking isn't available. I cautiously support, but feel I need more conversation to fully understand the effects on my property.

Testimony is presented without formatting.

# S·M·I·L·E

SELLWOOD MORELAND IMPROVEMENT LEAGUE  
8210 SE 13th AVENUE, PORTLAND, OR 97202  
STATION 503-234-3570 • CHURCH 503-233-1497

May 20, 2018

Portland Planning and Sustainability Commission  
Better Housing by Design Project Testimony  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Dear Commissioners:

The Sellwood-Moreland Improvement League (SMILE) is pleased to offer the following comments on the Better Housing by Design Project (BHD) Proposed Draft Report. The Sellwood-Moreland neighborhood is experiencing phenomenal growth with about 1,600 residential units in the development pipeline or completed since 2015, a 27% increase. We have 2.8 miles of mixed use corridor that has the zoned capacity to add thousands of additional housing units. After the first year on inclusionary zoning, our neighborhood had 3 of the City's 12 privately financed developments that have triggered the new inclusionary zoning rules and 39 of the 89 (44%) of the resulting affordable units. Our membership is concerned with preserving livability and with the lack of affordable housing in our neighborhood. These comments consider the phenomenal growth we are experiencing now, expected future growth, and the concerns of our members. Specific recommendations are stated in **bold** so you can find them.

We are pleased with the following changes from the Discussion Draft to the Proposed Draft:

- Apply the Transportation and Parking Demand Management requirements (proposal 21) to all multi-dwelling zones (removed exemption for RM1).
- Apply commercial parking rules to small lots (proposal 10).
- Detached house setbacks – Only allow the reduced three-foot side setbacks for lot lines internal to a land division (volume 1, page 15, item 9). Paragraph 120.220.B.3.d from the Discussion Draft has been removed.

One of our frustrations with the City planning process is the separate consideration of single-dwelling, multi-dwelling, and commercial zones. The City evaluates the impact of increased density in each zone individually during the Residential Infill/BHD/Mixed Use Zones Projects, but does not appear to consider or plan for the cumulative impact of development in all of these

zones. **Consider, evaluate, and plan for the cumulative impacts of proposed increased density and ongoing development throughout our entire neighborhood.** An example is the two planning processes for residential zones whose timing is now only 4 weeks apart. There are some significant differences in these projects (see table). The conventional wisdom for some of these differences is that multi-dwelling zones are adjacent to corridors and single-dwelling zones are not, but in our neighborhood both are adjacent to corridors. **The Commission should consider and advance the Residential Infill and Better Housing by Design Projects together.** Items to consider for consistency include but are not limited to the items in the table, FAR, height, setbacks, lot coverage, and parking.

#### Comparison of Proposed Drafts of the Better Housing by Design and Residential Infill Projects

Proposal element	Better Housing by Design Project	Residential Infill Project
Overlapping housing types	Detached single family house with ADU allowed in RM1	Duplexes and triplexes
Units in building	Unlimited	Limited
Reduced FAR for detached house	Not reduced	Reduced in R2.5
Driveways in front of buildings	Allowed	Not allowed on narrow lots less than 32 feet wide
Density increase in East Portland	Allowed	Not allowed
Zone numbering	Larger number is more dense	Smaller number is more dense

SMILE supports proposals shaded green and opposed proposals shaded red.

#### *Proposal 1: Scale-base housing*

We believe that BHD is narrowly focused on middle housing and is not accurately portraying or considering the extreme housing types that could be built in the RM1 and RM2 zones. Rather than middle housing, the unintended consequences of the proposal likely will be disproportionally large detached single-dwelling homes and large apartment buildings.

- Extreme density increase: **We believe that the number of units allowed should be limited.** We previously proposed retaining existing limits on market rate units and allowing additional affordable units. Our neighborhood presently has a 4 story 30-unit building on a 3080 sf lot zoned RHd in permit review (5603 SE Milwaukie, see attached floorplan). It has footprint of about 2200 sf which can fit on proposed multifamily-zoned lots with 5000 sf or more, about 950 or 73% of multifamily-zoned lots in our neighborhood. Using this as a template for a building on a 5000 sf lot, a two story 15 unit building in the proposed RM1 zone and a three story 25-unit building in the proposed RM2 zone, and possibly greater, are feasible on 5000 sf lots with the base FAR. Present zoning would allow a maximum of 2 and 5 units, respectively. Thus the proposal

would increase zoned density at least 5-8 fold. In addition, we have one private RH project now in review that is 100% affordable housing and would qualify for the double FAR bonus (5434 SE Milwaukie, 4 stories, 28 units, 1835 sf footprint, see attached site plan). Because private development with 100% affordable housing is feasible in our neighborhood at present, the bonuses for only 50% affordable housing would increase density on some lots 10-16 fold. The zoning code (Title 29 --29.30.290) requires a minimum unit size of only 100 sf for single-room occupancy development allowed in RM2, RM3 and RM4. This level of development, now happening in Seattle, would increase density much more. We have learned to expect that allowed density will happen – when 45-foot-tall mixed use buildings were first zoned for our neighborhood it was commonly but incorrectly assumed they would never be built. In addition, on a R5 corner lot we have a 3-story, 30 foot tall, 45% lot coverage, 6745 sf duplex with two two-car garages under construction, all the maxima allowed.

- BHD does not acknowledge or recognize that such high density development is possible. For the RM1 zone, the maximum density shown in the staff report is a fourplex, not a 15- or 28- unit apartment building. Ongoing development in our neighborhood shows that 4 story 28 unit apartment buildings on 5000 sf lots would be feasible in the RM1 zone with the maximum bonuses which are given for only 50% affordable housing (the existing project is 100% affordable). For the RM2 zone, a 27 unit building on a 15000 sf lot is shown, only about one-third of the feasible density under the proposed rules. Much denser single-room occupancy development is not portrayed in the RM2 zone. **Accurately portray possible development under the proposed zoning rules. The maximum number of units should be provided using fire and building standards. If BHD assumes there is a practical limit to the number of units built in a zone (such as the fourplex shown for RM1), it should be codified as the maximum allowed density,** similar to what the Residential Infill Project has done.
- We are concerned that the extremely dense development this proposal would allow would increase traffic and parking congestion near our corridors which would reduce the viability of some small businesses, increase crowding in our neighborhood schools (already a 39.7% increase in K-12 public school attendees since 2009), hinder emergency vehicle access, and reduce vehicular, pedestrian, and bicycle safety (especially along narrow streets). The Report states “*Proposed code changes will help ensure that new development in the multi-dwelling zones better meets the needs of current and future residents, and contributes to the positive qualities of the places where they are built*” (bottom page 2). An example of where the proposed density increase would not contribute to positive qualities of our neighborhood is Tenino Street: 24 feet wide (three car widths), zoned R2 with some R1, and with an existing traffic volume of 1188 cars per day, many of which are getting to or from the Sellwood Bridge by cutting through the neighborhood to avoid traffic jams on parallel Tacoma Street.

- The proposal fails to consider that, rather than middle housing, oversized single family homes are possible thus making RM1 the new McMansion zone. Under the proposed rules, an oversized single family home with an ADU could continue to be built on 5000 sf lots in RM1. In our neighborhood, ADUs are sometimes used as short term rentals and these do not contribute to the housing supply. If the housing market continues to favor development of oversized houses over middle housing, the RM1 zone could become a McMansion zone with the minor inconvenience of including a small minimal ADU. This would contribute to economic segregation in the City. In addition, the smaller FAR limits proposed by the Residential Infill Project for single family zones increase the likelihood of McMansion construction in RM1 zones where FAR is greater. The Residential Infill Project adopted a 0.5:1 FAR limit for detached homes on R2.5 lots to prevent oversized single family homes. **Add a 0.5:1 FAR limit for detached homes in multi-dwelling zones.** About 88% (462) of R2/RM1 lots in our neighborhood are 5000 sf or larger.
- **We endorse the 35 foot height limit for the RM1 zone.**
- **We would oppose increasing the FAR limits stated in the Proposed Draft Report.**

*Proposal 3: Affordable housing*

- SMILE continues to believe that **any increase in zoned density in our neighborhood should be dedicated to affordable housing.** We recognize that this principle may not be feasible, but it should remain a goal for BHD. At a minimum, **increased density should not contribute to economic segregation.**
- In our neighborhood, 5434 SE Milwaukie is a 4-story 28 unit private RH development in review that is 100% affordable housing and has only a 1835 sf footprint (see attached site plan). BHD would allow this private building on any 5000 sf RM1 or RM2 lot with only 50% affordable housing. Thus, **based on ongoing development in our neighborhood, the assumption that the deep affordable housing bonuses (double FAR, increased coverage, and increased height for only 50% affordable units) would only be used by nonprofits is incorrect for our neighborhood and should be reexamined. Profitability and development capacity vary by neighborhood and different incentives for different neighborhoods would optimize affordability and livability (as defined in City planning documents) citywide.**

*Proposal 5: Commercial uses along corridors*

- **We endorse proposals allowing limited commercial uses along corridors.** North Westmoreland lacks retail and is not a walkable neighborhood despite the presence of frequent transit; this proposal would help correct this problem.

*Proposal 8: Allow alternatives to conventional landscaping*

- **We endorse the overall concept, but recommend that an eco-roof not be given equal weight as landscaping.** An eco-roof should not replace ground-level landscaping which enhances the pedestrian space near the building.

*Proposal 11: Limit garages along street frontages*

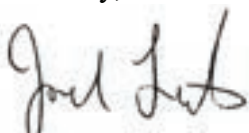
- **We endorse the proposed limits on garages.**
- Fewer curb cuts that serve multiple cars are better than more curb cuts that only serve one car. Excessive curb cuts convert the sidewalk to a driveway, discouraging pedestrians. Where possible, limit curb cuts to every 50 feet and they should serve more than one vehicle.
- Note the differences with the Residential Infill Project regarding driveways and garages (see table). For example, an attached house on a 25 foot wide lot could have a driveway to a garage in a multi-dwelling zone but not in a single-dwelling zone. Additional curb cuts in multi-dwelling zones which are generally close to corridors seem like a pedestrian hazard. **Adopt the Residential Infill Project rules regarding driveways and garages for narrow lots.**

*Other proposals:*

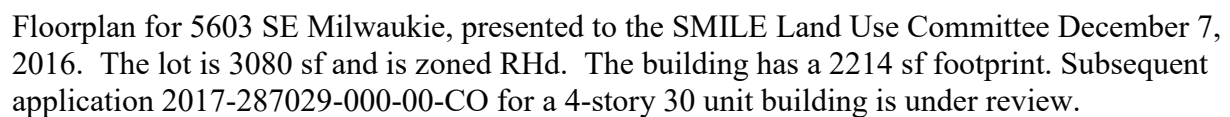
- **We endorse proposals 7 (shared outdoor space), 9 (limit impervious areas), 10 (parking), 12 (entrance orientation), 13 (front setback), 14 (side setback), 15 (height transitions), 16 (division of large building facades), and 21 (Transportation and Parking Demand Management requirements).**

This testimony was approved by the SMILE Board of Directors on May 16, 2018. If you would like any clarifications on these comments, please contact our Land Use Committee Chair David Schoellhamer at [land-use-chair@sellwood.org](mailto:land-use-chair@sellwood.org).

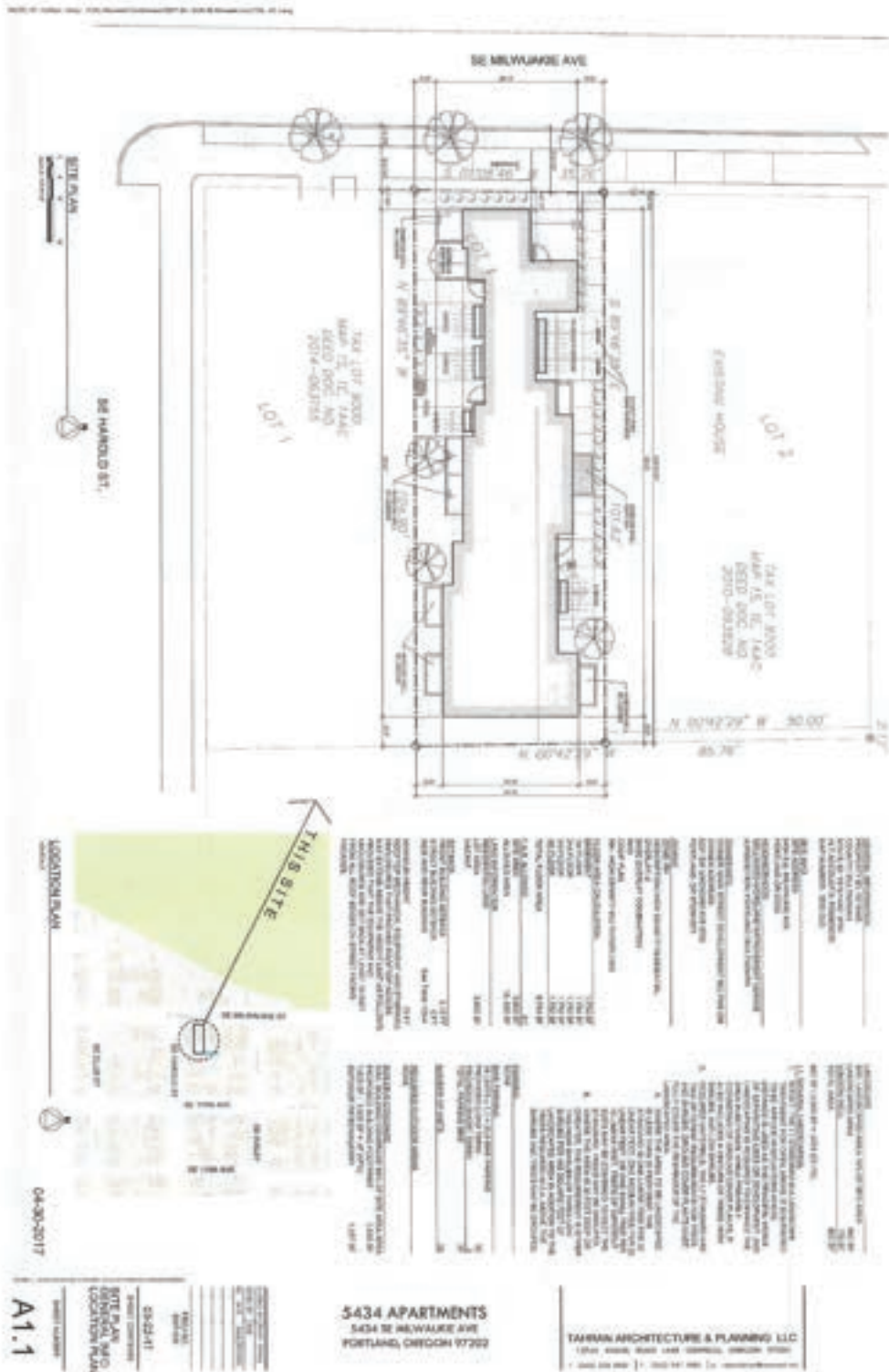
Sincerely,



Joel Leib  
President, Sellwood-Moreland Improvement League







Site plan for 5434 SE Milwaukie, presented to the SMILE Land Use Committee May 3, 2017. The lot is 3900 sf and is zoned RHd. The building has an 1835 sf footprint. Subsequent application 2017-267750-000-00-CO for a 4-story 28 unit building with 100% affordable housing is under review.



# Sellwood Moreland Improvement League

**#29826 | May 20, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The Sellwood-Moreland Improvement League (SMILE) is pleased to offer the attached comments on the Better Housing by Design Project (BHD) Proposed Draft Report.

Testimony is presented without formatting.

# Brandy Ascough

**#29827 | May 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

It is with firm opposition that we reject this proposal to change the zoning of this property and region. This zoning change is in an encroachment on a defined area of stability. An increase of traffic and instability to the area is unwarranted. The area houses many stable families whom have established their property and continue to maintain and increase their unit values. It is important to note that the landowner has the right to govern the use of his or her own property. The zoning change in question infringes on the rights of the property owners and should not be allowed.

Testimony is presented without formatting.

# Yvonne Rice

**#29828 | May 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

As I have led to understand, property along I-205 is owned by ODOT and would not be developed in case they wanted to expand the freeway. Now I see that this has re-zoned for multi-use. We do not have any property in Sumner to have a park and this is the closed piece of land we have and now you want to take that away for future development that the City of Portland will never need. Portland is becoming the land of renters.

Testimony is presented without formatting.

# Evan Burton

**#29829 | May 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Very concerned about rezoning the SAN Lot --NE 92 between Sandy Blvd. and Killingsworth Ave. This is the ONLY green space our neighborhood has. We have no parks or access to Helensview School. Evan Burton Sumner neighborhood resident

Testimony is presented without formatting.

# Jennifer Schmidt

**#29830 | May 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I live across from what is know as the SAN LOT. I enjoy the quiet and and green space that is provides not only local neighbors to walk dogs, fly kites and just generally enjoy a little bit of green space. I also enjoy my view of Mt. Hood from my home.

Testimony is presented without formatting.

# Gregory Kullberg

**#29845 | May 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hi: I am the owner of a two story townhouse at 2046 SE 12th avenue at the western edge of Ladd's Addition. SE 12th Ave where my property is has mostly a low profile single family residential quality and feel - despite the busy street. There are a couple of three story apartment complexes nearby but street is mostly populated with single family homes. Encouraging the development of additional and even larger apartment complexes - which this zoning change would do - could downgrade the existing character of this Ladd's neighborhood and negatively affect the future value of my property. I oppose this proposed zoning change.

Testimony is presented without formatting.

# Peter Mohling

**#29846 | May 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please stop building things on every available open lot. The San Lot is very important to our neighborhood and a large reason why we bough a house in this neighborhood. Developing this would be disastrous. Traffic along Sandy is already a nightmare during peak hours and many people use 91st avenue as a 40 mph road. Developing this into apartments would only exacerbate the problem. Taking little strolls and playing with the dogs of the neighborhood brings everyone here joy. We must preserve green spaces like this to prevent Portland from becoming a garbage city.

Testimony is presented without formatting.

Bruce Johnson  
2323 NW Johnson Street  
Portland, Oregon 97210



May 16, 2018

Planning and Sustainability Commission  
1900 SW 4<sup>th</sup> Ave. Suite 7100  
Portland, OR 97201

Re: Proposed Zoning Code Changes

Dear Commissioners,

As a long-time resident of the NW Neighborhood I am extremely concerned about the proposed zoning change in my neighborhood to RM2. While I support ways to encourage and incentivize more housing for affordable and market housing in Portland my primary concern is about attendant parking facilities.

Continuation of a zoning policy that does not provide adequate on-site parking concurrent with future multi-family residential development will have a serious adverse impact on the NW Neighborhood and other parts of the City. We already have a situation where demand for on street parking exceeds supply. Residents do not want to see this condition get worse.

I have attached a copy of a letter I sent to the Portland City Council on this matter. Please place it in the public record. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bruce Johnson', followed by a long horizontal line extending to the right.

Bruce Johnson



Bruce Johnson  
2323 NW Johnson Street  
Portland, Oregon 97210

May 15, 2018

Mayor Ted Wheeler  
Commissioner Amanda Fritz  
Commissioner Chloe Eudaly  
Commissioner Dan Saltzman  
Commissioner Nick Fish

Re: Proposed Zoning Code Changes

Dear Commissioners,

I am writing this letter, as I will be out-of-town during the hearing on this matter. The following comments pertain primarily to the NW Neighborhood District where I have resided since 1971. As a retired design professional I want to offer my comments on the proposed RM2 zoning change and its impact on my neighborhood as well as other neighborhoods in the City.

I was a section leader on the Mt. Hood Freeway Study, have worked on community planning related to the light rail transit system, have been involved in major urban design studies, environmental analyses and more. So I've seen a lot in forty-five years of practice.

My neighborhood and others need more flexible zoning to accommodate new housing types throughout the City. But I am concerned about how related parking demand and supply will be handled in a manner so the existing situation on both sides of the river will not exacerbate an existing problem.

It's hardly a secret that parking demand exceeds supply in the NW Neighborhood by several thousand vehicles owned by residents, shop owners, employees, guests and shoppers. This situation is not unique to my neighborhood. The situation in NW is compounded by the fact we have excellent public transit service on Tri-Met buses and the Portland Streetcar. Anyone living here who has a vehicle(s) and works downtown or chooses to cycle around the City or walk downtown leaves a vehicle parked curbside on the street. There's no turnover. These vehicles can tie up a parking spot for days, sometimes weeks. And that's a right they enjoy as a property owner or renter who pays taxes directly or indirectly.

So, if the City is going to encourage more multi-family buildings in order to provide more housing units, which I support, I highly recommend RM2 development be required to provide mandatory and adequate off-street parking. I suggest one space per unit as a minimum. The City also needs to explore ways of providing additional parking facilities throughout the city.

Now some may argue the advent of autonomous vehicles, more use of Uber and their like, and other transportation options of the future will result in less private automobile ownership. That may be so, but now and in the immediate future we need more parking facilities to handle current demand. A major segment of the City's population is not going to give up their vehicles.

I have monitored the growth for parking demand since the 70s and haven't seen a significant decrease anywhere in the NW Neighborhood.

I'm not even going to go into the parking pass increase the City has approved. If you want more revenue why doesn't the City pass a local tax on whatever and get the extra money instead of having to increase parking rates to pay for ugly parking stations and to try get residents to give up the passes. A whole pie is better than a slice if you can keep the administrative costs down. Thank you.

Sincerely,

Bruce Johnson

# Bruce Johnson

**#30156 | May 22, 2018**

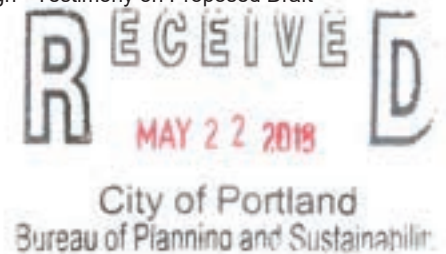
Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

Dennis M. Harper  
221 N.W. 18<sup>th</sup> Avenue  
Portland, OR 97209

May 17, 2018



Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Dear Commissioners:

I would like to offer testimony regarding proposed zoning changes at my property, one of four condominium units in the Victorian House Condominium, originally built by Porter Brigham and currently a primary contributing building in the Historic Alphabet District. The current comprehensive map designation and base & overlay zone is RH. The proposed comprehensive plan designation is MD-U, for which I found no definition in City documents, but I am guessing that it refers to Multi-Dwelling – Urban Center. The proposed base & overlay zone is RM4d.

The Better Housing by Design summary has the following ominous description of zone RM4:

“This is a high-density, more intensely urban zone applied in locations close to the Central City and in centers and major corridors. It is intended to provide a more intensely urban mid-rise or high-rise scale of up to seven or more stories. Maximum Height: 75 - 100 feet”

I must repeat, this is a primary contributing two-story building in the Historic Alphabet District, which has its own set of design, appropriate scale, preservation, and compatibility regulations that appear to be completely ignored by the Better Housing by Design proposal. A much more appropriate base & overlay zone would be RM2, with its FAR of 1.5 to 1 and a maximum height of 45 feet, in order to abide by the Historic Alphabet District design guidelines. I urge the Commission to modify the proposed zoning within the Historic Alphabet District to reflect the neighborhood context that qualified its listing on the National Register of Historic Places.

Regards,

  
Dennis M. Harper

# Dennis Harper

**#30157 | May 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Christine Andersen

**#29847 | May 23, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

My primary and critical concern with any zoning code and plan map designation is parking. We have good public transit and bike access but this does not alleviate the need for additional parking when dwelling units are added to the neighborhood. Exempting off street parking for new units is a serious safety and livability problem for the neighborhood. Currently there is an ongoing problem of crosswalks and private driveways being blocked by parked cars—mostly because there is such an existing lack of parking. Even people who bike and bus when possible own vehicles and storing them on the street. Adding units in an already maxed out situation is poor planning and damaging to neighborhood livability and safety. In addition, while I support the commercial businesses along Mississippi Street, the parking problem in neighborhoods is exacerbated by parking to access these businesses. It is a known existing problem—don't make it even worse.

Testimony is presented without formatting.

# George Crawford

**#29848 | May 24, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This makes sense to create more flexible affordable housing options. I think it makes most sense where parking needs are less and distance is walkable to main transit or central commercial locations. I know currently the multifamily zoning being based on # of units results in trying to optimize sale price or value for each specific unit which translates to higher costs of living.

Testimony is presented without formatting.









# Amy Marks

**#29850 | May 24, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This house backs up to the Legends Condominium and fronts on the MAC parking garage. I have attached pictures of the views front and rear of this house. I think this was mistakenly zoned at RM3d and should be RM4d. It will be a half block from the new front entrance to the new Lincoln high school and is a block from a MAX station.

Testimony is presented without formatting.



# Amy Marks

**#29851 | May 24, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This property will be directly across the street from the New entrance to Lincoln high school. It is one block from a MAX stop and fronts on the MAX line. It backs/sides to the Legends Condominiums. It was mistakenly zoned at RM3d and should be zoned at RM4d

Testimony is presented without formatting.

# Cathy Stermer

**#29852 | May 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please reconsider relaxing required parking space regulations on new building in this area. The streets here are extremely narrow, even by Portland standards, and if cars are parked on both sides it is impossible for two cars to pass down the road simultaneously. Additional units without parking, will significantly increase problems with traffic flow in this area. Therefore, again, Please reconsider parking space requirements. Thank you.

Testimony is presented without formatting.

# Cathy Stermer

**#29853 | May 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please reconsider relaxing required parking space regulations on new building in this area. The streets here are extremely narrow, even by Portland standards, and if cars are parked on both sides it is impossible for two cars to pass down the road simultaneously. Additional units without parking, will significantly increase problems with traffic flow in this area. Therefore, again, Please reconsider parking space requirements. Thank you.

Testimony is presented without formatting.

# Cathy Stermer

**#29854 | May 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please reconsider relaxing required parking space regulations on new building in this area. The streets here are extremely narrow, even by Portland standards, and if cars are parked on both sides it is impossible for two cars to pass down the road simultaneously. Additional units without parking, will significantly increase problems with traffic flow in this area. Therefore, again, Please reconsider parking space requirements. Thank you.

Testimony is presented without formatting.

# richard omohundro

**#29859 | May 26, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

My only real issue with your new better housing by design is you are some times filling in areas such as this one with no thought on unimproved roadways. this example is going to add 12 more residences to an unimproved roadway so it will become impassable by the time construction is done. the power poles are located in the street seven feet in so unimproved road is 23 feet wide. put cars on both sides of road and it may become impassable for fire trucks endangering the whole street for more infill. Also 120th and powell is one of portlands worst intersections for accidents and you are adding more issues not less. I have been up keeping this dedicated road but no more. Not quite sure if you realize this is just a dead end dirt road with no turnaround.

Testimony is presented without formatting.

# Terry Parker

**#29861 | May 26, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

One of the things that makes Portland an enticing livable city is the preservation of older and established single family home neighborhoods that green yards and big mature trees. Anything such as placing density over the quality of life taints this through the lens image of our popular city. The proposed setbacks and maximum building coverage limits in the Better Housing by Design Draft are pleasing and welcomed as are required outdoor green spaces. Transfers of development rights may be troublesome and create massive monolith structures that do not fit in context with their surroundings. The transfer of development rights that can create larger out of scale buildings needs to be reconsidered, tightly regulated and/or extremely limited. FAR bonuses also need to be significantly reduced. One size does not fit all neighborhoods. The FAR bonuses for affordable housing are too large and will create oversized buildings that can tower over existing homes and other neighborhood structures in adjacent lower density zoning. The length of time units must remain affordable is multi-generational, far and way too long, and in reality, may outlive the useful life the buildings themselves. On properties that border R5 zoning, FAR bonuses need to be eliminated. The properties on the North side of NE Halsey Street from 61st to 65th Avenues should remain R2.5 and not be rezoned to RM1. A larger overall scale of structures may be acceptable in downtown and the central city, but even with step down architecture, the large scale buildings will create negative quality of life impacts for residents nearby in adjacent lower density zoned and single family home areas. One of the negative quality of life impacts in the Better Housing by Design Draft is the absence of, or insufficient, off-street parking. This includes the non-requirement for off-street parking for smaller residential structures in areas where lower density zoning exists. Is this plan to not require adequate parking throughout the city also a plan to create the same type of on-street parking mayhem and crisis that already exists in Northwest Portland? Will households with electric cars have to run extension cords across the sidewalks or down the block for overnight and home charging? At some point, drivers of electric cars will need to start paying for the electricity they use to charge their vehicles instead of expecting utility ratepayers to continue footing the bill at free charging stations. Moreover, is the absence of adequate on-site parking an attempt to "dictate" to renters they should not have a car? 59% of low income people drive to there place of employment. There has been a lot of conversation about housing type and neighborhood choice, but what about choice in transportation? Is the elimination of parking with affordable housing a form of discrimination? This testifier thinks so! The city's own studies suggest that 72% of households in new large multi-unit buildings without parking have one or more cars. Filling up parking places on



the streets with stored cars from the new residential developments that have inadequate off-street parking is already a hot button issue for the property tax paying residents of adjacent neighborhoods. Parking demand management must require adequate off-street car storage parking - with overnight charging connectivity for electric vehicles - for all new residential development. With large apartment complexes such as in zones RM2, RM3 and RM4, this parking needs to have no less than three parking spaces for every four units. Smaller developments such as in zone RM1 need a have a one to one ratio. Additionally this mandate to require off-street parking must apply to new residential development on frequent transit corridors and within light rail station areas. People that use an alternative means of transport to commute also have cars. A similar statement is continually vocalized by bicyclists as skewed logic for not paying their own way with user fees to fund the "privilege" of having specialized bicycle infrastructure. Continuing an expectation to make use of turnover on-street curbside parking for car storage from new developments in unacceptable.

Testimony is presented without formatting.

# Juliana Cartwright

**#29862 | May 28, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am very concerned that any plan must address the lack of street parking available on streets in 'Johns Landing' and the too-fast, dense traffic on Macadam and Corbett. If new building size expansions are allowed, there must be required off street parking for all units. Also please note that Macadam is a major commuter route and the cars travel way beyond the legal 35 mile/hour maximum. More density in this community will only add to the traffic and noise and congestion. I oppose more dense apartment housing because of the increased commuter traffic on Macadam and Corbett (during commuter hours), and the already insufficient off-street parking for owners, renters, and guests.

Testimony is presented without formatting.

# SHAWN BLYTH

**#29863 | May 28, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am the homeowner on the lot with the proposed changes. While I do not necessarily believe the current proposed changes to Property ID# R673376 will have a dramatic effect, I do not believe that our area needs to be rezoned as we are already a fairly high density area (11 units located on the one lot). Additionally, there are concerns among residents regarding the 2 lots next to ours at 3007 NE MLK Blvd (R308753) and 3019 NE MLK Blvd (R308755) being rezoned and large 4+ story buildings being placed which would adversely effect our residents living situation. We understand that at present, it shows the the Map App website stated "There are no proposed changes to the selected property" we have heard that there is a push to change this. We hope that the surrounding neighborhood will be considered before adding more large apartment buildings, condos, etc, as multiple have already been built within 1-2 blocks along MLK, and this only further puts strain on traffic, parking, and general nuisances.

Testimony is presented without formatting.

# Annie Mengis

**#30158 | May 30, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I live a block away from the SAN Lot that is set to be rezoned to multi-dwelling units. This is the only park-like area in the neighborhood as the other space is the Helensview school that is gated and not open. If developed it should be required that a substantial portion stayed available as a neighborhood public space for dogs, people and the like and be designed in such a way as to benefit the neighborhood as a whole.

Testimony is presented without formatting.

# Adam Meyer

**#30159 | May 30, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Greater density is practical between 21st and 23rd ave. But DOES NOT work for the middle of neighborhoods like near 25th and Lovejoy. This area should be left for single family and low density residential. This is essential to keep the personality and feel of the neighborhood/Portland. Thank you.

Testimony is presented without formatting.

# Christopher Browne

**#30160 | May 31, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The RM1 code seems to allow all R1, R2 and R3 to become R1 with a building size limit. If this is so then there is not step up to the residential areas. Please go back to R1, R2 and R3 zoning

Testimony is presented without formatting.

# Mark Hewitt

**#30161 | May 31, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I have lived at 4816 N. Albina for nearly 20 years. It was once a relatively quiet street, but now we have a restaurant/bar across the street that is open until 2:30 in the morning with an outside patio that is very loud at night. There is a proposed 5 story building going up 2 lots to the south my property at 4732 N. Albina. This is no longer a residential neighborhood. I would ask the city of portland to consider changing the zoning of this and near by properties to allow for retail or office space.

Testimony is presented without formatting.

# michelle sprague

**#30163 | June 3, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Notice of Proposed Zoning Change 2534 SE 13th Portland OR 97202 Better Housing by Design My Zoning just changed from base zone R2 to base zone R1, now the May 11, 2018 proposal is to change current base and overlay zone R1 to proposed base and overlay zone RM2. The MapApp “testify” shows lot sizes of 5000 square feet: My house pre-dates building records, City Maps list it as Year Built 1900. The sidewalks and utilities (water, sewer, electricity, etc.) were all created after the house was built. The original 5000 square foot lot was split early in the last century into what was referred to as a “mother in law” house, the 2 houses had shared sewer line. My lot “should be” 50 feet width by 60 feet depth facing 13th and the other lot “should be” 40 feet width and 50 feet depth facing Ivon. There are many houses within the designated RM2 Zone change which have undersized lots. In my area, the most common house style being a foursquare, with an above ground basement, 2 floors of living space and an attic. These houses are very tall and are very close to the public sidewalk. The Development Standards do not address: Need for Sewer and other utility easements through private property. Converting existing houses on under 5000 square foot lots: • basement apartment with visitable accessible to people using wheel chairs. • Attic conversions into living space. • Grandfathered Set Back Allowance. • Grandfathered open space/outdoor area.

Testimony is presented without formatting.



# Mark Humpal

**#30164 | June 4, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We live in a 2000 square foot home built in 1915. The block we live on years ago was comprised of double lots stretching back to 40th Avenue. Over past 15 years, the last double lots have been parceled off and now have homes. Between the short stretch of Cesar E Chavez Blvd and Steele, we already have 6 duplexes. These units blend in well with the neighborhood. The proposed zoning change would disrupt this and my wife, Diane Zuhl, and I strenuously object to the change. We've achieved housing density on our street and don't need 3 story monstrosities popping up around here. Since the proposal was announced, we've seen a sharp uptick in real estate vultures attempting to purchase our home. These zoning changes benefit no one except real estate developers.

Testimony is presented without formatting.

1234, NW 25<sup>th</sup> Avenue, PORTLAND OR 97210



May 26, 2018

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4<sup>th</sup> Avenue #7100  
PORTLAND  
OR 97201

City of Portland  
Bureau of Planning and Sustainability

To the members of the Portland Planning and Sustainability Commission

Re: Proposed Zoning Code changes

Thank you for your service to our city.

I am writing in opposition to the proposed changes which seemed designed to replace neighborhoods of multi-generational family homes with high density housing, often with inadequate provision for parking and of other services.

A one-size fits all approach is inappropriate for our city. Individuals and families experience different stages of life and there is a need for a diversity of accommodation, which includes the multiple family homes that are characteristic of much of NW Portland.

Sincerely

A handwritten signature in blue ink that reads "Michael Kane". The signature is fluid and cursive.

Michael J Kane

# Michael J Kane

**#30171 | June 4, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Martha Richards

**#30172 | June 5, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am concerned about the proposed changes to the neighborhood b/w Halsey and I-84. There is very limited parking now, and the proposed changes seem to make parking even more competitive. Please reconsider the limitations on parking for residents, in their own homes, in this area with the proposed zoning change.

Testimony is presented without formatting.

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201

RECEIVED  
JUN 05 2018

City of Portland  
Bureau of Planning and Sustainability

June, 2018

Re: Proposed Zoning Change for NE Portland Neighborhood Completely, Uniquely  
Enclosed by Freeway 84 and Halsey Street

Dear Portland Planning and Sustainability Commission,

We are an organized neighborhood group brought together by our alarm and concern about the proposed property zoning change. Our neighborhood is entirely constrained by the borders of freeway 84 to our north, west, and east and by Halsey Street to our south. It is an area north of Halsey between NE 72nd Avenue and NE 77th. Most, or almost all, of us are house owners living in our own houses. We cherish our neighborhood and have worked together for decades to improve it and to maintain harmony and cooperation among ourselves. Aren't we exactly the kind of neighborhood that the City of Portland wants to foster?

We are confused and dismayed that notices, or some of them, regarding a zoning change that would severely impact the quality of life in our neighborhood were not received until less than one month prior to the June 12th hearing. Why was the notice not sent months before the hearing? Some of us seriously wonder whether the decision to delay notifying citizens raises worrisome credibility issues about the City management.

We are extremely concerned about your inadvisable proposal to rezone our area from R2 to MD-N, a multi-dwelling, higher living density zone. The crime rate in our area has rapidly increased recently, and statistics clearly show that a change to multi-dwelling, higher density units predicts more crime. However, the reason unique to our neighborhood that makes such a change an impossibility is that our parking is already 100% constrained by physical limits. All of our streets dead end into 84 (no parking) or dead end into Halsey (no parking). Our area was developed long ago and our narrow, one-car driveways already force most of us too often park on the street a distance from our houses since most of our households already require more than one car. There has already been an increase in car break-ins due to our lack of parking close to our houses where we can help each other watch over our cars. Your proposal would 100% predictably and severely aggravate the problem. Do you really want to force us to walk a mile or more away across 84 to an area with its own restrained parking or very dangerously force us to cross an always busy 4-lane road to park while carrying heavy groceries and other items to our homes? Again, our area literally has concrete barriers. There is zero option for additional parking. There is already substantially inadequate parking. Your proposal would have extremely negative changes on the quality of our lives, on our personal safety, on our car property safety, and on the well-being of ourselves and our neighborhood, and, of course, on our voting.


We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Signature

Name

Address

  
JOHN J. CROOKS; BERNADETTE M. RILATT-CROOKS  
1524 NE 76<sup>th</sup> AVE., PORTLAND, OR 97213

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201

RECEIVED  
JUN 05 2018

City of Portland  
Bureau of Planning and Sustainability

June, 2018

Re: Proposed Zoning Change for NE Portland Neighborhood Completely, Uniquely  
Enclosed by Freeway 84 and Halsey Street

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We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Signature

Name

Address

  
JOHN J. CROOKS; BERNADETTE M. RILATT-CROOKS  
1524 NE 76<sup>th</sup> AVE., PORTLAND, OR 97213

# **John J. Crooks and Bernadette M. Rilatt-Crooks**

**#30244 | June 5, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Lee Sim Suey

**#30174 | June 6, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

The rezoning to any new zones for business or multi dwelling plans is unwanted here. This is a neighborhood of Reed, and always will be. This is a family oriented neighborhood. This stretch of property will not be changed to be gentrified. This is our property, and no trespassing on our property by stepping on it. Random lady walks up on to my property to look at my backyard. Seriously!!! This is Reed Neighborhood, and it's very much the same as Eastmoreland. We don't want the same, greedy, money hungry, ugly monstrosities constructed identically like all the others in peaceful neighborhoods. DO NOT CHANGE MY ZONING or in any other way to changing it. My family's rights stay presided above any other decisions, courts, government, state, city, and county. The family has all rights to build what we want on it, and how we build on our property even if it's new development.

Testimony is presented without formatting.



# Kathy Shepstone

**#30175 | June 7, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

So we just turn our homes over to you with a pat on the head and say ok, have you looked at what you have done to this city. I work at Joanns on 82nd everyday I chase people that are shoplifting around the store thousands of dollars a year walk out the door because of your housing. They cant afford your housing projects and I cant afford it with my job that I have been at 14years at \$12.00 AN HOUR. What are you just going to give us all new place's your just going to make a few more homeless How do you people sleep at Night. You just keep digging a bigger hole why not through us all in and turn on the gas like the Germans did your all Hitlers sneaking in the back door, Do you know what you are doing these people they have know where to go .You have sentenced the few that are trying to death, what else is there. you don't care ,, What do your kids think of you . you keep telling yourself its for the good of Portland God will deal with you in time I feel sorry for your familys

Testimony is presented without formatting.

# Lucas Gray

**#30177 | June 7, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Regarding Better Housing By Design: Increasing setbacks is a terrible idea. It is against everything that makes safe active streets. We don't need more lawns and dead space, we need active street edges that engage pedestrians. If you want more space for wider sidewalks, plantings, street trees, etc. you should make roads and lanes narrower. Take public owned land to make our city more green, which will have the positive side effects of reducing traffic speed, putting trees in places they will shade sidewalks and asphalt, plantings that will separate pedestrians from cars, plantings that can address stormwater runoff from the roads, all while allowing more flexibility with the placement of new buildings to preserve usable open space, existing trees, add additional housing units, and add other amenities on the private land.

Testimony is presented without formatting.

Doug Klotz  
1908 SE 35<sup>th</sup> Pl  
Portland, OR 97214  
6-7-18

Planning and Sustainability Commission  
Re: Better Housing by Design Proposed Draft May 2018

Chair Schultz and Commissioners:

I am disappointed to learn that the Proposed Draft will, according to the EPS analysis, result in almost no rental units being built in Inner Portland! This is really unconscionable, that the multifamily zones are being rewritten in such a way that no rentals will be built. Yes, some may be built east of 205, but almost no Inner ones, simply because with the Residual Land Value required, the land is too expensive. Yes, it is good to have townhomes and condos to have home-ownership options, for those who can afford them. But 40% of Portlanders are renters. We shouldn't allow a plan that's for the multi-dwelling zones, to shut them out of inner Portland!

In the past decade, almost all the units built in the Inner neighborhoods have been in Commercial Zones because Multifamily zones yield such meager unit counts. Because of the exclusionary zoning that currently limits much of the city to single-family houses, multifamily zoning is severely limited. Before 1959 multifamily was allowed in most residential areas. This is when the existing missing middle houses were built.

Now, with these limited multifamily zones, there is such demand that we'll never get courtyard apartments or fourplexes in the Inner city. But we need the housing, including rentals, so we need to dramatically increase the entitlements in the few multifamily zones. The idea of designing apartment buildings to "fit" in single-family residential neighborhoods is wrong-headed. Yes, these buildings will be bigger than the detached houses that are there now. That is an unfortunate result of the legacy of exclusionary zoning, but we can't let that stop us from building housing now.

I realize such capacity increases will be unpopular. I would offer an alternative, which could be used in conjunction with the above, which won't build as much housing, but would be more palatable to the majority of people:

**Increase capacity in RM2 on Neighborhood and Civic Corridors in Inner Pattern Area**

Dramatically increase entitlements in the RM2 zone, where it occurs alongside Commercial Zoning, on all lots abutting Neighborhood Corridors and Civic Corridors within the Inner Pattern Area thusly:

Raise the FAR to a base of 2.0:1 and a bonus of 3.0:1, with Deep Affordability of 4.0:1.

Raise the Maximum Lot Coverage to 85%.

Reduce the required Landscaping to 10%.

Reduce the required Front Setback and the Required Street Setback (which would be for side streets) to 5', with the option of reducing the setback to zero if the ground floor is at least 2' above sidewalk grade.

Reduce the required Side and Rear setbacks to zero, except if abutting Single-dwelling zoning, in which case the minimum should remain at 5'

To increase capacity on these Corridors and allow a continuous street wall, reduce minimum building setbacks in the **Commercial/Mixed Use Zones in these locations**, on lot lines abutting RM2 – RM4 lots, to zero. This way, neither the RM lots or the CM lots would have a side setback, and could be abutting.

These changes on these Corridors, will bring those lots closer to (but not as high as) the entitlements on the Commercial Zones they are right next to. I know staff has an idea that Multi-dwelling zones should be “smaller”, to “provide transitions” to single-dwelling residential. But, where these zones are on these corridors, they are not “transitions”, and we must allow more density in these valuable locations.

Some have said, “why not rezone these lots to Commercial?”. That’s a fine idea, but the city failed to do that when it had the opportunity during the Comprehensive Plan. And a future plan to do this will be too late and likely run into opposition. The best way to address the failure of this proposal is to at least offer this density increase on these corridors, to address our housing crisis now!

Here is a typical Inner Corridor block, with CM2 (pink) and RM2 (dark yellow) lots intermixed:



### Additional changes and support

Change the “Stepdown” height in RM2, RM3, and RM4 where abutting SFR zones, from 35' to 45', to match with construction practices and allow more capacity.

Reduce the minimum Front (and side street) setback in RM3 from 10' (with 5' for high floor) to 5' with 0' for high floor. Reduce Street setback (side street) in RM4 similarly to 5' with 0' for high floor. Reduce side and rear setbacks on RM3 and RM4, everywhere, to 5' for the first 45', and then 10'.

Where the first floor is set back to promote first floor privacy, allow upper floors to extend to the property line. This example at 29<sup>th</sup> and SE Stark shows this typology.



Increase the minimum density in the RM1 zone to one unit per 2500 s.f., and in RM2 to one unit per 1000 s.f., to ensure the lots are utilized in closer to their appropriate density.

I support the change to allow zero front setback where entry courtyards are included.

I ask that the PSC direct BPS to look at and update the mapping of the MD Comp Plan designations as well as the zone mapping. For instance, the north side of Division from 50<sup>th</sup> to 60<sup>th</sup> is now R2, and could justifiably be RM2, so the Comp Plan designation should be changed, and possibly the zoning as well.

A lot of work and analysis went into this project, and I support most of the other changes, including the proposals that will increase livability of multi-dwelling construction in East Portland.

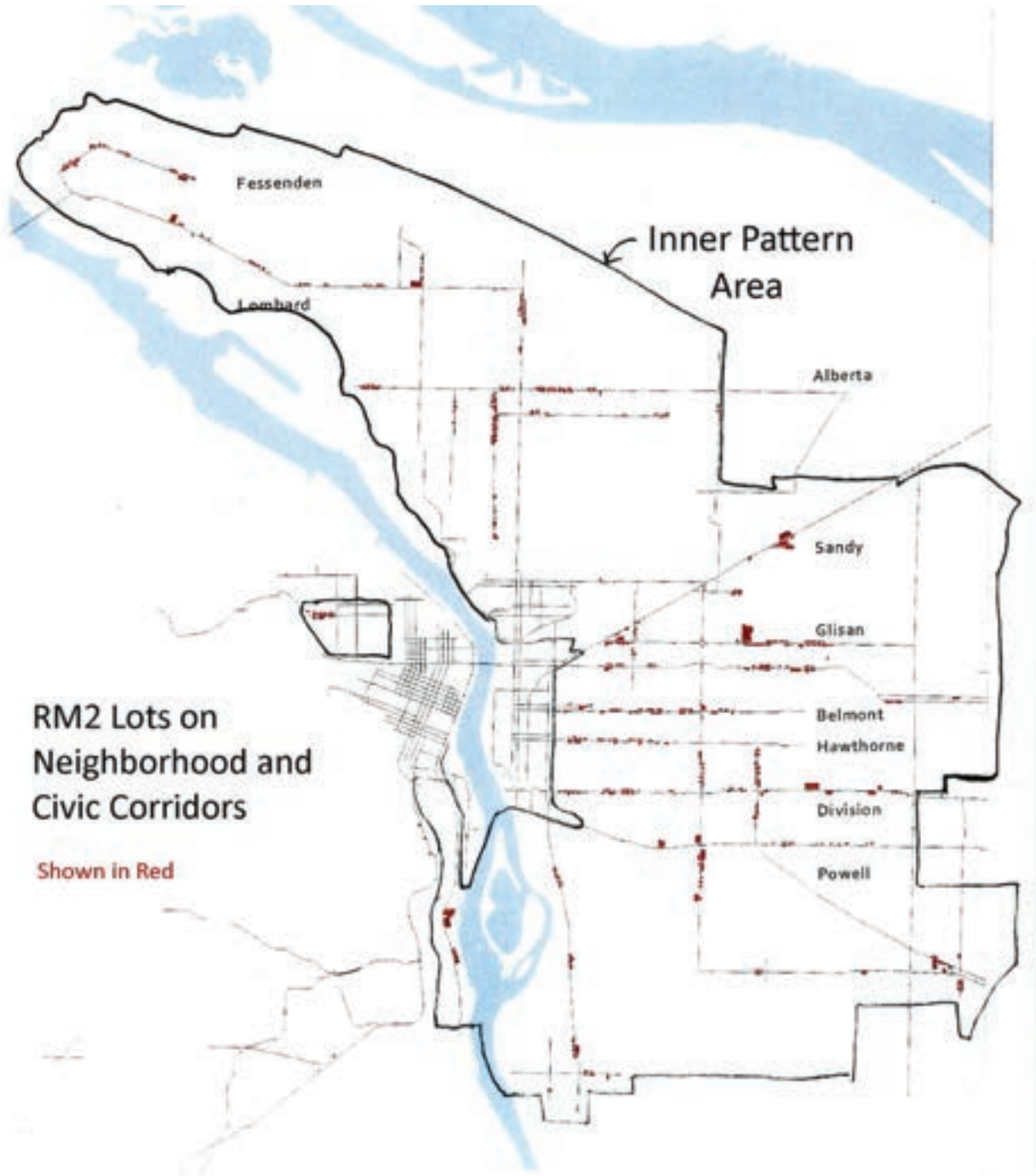
Sincerely,



Doug Klotz

The next page is a map of the RM2 lots on Neighborhood and Civic Corridors in Inner Pattern Area.

This is where I propose to raise allowances in RM2 zones:



# Doug Klotz

**#30179 | June 7, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See attached PDF of Comments & photos

Testimony is presented without formatting.



Dennis M. Harper  
221 N.W. 18<sup>th</sup> Avenue  
Portland, OR 97209

June 4, 2018



Portland Planning and Sustainability Commission  
Better Housing and Residential Infill Testimony  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Dear Commissioners:

I have already submitted written testimony dated May 17, 2018, concerning proposed zoning and FAR changes at my property in the Historic Alphabet District. The purpose of this second letter of testimony is to focus on the bigger picture and the impact of both the Better Housing by Design and Residential Infill projects.

There has been a politically driven mad dash by the City to rapidly and haphazardly increase the housing potential in nearly every neighborhood in Portland. Yet it has been documented that there is enough new residential capacity under current zoning in the city to meet the density goals into the foreseeable future. As a result of the widespread development and turbocharged atmosphere of change in Portland, citizens are extremely troubled and angry about the sense of loss as the city of Portland that they love loses the qualities that engendered that love.

It would be difficult to fault the wave of new high-density residential construction along such transit-oriented commercial streets such as N. Williams and N. Vancouver, SE Division, and NE Sandy Blvd. It is in those areas that such multi-story development understandably should take place. It is also understandable that residents are disturbed by out-of-scale, out-of-character buildings that are being constructed in single-family residential neighborhoods. That encroachment is producing so much of the anger and anxiety felt by many Portlanders. The PSC and the City Council have the ability to establish a more balanced approach that does not sacrifice the character of Portland. It would require a much closer look at each neighborhood to determine where higher density development can occur without damaging neighborhood character.

This is NOT a case of NIMBYism. Greater density within established single-family residential neighborhoods should be encouraged through conversions of attics, basements, and garages into accessory dwelling units without system development charges. Much more affordable rental housing could be accommodated throughout the City if it were tucked into the under-utilized spaces that exist in many single-family houses.

Out in the trenches, there is a prevailing assumption among Portlanders that only monied interests (e.g. developers) have the City's ear when considering these matters. The PSC has a responsibility to also consider the opinions and concerns of those who live in Portland and who must live with the development that is coming so quickly to their doorsteps.

Regards,

  
Dennis M. Harper



# Dennis M. Harper

**#30191 | June 7, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Connie Levine

**#30181 | June 8, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

G Group, LLC manages the property located at 2330 NW Flanders St., Portland, Oregon. The property is being operated as a medical building. The 2/3 west side of this property is proposed to be modified from an RH Zone; CM2m to a RM3d; CM2m. We understand that the RM3d zoning will disallow future commercial uses at the property. For this reason we object. We object to the zoning change to the extent it will not allow for any commercial uses. We encourage you to continue to allow a mix of residential and commercial at this property. Thank you. Connie Levine

Testimony is presented without formatting.



*Living Forward.*



2545 SW Terwilliger Blvd.  
Portland, Oregon 97201  
503.299.4911  
800.875.4211  
503.299.4803 fax

June 4, 2018

Katherine Schultz, Chair  
Portland Planning and Sustainability Commission  
1900 SW 4<sup>th</sup> Avenue, # 7100  
Portland, Oregon 97201



City of Portland  
Bureau of Planning and Sustainability

RE: "Better Housing by Design"  
Planning and Sustainability Commission Public Hearing; June 12, 2018.

Terwilliger Plaza is a large non-profit Continuing Care Retirement Community (CCRC) directly south of downtown Portland. The Portland City Council was immensely helpful in responding to the Plaza's request to consolidate the four zones on the Plaza's property to the RH designation. The Plaza is now well along in the process of exploring opportunities to expand our independent living apartments and services with a multi-story addition on the recently rezoned property.

Periodic Review is to be a significant event that happens once every twenty years, however we are now facing another significant event immediately after the conclusion of the Periodic Review. The City is proposing changing our RH zone to RM4. This has the potential of negatively affecting Terwilliger Plaza's proposed future plans.

We have two concerns:

1. The current RH zone does not require design review. The proposed new RM4 zone will require design review. A project of this magnitude takes many months of planning with significant costs to our non-profit community. Proceeding with planning under one zone and then having that changed midway through the project presents significant risks. Our project, according to current time lines, may be ready for building permits prior to the expected enactment of the new zone. We could be prepared for a building permit and be a day late submitting it and then be forced to face many months of delay for design review because it would now fall under the new code. We would appreciate having the city guarantee Terwilliger Plaza that the zoning designation we have started design under, namely RH under the 2018 Zoning Code, is the designation we will be held to throughout the project.
2. The RM4 requires a maximum of 85% lot coverage and 15% landscaping of which half (7.5%) is currently required to be landscaping 'in the ground' at grade level. This provision is common in suburban zones where buildings are typically only two stories tall. The 85%/15% does not make sense in an urban setting with primarily vertical buildings. The 85%/15% creates an unnecessary intrusion in an urban site on a small 200/200 foot block surrounded by 60 foot wide streets. This will limit the number of apartments we can build on the site and may dramatically affect the financial viability of the project. We are very aware of environmental concerns and the enhanced livability of a well landscaped project. Furthermore, we expect to have more than 15% landscaping, most of which would be in a landscaped courtyard, along with other miscellaneous landscaping.

Thank you for considering our issues.

Sincerely,

Bob Johnson, President & CEO  
Terwilliger Plaza



# Bob Johnson

**#30204 | June 8, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Glenn Esler

**#30182 | June 9, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Greetings, I am all for increased density outside the central city core. However, I would submit for consideration, that apartments be limited to the main arterial roads (e.g., in my area; SE 82nd, SE 92nd, SE Stark, and SE Washington) and only townhouses and condos be allowed on residential streets. I think apartments in neighborhood streets might alter the character of the community on these streets too much. Apartment renters aren't as well invested in a community as a condo or townhouse owner. Also, there's always a turnover of apartment dwellers. I think this would destabilize a residential street. In addition, I fear if one apartment complex goes in on a residential street then other home owners may consider moving out. I myself would give it serious thought. If it was a condo complex or several townhouses, I would welcome that more on my street than apartments. Thank you for allowing my opinion.

Testimony is presented without formatting.

# L Tom

**#30183 | June 9, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Will my comments have any impact? Have you already decided and are just going through the motions. Why would you listen now? You want to make changes in the name of "affordable housing" by cramming as much as you can in the least amount of space. What about the people who have lived here for decades. Paying taxes, building Portland into a place people want to be. Developers have been allowed to call the shots. Destroying neighborhoods without regard to the impact they leave behind. They cram as many units as they can on a lot with no parking. This is done with the blessing of the city. Here is an example. Recently a developer bought a 3 bdrm house for a little over \$300,000. He left a small bit of the old house so it could be "remodeled." This way he didn't have to be transparent about what he was doing. It is now a McMansion that is going to sell for close to 1 Million. It dwarfs the houses on both sides which impacts the homes that had vegetable gardens. and the privacy they used to have. My point here is the continued destruction for no benefit expect the developer. In this case it is still 1 house in the place of 1 house. The city needs to recognize their part in the homeless/affordable housing crisis. This brings me to the zoning change. What exactly is the purpose? It seems to me this will only encourage more overbuilding. Single homes won't stand a chance. I don't want to live surrounded by apartment buildings with no parking. Is this to make it easier for developers? It isn't for the homeowners. Neighborhoods are being squeezed and you aren't listening. You are taking away the livability factor everyday. You need to fix the zoning so more parking is required for new buildings. There is an 84 unit apartment going up on Sandy. There will be 21 parking spaces. That means at least 50-70+ cars will be invading existing neighborhoods. I find it hypocritical that you don't like parking spaces because it takes away "green." What about all the trees that are being removed daily by developers. Wake up, people have cars. You are so worried about places for all these "new" people to live but you aren't doing anything about the crowded roads. It feels like you are just rubber stamping what developers want. It would be great to see the city say no once in awhile. Because of the lack of cohesive planning, the city feels like chaos. One day you will discover you (city of Portland) had a part in making us the new San Francisco. An elite city no one can afford. Or we will be Escape from New York, everyone trying to leave the nightmare you created.

Testimony is presented without formatting.

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201

June 7, 2018

From: Owner of Property at 1514 NE 76th Avenue, Portland 97213

Dear Portland Planning and Sustainability Commission,

Your zoning proposal is not possible for my neighborhood. The area north of Halsey Street, south of freeway 84 and between 72nd to 77th Avenues is 100% surrounded by concrete walls or no parking streets. There is zero space for additional cars.

I am a member of an increasingly organized neighborhood group brought together by our severe concern about the proposed property zoning change. Our neighborhood is entirely constrained by the borders of freeway 84 to our north, west, and east and by Halsey Street to our south. It is an area north of Halsey between NE 72nd Avenue and NE 77th. Most, or almost all, of us are house owners living in our own houses. We cherish our neighborhood and have worked together for decades to improve it and to maintain harmony and cooperation among ourselves. Aren't we exactly the kind of neighborhood that the City of Portland wants to foster?

We are confused and dismayed that notices, or some of them, regarding a zoning change that would severely impact the quality of life in our neighborhood were not received until less than one month prior to the June 12th hearing. Why was the notice not sent months before the hearing? Some of us seriously wonder whether the decision to delay notifying citizens raises worrisome credibility issues about the City management.

We are extremely concerned about your inadvisable proposal to rezone our area from R2 to MD-N, a multi-dwelling, higher living density zone. The crime rate in our area has rapidly increased recently, and statistics clearly show that a change to multi-dwelling, higher density units predicts more crime. However, the reason unique to our neighborhood that makes such a change an impossibility is that our parking is already 100% constrained by physical limits. All of our streets dead end into 84 (no parking) or dead end into Halsey (no parking). Our area was developed long ago and our narrow, one-car driveways already force most of us to often park on the street a distance from our houses since most of our households already require more than one car. There has already been an increase in car break-ins due to our lack of parking close to our houses where we can help each other watch over our cars. Your proposal would 100% predictably severely aggravate the problem. Do you really want to force us to walk a mile or more away across 84 to an area with its own restrained parking or very dangerously force us to cross an always busy 4-lane road to park while carrying heavy groceries and other items to our homes? Again, our area literally has concrete barriers. There is zero option for additional parking. There is already substantially inadequate parking. Your proposal would have extremely negative changes on the quality of our lives, on our personal safety, on our car property safety, and on the well being of ourselves and our neighborhood, and, of course, on our voting.

We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Louise Pender



# Louise Pender

**#30185 | June 10, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Portland Planning and Sustainability Commission Better Housing Testimony 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201 June 7, 2018 From: Owner of Property at 1514 NE 76th Avenue, Portland 97213 Dear Portland Planning and Sustainability Commission, Your zoning proposal is not possible for my neighborhood. The area north of Halsey Street, south of freeway 84 and between 72nd to 77th Avenues is 100% surrounded by concrete walls or no-parking streets. There is zero space for additional cars. I am a member of an increasingly organized neighborhood group brought together by our severe concern about the proposed property zoning change. Our neighborhood is entirely constrained by the borders of freeway 84 to our north, west, and east and by Halsey Street to our south. It is an area north of Halsey between NE 72nd Avenue and NE 77th. Most, or almost all, of us are house owners living in our own houses. We cherish our neighborhood and have worked together for decades to improve it and to maintain harmony and cooperation among ourselves. Aren't we exactly the kind of neighborhood that the City of Portland wants to foster? We are confused and dismayed that notices, or some of them, regarding a zoning change that would severely impact the quality of life in our neighborhood were not received until less than one month prior to the June 12th hearing. Why was the notice not sent months before the hearing? Some of us seriously wonder whether the decision to delay notifying citizens raises worrisome credibility issues about the City management. We are extremely concerned about your inadvisable proposal to rezone our area from R2 to MD-N, a multi-dwelling, higher living density zone. The crime rate in our area has rapidly increased recently, and statistics clearly show that a change to multi-dwelling, higher density units predicts more crime. However, the reason unique to our neighborhood that makes such a change an impossibility is that our parking is already 100% constrained by physical limits. All of our streets dead end into 84 (no parking) or dead end into Halsey (no parking). Our area was developed long ago and our narrow, one-car driveways already force most of us to often park on the street a distance from our houses since most of our households already require more than one car. There has already been an increase in car break-ins due to our lack of parking close to our houses where we can help each other watch over our cars. Your proposal would 100% predictably severely aggravate the problem. Do you really want to force us to walk a mile or more away across 84 to an area with its own restrained parking or very dangerously force us to cross an always busy 4-lane road to park while carrying heavy groceries and other items to our homes? Again, our area literally has concrete barriers. There is zero option for additional parking. There is already substantially inadequate parking. Your proposal would have extremely negative changes on



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Sincerely yours, Louise Pender

Testimony is presented without formatting.

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We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Louise Pender

# Louise Pender

**#30186 | June 10, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Portland Planning and Sustainability Commission Better Housing Testimony 1900 SW 4th Avenue, Suite 7100 Portland, Oregon 97201 June 7, 2018 From: Owner of Property at 1514 NE 76th Avenue, Portland 97213 Dear Portland Planning and Sustainability Commission, Your zoning proposal is not possible for my neighborhood. The area north of Halsey Street, south of freeway 84 and between 72nd to 77th Avenues is 100% surrounded by concrete walls or no-parking streets. There is zero space for additional cars. I am a member of an increasingly organized neighborhood group brought together by our severe concern about the proposed property zoning change. Our neighborhood is entirely constrained by the borders of freeway 84 to our north, west, and east and by Halsey Street to our south. It is an area north of Halsey between NE 72nd Avenue and NE 77th. Most, or almost all, of us are house owners living in our own houses. We cherish our neighborhood and have worked together for decades to improve it and to maintain harmony and cooperation among ourselves. Aren't we exactly the kind of neighborhood that the City of Portland wants to foster? We are confused and dismayed that notices, or some of them, regarding a zoning change that would severely impact the quality of life in our neighborhood were not received until less than one month prior to the June 12th hearing. Why was the notice not sent months before the hearing? Some of us seriously wonder whether the decision to delay notifying citizens raises worrisome credibility issues about the City management. We are extremely concerned about your inadvisable proposal to rezone our area from R2 to MD-N, a multi-dwelling, higher living density zone. The crime rate in our area has rapidly increased recently, and statistics clearly show that a change to multi-dwelling, higher density units predicts more crime. However, the reason unique to our neighborhood that makes such a change an impossibility is that our parking is already 100% constrained by physical limits. All of our streets dead end into 84 (no parking) or dead end into Halsey (no parking). Our area was developed long ago and our narrow, one-car driveways already force most of us to often park on the street a distance from our houses since most of our households already require more than one car. There has already been an increase in car break-ins due to our lack of parking close to our houses where we can help each other watch over our cars. Your proposal would 100% predictably severely aggravate the problem. Do you really want to force us to walk a mile or more away across 84 to an area with its own restrained parking or very dangerously force us to cross an always busy 4-lane road to park while carrying heavy groceries and other items to our homes? Again, our area literally has concrete barriers. There is zero option for additional parking. There is already substantially inadequate parking. Your proposal would have extremely negative changes on

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Sincerely yours, Louise Pender

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June 7, 2018

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We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Louise Pender

# Louise Pender

**#30187 | June 10, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

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Sincerely yours, Louise Pender

Testimony is presented without formatting.



Dear Bureau of Planning and Sustainability,

Thanks for providing this opportunity to comment on Better Housing by Design. I recommend the following changes:

**1) Allow SROs by right in the new RM1 zone.**

Single-room occupancy residential buildings once provided inexpensive housing for many Portland residents of below-median incomes. But Portland zoning now allows SROs only in the denser multifamily zones. Allowing SROs in areas zoned for lower density, where land is less expensive, could result in more of them being built. This simple change would facilitate development of more housing for people who would otherwise be at risk of homelessness or displacement.

Currently SROs are prohibited in the R2 and R3 zones. The Better Housing by Design proposal would consolidate the R2 and R3 zones into a single new zone, RM1, in which SROs would still be prohibited. Let's change the Better Housing by Design proposal to allow SROs by right in the new RM1 zone. Here's the exact change we should make, on p. 47 of the May 2018 Better Housing by Design Project--Proposed Draft:

**33.120.200 Housing Types Allowed**

- A. Purpose.** A broad range of housing types are allowed in the multi-dwelling zones. This range allows for efficient use of land, provides options to increase housing variety and housing opportunities, and promotes affordable and energy-efficient housing.
- B. Housing types.** The types of housing allowed in the multi-dwelling zones are stated in Table 120-2.

Table 120-2 Housing Types Allowed In The Multi-Dwelling Zones						
Housing Type	<del>R3</del>	RM1 <del>R2</del>	RM2 <del>R1</del>	RM3 <del>R4</del>	RM4	RX
House	<del>Yes</del>	Yes	Yes	Yes	Yes	Yes
Attached House (See 33.120.270 C.)	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Accessory dwelling unit (See 33.205)	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Duplex	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Attached Duplex (See 33.120.270.F)	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Triplex		<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Multi-Dwelling Structure	<del>Yes [1]</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Multi-Dwelling Development	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Manufactured Dwelling (See Chapter 33.251)	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Manufactured Dwelling Park (See Chapter 33.251)	<del>Yes</del>	Yes	No	No	<u>No</u>	No
Houseboat (See Chapter 33.236)	<del>Yes</del>	Yes	Yes	Yes	<u>Yes</u>	Yes
Single Room Occupancy (SRO) units	<del>No</del>	<u>No</u>	Yes	Yes	<u>Yes</u>	Yes
Group Structures		<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Group Structures	Only when in conjunction with an approved conditional use. See also Chapter 33.239.					

Yes = allowed; No = prohibited.

Notes:

[1] Multi-dwelling development is limited to no more than eight units per building.

**Change to 'Yes'**



- 2) Eliminate all minimum parking requirements, for both residential and commercial buildings.
- 3) Use positive incentives rather than new mandates for visitability and outdoor space. Visitability and outdoor space are nice, but mandating them could raise development expenses to the point where significantly fewer new units are built. Instead of additional mandates, use positive incentives such as FAR bonuses, height bonuses, and fee waivers for buildings with these features.
- 4) Rather than imposing Step-Down Height limits on multifamily-zoned lots within 25' of a single-family zone, allow a Step-Up Height limit of 45' on single-family-zoned lots within 50' of a multifamily zone.
- 5) Relax other requirements in the proposed development standards as shown in the table below:

### Comparison of Current and Proposed Development Standards

Recommended changes in red

Standard	R3	R2	RM1	R1	RM2	RH	RM3	RM4	RX
Maximum Density/FAR	1 unit per 3,000 sq. ft. of site area	1 unit per 2,000 sq. ft. of site area	FAR of <del>1</del> to 1 <b>2</b>	1 unit per 1,000 sq. ft. of site area	FAR of <del>1.5</del> to 1 <b>3</b>	FAR of 2 to 1 or 4 to 1	FAR of <del>2</del> to 1 <b>4</b>	FAR of <del>4</del> to 1 <b>6</b>	FAR of <del>4</del> to 1 <b>8</b>
Minimum Density	1 unit per 3,750 sq. ft. of site area	1 unit per 2,500 sq. ft. of site area	1 unit per 2,500 sq. ft. of site area	1 unit per 1,450 sq. ft. of site area	1 unit per 1,450 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	1 unit per 500 sq. ft. of site area
Maximum Height	35 ft.	40 ft.	<del>35 ft.</del> <b>45</b>	45 ft.	<del>45 ft.</del> <b>65</b>	65 ft. or 75/100 ft.	<del>65 ft.</del> <b>100</b>	<del>75/100 ft.</del> <b>125 ft</b>	<del>100 ft.</del> <b>150</b>
<del>Step-Down Height (25' from SFR zone)</del>	--	--	<del>35 ft.</del>	--	<del>35 ft.</del>	--	<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>
Minimum Front Setback	10 ft.	10 ft.	<del>10 ft.</del> <b>5</b>	3 ft.	<del>5/10 ft.<sup>1</sup></del> <b>3</b>	0 ft.	<del>5/10 ft.<sup>1</sup></del> <b>0</b>	<del>0/5 ft.<sup>1</sup></del>	0 ft.
Minimum Side/Rear Setback <sup>3</sup>	5-14 ft.	5-14 ft.	5 ft.	5-14 ft.	5 ft.	5-14 ft.	5/10 ft. <sup>2</sup>	5/10 ft. <sup>2</sup>	0 ft.
Maximum Building Coverage	45%	50%	<del>50%</del> <b>60%</b>	60%	<del>60%</del> <del>70%</del> <b>85%</b>	85%	85%	85%	100%
Minimum Landscaped Area	35%	30%	<del>30%</del> <b>20%</b>	20%	<del>20%</del> <b>10%</b>	15%	<del>15%</del> <b>10%</b>	<del>15%</del> <b>none</b>	none
Required outdoor area per unit	48 sq. ft.	48 sq. ft.	48 sq. ft.	48 sq. ft.	<del>48</del> <b>36</b> sq. ft.	none	<del>36/48</del> <b>0</b> sq. ft. <sup>5</sup>	<del>36/48</del> <b>0</b> sq. ft. <sup>5</sup>	none

<sup>1</sup>The larger setback is the general standard. The smaller setback applies when ground floors are raised 2 feet above sidewalk level (to limit privacy impacts). Exemptions to required front setbacks apply for ground floor commercial uses, courtyard arrangements, and allow setbacks to match those of buildings on adjacent properties.

<sup>2</sup>Side and rear setbacks are 5 feet for buildings up to 55-feet high, and 10 feet for buildings taller than this.

<sup>3</sup>In the Eastern Pattern area, required rear setbacks are equal to 25 percent of the depth of the site.

Thanks, and best wishes, Leon Porter, 1822 NE Wasco, Portland OR 97232

# Leon Porter

**#30188 | June 10, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear Planning and Sustainability Commission, My testimony on the Better Housing by Design, Proposed Draft is attached. I also generally support the additional recommendations made by Portland for Everyone. Best wishes, Leon Porter

Testimony is presented without formatting.

# Angela Abadjian

**#30189 | June 10, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Planning and Sustainability commission. The changes are fine except for one point that it does not take into consideration the individual property owner who is not a developer or have deep pockets/rich to do a mega development to build 24 units per the minimum. The present changes does not work for the common home owner who might in time just want to add a unit or two and can not afford to demolition their property and build a big building. Please create a exception for the small home owner who has the dream of expanding their property but not at the scale that would be the minimum allowed by the new proposal. Please allow for a loophole that can be for the common property owner who is not rich and has the desire and dream off adding few more units to their property. Please don't just help the big companies and developers but give the opportunity for the common home owner who has worked hard and has the desire to be better. Thank you in advance for your consideration. Its all great for the updated zoning but please don't live out the common hard worker who does not have deep pockets to meet the gidline for the minimum number of units.

Sincerely, Angela Abadjian

Testimony is presented without formatting.

1930 NW Irving Street  
Portland, OR 97209

Portland Planning and Sustainability Commission  
June 10, 2018

RE: Plan to increase FAR to 4:1 for areas East of 21<sup>st</sup> Avenue

I am a 20 year Portland resident and residential property owner. I moved to NW Portland 5 years ago after living in the West Hills. My family cherishes the Historic Alphabet District for its beauty, its scale and the variety of its residential housing.

I urge you to oppose the proposal to increase the FAR ratio for my neighborhood. The historic review process requires that projects be compatible with the existing development and there is no legitimate way that a project with an FAR of 4:1 can meet this standard. I say “legitimate” because I have heard members of other City commissions float the idea of offering FAR for open space and salivate at developers’ pie-in-the-sky ideas used to justify their projects need to “modify” longstanding code requirements.

T

I hope your commission will focus on upholding the current FAR for our neighborhood. NW is open to affordable housing projects and most residents like the fact that our existing housing stock does provide some of Portland’s more affordable units. What is frustrating for those of us who would like to see truly affordable housing options in our neighborhood are projects masquerading as “affordable work-force housing” which are really up-market units geared to outside investors –like the project proposed for the old woman’s hospital site on 18<sup>th</sup> Street.

Ms. Michael James  
mhjames@gmail.com

# Michael James

**#30706 | June 10, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please read my attached letter in opposition to this proposal to increase the FAR. I regret I will be out of the City and unable to testify Tuesday.

Testimony is presented without formatting.

# Mary Carr

**#30190 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I'm writing concerning the proposed zoning changes adjacent to my property. I'm very concerned about increasing the density in this area. Burlingame ave. Is adjacent to a school and therefore has a lot of car and pedestrian traffic. There is already extremely limited off street parking , increased density would only make that worse. Hills dale business area routinely has vacancies for commercial property so additional commercial space is not needed , and there is not space for adequate parking to support additional commercial property. Traffic congestion on Capitol hwy has also increased in the last few years and since there are limited options for access it often takes 15 minutes just to get out of the driveway. Additionally I'm concerned that changes be proportionate to additional structures with adequate space between structures and respect for privacy , livability and property value of exiting residents. I have seen examples of such development in other neighborhoods and hope that is not what is planned for Hillsdale. Thank you for your consideration. Respectfully, Mary Carr

Testimony is presented without formatting.

# Dawn Peterson

**#30192 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I agree that it's a good idea to provide more housing for people near transportation. But I think that Portlanders and those who are new arrivals will need continuing education on how to live close by without making a nuisance of yourself in everyday life. This applies to renters and homeowners alike.

Testimony is presented without formatting.

# Richard U'Ren

**#30193 | June 11, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

June 11, 2018 Portland Planning and Sustainability Commission Better Housing by Design  
Testimony 1900 SW 4th, Suite 7100 Portland, Oregon 97201 RE: Better Housing by Design  
Proposed Changes to RH Zone in Northwest Portland Historic Alphabet District Dear  
Commissioners: We received the May 11, 2018 NOTICE OF PROPOSED ZONING CODE,  
ZONING MAP AND COMPREHENSIVE PLAN MAP CHANGES THAT MAY AFFECT THE  
PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES Our State ID#: 1N1E33AC 4900  
Current Comprehensive Plan Map designation: RH Proposed Comprehensive Plan  
Map designation: MD-U Current Based and overlay zone: RH Proposed base and overlay zone:  
RM4d According to the mailing, our property at 1735 NW Irving Street may be affected by the  
proposed changes. We consulted [www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp) and found no mention of the  
Historic Alphabet District (HAD). This Portland zoning designation (as noted on official street signs)  
directly affects our property, which is listed on the National Register of Historic Places and as such  
is subject to provisions to which Northwest Portland properties outside the Alphabet Historic District  
are not. We have lived at the above residence since 1993 and supported the area's designation as an  
historic district in 2000 with the full understanding of the attendant restrictions. We also understood  
that in maintaining the then new HAD we accepted the responsibility of maintaining our Couch  
Family Investment House, which was built in 1884, with the expectation that future development  
would follow guidelines related to compatibility and design. The proposed zoning changes, as best  
as we can tell, fail to take into consideration the Northwest District Plan and the associated Historic  
Resource Protection Overlay. Even now, cases of spot zoning which ignored the impact of 4:1 FAR  
on swaths of less than 2:1 historic residences have caused all kinds of problems. It has led  
developers to propose far-too-large projects in the middle of rows of historic residences only to be  
frustrated by neighborhood opposition and wasted time and money by everyone involved, including  
the city. If RM4d zoning becomes the overriding zoning structure, then the Historic Alphabet  
District designation will be superseded and will be abandoned, thereby freeing all property owners to  
develop their properties as they see fit within the new parameters. We view this as a very  
unfortunate development if a historic district is to be maintained-especially considering that less than  
three percent of the entire city fall under this designation. It is with these considerations in mind that  
we strongly urge you to adopt a RM3d instead of the RM4d designation as currently proposed. With  
kind regards, Richard U'Ren & Annette Jolin 1735 Irving Street Portland, Oregon 97209

Testimony is presented without formatting.





# William & Nicki Meyers

**#30194 | June 11, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

To the Planning and Sustainability Commission: This letter is our response to the City's notice of a proposed zone change affecting property we own in the Montavilla neighborhood. My wife, Nicki Fischer-Meyers and I are the owners of 1036 NE 80th Ave. we recommend that the commission not approve the proposed zone change as written because is not in the spirit of Portland's housing goals of healthy homes, trees and green areas for children and adults and safer streets. It will have severe effects on the continuance of North Montavilla as an affordable neighborhood of family homes and chase away the families who live there, and it will flood the neighborhood with untold number of cars whose owners have only street parking provided with their high rise apartments/condos. It will provide buildings full of units which will probably sell for about the same price as the home originally sited there. We see no mention of safety plans for 82nd Ave, which is a major issue if you are placing hundreds more people along it. Our two bedroom, one bath house has been home to four generations of the Fischer and Meyers family, Nicki's parents, brother, us and now our son and his family. Nicki's grandmothers, aunts, uncles and cousins all lived in Montavilla. We mention this only to illustrate how important a stable neighborhood of single family homes is to the continued health of our city. As you know, the city's housing goals emphasize mitigating gentrification, maintaining housing for a diverse population and maintaining a supply of affordable housing for vulnerable populations. Right now, We suggest that our son, a PPS teacher with 10 years experience, with a wife and young children at home is a vulnerable population. Families like his find it increasingly difficult to purchase a home within Portland. Because the house is listed as owned by our family trust, we receive two or more solicitations each week from developers who want to buy the house, usually for cash. Should the proposed changes allowing up to four story apartment buildings come to pass, I expect increased pressure on owners to sell. The effect on property values if a 40 foot high building is next to or just down the street from your home might be severe. We've watched this neighborhood go through normal transitions, the WWII generation passed on, several of the homes became rentals for a while, then families moved in at started purchasing the homes. The cycle begins again. It is our opinion that the entire north portion of Montavilla will be destroyed as a single family neighborhood and many people will be searching for new homes. Example, a beautiful home about four houses up from ours on 80th, where Mrs. Carlson lived for many years and grew gorgeous roses, was recently purchased, torn down and now sits vacant waiting, we suspect, for the approval of this proposal. This neighborhood is exactly what Portland wants and needs, smaller, single family homes with yards for gardens and children, trees in the yards for all the

good things trees do for a city, driveways and garages to help keep the street less congested and porches and front lawns from which neighbors greet neighbors. We see this happening in other neighborhoods. Acquaintances of ours in Lents, artists whose work is in several of Portland's finer homes and businesses, recently lost the lease on their home-studio which is on a street where condos have recently been built. The only thing affordable to them is outside of Portland. These are the folks a city needs to keep, not chase away. This overall plan, and we've spent hours on line reading staff reports, zoning codes and all related info (never did find an official definition of MD-C, only in citizen forums) and it seems to affect only the outer edges of town, not the west side or the Central neighborhoods. We see the word "encourage" a lot in the proposals, which suggests good sounding ideas will happen only if the developer thinks she or he can make money doing it. We are still a little hazy on what exactly proposed, what loopholes are available for developers to get breaks from the zoning codes and what benefits there are for the current residents. Now, we've been led to understand that the limits of this proposal slide right under the requirement for the developer to provide off street parking. What a disaster that has proven to be on SE Division, Belmont, etc. Our neighborhood has already felt the effects of this policy with the parking situations at MP5. This no parking space policy is supposed to encourage alt forms of commute but the truth is, and the cycling community itself has said that folks who commute by bike are still likely to own a car. TriMet says the same about transit riders. (Our son, for example, usually commutes to his school on a bike but owns a car.). Each unit has the potential if placing 20 or more cars on neighborhood streets which were never designed to be parking lots, some of which aren't even paved. Here's a suggestion because we understand there is an increasing demand for housing: keep the four-story apartment/condo but only on 82nd, as mixed use buildings. You still meet the criteria of increasing housing near transportation corridors. Work with the current businesses to transition into first floor, street front shops and provide parking. When you look at a zoning map, you should see homes with families, trees, yards and pets, not just boxes along street names. Protect the irreplaceable neighborhood of smaller, family homes and give future residents the chance to plant roses and see them bloom for generations. Sincerely, William G. Meyers Nicki L. Fischer Meyers 33045 SE Dodge Park Blvd. Gresham, OR 97080

Testimony is presented without formatting.

June 10, 2018

June 10, 2018

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201

Re: Proposed Zoning Code, Zoning Map, and Comprehensive Plan Map changes, notice dated 5/11/18

To Whom It May Concern:

We are writing to express both our support and concern regarding the proposed changes to the zoning code in our area, affecting our home and others in our neighborhood.

We are supportive of the goals of the Better Housing by Design proposals to address some of the many challenges faced in the metro area concerning housing, affordability, livability, and sustainability. We understand that part of the solution will require increased density, increased reliance on alternate transportation, inclusion of affordable housing and subsidized housing in development, and changes to zoning codes that may currently prohibit effective solutions where they are most needed. We also understand that these changes may require replacement of single-family housing that provides a less-productive use of particular properties where density is needed.

However, while our recognition of this necessity also means recognition that some sacrifice of attributes like character and history, we are also hoping a balance can be found to preserve at least some, if not most of the characteristics that make Portland special. That is a difficult target to hit at best, but one worth shooting for in the interest of livability and making room for both the old and new to exist side-by-side.

We know we're not alone in our dismay at how much development that's happened in recent years not only seems to have steamrolled the character of many neighborhoods, but that the ostensible justification for such development – affordability – doesn't seem to match with reality. That is, the claim that any of these developments provide affordable housing is, in a word, ridiculous. Obviously, housing costs are being skewed by the disproportionate demand versus supply, so the lack of affordability is a symptom of an overall shortage of availability throughout the area. However, the seemingly unrestrained nature of development has resulted in an exacerbation of the problem: accelerated elimination of a lot of the city's character without a concomitant increase in affordable units or reduction of housing costs that would be expected with at least some increase in supply.

This is where we are hoping that the guidance of zoning, policy, and regulation can help curb the excesses of the market and better shape the growth of the city with a more unified vision for the future.

June 10, 2018

Again, it is for that reason that we see the positives of what the Better Housing by Design proposal is hoping to accomplish.

That said, we have some concerns about the proposed zone changes that we hope can be addressed. Our concerns are particularly related to our observations living in a neighborhood that has historically been disadvantaged in these kinds of zoning and plan changes, which has resulted in a disproportionate effect on the character and affordability compared to other parts of the city, especially in parts of the city with a wealthier demographic.

### **Historic Preservation**

Our house is a modest single-family bungalow with many of its original Craftsman-style features that had remained with the family that had originally built it until we bought it in 2002. Three generations of that family grew up in our house and in the St. Johns community, going to the neighborhood schools, playing in the nearby park, attending the library just a few blocks away and shopping in the stores just up the street. Many homes in our neighborhood and area share a similar history. Indeed, houses built before 1939 are the highest percentage of homes in St. Johns ("97203 Zip Code (Portland, Oregon) Profile", [www.city-data.com/zip/97203.html](http://www.city-data.com/zip/97203.html), retrieved 6/10/18).

Our concern is for what options are available to preserve at least some of this history. Obviously, we are subjective about the value of our own home's contribution to this shared neighborhood history, but our concern is not only for our own home, but for others'. We would like to be sure there are options for homeowners like us who would like our home's legacy to continue after we are no longer its owners.

The proposed zoning for our property is basically the same as before (R1ds to the new RM2ds), which on the face of things would seem like no reason to object. (Although the change in building coverage from 60% to 70% is a not-insignificant change.) We understand that the application in this case is part of the larger designation for the area as a Multi-Dwelling Corridor, so it's not specifically targeting our property or those of our neighbors with similar homes.

Unfortunately, this zoning perpetuates a problem that has long existed throughout St. Johns, which is applying higher zoning than is appropriate in some locations. That is, areas that, if located in almost any other neighborhood in the city, would be designated as single-family zones but in St. Johns, are often designated for more density. The reason our home currently has the R1 designation (and thus would become the RM2 designation) is because of its proximity to North Baltimore Ave, which is considered a Neighborhood Collector. That designation for Baltimore, however, is indicative of one of the unique challenges in St. Johns: the only access to industrial areas along the waterfront is through residential areas, resulting in streets like Baltimore that only terminate in industrial properties but are lined with single-family home along the rest of their length. So because of how that street is used at the end of its length, it results in an area designation that may not be entirely appropriate to the usage along the rest of its length. (Which is not to say that multi-dwelling properties are not appropriate zoning for the area, only that many of the lots that bear an R1 and higher density zone designations in this vicinity are and always have been modest single-family homes even though the zoning has not reflected it.)

June 10, 2018

Thus, if/when we sell our home someday, the zoning for our property will likely make it more desirable to tear it down and replace it with a multi-dwelling development than to preserve its character, even though the house itself is well-cared for and is a perfectly good home for a single family.

Not every old house can (or should be) preserved and we realize that just because our house is a Craftsman-style bungalow with most of its original features doesn't make it historic or necessarily worthy of preservation. But collectively, Portland loses some of its history because too many of its older homes that comprise so much of its character get taken down in the name of progress, and more modest bungalows like ours are as much a part of that character as the bigger, more expensive ones in wealthier neighborhoods, even if they don't qualify for an official designation in the National Register of Historic Places. Yet it's never the older homes in Laurelhurst or Irvington or Ladd's Addition at risk, it's always the neighborhoods like St. Johns, Alberta, Mississippi, Williams, etc. where older, well-cared for, and perfectly good homes seem to be so readily expendable.

And it's not as if our neighborhood is lacking in higher-density housing that necessitates our home and homes like it in the vicinity to be subject to tear-down to meet the goals for multi-dwelling developments. Next door to our house on the south side is a large apartment complex, while another multi-unit dwelling (8905 N Edison) was just built a few years ago on the other side of our northern nextdoor neighbor. Kitty-corner behind us (8814 N Willamette), the house that was previously there was torn down last year, and the now-empty 10,000 SF lot will presumably become a higher-density development at some point in the near future. And kitty-corner from our house on Edison, a new 8-unit townhome development is currently under construction. **That's five multi-dwelling units less than a hundred feet from us.** The development that's currently under construction, by the way, has eliminated the beautiful view we had of the St. Johns Bridge and most of Forest Park, but we understand that we all need to accept these kinds of sacrifices as part of the goals for density. Our concern, in other words, is not driven by NIMBYism.

Our house is also one of four bungalows built around the same time and are variations on the same bungalow layout that are clustered together forming a square: our house (8827 N Edison), our neighbor's house next door on the north side (8835 N Edison), the house behind ours (8828 N Willamette), and the house next to that on the north (8836 N Willamette). All four homes have many of their original Craftsman features, are well-cared for, with long histories. All four homes fall under this zone change.

Our street, our neighborhood, and our area of the Peninsula are all brimming with multi-dwelling housing in every direction. Surely some single-family housing should still be intermingled with higher density properties to achieve the vibrant, diverse communities that we're all working toward? After all, one of the stated objectives of the Comprehensive Plan is for "diverse housing options and affordability to meet diverse housing needs." (*Better Housing by Design Project – Proposed Draft*, May 2018, page 3) We would just like to see some kind of option provided that might allow homeowners like us to pursue preservation of some kind.

### **Equitable Application of Zoning Changes**

We have lived in the Cathedral Park neighborhood of St. Johns for 16 years, in the first and only house we've purchased. Our house was built before St. Johns was annexed into the City of Portland, and our neighborhood and community still has some of the signs of its early history as its own town that primarily served working class families, laborers, and immigrants. To this day, St Johns remains one of the more diverse areas of the city, as well as one of the poorest, as noted in the St. Johns Wikipedia entry:

([https://en.wikipedia.org/wiki/St.\\_Johns,\\_Portland,\\_Oregon](https://en.wikipedia.org/wiki/St._Johns,_Portland,_Oregon), last edited 6/8/18):

St. Johns has historically been a blue collar neighborhood. It is known for its diverse citizens and its slowly changing appearance. According to 2010 statistics the neighborhood is 60% people of color.<sup>[30]</sup> It is a community containing Whites, Blacks, Hispanics, Asians, Native Americans, and Pacific Islanders and is considered to be one of the city's more diverse neighborhoods.<sup>[31]</sup> With 23.5% of the residents in the 97203 zip code (St. Johns and other neighborhoods in North Portland) living at or below the poverty line, it's one of the city's poorest neighborhoods.<sup>[32]</sup>

As of the 2010s, there has been a lot of new development in Portland, and St. Johns is one of the most rapidly developing parts of Portland. Many of the long-time residents of North Portland struggle with displacement due to the increased cost of living.

[31] <http://www.portlandonline.com/shared/cfm/image.cfm?id=65700>

[32] "97203 Zip Code (Portland, Oregon) Profile - homes, apartments, schools, population, income, averages, housing, demographics, location, statistics, sex offenders, residents and real estate info". [www.city-data.com](http://www.city-data.com). Retrieved 23 April 2018.

Another of our concerns about proposed plan is that any zoning changes are applied equitably. We're pleased to see that equality is a key consideration in the proposed plan (*Better Housing by Design Project – Proposed Draft*, May 2018, page 3, 7), particularly pertaining to East Portland, where such care and consideration is needed and deserved. We very much endorse the efforts that seem to have been made to reach out to those communities affected by inequality and enlist their input and recommendations for solutions. Further, it seems clear in the proposal's focus that accessibility, human-scale design, and inclusion of outdoor and green space requirements are intended to create developments that are welcoming, desirable places to live for all people.

However, while much of the focus of the plan seems to be on East Portland – deservedly – as the proposed changes apply to St. Johns and related to its demographics, it's important to remember that St. Johns has historically been a victim of old zoning mentalities that tried to push density onto the neighborhoods that were considered less desirable for class/income/demographic reasons, resulting in ill-fitting zoning codes and shoddily-built developments.



We participated in some of the discussions when the St. Johns-Lombard Plan was being formulated in 2002 and 2003 as part of an update to the then Comprehensive Plan. At that time, it was acknowledged that many lots had zone designations applied post facto to their original development that did not correlate with their usage. Some of that mismatch in zoning was addressed as part of the adoption of the St. Johns-Lombard Plan in 2004, as reflected in the downsizing of some zone designations, including the one on our street where construction is currently underway. However, as mentioned previously about the application of zoning due to the proximity of a designated Neighborhood Collector, those designations did still leave some room for exploitation that, in retrospect, could be considered perpetuation of the old problem.

With the kinds of zoning changes being proposed with this new plan, we still need to be mindful that zoning isn't again being used to perpetuate inequalities that already exist(ed) in areas like St. Johns. While more affordable/low-income/subsidized housing is definitely needed here, it's also needed everywhere else in the city, as well, and we don't want to see a continuation of old zoning objectives that tried to consolidate the city's density only in certain areas to leave other areas untouched. There are as many arguments to change the zoning designation for some of the properties within some of the tonier close-in neighborhoods of Portland as there are to change the zoning designation of properties like ours, and however those changes are made, they should be borne with equitability in mind.

### **Transportation Needs**

With increased density comes increased transportation demand, and our final concern is about how those demands will be met. While the addition of Transportation and Parking Demand Management (TDM) requirements to multi-dwelling zones does certainly provide some mitigation of impact on transportation, we are concerned that there don't seem to be more specific or ambitious solutions provided in the plan.

Per the proposed plan (*Better Housing by Design Project – Proposed Draft*, May 2018, page 47):

Pre-approved TDM plans will consist of the following components:

- Multimodal financial incentives: One-time multimodal financial incentives, equivalent in value to an annual TriMet pass (currently \$1,100), will be required for each residential unit (affordable units will be exempt through 2020, and then would have reduced fees). Options will be provided for the use of these funds to be applied toward TriMet passes for residents, bike share memberships, or car share programs.
- Education and Information: Print materials about walking, bicycling, transit, and other transportation options will be made available to building tenants and employees and displayed in building common areas.
- Surveys: Building operators will be required to participate in an annual transportation options survey.



While incentives, education, and surveys are certainly key components of an overall solution, they do not address how the existing infrastructure – especially transit – will grow or adapt to accommodate the increased demand that will hopefully result from the promotion of car alternatives.

For the St. Johns area especially, due to the unique challenges of its geography and makeup, transportation is an ongoing challenge beyond simply the congestion of increased traffic. The combined factors of the bridge built before modern-day traffic needs, a community and residential thoroughfare that must also serve as a commercial truck route, and industrial areas accessible only through residential areas so often seem to fall between the cracks of the departmental jurisdictions between PBOT and planning agencies like the Bureau of Planning and Sustainability. While transportation is touched on in broad terms in the proposed plan, we would like to see more detailed proposals for addressing transportation, and perhaps a supplementary proposal or range of proposals that could identify unique challenges in particular areas/neighborhoods and their possible solutions.

For example, will bus intervals be increased and if so, what are the conditions that will trigger those changes? While we cannot speak to all of the bus lines serving the St. Johns area, we do have daily commuting experience with the 4, 16, and 44 bus lines, and can say from that experience that current demand is already very high.

The 16 bus line only runs every 45 minutes even during rush hour, and based on our own daily commuting experience, it is packed at rush hour; many people get off at the first two stops after crossing the bridge, indicating that most people riding at that time live at Marvel 29 and the condos/apartments in the area around the North Precinct building and further down the hill, as well as the new development on the corner of Lombard and Richmond. As density increases in the areas of St. Johns served by this line, are there plans to adjust its service accordingly?

As another example, the frequency for the 4 and 44 bus lines recently increased, but the routes for those run through so many neighborhoods/stops that it takes more than an hour to get from downtown to St. Johns using these bus lines. Again, based on our personal commuting experience (primarily during rush hour, but also through the middle of the day and later in the evening) both of these bus lines are also extremely well-used all along their routes, so adding significantly more riders at the ends of each route seems like it will necessitate even more frequency or splitting the lines, or some other solution. What kind of options would be available in for this probable outcome? And are there any plans to address the long travel time that might otherwise be a deterrent for residents of these proposed higher-density developments?

Along that same line of thought, even though the 16 bus line has a shorter travel time – 35 to 45 minutes depending on traffic\* – since the 16 runs so infrequently, it's generally a wait of at least 15-20 minutes to catch it (based on its running schedule versus common work start/end times that are generally on the hour or half hour). So it's basically an hour to get from downtown to St. Johns no matter which bus you ride.

June 10, 2018

Nevermind the issues with traffic on the bridge during rush hour. Whether in a bus or car, traffic issues on the bridge, Bridge Avenue in both directions, Highway 30 in both directions, and Germantown road are only going to increase with the increase in density in St. Johns. What are the proposed solutions to address this? What are the impacts on and by commercial truck traffic to and from the ports via St. Johns? Are there any proposals for mitigating the problem of WA residents cutting across the Peninsula to jobs in Beaverton and Hillsboro that currently contribute to the rush-hour backup in the St. Johns area and that will only further exacerbate transportation and transit challenges as density increases?

And are there any more ambitious long-term proposals out there, like possibly providing MAX service on the peninsula, whether with a branch off the Yellow line or a new line altogether that veers NW from the Rose Quarter Transit Center or even along the west side of the Willamette River paralleling Highway 30? We understand that such projects require decades-long planning so they are not going to provide immediate relief. But is such planning currently under discussion?

Basically, while we are very supportive of promotion of alternative modes of transit – we are a one-car family that commutes to work by bike and bus – we would like to see transportation proposals for something more substantial than just promotion of alternatives as a solution to the transportation issues that will arise with the higher density.

We hope that the concerns expressed here regarding historic preservation, equitable application, and transportation needs can be considered as the plan moves forward toward finalization and approval. Overall, we are supportive of the proposed plan and its changes, and appreciate the time, attention, and input that has been incorporated thus far. We understand the monumental difficulty of trying to balance competing interests, priorities, and concerns of many different stakeholders to formulate a plan that works for as many people as possible while also providing a viable, sustainable framework for the future. We appreciate this undertaking, and the efforts of everyone involved in contributing to it.

Sincerely,

Brittney & Salvatore Hall

8827 N Edison

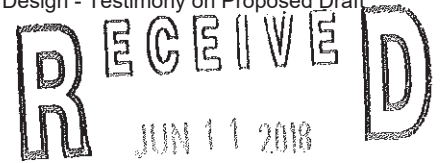
# Brittney Hall

**#30195 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Formatted testimony voicing support and listing three main areas of concern is included in the file attached to this submittal. The three areas of concern discussed in our testimony cover historic preservation, equitable application of zoning, and transportation needs. Please see the attachment for our complete testimony.

Testimony is presented without formatting.



City of Portland  
Bureau of Planning and Sustainability

6 June 2018

Portland Planning and Sustainability Commission

Better Housing Testimony

1900 SW 4<sup>th</sup> Ave

Suite 7100

Portland, OR 97201

Re: 827 NW 25<sup>th</sup> Ave 97210

Dear Commission members,

I have received a notice of proposed zoning change that affects my property at 827 NW 25<sup>th</sup> Ave. The proposal is ill-considered as is the "comprehensive" plan. Both are based on the rapidly increasing population of Portland, and the faulty assumption that the solution is to increase density throughout the city including historic districts and homes. Indiscriminate zoning changes allow and encourage development of multifamily buildings, destroying historic buildings in the process, and conversion of existing single-family dwellings into multifamily buildings at the expense of homes with unique architectural merits and heritage.

This proposed zoning change coupled with the proposed seismic up grade mandate that affects primarily historic and unique Portland buildings, gives the appearance of collusion between the developers and the City and this commission. These proposals are about money, not about solutions to Portland's increasing population.

My house is on the National and State Historic Registry. My house is beautiful and architecturally unique to the Northwest, as are many of the houses in

proposed zoning change. Many are not on the Historic Registry but are equally architecturally unique. If this proposed zoning change is adopted, my house and many like it will be lost to Portland as soon as it is (inevitably)sold.

One of the things that makes Portland a unique and desirable place to live is the number of unique and historic buildings and neighborhoods. Do not destroy that in the name of "increased density".

If more housing is needed, take the height restrictions off building in the downtown area, and build more high-rise residences (with parking) in the Pearl, Southwest Portland and the close-in East side. Above all, improve the infrastructure (roads, public transportation) to handle the increase in population. The proposed zoning change is not the solution.

Respectfully,



Dennis B Smith

827 NW 25<sup>th</sup> Ave

Portland, OR 97210

[smithden1@comcast.net](mailto:smithden1@comcast.net)

503-224-3077

503-449-2289 (cell)

# Dennis B Smith

**#30196 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



Steve Connolly  
1917 NW Hoyt  
Portland, OR 97209  
(503) 501-1181  
skcnerima@icloud.com

June 10, 2018

Project: 1N1E33AC 3300

To Whom It May Concern,

I'm not sure that the reference number above is the correct one. I wish to comment on the development proposed for NW 18th, between NW Hoyt and Irving.

I have so many objections to this project, I am at a loss as to where to start. But, start I must.

I live in and have been an owner for 38 years of a unit in Robert Leeb's critically acclaimed Hoyt Square project at 19th and NW Hoyt. My unit is on 19th on the 3rd and 4th floors with a view due east from both floors. So, any kind of massive construction project will almost certainly compromise my views. And in the face of Multnomah County's ever-skyrocketing real estate taxes, without compensation for any potential degradation of the appeal and value of my property (and others' properties), I object strenuously for myself and for the effect on the neighborhood as well.

The site of the proposed project is right smack in the middle of the epicenter of the historical preservation area. Anyone who has walked along Hoyt between 18th and 17th cannot but be enchanted by the exquisite beauty of this historical gem. A large project will dwarf and overshadow, literally, the lovingly-restored architectural treasures



surrounding it. *To deposit 200 people, their vehicles, their trash, their noise, and their inevitable animals (and all that that implies) is simply ludicrous.*

Therefore, I wholeheartedly subscribe to the following statement: "I oppose the proposal to apply the RM4 zone to some areas of the Alphabet Historic District now zoned RH. The new zone would allow FARs of 4:1 (and more with bonuses). It is nearly impossible for development designed at 4:1 FAR to meet the approval criteria for historic design review. The RM3 zone, with a maximum FAR of 2:1, would be a much better fit, and result in development that is more compatible with the Historic District."

I also object to the proposal to include low-income housing in this project. I am not insensitive to the need for low-income housing, but not in this particular location. It may be news to you, but *directly across 18th from this proposed project* is the Emmanuel Lutheran Church. It provides the valuable service of distributing, on an almost daily basis, food and clothing to indigent people who line up along Irving, between 18th and 19th, and often along 18th itself stretching a half a block. Consequently, there is a daily parade of indigent, and often homeless, people from Couch Park and other locations to the Church and back. I am witness to this parade, with its usual accompanying manifestations: arguments, verbal outbursts indicating mental illness, trash, collected cast-off possessions, campsites, and so on.

The City has been enlightened enough to provide for attractive hostels in or near the historical district, often in historical buildings, that are frequented by families and various groups of visitors to Portland. Is this the image that we wish to exhibit?

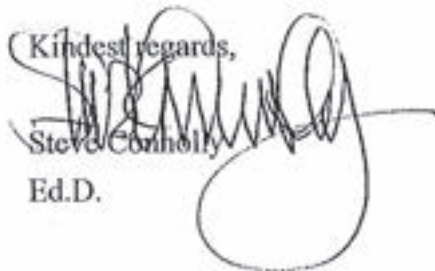
*So what is this area to be:*

*a historical preservation district, or a center for low-income and homeless people?*



I cannot imagine a worse site for such an overwhelming project in the City of Portland, or any other city that has to date exhibited such an enlightened approach to urban planning. I can only hope that the various city agencies involved in this decision will resist the whining of owners and developers whose only concern is *not* the quality of their living environment (since they are unlikely to live there), but the contents of their bank accounts.

Turn on the news and the catchphrase that so many worship is growth: growth, growth, growth, growth, growth, growth. Perhaps growth is not the answer; perhaps it is the problem.

Kindest regards,  
  
Steve Connolly  
Ed.D.

# Steve Connolly

**#30197 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Laurie Hall

**#30198 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I bought my property in June 2001 with the understanding that the green belt below my lot was protected by a grandfather clause. I paid \$10,000 more for my dwelling due to it's location. If changes are made in the land use I expect to be compensated for the loss in property value by the City of Portland. The property below my house is very steep and is bordered by a creek that feeds a pond...I feel this is an enforcement that endangers the wildlife and water table established in this woodland environment.

Testimony is presented without formatting.

Portland Planning Commission  
Testimony on proposed Zone change  
1900 SW 4<sup>th</sup> Avenue Suite 7100  
Portland, OR 97201



Re: property R2 Zone

I received a notice of zone change for my property **6140 SE 128<sup>th</sup>, 97236**. Multi dwellings added to original properties in SE Portland cause problems. Multiple units do NOT accommodate 2-3 cars per unit. Cars park up both sides of the street making a dangerous narrow route. SE Ramona Street **proves** what happens when multi units were added to property by Alice Ott Middle School. School buses lost safe room to pick up and drop off Middle School, Elementary and High School students before and after school.

Added population to the SE area brings more noise, crime, pollution, and eliminates private outdoor space to enjoy. Fire trucks frequent 128<sup>th</sup> street to avoid **already** heavy traffic on Foster or 122<sup>nd</sup> Avenue.

A zone change would destroy the value of my home since 1970 where I have lived for over 48 years.

Please stop overcrowding this single family neighborhood.

Carolee Paugh

A handwritten signature in cursive script that reads "Carolee Paugh".

6140 SE 128<sup>th</sup> Portland OR 97236  
[carolee\\_paugh@ddouglas.k12.or.us](mailto:carolee_paugh@ddouglas.k12.or.us)  
503 761-6644

# Carolee Paugh

**#30199 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Kristine Quintana

**#30200 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

10703 E Burnside slopes down drastically to the north. A townhouse or apartment block style building built as mandated to the proposed MD-N height would dwarf the surrounding homes to the north and east. A lower height building spread more evenly over the lot would be preferred. In addition this home is at the edge of the Gateway plan district and has previously been designated as subject to buffer step-down requirements.

Testimony is presented without formatting.

# Kristine Quintana

**#30201 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

10721 E Burnside is a large garden lot and would be appropriate for a cottage pod/adu etc rather than a large MD-N block-style development. A tall building would dwarf the surrounding homes to the north, east and west and block out valuable southern light, and be harmful to indoor and outdoor privacy of the surrounding buildings.

Testimony is presented without formatting.

# Kristine Quintana

**#30202 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

109 NE 108th is at the lowest point of a valley and surrounded to the north and south by one story homes. The proposed MD-N with or without a FAR bonus would be wrong for the location. The density is not so much the issue as the height. It would be more appropriate for a cottage pod style of development, or even a duplex. A taller apartment block would be: not compatible with the neighborhood character and would be harmful to other residents by way of: overlooking (harmful to indoor and outdoor privacy), and overshadowing and loss of daylight (harmful to potential solar energy array and gardening as well as natural light in homes.)

Testimony is presented without formatting.



# Kristine Quintana

**#30203 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

121 NE 108th is at the lowest point of a valley and surrounded to the north and south by one story homes. The proposed MD-N with or without a FAR bonus would be wrong for the location. The density is not so much the issue as the height. It would be more appropriate for a cottage pod style of development, or even a duplex. A taller apartment block would be: not compatible with the neighborhood character and would be harmful to other residents by way of: overlooking (harmful to indoor and outdoor privacy), and overshadowing and loss of daylight (harmful to potential solar energy array and gardening as well as natural light in homes.)

Testimony is presented without formatting.



# Northwest District Association

June 11, 2018

**Bureau of Planning and Sustainability**  
**ATTN: Planning and Sustainability Commission**  
1900 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97201

**RE: Better Housing by Design - review comments**

Dear Commissioners:

The NWDA and our neighbors support the objectives of the Better Housing By Design proposal, and many of the elements in the Proposed Draft. For over a century NW Portland development has been characterized by the types of housing explored in BHBD, enabling our neighborhood to serve an economically diverse mix of housing needs. Our current zoning patterns include considerable RH, R1 and R2 zones that provide equitable access to more affordable housing units. Yet this pattern of zoning and development is fragile: in particular the threat of higher land values associated with BHBD may affect the long-term presence of older, smaller, lower-unit count structures. We currently see this impact playing out in RH and R1 areas of the neighborhood, with higher priced units replacing more affordable units.

Broadly, we support most of the major changes proposed in BHBD, but we have concerns about how the changes will be implemented.

In particular, we support these major changes summarized on pages 4 and 5 of the Proposed Draft.

**“Provide a revised set of zones that relate to different types of places.”**

During work that led to the Portland Plan and the update Comprehensive Plan, the concept of “many Portlands” was discussed: There are different characteristics in different areas of the city, and the Zoning Code should respond to those differences rather than applying a broad brush approach. Clearly, the special regulations for East Portland come from that concept, but it should be applied more broadly. Our neighborhood has a distinct character of mixed uses and mixed housing types, including many multi-dwelling buildings and many single-dwelling houses (some of which have been converted to multi-dwelling). This is particularly the case in the Alphabet Historic District, but also in areas to the north and west. ***Applying the RM-4 zone everywhere the current zoning is RH does nothing to continue the existing character of our neighborhood or the historic district. It is particularly problematic within the historic district.***

Within the RH zone, some portions have an FAR of 2:1 and some have an FAR of 4:1. The 4:1 FAR was applied to many parts of Northwest in 1980, in large part reflecting development potential. The development and redevelopment potential was assessed by considering the existing floor area on a site as a ratio to the area of the site. When the Alphabet Historic District was created in 2000, no evaluation of the base zoning was made. Since that time, we, along with several other neighborhoods, have called for “right-zoning” in historic districts. Base

zones which allow much more height and mass than would be approved through Historic Resource Review set the stage for continuing conflict between neighbors and developers and require the Landmarks Commission and City Council to repeatedly make decisions about balancing historic preservation (which are Goal 5 resources) against other goals. Without “truth in zoning,” this conflict and repeated decision-making continue, and all parties are damaged. The neighborhood repeatedly expends energy fighting development that should not be proposed in the first place; developers pay too much for land because they expect a higher development potential, and then incur the costs and frustrations of a battle with neighbors; and staff, the Landmarks Commission, and Council waste their time and resources addressing the same issues repeatedly.

***In fact, the new RM-4 zone exacerbates the conflict between the base zone and the Historic Protection Overlay Zone in two ways. First, it allows an FAR of 4:1 on all sites now zoned RH, including those with a current FAR of 2:1. Second, it allows even more FAR through bonuses and transfers than is allowed under current regulations.*** This further threatens the Goal 5 resources inventoried and protected in the historic district.

Applying the RM-4 zone within the Alphabet Historic District as proposed will also result in relatively little new development, but increase the potential for damaging the historic character of the area. The attached map from the 2016 Portland Buildable Lands Inventory shows that most of the properties in the District proposed for RM-4 zoning have little to no redevelopment potential because they hold buildings that are either landmarks or contributing resources. Such sites would have to meet the approval criteria for Demolition Review. The criteria are extremely hard to meet, and, added to the cost and time of an additional review, would discourage redevelopment. At the same time, the RM-4 zoning, by allowing more height and FAR, would encourage redevelopment, which will encourage demolition of historic buildings or damage to the historic character of the district.

***We are also concerned as to how the new heights allowed by the RM-4 zone would relate to the new employment zoning, such as where the current RH zoning in the Eastern Edge will abut the new EG-1 zone (with a height limit of 45 feet) along I-405.***

**We request that areas of the Alphabet Historic District now zoned RH be re-zoned to RM-3, not RM-4. We would also request that all properties within the Alphabet Historic District with a current FAR of 4:1 be allowed to sell or transfer their lost FAR to properties outside the district.** This would help prevent loss of value and also help maintenance, restoration or seismic upgrades to existing structures, be they listed or not.

### **New and increased bonuses**

Several new or increased bonuses are proposed. A study of bonuses in the Central City plan district found that most didn't work: the desired development happened primarily when the developer was going to build it anyway. We are concerned that these bonuses are being proposed in the absence of information that they will actually act as incentives, and not just allow what would be built anyway.

In addition, there should be a link between the negative impact of the bonus and the benefit of the amenity provided. For example, the Central City plan district currently allows FAR bonuses for eco roofs. The increased FAR has an impact on the immediate area, but the benefit is to the city as a whole. Conversely, the bonus allowing extra FAR in trade for placing parking below grade provides a design benefit to the immediate area.

***We request that the new and increased bonuses be evaluated for whether they will actually act as incentives, and whether there is a link between the negative impact of the bonus and the benefit of the amenity provided.***

**“Add incentives for affordable housing.”**

The Northwest District Plan is the only neighborhood plan that calls for more affordable housing. We support additional incentives, but are concerned about how they will work with the provisions of the Northwest plan district. We also are concerned that the additional FAR allowed by bonuses and transfers should not be allowed in the Alphabet Historic District because it will increase the negative impact of new development.

***We request that the incentives be evaluated against the NW plan district, and that increases in FAR through bonuses or transfers not be allowed in the Alphabet Historic District.***

**“Require outdoor spaces.”**

This includes requirements for courtyards or other shared outdoor areas for projects on large sites and new requirements for outdoor spaces in the higher-density zones.” ***We support this proposal.*** It is consistent with the development typical of our neighborhood, and will give those living in the buildings a better opportunity to build community.

**“Encourage innovative green features and tree preservation. Allow eco roofs and raised courtyards to meet landscaping requirements, and offer a TDR allowance for projects that preserve large trees.”**

We support this, with some reservations. First, we object to allowing eco roofs and raised courtyards to be used to meet landscaping requirements. The purpose of required landscaping is to provide a buffer, soften hard edges, give shade, and act as an amenity to those within and near the site and those passing the site. The benefits of landscaping are primarily to the immediate area. Eco roofs do not provide a buffer, softening, shade, or an amenity for residents or neighbors. Eco roofs benefit the city as a whole by reducing stormwater run-off. However, by allowing eco roofs and raised courtyards in lieu of landscaping they would negatively affect residents, neighbors, and those passing the site because not as much landscaping would be provided at ground level. Second, we want to ensure that the TDRs do not allow transfers into the Alphabet Historic District.

***We request that the proposal allowing alternatives to required landscaping be dropped, and that increases in FAR through TDRs for tree preservation not be allowed in the Alphabet Historic District.***

**“Limit front garages and surface parking.”**

***We support this proposal.*** It limits “dead space”, especially next to the sidewalk, and encourages better design.

**“Require landscaped front setbacks.”**

While we support this requirement, we are concerned about the allowance for zero setback if the ground floor is raised two feet or more above sidewalk grade. The landscaped setbacks will help new development be more compatible with existing development in our neighborhood. However, apartments below grade, at grade, or less than three feet above grade provide no sense of privacy for residents and result in windows being covered all the time—having the effect of a blank wall on the pedestrian. People sitting inside a street facing unit need to be able to see *over* the heads of people outside before they feel comfortable opening their shades. This exemption should be increased to three feet, and should, in fact, not be an exemption but a requirement if there are dwelling units facing the street on the ground floor.

We are also concerned that raising the ground floor just a few feet above grade will encourage more basement apartments, which, again, because of privacy concerns, present a blank face to the sidewalk.

**We request that:**

- 1. Landscaped front setbacks be required, with no exemptions except through design review;**
- 2. Where there are street-facing ground-floor apartments, the ground floor be at least three feet above sidewalk grade;**
- 3. Street-facing below-grade apartments be prohibited.**

**“Shape the scale and design of large buildings.”**

***We support this proposal.***

**“Expand the design review overlay zone to all the high-density residential zones.”**

***We support this proposal.***

**“Apply standards specific to East Portland for better design suited to the area’s characteristics.”**

***We support this proposal.***

Thank you for the opportunity to comment on this proposal. We look forward to continued improvement.

Best Regards,  
Northwest District Association Planning Committee

Greg Theisen  
*Co Chair, NWDA Planning Committee*

# Greg Theisen

**#30218 | June 11, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

The NWDA and our neighbors support the objectives of the Better Housing By Design proposal, and many of the elements in the Proposed Draft. For over a century NW Portland development has been characterized by the types of housing explored in BHBD, enabling our neighborhood to serve an economically diverse mix of housing needs. Our current zoning patterns include considerable RH, R1 and R2 zones that provide equitable access to more affordable housing units. Yet this pattern of zoning and development is fragile: in particular the threat of higher land values associated with BHBD may affect the long-term presence of older, smaller, lower-unit count structures. We currently see this impact playing out in RH and R1 areas of the neighborhood, with higher priced units replacing more affordable units. Broadly, we support most of the major changes proposed in BHBD, but we have concerns about how the changes will be implemented. In particular, we support these major changes summarized on pages 4 and 5 of the Proposed Draft. “Provide a revised set of zones that relate to different types of places.” During work that led to the Portland Plan and the update Comprehensive Plan, the concept of “many Portlands” was discussed: There are different characteristics in different areas of the city, and the Zoning Code should respond to those differences rather than applying a broad brush approach. Clearly, the special regulations for East Portland come from that concept, but it should be applied more broadly. Our neighborhood has a distinct character of mixed uses and mixed housing types, including many multi-dwelling buildings and many single-dwelling houses (some of which have been converted to multi-dwelling). This is particularly the case in the Alphabet Historic District, but also in areas to the north and west. Applying the RM-4 zone everywhere the current zoning is RH does nothing to continue the existing character of our neighborhood or the historic district. It is particularly problematic within the historic district. Within the RH zone, some portions have an FAR of 2:1 and some have an FAR of 4:1. The 4:1 FAR was applied to many parts of Northwest in 1980, in large part reflecting development potential. The development and redevelopment potential was assessed by considering the existing floor area on a site as a ratio to the area of the site. When the Alphabet Historic District was created in 2000, no evaluation of the base zoning was made. Since that time, we, along with several other neighborhoods, have called for “right-zoning” in historic districts. Base zones which allow much more height and mass than would be approved through Historic Resource Review set the stage for continuing conflict between neighbors and developers and require the Landmarks Commission and City Council to repeatedly make decisions about balancing historic preservation (which are Goal 5 resources) against other goals. Without “truth in zoning,” this conflict and repeated decision-making

continue, and all parties are damaged. The neighborhood repeatedly expends energy fighting development that should not be proposed in the first place; developers pay too much for land because they expect a higher development potential, and then incur the costs and frustrations of a battle with neighbors; and staff, the Landmarks Commission, and Council waste their time and resources addressing the same issues repeatedly. In fact, the new RM-4 zone exacerbates the conflict between the base zone and the Historic Protection Overlay Zone in two ways. First, it allows an FAR of 4:1 on all sites now zoned RH, including those with a current FAR of 2:1. Second, it allows even more FAR through bonuses and transfers than is allowed under current regulations. This further threatens the Goal 5 resources inventoried and protected in the historic district. Applying the RM-4 zone within the Alphabet Historic District as proposed will also result in relatively little new development, but increase the potential for damaging the historic character of the area. The attached map from the 2016 Portland Buildable Lands Inventory shows that most of the properties in the District proposed for RM-4 zoning have little to no redevelopment potential because they hold buildings that are either landmarks or contributing resources. Such sites would have to meet the approval criteria for Demolition Review. The criteria are extremely hard to meet, and, added to the cost and time of an additional review, would discourage redevelopment. At the same time, the RM-4 zoning, by allowing more height and FAR, would encourage redevelopment, which will encourage demolition of historic buildings or damage to the historic character of the district. We are also concerned as to how the new heights allowed by the RM-4 zone would relate to the new employment zoning, such as where the current RH zoning in the Eastern Edge will abut the new EG-1 zone (with a height limit of 45 feet) along I-405. We request that areas of the Alphabet Historic District now zoned RH be re-zoned to RM-3, not RM-4. We would also request that all properties within the Alphabet Historic District with a current FAR of 4:1 be allowed to sell or transfer their lost FAR to properties outside the district. This would help prevent loss of value and also help maintenance, restoration or seismic upgrades to existing structures, be they listed or not. New and increased bonuses Several new or increased bonuses are proposed. A study of bonuses in the Central City plan district found that most didn't work: the desired development happened primarily when the developer was going to build it anyway. We are concerned that these bonuses are being proposed in the absence of information that they will actually act as incentives, and not just allow what would be built anyway. In addition, there should be a link between the negative impact of the bonus and the benefit of the amenity provided. For example, the Central City plan district currently allows FAR bonuses for eco roofs. The increased FAR has an impact on the immediate area, but the benefit is to the city as a whole. Conversely, the bonus allowing extra FAR in trade for placing parking below grade provides a design benefit to the immediate area. We request that the new and increased bonuses be evaluated for whether they will actually act as incentives, and whether there is a link between the negative impact of the bonus and the benefit of the amenity provided. "Add incentives for affordable housing." The Northwest District Plan is the only neighborhood plan that calls for more affordable housing. We support additional incentives, but are concerned about how they will work with the provisions of the Northwest plan district. We also are concerned that the additional FAR allowed by bonuses and transfers should not be allowed in the Alphabet Historic



District because it will increase the negative impact of new development. We request that the incentives be evaluated against the NW plan district, and that increases in FAR through bonuses or transfers not be allowed in the Alphabet Historic District. “Require outdoor spaces.” This includes requirements for courtyards or other shared outdoor areas for projects on large sites and new requirements for outdoor spaces in the higher-density zones.” We support this proposal. It is consistent with the development typical of our neighborhood, and will give those living in the buildings a better opportunity to build community. “Encourage innovative green features and tree preservation. Allow eco roofs and raised courtyards to meet landscaping requirements, and offer a TDR allowance for projects that preserve large trees.” We support this, with some reservations. First, we object to allowing eco roofs and raised courtyards to be used to meet landscaping requirements. The purpose of required landscaping is to provide a buffer, soften hard edges, give shade, and act as an amenity to those within and near the site and those passing the site. The benefits of landscaping are primarily to the immediate area. Eco roofs do not provide a buffer, softening, shade, or an amenity for residents or neighbors. Eco roofs benefit the city as a whole by reducing stormwater run-off. However, by allowing eco roofs and raised courtyards in lieu of landscaping they would negatively affect residents, neighbors, and those passing the site because not as much landscaping would be provided at ground level. Second, we want to ensure that the TDRs do not allow transfers into the Alphabet Historic District. We request that the proposal allowing alternatives to required landscaping be dropped, and that increases in FAR through TDRs for tree preservation not be allowed in the Alphabet Historic District. “Limit front garages and surface parking. We support this proposal. It limits “dead space”, especially next to the sidewalk, and encourages better design. “Require landscaped front setbacks.” While we support this requirement, we are concerned about the allowance for zero setback if the ground floor is raised two feet or more above sidewalk grade. The landscaped setbacks will help new development be more compatible with existing development in our neighborhood. However, apartments below grade, at grade, or less than three feet above grade provide no sense of privacy for residents and result in windows being covered all the time—having the effect of a blank wall on the pedestrian. People sitting inside a street facing unit need to be able to see over the heads of people outside before they feel comfortable opening their shades. This exemption should be increased to three feet, and should, in fact, not be an exemption but a requirement if there are dwelling units facing the street on the ground floor. We are also concerned that raising the ground floor just a few feet above grade will encourage more basement apartments, which, again, because of privacy concerns, present a blank face to the sidewalk. We request that: 1. Landscaped front setbacks be required, with no exemptions except through design review; 2. Where there are street-facing ground-floor apartments, the ground floor be at least three feet above sidewalk grade; 3. Street-facing below-grade apartments be prohibited. “Shape the scale and design of large buildings.” We support this proposal. “Expand the design review overlay zone to all the high-density residential zones.” We support this proposal. “Apply standards specific to East Portland for better design suited to the area’s characteristics.” We support this proposal. Thank you for the opportunity to comment on this proposal. We look forward to continued improvement.



Testimony is presented without formatting.

# J Hopkins

**#30219 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This is not a step forward for our neighborhood. This proposal will not benefit the neighborhood or our properties in a positive way.

Testimony is presented without formatting.

# J Hopkins

**#30220 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This is not a step forward for our neighborhood. This proposal will not benefit the neighborhood or our properties in a positive way. Think of the long term ramifications.

Testimony is presented without formatting.

# J Hopkins

**#30221 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This is not a step forward for our neighborhood. This proposal will not benefit the neighborhood or our properties in a positive way. Think of the long term ramifications.

Testimony is presented without formatting.

# J Hopkins

**#30222 | June 11, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This is not a step forward for our neighborhood. This proposal will not benefit the neighborhood or our properties in a positive way. Think of the long term ramifications.

Testimony is presented without formatting.

# Erika Hanson

**#30223 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I do NOT want the zoning to change on my house! I bought a single family house in this area years ago and do not want it to change to a MD-4. It would most likely reduce the value of my house - which I have worked hard to maintain all the time I have lived here. I'd not want to live next to multi units that would likely loom over my house, have increased density, more people, more noise, more trash and not enough parking! I'm sure who ever came up with this plan would never change the zoning of their own home or property in this way! And I do not want it either. And neither do several of my neighbors.

Testimony is presented without formatting.

# Mark Hanson

**#30224 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am TOTALLY opposed to the zoning change. We DO NOT want our property to lose value by the proposed zoning change. We work very hard to keep our home and land in great shape in order to keep its potential value. If the zoning changes, it will be more difficult to sell our home to a potential single family home buyer because of the potential negative development next door of a towering multiplex on a 5,000 square foot lot. Think about it, would any city council person vote to make this new zoning on their home property with the detriment of losing considerable value of their homes? Obviously not and we don't want this zoning to change either!

Testimony is presented without formatting.

# JASON TAND

**#30226 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I'm Jason Tand, property owner at 2128 SE 12th Avenue in Ladd's Addition. I received a notice of zoning changes that will directly affect my property and the surrounding area. This includes both sides of 12th avenue adjacent to Ladd's Addition between Division and Hawthorne. As a resident of a nationally recognized historic district I am concerned that the proposed revisions make no attempt to preserve the integrity of Ladd's Addition. Along with other property owners and concerned members within the district, I request these proposed revisions be either further revised to allow for consideration of the historic nature of the district or that the proposed revisions be eliminated from within and surrounding Ladd's Addition in their entirety. Proposed increased density negatively impacts the fabric of a neighborhood that is intended to be preserved, not changed over time. By attempting to make dense development easier to achieve, the scale and character of Ladd's Addition is not only being compromised, it is being dismissed. This can also be said for the transitional zone between 11th and 12th avenues – on the west side of 12th. This dividing line is the only separation between the Central Eastside Industrial District and residences to the east. This zone should be treated sensitively and respectfully for any added volume of residents. Already we are beginning to see increased density without the addition of any parking or open space for added apartment residents. Because there is no room to grow west into the industrial district, overflow is already being experienced within Ladd's Addition. The impacts are real and already present. We must work together to protect our City's precious historic resources – these elements that make Portland a desirable home. If revisions must occur, propose opportunities that address these issues. Require developments with open space to promote livability. Limit density in these areas. Do not offer increases. It is all of our duties to promote zoning changes that dissuade development density of any kind that negatively impacts a nationally recognized historic district.

Testimony is presented without formatting.



# Kristin Tand

**#30227 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Hello, my name is Kristin Tand and I am a property owner at 2128 SE 12th Ave. which is part of the Ladd's Addition neighborhood and also one of the properties that would be included in rezoning changes. One of my main concerns about the rezoning of this area is how densification will negatively impact a historic district which already addresses the goals that the Better Housing by Design Project is trying to achieve. Examples of this can be seen in Ladd's already established multi-family housing properties, community green spaces, how traffic patterns alleviate congestion throughout the district, and overall livability. Ladd's is a unique asset to the City of Portland. It encompasses open spaces, a walkable neighborhood, and green elements such as tree canopy and rose gardens. All of this contributes to the overall wellbeing of the City, not just Ladd's Addition. I'm concerned that if rezoning in and around Ladd's moves forward, many of these built in components will be destroyed. Additionally, the traffic on SE 12th has become extremely congested since the Light-rail/Train crossing modifications, causing much heavier traffic through and around Ladd's neighborhood. As housing density increases this will further exacerbate the situation, creating grid-lock and pedestrian/bicycle safety issues in the area. I would like to see how these issues would be addressed by the city before rezoning changes are put forward. Creating more density without thinking through the livability of those changes is short-sighted. We need to slow down this process and think through long-term ramifications of how these changes will impact our district.

Testimony is presented without formatting.

# David Kube

**#30228 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Our home was built in 2013 as an infill project. It occupies the the bulk of the lot with minimal wasted space, but still with green areas. The lot is graded so that there is minimal run off for rain water. The house is built to current earthquake standards and is certified energy efficient. I presume all of these are what is desired by PSC for any new construction. The house was built in the Old PDX style to fit in with the neighborhood. The other homes constructed in this neighborhood are in zones that still include single home dwellings. There would be no good reason to rezone this property for a multiple home dwelling or apartment complex given its new construction and assets listed above. Our lot is adjacent to a lower density zone on the west side of our property that will allow single family dwellings. I think that we more than meet qualifications to be included in this lower density zone. Thank you for your time and consideration in this matter.

Testimony is presented without formatting.

# Linda Engels

**#30229 | June 11, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I would like to preface my comments by saying that I am a LEED Green Associate and I do understand the need for more housing and its importance to mass transportation. Having said that, our block on 61st Ave. between Hoyt and Oregon and some of the surrounding streets are not a viable location for increased density. It is one thing to look at a map and discern a location for more density, it is another to actually live there. Because of our proximity to the MAX station at 60th Ave. we have people who go away for the weekend or on vacation and use our street for free parking. Also, the apartments on the other side of 60th have insufficient parking, and those inhabitants park here as well. We never have our streets cleaned as there are always cars parked both sides of the street. The street is narrow, and if cars are badly parked, the WM trucks cannot pass in order to pick up trash and recycling. We have one car that we park in our garage, and use public transport. We would love to host a party, except only one car can fit in our driveway and there is never any street parking. Often, we have difficulty getting out of our driveway. Keeping the integrity of the neighborhood is also important and seems to be overlooked for the sake of density. The buildings at 1739 NE 45th are totally unsuited to the neighborhood and have no parking. To assume that everyone can or are willing to take public transportation is foolhardy. It is my hope that you take into consideration some of these comments. I look forward to your response.

Testimony is presented without formatting.

# Susan Haywood

**#30230 | June 12, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I see that these changes include new development standards, including REDUCED requirements for off-street parking. That you are allowing large buildings to be built without parking is really unwise and unfair in this area. Although where I live is mainly residential, we now need to pay for parking on the street, and my understanding is that not all tenants in these older buildings will be guaranteed a parking pass. When I have a new tenants move into my building, they expect to be able to park near their home. With the new buildings being built, the population density has increased so that there just isn't any parking. All new buildings should be able to provide parking for the tenants so that the rest of us can find a parking space. Although more green space is mentioned, so is the development standard of changes to building setbacks. What does this mean? Sidewalk up against the front entry? I would also beg you to keep greenspace in front of new buildings so the Alphabet District does not lose its charm. I object to 7-story buildings that will dwarf the historic buildings of this neighborhood. Although my building is a triplex, it is actually an old house. There is a building behind it that is at least 7 stories high; if the neighbors on the sides could build that high, there would be no light left for my house. I think there should be a limit of how many tall buildings can be built when they impact the buildings already there. Only one side should lose its exposure to the sun, especially when we have such a gray climate.

Testimony is presented without formatting.

# David Beck

**#30231 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Although I see the need for increased density as a means of providing more housing, I don't trust that it will be done well. A case in point is the development at 1739 NE 45th Ave, in which two SFRs have been replaced by two multi-family condo(?) units. The new buildings are totally out of character and scale of the surrounding buildings. Did anyone in the city planning department look at what was being proposed? And also went to the site to see the surroundings? Buildings such as these make sense lining a major street, but to plop one down in the midst of a mature neighborhood is a disaster. What were they thinking? It's the antithesis of 'Better Housing by Design'. What are you doing to ensure this is an unfortunate exception and not the norm?

Testimony is presented without formatting.

# Richard Shoemaker

**#30232 | June 12, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I object to the proposals for reduced parking as outlined in items 10 and 11. Despite Portland's public transportation options, most people still own cars, sometimes more than one. Reducing parking requirements, particularly when increasing density clogs our already crowded streets and denigrates our neighborhoods. Streets like Tenino are only 3 lanes wide curb to curb, with parking on both sides due to overflow from existing buildings on adjacent commercially zoned streets you have already created dangerous conditions for children, pedestrians and bicycles. It is also annoying to have to park two blocks away from your residence. People are not going to give up their cars and the city must recognize this as a fact and require parking for new development

Testimony is presented without formatting.

# E. Delafield Spurgeon

**#30235 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the proposal on reducing the parking requirement in the new MD-C zone. The proposed changes would allow me greater development flexibility and maximize the site's potential.

Testimony is presented without formatting.

# Rebecca Robbins

**#30238 | June 12, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I'm EXTREMELY concerned over the proposal. As a homeowner of over 12 years, I'm already trying to navigate the current multi-housing that is allowed on my street. Current issues: \*Parking. I'm SICK of the city jamming bikes down my throat. Not everyone can have a bike. I run a shelter, I have to have a car. I currently live on the most narrow street of the 4 that run parallel in my neighborhood. There is an 11 unit complex across from me with multiple cars that currently park in NO PARKING ZONES as well as hinder my ability to get out of my driveway. I've had my driveway aprons painted yellow. They do not follow the paing and when I call the city for enforcement no one ever comes. Guests to my home: \* I save 18 years to buy a home and now the street is so filled with multi-family parking, visitors refuse to visit my home. It's too much of a hassle for them or too far to walk for my elderly parents. \*Visability/Aesthics I purchased a home in an established neighborhood for a reason- trees, views, sunlight. With more of these multi units going up, groups are cutting the trees down and building so high that sun doesn't reach the backyard anymore. Overall I'm really concerned the city doesn't care about the home owner. I feel there is a greater concern to cram as many units in the city as possible . As a tax payer/homeowner, I feel completely ignored and forgotten. I tell people - DON'T move here. The city has no regard for livability. It's a daily concern for me as I try to pull out of my driveway, clean up trash in my yard from the renters (who don't give a crap since they don't own). I just hope you take into consideration the concerns of the homeowners in the neighborhood. It's a constant discussion when doing yard work or walking the dog- the topic... the damn city is cramming more housing in. I want to talk about picnics or street parties, not zoning and parking issues. Please listen. I'm very curious the crime numbers as the density has increased. Have you taken that into consideration? Do the right thing- think about the people who CURRENTLY live in the neighborhoods with their families rather than shoving new people in.

Testimony is presented without formatting.



Portland Planning and Sustainability Commission  
Better Housing by Design Testimony  
1900 SW 4th, Suite 7100  
Portland, Oregon 97201

City of Portland  
Bureau of Planning and Sustainability

Dear Commissioners:

**existing building FAR**

- 0.000000 - 2.000000
- 2.000001 - 4.000000
- 4.000001 - 50.000000
- vacant parcels
- BLI underutilized parcels
- parks
- Yamhill MAX station buffer
- contributing buildings

The map displays various zoning codes such as R1, RHd, EXd, EXu, CS, RH, OS, and EXc across different census tracts. A thick black boundary outlines a specific area of interest.

<sup>2</sup> Map is excerpt from City of Portland Buildable Lands Inventory Historic District FAR Analyses dated August 17, 2016.

time, neighborhood activists refurbished small groups of Victorian homes and townhomes and were successful in getting them listed on the National Register of Historic Places. These efforts caught on and led to revitalization of the area and establishment of the historic district. We feel honored to now live in one of the early renovated homes, originally constructed in 1890. When the historic district was established, the RH zoning was never re-evaluated. While the Northwest District Plan and Historic Resource Protection Overlay require compatible development and supersede base zone requirements, the discrepancy between current base zone 4:1 FAR allowances and existing structures with FARs less than 2:1 has created confusion, wasted efforts, threats to the continued viability of the historic district, and ongoing neighborhood concerns.

There is an impression that historic districts protect 'elite' areas. That is not true for the Alphabet district. There is much existing housing stock that accommodates lower income households within our historic district. Recent analyses done by the Enterprise Foundation indicate that much affordable private market housing exists in buildings with 2-49 units such as the many small apartment complexes in the Alphabet District.<sup>2</sup> If you look at census data, the two tracts that make up the majority of the alphabet historic district, 48 and 49, have poverty rates of 20.5 and 25.2 percent, respectively.<sup>3</sup> The existing modest housing is threatened by large new development! We believe that RM3d zoning will encourage preservation of these buildings and the mixed income nature of our neighborhood.

Please carefully consider the new zoning proposed within the Historic Alphabet District in NW Portland. Given the scale of existing buildings and limited potential for new development, we hope you will see that RM3d is much more appropriate.

Thank you for your time and consideration.

Respectfully submitted,

Vicki Skryha and Allen Buller  
1728 NW Hoyt Street  
Portland OR 97209

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<sup>2</sup> See *Understanding the Small and Medium Multifamily Housing Stock*, Enterprise Foundation, March 2017.

<sup>3</sup> Based on US Census data compiled by the Enterprise Foundation for Opportunity Zone selections (<https://www.enterprisecommunity.org/resources/opportunity-zones-data-justification-tool>)



Dear Zoning Commission,

My name is Jean Spangler and I am the owner of 10721 E. Burnside Street. My concerns are for the area directly around my home as well as all of the address targeted for upzoning between my home and the corner of 102<sup>nd</sup> and Burnside.

I am requesting that you send to the city council a recommendation that the changes proposed in the "Better Housing by Design" require further study.

**Inadequate antidisplacement provisions.**

Proposed change is not compliant with 2012 Gentrification and Displacement/Portland Plan recommendations.

**City as Market Actor**

The city's recent proposed purchase of 105 Burnside for low income housing and the Mayor's appearance on the local news as well as the 14 million dollar price point will spur private market forces to seek to attain similarly located properties.

Without preventative/mitigation measures this will significantly increase already high displacement pressures on current area property owners.

**High displacement risk to low income renters**

The addresses specifically targeted for an increase to highest density are slated to replace an existing high density mixed income complex.

**David Douglas School District:**

Proposal makes no provision for school overcrowding.

**Conflicts with livability improvement efforts.**

Is not compliant with Greenways plan for 108<sup>th</sup> Avenue.

**Inadequate protections for homeowners:**

Height stepdown requirements are based on "zone" designation and not actual current use. Increased height of new buildings will obviously cause loss of light and privacy.

**Failure of Imagination/innovation:**

Despite claim to be focused on health of residents. Plan repeats standard emphasis on bigger is better large urban project style complex planning.

Multiple studies show negative impact on physical and mental health impacts of this type of housing, as well as increase in crime.

**Unequal and unfair distribution:**

Preponderance of upzoning targets eastside area of city.

**Zoning is not a victimless crime:**

Without adequate forethought and effort many citizens will be harmed by proposed changes.

Thank you.

RECEIVED  
JUN 12 2018

City of Portland 175  
Bureau of Planning and Sustainability

# Jean Spangler

**#30240 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# madeline edwards

**#30242 | June 12, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

This is of great concern for a number of reasons: —There only appears to be a small window of time in which to evaluate how this will impact the value of one's home. The "single" notice sent in the post can easily be overlooked for something else. As is the case of our neighborhood which thought it was a reminder about the proposed address changes. (The same "blue" notice has a bit of a conspiratorial quality to it, you could have gotten more attention if it were a different color than the previous notice.) This lack of attention makes me wonder about the intent. The less feedback you receive from the people would imply that we are all "okay" with the proposed changes, we are not. —Having the hearing in one location at 5:00pm across town is not feasible. Many of us work until 5, and it is no longer possible to "get anywhere in Portland in 10 minutes". Multiple locations adjacent to your neighborhood would make for a better turnout of concerned neighbors. Again, was this intentional? —When I finally reached a person at the city number I was told that we actually have until the 25th to respond by posting at the website, but your notice says tomorrow is the deadline. Which is more accurate? —This proposal concerns me because: Many of us purchased our homes with plans for the future (retirement) and now we are being challenged with the potential for it to be of less value. Not long after purchasing my home "discovered" that mine and the adjacent properties are currently zoned for high-density (those ramifications were conveniently not disclosed by the seller or realtor), but now your proposal will increase the density even more and decrease our property value. I realize that this density is what makes it more marketable to a developer and hence the city makes money. But now you will be obliterating the small people and their single unit homes. These are the same people that have cherished and supported Portland for a very long time. These small homes of character are what has attracted the very people that are now moving to the city that you are attempting to accommodate?? —My home, which was built in 1907, is already surrounded by dense housing, and now you are proposing even more. Adding additional density without planning for parking seems to be a theme in Portland. In addition to strained parking, blocking out the already limited sunlight to small properties is a grave problem. This lack of sunlight already impacts the people's health, and limits access to being outside in one's space. —Small home owners do not have the capital to develop their property to such a large scale. Are there provisions being made to allow the small home to develop on a smaller level?

Testimony is presented without formatting.

June 6, 2018

Portland Planning and Sustainability Commission  
Better Housing by Design Testimony  
1900 SW 4th, Suite 7100  
Portland, Oregon 97201

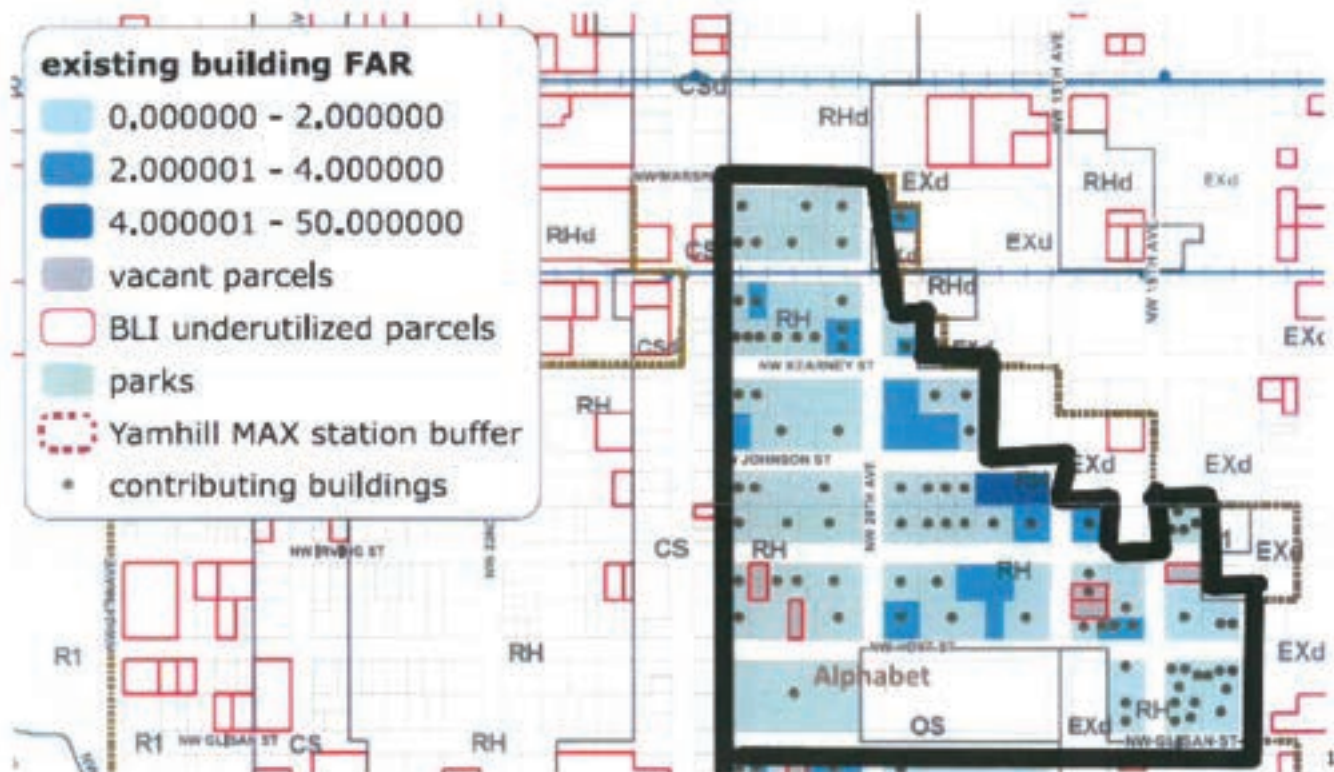
RECEIVED  
JUN 12 2018

City of Portland  
Bureau of Planning and Sustainability

RE: Better Housing by Design Proposed Changes to RH Zone in Northwest Portland

Dear Commissioners:

We received a proposed zone change notice dated May 11, 2018, noting that our 2½-story Historic Alphabet District home, currently zoned RH, was proposed for RM4d zoning. **We strongly urge RM3d instead for the RH-zoned section of the Historic Alphabet district east of NW 21<sup>st</sup> and north of NW Glisan.** Based on the City's 2016 analysis of buildable land, you can see that this area has very few sites available for development and the vast majority of existing structures have FARs of 2:1 or less.



Please consider when the current RH zoning was assigned to this area in 1980: this section of Portland was blighted and threatened by demolition and loss of residential uses. However, at about that same

<sup>1</sup> Map is excerpt from City of Portland Buildable Lands Inventory Historic District FAR Analyses dated August 17, 2016.



time, neighborhood activists refurbished small groups of Victorian homes and townhomes and were successful in getting them listed on the National Register of Historic Places. These efforts caught on and led to revitalization of the area and establishment of the historic district. We feel honored to now live in one of the early renovated homes, originally constructed in 1890. When the historic district was established, the RH zoning was never re-evaluated. While the Northwest District Plan and Historic Resource Protection Overlay require compatible development and supersede base zone requirements, the discrepancy between current base zone 4:1 FAR allowances and existing structures with FARs less than 2:1 has created confusion, wasted efforts, threats to the continued viability of the historic district, and ongoing neighborhood concerns.

There is an impression that historic districts protect 'elite' areas. That is not true for the Alhabet district. There is much existing housing stock that accommodates lower income households within our historic district. Recent analyses done by the Enterprise Foundation indicate that much affordable private market housing exists in buildings with 2-49 units such as the many small apartment complexes in the Alhabet District.<sup>2</sup> If you look at census data, the two tracts that make up the majority of the alhabet historic district, 48 and 49, have poverty rates of 20.5 and 25.2 percent, respectively.<sup>3</sup> The existing modest housing is threatened by large new development! We believe that RM3d zoning will encourage preservation of these buildings and the mixed income nature of our neighborhood.

Please carefully consider the new zoning proposed within the Historic Alhabet District in NW Portland. Given the scale of existing buildings and limited potential for new development, we hope you will see that RM3d is much more appropriate.

Thank you for your time and consideration.

Respectfully submitted,

Vicki Skryha and Allen Buller  
1728 NW Hoyt Street  
Portland OR 97209

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<sup>2</sup> See *Understanding the Small and Medium Multifamily Housing Stock*, Enterprise Foundation, March 2017.

<sup>3</sup> Based on US Census data compiled by the Enterprise Foundation for Opportunity Zone selections (<https://www.enterprisecommunity.org/resources/opportunity-zones-data-justification-tool>)

# Vicki Skryha and Allen Buller

**#30245 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



# Laura DeGrace

**#30246 | June 12, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Hi, I feel like I am constantly having to defend myself and my property against the City of Portland. I did this a couple of years ago in a similar situation. What I don't understand most of all is the disconnect the City of Portland seems to have about my building and ones near it in the sense that it is ALREADY low income housing. I make \$56,000 (a new great recent increase) and I am on my own. Others in my building have similar situations. Tell me please if someone tears down my building where in Portland will I find housing for the \$119,600 that I originally paid. I know the answer - nowhere in the City of Portland, and I work in Portland for PSU. Yes the property has equity, but that is still not enough to buy a new place. Please don't take my home away. Why do you hate lower income people in Portland? I don't understand. Please have mercy.

Testimony is presented without formatting.

# Laura DeGrace

**#30247 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Resending in case I made an error. My property is 9221 N Lombard St #15. Hi, I feel like I am constantly having to defend myself and my property against the City of Portland. I did this a couple of years ago in a similar situation. What I don't understand most of all is the disconnect the City of Portland seems to have about my building and ones near it in the sense that it is ALREADY low income housing. I make \$56,000 (a new great recent increase) and I am on my own. Others in my building have similar situations. Tell me please if someone tears down my building where in Portland will I find housing for the \$119,600 that I originally paid. I know the answer - nowhere in the City of Portland, and I work in Portland for PSU. Yes the property has equity, but that is still not enough to buy a new place. Please don't take my home away. Why do you hate lower income people in Portland? I don't understand. Please have mercy.

Testimony is presented without formatting.

# Neil Heller

**#30248 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the proposal put forth by Staff for the Better Housing by Design project. I think it does an excellent job of responding to current and future needs of residents. I especially support INCREASED FAR and REDUCTION/REMOVAL of PARKING MINIMUMS in these zones. I would also like to see these zones be mapped more broadly similar to what we see here in St Johns closer toward the river.

Testimony is presented without formatting.

# Neil Heller

**#30250 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the BHD project. I agree with combining the R3 & R2 zones into one along with the associated new FAR allowances.

Testimony is presented without formatting.



June 12, 2018 (Sent this date Via email)

Portland Planning and Sustainability Commission  
Attn: PSC Hearing – Better Housing by Design Testimony ([psc@portlandoregon.gov](mailto:psc@portlandoregon.gov))  
1900 SW 4<sup>th</sup>, Suite 7100  
Portland, Oregon 97201

CC: City Council (<[MayorWheeler@portlandoregon.gov](mailto:MayorWheeler@portlandoregon.gov)>, <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>, <[nick@portlandoregon.gov](mailto:nick@portlandoregon.gov)>, <[Chloe@PortlandOregon.gov](mailto:Chloe@PortlandOregon.gov)>, <[Amanda.Fritz@portlandoregon.gov](mailto:Amanda.Fritz@portlandoregon.gov)>)  
Bill Cunningham ( Planning) ([Bill.Cunningham@portlandoregon.gov](mailto:Bill.Cunningham@portlandoregon.gov))  
Joe Zehnder ([Joe.Zehnder@portlandoregon.gov](mailto:Joe.Zehnder@portlandoregon.gov))  
BPS District Liaison, Nan Stark ([nan.stark@portlandoregon.gov](mailto:nan.stark@portlandoregon.gov))  
CNN Exec. Dir., Alison Stoll ([alisons@cnncoalition.org](mailto:alisons@cnncoalition.org))  
CNN Involvement, Sandra LeFrancois ([sandral@cnncoalition.org](mailto:sandral@cnncoalition.org))

Subject: RCPNA Recommendation on Better Housing By Design

Dear Honorable Chairwoman Katherine Schultz & Commissioners,

Thank you for the opportunity to comment on the Better Housing by Design Proposed Draft. Our RCPNA Board met on June 5, 2018, and unanimously approved the following recommendations:

**1. The aggressive push for density increases at the cost of livability with no comprehensive study of the impacts is not acceptable.**

Reasoning:

- The Bonus FARs (Floor Area Ratios) allow up to 50% increase density of the base zone
- Parking reductions are proposed without consideration of the available on-street parking supply or lack thereof.

**2. We do not support the excessive provisions for bonus FAR features**

Reasoning:

- Truth in zoning is important for housing market stability and neighborhood livability
- Concerned that the affordable housing density bonuses applied would only be a temporary commodity and serve as a means for a bait-and-switch over time, due to lack enforcement;

**3. We oppose the reduction of parking requirements and recommend that duplex and triplex require a 1 parking space to 1 residential unit ratio with larger complexes to have 3 parking spaces for every 4 units.**

Reasoning:

- The City of Portland's own transportation parking study identifies that over 70% of rental units own one or more cars/motorized vehicle. Adequate off-street parking systems need to be created with new developments to accommodate vehicle storage for their residents;
- This proposal fails to consider the amount of 'adequate parking' available at the curb for these areas as an impact analysis prior to the City's public hearing review. This Proposed Draft fails to satisfy Policy 9.56 of the 2035 Comprehensive Plan, which states:

"Policy 9.56 Curb Zone.

Recognize that the Curb Zone is a public space, a physical and spatial asset that has value and cost. Evaluate whether, when, and where parking is the highest and best use of this public space in support of broad City policy goals and local land use context. Establish thresholds to utilize parking management and pricing tools in areas with high parking demand to ensure adequate on-street parking supply during peak periods."

**4. We further support allowing parking pads instead of physical structures (carports, garages) for Duplexes and Multi-family.**

Reasoning:

- Parking pads can supply needed off-street parking within the required setback areas, thereby supporting the intent of residential uses for residential areas;
- Parking garages are rarely used for vehicle storage. Instead they tend to park in the driveway, creating a defacto parking pad.

Please contact me if you have any questions or if I and/or the Board can be of further assistance.

Respectfully,



Tamara DeRidder, AICP  
Chairwoman, Rose City Park Neighborhood Association  
1707 NE 52<sup>nd</sup> Ave.  
Portland, OR 97213  
503-706-5804

# Tamara DeRidder, A.I.C.P.

**#30251 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please see the attached Rose City Park Neighborhood Association testimony on this matter. Thank you!

Testimony is presented without formatting.

# Heidi Froemke

**#30255 | June 12, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We have multiple unit dwelling on the east, south and west (3 deep). The lot north of us is wanting to build a multi-unit dwelling. Our residential property will be boxed in. We have lived on this property for 70 years and it has come down to living on an island surrounded by high density housing - or selling. This seems unfair. Please also understand the plan to have limited parking for the multi unit dwellings will be disastrous. S.E. 128th avenue has so many cars now it can be gridlocked. Foster cannot absorb anymore vehicles yet that is where cars for these dwellings will be parked. Residents of apartments blocks away down Foster bring their cars onto this street because there is not enough room in their own complex. To believe people are going to favor mass transport over a car is a nice dream, but wholly impractical. Please reconsider this plan. Please do not put any more multiunit dwellings onto 128th avenue. We cannot take anymore traffic, parking or people on this street. We are saturated. This is now an issue of livability for those living along 128th.

Testimony is presented without formatting.



# Soren Impey

**#30256 | June 12, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The Portland metro area has a deficit of ~60,000 lower income housing units and this chronic housing shortage has led to waves of displacement of people of color, poor people, and other marginalized folk from their homes. A major goal of the "Better Housing by Design" multi-dwelling zoning code update was to address this continuing affordable housing shortage. As acknowledged by BPS staff, density limits in current multi-dwelling zoning code "often result[s] in the construction of townhouse units" instead of rental units. Portland Tenants United calls on the City to live up to its "Goal 10" and "Comprehensive plan" commitments by emphasize code changes that encourage construction of needed affordable rental housing: (1) Disincentivize detached or row housing in RM2, RM3, and RM4 zones. (2) Create minimum density requirement for all multi-dwelling zones. Multi-dwelling zones represent a small reservoir of land that allows for rental housing without also allowing or requiring expensive commercial floor space. It's unacceptable that multi-dwelling zones have lower density limits than equivalent mixed-use commercial zones. RM1, RM2, and RM3 zones should have the same base floor area ratio as the equivalent mixed use zones (CM1, CM2, and CM3 zones). Portland Tenants United strongly supports proposed inclusionary housing bonuses and especially the "deeply affordable" housing bonus. However, we are very concerned that proposed FAR bonuses alone may not be sufficient to incentivize construction of IH and family housing so we ask that: (1) 3+ BR FAR bonus be increased to 50% and that it be additive with any IH bonuses (e.g. no FAR limit). (2) the City create additional incentives for "deeply affordable" and "3+ BR" housing, including fee, SDC, and tax abatements. (Where preempted by state law these incentives could be voluntary.) (3) the City extend the "deeply affordable" housing option to mixed-use commercial zones. (4) the City create a loan guarantee program for "non-profit" deeply affordable multi-dwelling housing. (5) the City create an ordinance that legally recognizes limited-equity housing cooperatives.

Testimony is presented without formatting.

# Ellen Vanderslice

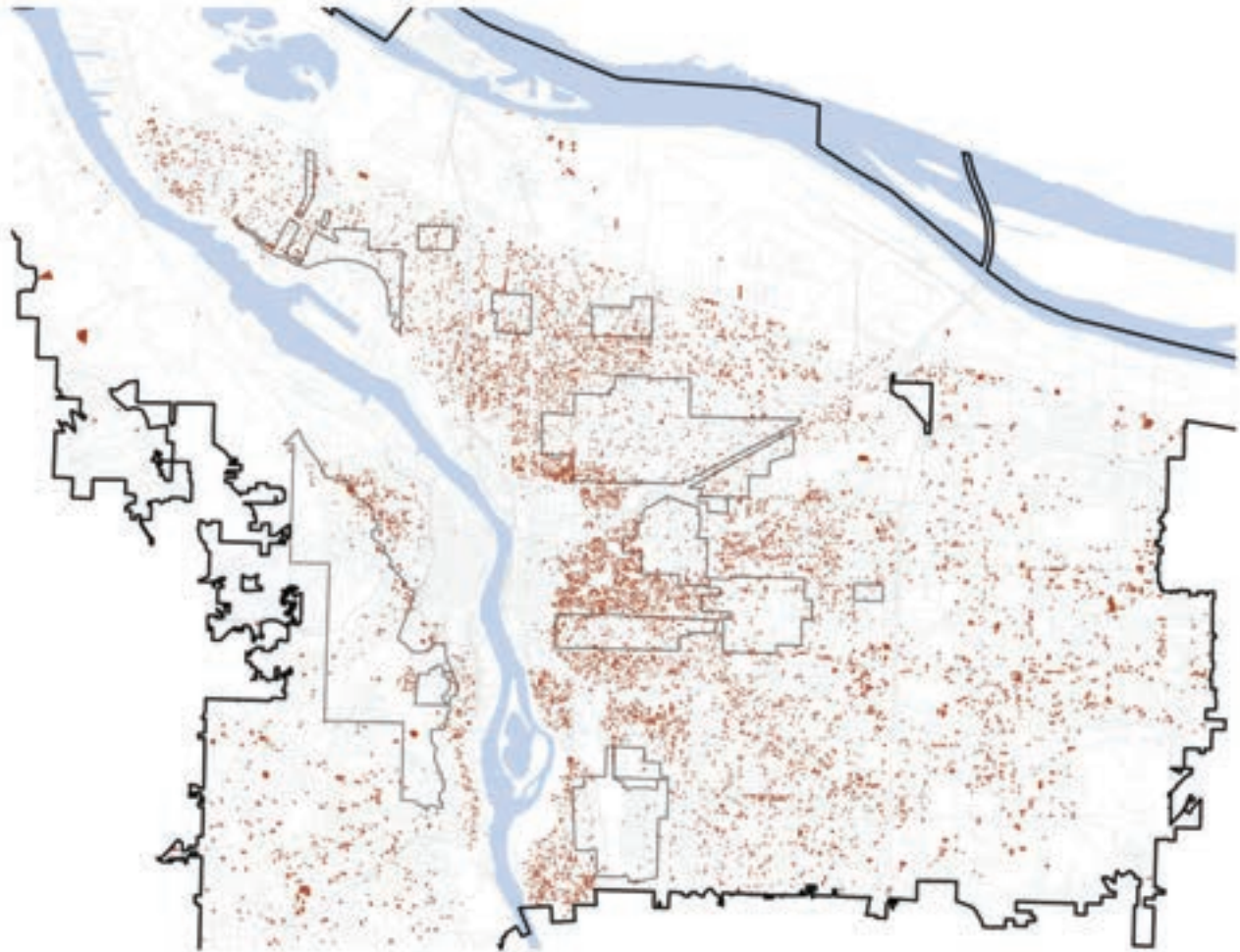
**#30257 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am concerned that the 25% setback from the rear lot line in the Eastern pattern area creates a sharp jump in required setback between properties less than 100' deep and those 100' deep or more. A property 99' deep would have a 5' setback while a property 100' deep would have a 25' setback. Please consider creating a softer transition.

Testimony is presented without formatting.

SOME PORTLAND NEIGHBORHOODS HAVE MANY FEWER SMALL-SCALE HOUSING OPTIONS.



What's going on in these areas to block duplexes and other smaller-scale housing options? Map by Neil Heller.

If you're familiar with Portland, you might know these areas by name: the West Hills, Irvington, Alameda, Laurelhurst, Eastmoreland, Mount Tabor, Arbor Lodge.

# Julia Blackburn

**#30259 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

We are home owners that have enjoyed living in the mississippi neighborhood for 12 years. We love the historic homes and diligently update our 1904 farmhouse. We hope you have taken time to speak with members of the community face to face, and measured the impact on a beautiful, culturally rich, historic neighborhood. It is important to note that this is a largely black neighborhood, in part because of the exclusion clauses in portland's racist housing laws. It's very interesting that the predominantly white neighborhoods throughout our city: Irvington, Alameda, Laurelhurst, etc don't have these density zones the way we do, or these giant buildings on every corner or these new architecturally unappealing fly by night apartment buildings. Why ruin this nice neighborhood and these gorgeous old houses by making it a free for all for developments on every corner and yard and squeeze out what's left of the culture? Why not distribute it throughout the city? It's only fair. Unless of course, the city still likes the idea of preserving only SOME neighborhoods, aka white ones.

Testimony is presented without formatting.

# Teresa / Michael Kruse / Fisk

**#30260 | June 12, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Properties along 49th Drive do not front along Beaverton Hillsdale Highway, therefore are unlikely to benefit or be developed to align with the new zoning goals. If the zoning change is adopted, then there are several considerations to be resolved, including but not limited to the following: The 50' wide lots are too narrow for new street connections along 49th Drive. We suggest the city consider re-instating the historic property frontage, via driveway and sidewalk, access to Beaverton Hillsdale Hwy. Re-instating the frontage access would also allow for future retail sales and service opportunities along Beaverton Hillsdale Hwy as identified in Table 120-1. Future retail and multi-dwelling housing could connect to the existing bus stops located along and across from 50th and Shattuck however pedestrian safety is questionable. Currently the houses near 50th do not face Beaverton Hillsdale Hwy. Increasing traffic and parking along 49th drive would severely destroy the already failing pavement ridden with potholes and ruts. Please recall that 49th drive was closed off over 10 years ago at the west end because it was unsafe. Increasing traffic along 49th Drive is a detriment to neighborhood safety. The city is likely to pass the burden of infrastructure improvements to current residents and future developers. It is an unfair burden to increase property taxes to single family homes without proper city infrastructure. 49th Drive does not get paved nor is maintained by the city. There are no curbs or sidewalks despite nearby high frequency bus stops. We are not in favor of the proposed zoning change.

Testimony is presented without formatting.

# Lucas Gray

**#30262 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the overall goals of BHxD but strongly encourage you to reduce or eliminate setbacks. I'd also encourage increasing the FAR limits and name each zone according to the FAR (for instance RM1 should be 1 FAR, RM2 = 2 FAR etc.)

Testimony is presented without formatting.

# Mark Falls

**#30263 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I'm personally in favor of the new zoning RM1 option. Thanks

Testimony is presented without formatting.

# Jeff Henderson

**#30264 | June 12, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

In light of my property, located at 4049 N. Albina Avenue, Portland, OR 97227, being on the same block as higher density zoning immediately to the west (across the alley) and which fronts N. Mississippi Ave, the proposed zoning for this property is too low of density and a short cited solution to the larger problem of imminent high population increases and short cited zoning policies that restrict housing supply and lead to a continued rental affordability crisis, especially in a core neighborhood where only public transportation is required. Since permanent structure last for 100 years or more, building such low density is another missed opportunity to help alleviate pressure on renters. I propose the zoning should be increased to what is currently known as CM3, the same as Tupelo Alley bounded by N. Albina Ave. to the East and N. Mississippi Ave to the West. Please note you may receive testimony from adjacent property owners to my property who may also testify as to the same conclusion and in support of doing what we can to help our community alleviate pressure on the renting community by taking a much longer view than 2035. Respectfully, Jeff Henderson

Testimony is presented without formatting.









# Thomas Metzger

**#30265 | June 12, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We believe that the 2700 block of NW Upshur is an existing and nearly-ideal example of the BHD goals for RM2 zoning, as well as being one of the favorite blocks for many Portland residents and visitors on their way to and from Forest Park or Wallace Park. If there are zoning changes as proposed, we would like to sincerely request that the 2700 block of NW Upshur share the RM2 zoning intended for the 2800-2900 blocks of NW Upshur. It is completely inappropriate to perpetuate a high-density zoning in this area (currently RH, proposed to be RM3). The building heights, open spaces, seasonal shade trees, and bike/pedestrian friendliness are a loved part of Portland and should continue to be. On either side of NW Upshur, the Vaughn St. corridor ends at Montgomery Park on 27th street, and the Thurman St. corridor ends at its intersection with NW 25th (there is no outlet for any street in this area that is west of 25th! ). If this immediate area is replaced with the kind of density that RM3 allows, it will surely eliminate the affordable, rental housing available in the 2600 block and north side of the 2700 block of NW Upshur. Please consider the RM2 zoning designation for NW Upshur West of NW 25th to keep it part of the neighborhood of Lower Macleay Park. Thank you, Thomas Metzger, 2720 NW Upshur St., Portland, OR 97210

Testimony is presented without formatting.









# Thomas Metzger

**#30266 | June 12, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

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Testimony is presented without formatting.



# Shawn O'Handley

**#30267 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The proposed zoning change for this area will diminish the quality of life for the surrounding residents. Given that the city keeps repeating the same mistakes in regards to retail space and parking I have little hope my input makes any difference.

Testimony is presented without formatting.

Zoe L. Powers  
zpowers@radlerwhite.com  
971.634.0215

1058.006

April 4, 2018

VIA EMAIL

Bill Cunningham  
Project Manager  
Better Housing by Design Project  
City of Portland  
bill.cunningham@portlandoregon.gov

Re: Better Housing by Design Amendment Request for Height on Site Well Served by Transit

Dear Mr. Cunningham,

I am writing on behalf of my client, PHK Development, Inc. ("PHK"), regarding the amendments to Portland City Code ("PCC") 33.120.215 proposed in the Better Housing by Design project ("BHD").

PHK is working to develop a mostly vacant lot located near NE 21<sup>st</sup> and Multnomah in Sullivan's Gulch (the "Property"). The BHD project will change the zone of the Property to RM4 with a design overlay. The RM4 zone is intended to be a "high density" and "intensely urban" area. BHD 33.120.030.

In keeping with the character of an intensely urban area, the Property is well served by transit. There are bus stops on Multnomah directly in front of the Property. There are 14 bus stops within ¼ of a mile. The Property lies at the intersection of two Transit Streets (21<sup>st</sup> and Multnomah are both classified as Transit Access Streets). A resident of the Property could be in downtown in less than 15 minutes on a single bus.

The RM4 code recognizes that sites like the Property – which are well served by transit – are opportunities for the City to build additional density and provide more housing opportunities close in to the city center. Accordingly, BHD 33.120.215 provides that: "In the RM4 zone the base height is 75 feet, except on sites that are ... within 1,000 feet of a transit station where the maximum height is 100 feet."

However, the wrinkle with the current code proposal is that the term "transit station" is defined narrowly as a "location where light rail vehicles stop to load or unload passengers." The light rail station at Lloyd Center is less than half a mile away and the tracks then run along the back of the Property. Unfortunately, the unique geography of this area – the gulch from which the Sullivan's Gulch neighborhood takes its name – makes it not possible to have a light rail station along that section of track that lies adjacent to the Property.

Bill Cunningham  
April 4, 2018  
Page 2

To allow for the density that the RM4 zone would typically allow on a site so well served by transit, we request amending 33.120.215 to recognize more multimodal transportation options, as is done elsewhere in Title 33. For example, areas that are within ¼ mile of a bus stop have reduced parking requirements, because the additional density of housing can be carried on the transit system instead of the roads. PCC 33.266.115.

The most appropriate standard for measuring transit accessibility may be one already contemplated by the BHD project. With the new BHD code, the Property will be subject to new Transportation Demand Management requirements because it is within 500 feet of a transit street with frequent-service bus lines. BHD 33.266.410; PCC 33.266.110.B. We would propose that this same test be applied in BHD 33.120.215 to resolve the internal inconsistency with the Transportation Demand Management requirements and to correct for the geographic issue that causes properties otherwise well served by transit to be barred from building additional height.

The proposed text for the requested amendment is as follows, but we are of course open to any other text that serves the same objective:

**Better Housing by Design Project – Discussion Draft (January 2018)**

**33.120.215 Height  
B. Height Standard.**

1. Base height. The base heights allowed in the multi-dwelling zones are stated in Table 120-3. In the RM4 zone the base height is 75 feet, except on sites that are (a) not within a Historic or Conservation district and (b) are within 1,000 feet of a transit station or are within 500 feet of a Transit Street with 20-minute peak hour service, where the maximum height is 100 feet. ...

We appreciate your time and attention to this request.

Best regards,

  
Zoe L. Powers

cc via email: Pat Kessi  
Christe White



phk  
 development

HACKER



PROJECT 0001 CITY TRANSIT MAP

# Zoe L. Powers

**#30271 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

From the desk of Terry Parker

**Subject: Testimony to the Portland Planning and Sustainability Commission related to the Better Housing by Design Final Draft, May 12, 2018**

Maximum building coverage limits and proposed setbacks that reflect neighborhood patterns are a worthy requirement as are required outdoor green spaces. Conversely, setbacks need to be increased on properties that are adjacent to lower density zones such as R5, matching the setbacks in the lower density zone.

FAR bonuses also need to be significantly reduced. One size does not fit all neighborhoods. On properties that border R5 zoning, FAR bonuses need to be totally eliminated and minimum density requirements should be waived. The transfer of development rights that can create larger out of scale buildings needs to be reconsidered, tightly regulated and/or extremely limited.

The foremost negative quality of life impact in the Better Housing by Design Draft is the absence of required off-street parking. A parking crisis and mayhem already exist in Northwest Portland. Will households with electric cars have to run extension cords across the sidewalks or down the block for overnight and home charging?

The city's own studies suggest that 72% of households in new large multi-unit buildings without parking have one or more cars. 59% of low income people drive to there place of employment. Habitat for Humanity gets it! They are planning a parking lot with a new affordable housing development in the 5600 block of NE Killingsworth even though the street has good transit service. (see attached)

At 60th and Killingsworth, the Hacienda - a low income apartment complex - has one parking place for every unit. With numerous extended families or cohabitating room mates living in the complex, the surrounding streets are filled with stored cars, including cars being parked diagonal on the West side of 60th. The negative impact to the surrounding neighborhood would be considerably worse with the absence of off-street parking!

People that use an alternative means of transport to commute also have cars. A similar statement is continually vocalized by bicyclists as a skewed excuse for not paying their own way to fund the "privilege" of having specialized bicycle infrastructure.

**Parking demand management must require adequate off-street car storage parking - with overnight charging connectivity for electric vehicles - for all new residential development including on frequent transit corridors and within light rail station areas.**

**In RM1 zones, the ratio must have no less than one space for every unit. In RM2, RM3 and RM4 zones, this parking needs to have no less than three parking spaces for every four units.**

Respectively submitted,

Terry Parker  
Northeast Portland



## From The Hollywood Star News June 2018

### HABITAT FOR HUMANITY AFFORDABLE HOUSING ON THE WAY IN CULLY

Dubbed Cully Commons, Habitat for Humanity/Portland Metro East's latest venture in the 5600 block of Northeast Killingsworth Street will accommodate a total of 70 individuals to eventually reside on the property. According to Habitat's communications director Melinda Musser, 21 buildings will include three triplex and three duplex townhomes, three two-bedroom, seven three-bedroom, four four-bedroom and one five-bedroom homes.

The structures will be complemented by a playground and parking lot and take two years to complete. Four Habitat staff members will be involved in coordinating the work of professionals and more than 4,000 volunteers. "Excavation, concrete, electrical, plumbing and roofing will be done by professional contractors," Musser said, "while volunteers will perform all other aspects of building this project." Habitat homebuyers are required to put in 300 hours of "sweat equity" building their home, working in Habitat's ReStores, and completing homeownership education classes before purchasing their home with



Part of Habitat for Humanity's Cully Commons project that hopes to house 70 people after two years of construction. A handful of Habitat staff will coordinate the work of professionals and 4,000 volunteers to make the 21-building affordable housing project a reality by 2020. (Habitat for Humanity)

an affordable mortgage, Musser added.

Musser also said one of the homes will be ADA accessible and all the homes will be ADA "visitable," having one zero-step entrance, wide hallways and doorways for clear passage, and at least one bathroom on the main floor accessible to anyone using a wheelchair.

- CONTINUED ON PAGE 9

# Terry Parker

**#30273 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



# Yesika Arevalo

**#30561 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Bob Johnson

**#30562 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Sarah Iannarone

**#30563 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Terry Parker

**#30564 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Leon Porter

**#30565 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Phil Norman

**#30566 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# David Hollenshead

**#30567 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.



Doug Klotz  
1908 SE 35<sup>th</sup> Pl  
Portland, OR 97214  
6-10-18

Planning and Sustainability Commission  
Re: Better Housing by Design Proposed Draft May 2018

Chair Schultz and Commissioners:

I am disappointed to learn that the Proposed Draft will, according to the EPS analysis, result in almost no rental units being built in Inner Portland! This is really unconscionable, that the multifamily zones are being rewritten in such a way that no rentals will be built. Yes, some may be built east of 205, but almost no Inner ones, simply because with the Residual Land Value required, the land is too expensive. It is good to have townhomes and condos, to have home-ownership options, for those who can afford them. But 40% of Portlanders are renters. We shouldn't allow a plan that's for the multi-dwelling zones, to shut them out of inner Portland!

In the past decade, almost all the units built in the Inner neighborhoods have been in Commercial Zones because Multifamily zones yield such meager unit counts. Because of the exclusionary zoning that currently limits much of the city to single-family houses, multifamily zoning is severely limited. Before 1959 multifamily was allowed in most residential areas. This is when the existing missing middle houses were built.

Now, in much of Portland, there is such demand that we'll never get courtyard apartments or fourplexes in the Inner city because of high land prices. But we need the housing, including rentals, so we need to dramatically increase the entitlements in the few multifamily zones. The idea of designing apartment buildings to "fit" in single-family residential neighborhoods is wrong-headed. Yes, these buildings will be bigger than the detached houses that are there now. That is an unfortunate result of the legacy of exclusionary zoning, but we can't let that stop us from building housing now.

I realize such capacity increases will be unpopular. I would offer an alternative, which could be used in conjunction with the above, which won't build as much housing, but would be more palatable to the majority of people:

Increase capacity in RM2 on Neighborhood and Civic Corridors in Inner Pattern Area

Dramatically increase entitlements in the RM2 zone, where it occurs alongside Commercial Zoning, on all lots abutting Neighborhood Corridors and Civic Corridors within the Inner Pattern Area thusly:

Raise the FAR to a base of 2.0:1 and a bonus of 3.0:1, with Deep Affordability of 4.0:1.

Raise the Maximum Lot Coverage to 85%.

Reduce the required Landscaping to 10%.

Reduce the required Front Setback and the Required Street Setback (which would be for side streets) to 5', with the option of reducing the setback to zero if the ground floor is at least 2' above sidewalk grade.

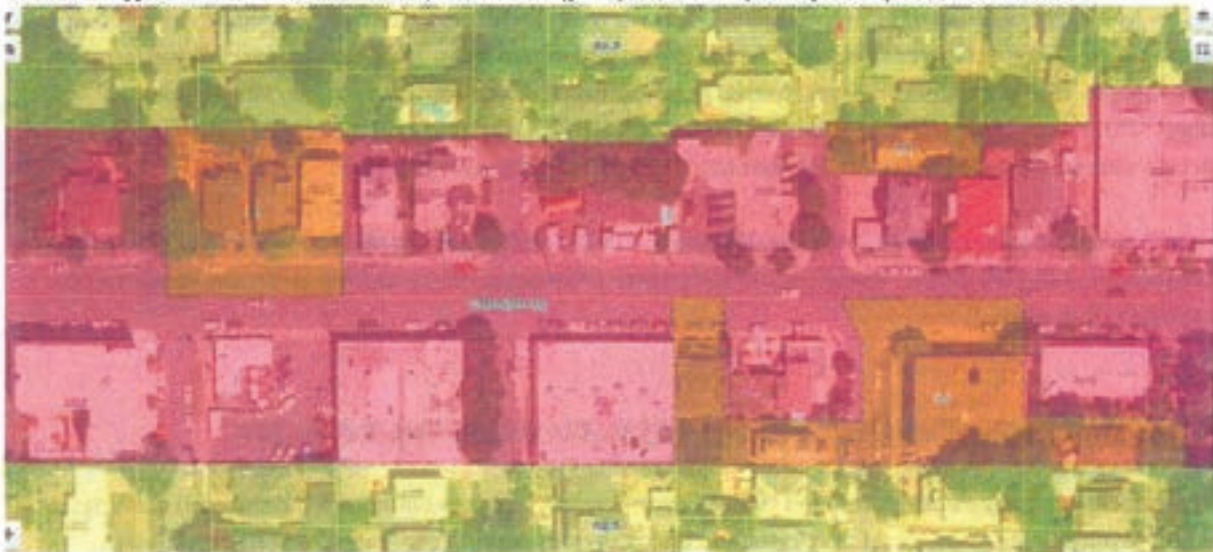
Reduce the required Side and Rear setbacks to zero, except if abutting Single-dwelling zoning, in which case the minimum should remain at 5'

To increase capacity on these Corridors and allow a continuous street wall, reduce minimum building setbacks in the Commercial/Mixed Use Zones in these locations, on lot lines abutting RM2 – RM4 lots, to zero. This way, neither the RM lots or the CM lots would have a side setback, and could be abutting.

These changes on these Corridors, will bring those lots closer to (but not as high as) the entitlements on the Commercial Zones they are right next to. I know staff has an idea that Multi-dwelling zones should be "smaller", to "provide transitions" to single-dwelling residential. But, where these zones are on these corridors, they are not "transitions", and we must allow more density in these valuable locations.

Some have said, "why not rezone these lots to Commercial?". That's a fine idea, but the city failed to do that when it had the opportunity during the Comprehensive Plan. And a future plan to do this will be too late and likely run into opposition. The best way to address the failure of this proposal is to at least offer this density increase on these corridors, to address our housing crisis now!

Here is a typical Inner Corridor block, with CM2 (pink) and RM2 (dark yellow) lots intermixed:



#### Additional changes and support

Change the "Stepdown" height in RM2, RM3, and RM4 where abutting SFR zones, from 35' to 45', to match with construction practices and allow more capacity.



Reduce the minimum Front (and side street) setback in RM3 from 10' (with 5' for high floor) to 5' with 0' for high floor. Reduce Street setback (side street) in RM3 and RM4 similarly to 5' with 0' for high floor. Reduce side and rear setbacks on RM3 and RM4, everywhere, to 5' for the first 45', and then 10'.

Where the first floor is set back to promote first floor privacy, allow upper floors to extend to the property line. This example at 29<sup>th</sup> and SE Stark shows this typology.



Increase the minimum density in the RM1 zone to one unit per 2500 s.f., and in RM2 to one unit per 1000 s.f., to ensure the lots are utilized in closer to their appropriate density.

I propose allowing SRO (Single-room-occupancy) uses in RM1 as well as other MD zones.

I support the change to allow zero front setback where entry courtyards are included.

I ask that the PSC direct BPS to look at and update the mapping of the MD Comp Plan designations as well as the zone mapping. For instance, the north side of Division from 50<sup>th</sup> to 60<sup>th</sup> is now R2, and could justifiably be RM2, so the Comp Plan designation should be changed, and possibly the zoning as well.

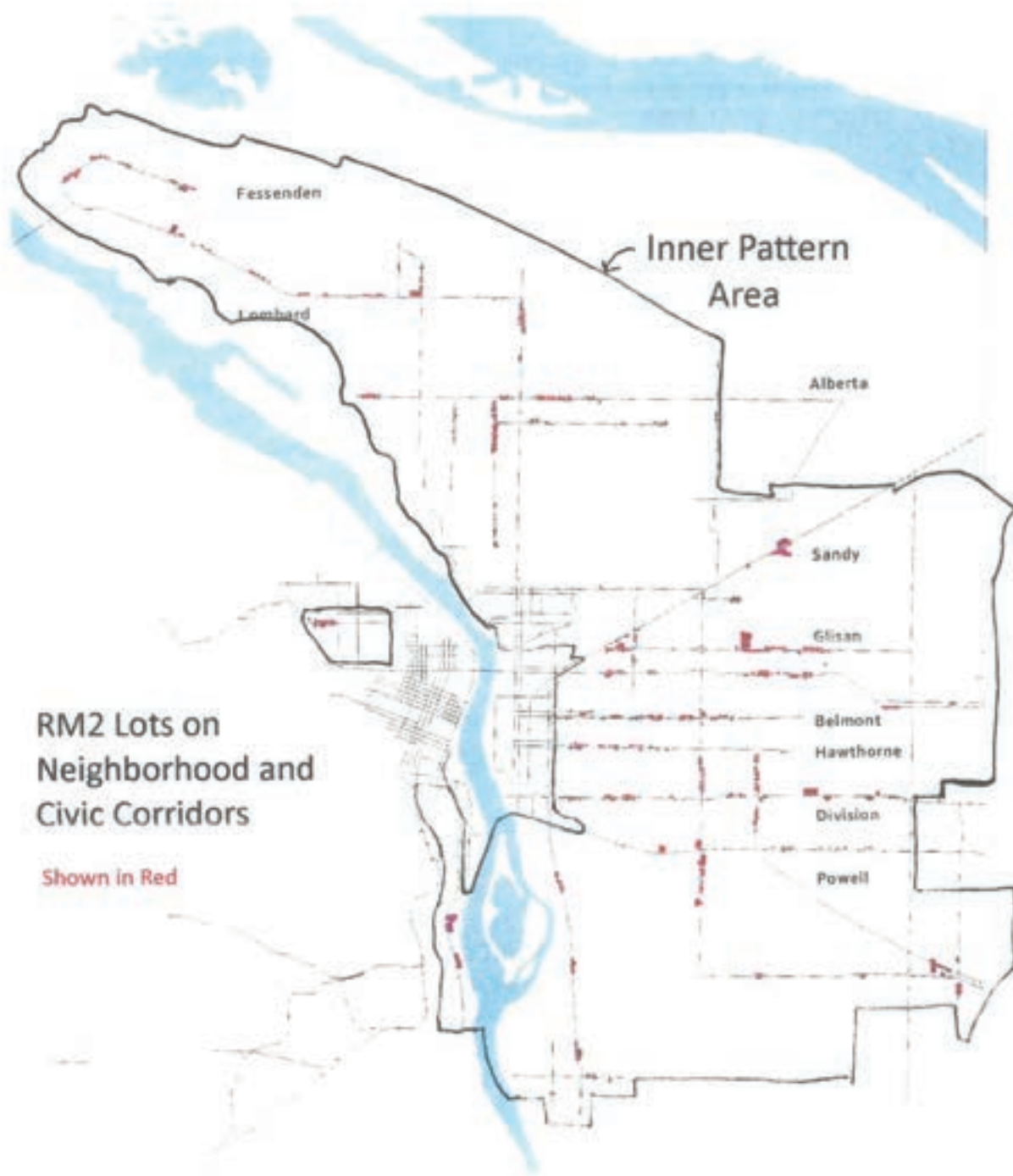
A lot of work and analysis went into this project, and I support most of the other changes, including the proposals that will increase livability of multi-dwelling construction in East Portland.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Klotz".

Doug Klotz

This is where I propose to raise zoning code allowances in RM2 zones:



## 5000 sf lot in RM2

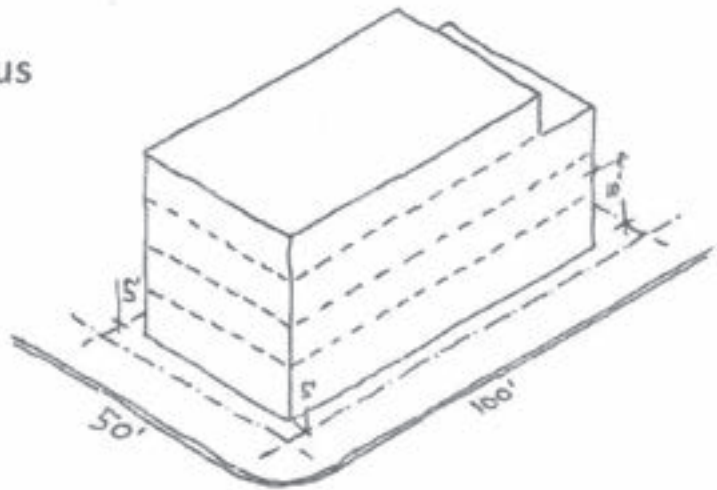
### BHD Proposed Draft:

Allows FAR of 1.5 and 2.25 Bonus

70% lot coverage on Corridors

Front setback 10' reduced to  
5' when first floor raised by 2'

Side and rear setbacks 5' min  
(FAR of 2.6 would fit in bldg)



Staff considered raising FAR  
to 1.75 and 2.5, which would fit,  
but didn't because of a concern that  
buildings would be too "boxy".

### A Housing Increase Proposal:

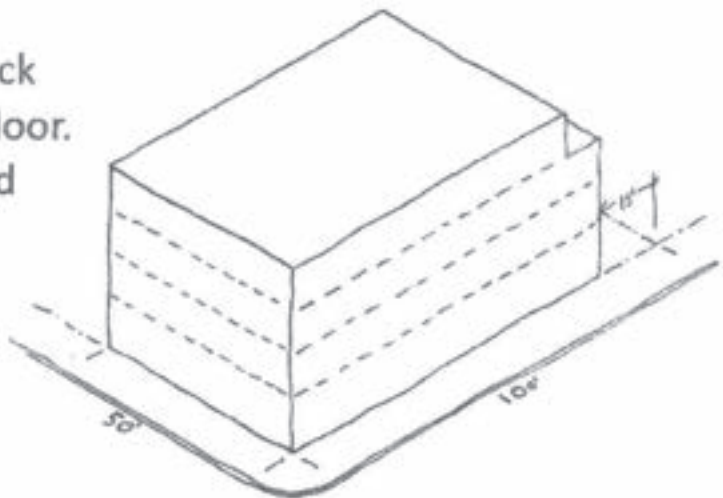
Allow FAR of 2.0 and 3.0 bonus

Increase lot coverage to 85%

Side setbacks 0 and front setback  
5' reduceable to 0 with raised floor.

Allow this on Neighborhood and  
Civic Corridors within Inner  
Pattern Area.

(FAR of 3.3 would fit in building)

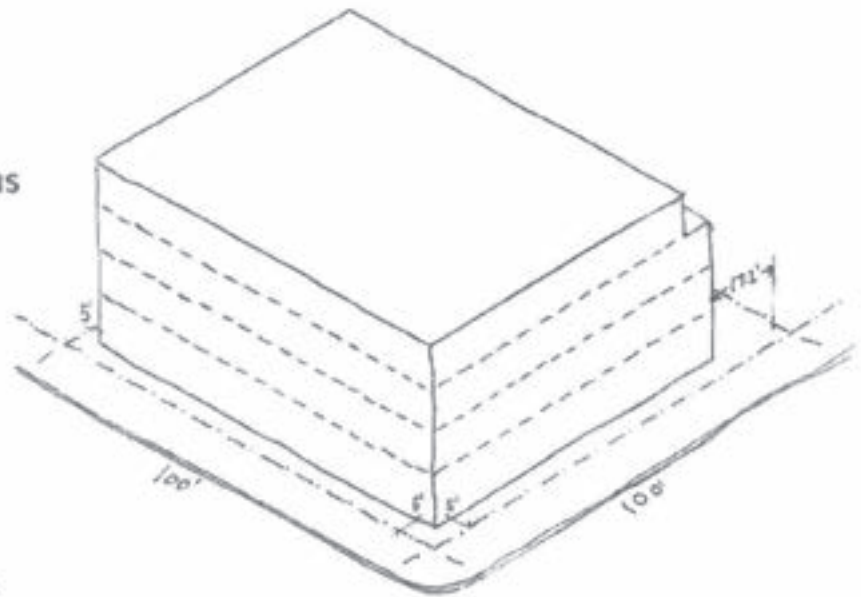




## 10,000 sf lot in RM2

### BHD Proposed Draft:

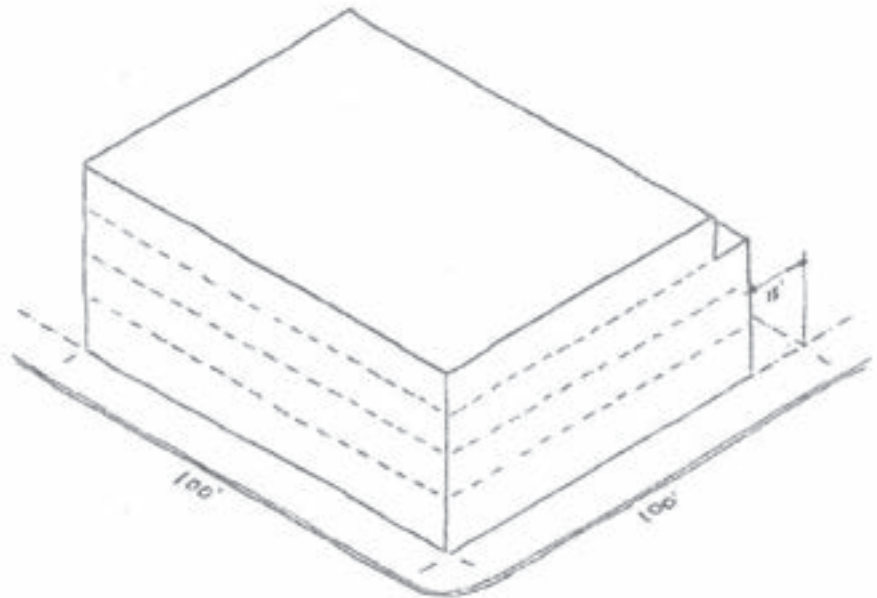
Allows FAR of 1.5 and 2.25 Bonus  
70% lot coverage on Corridors  
Front setback 10' reduced to  
5' when 1st floor raised by 2'  
Side and rear setbacks 5' min  
(FAR of 2.73 would fit in bldg)



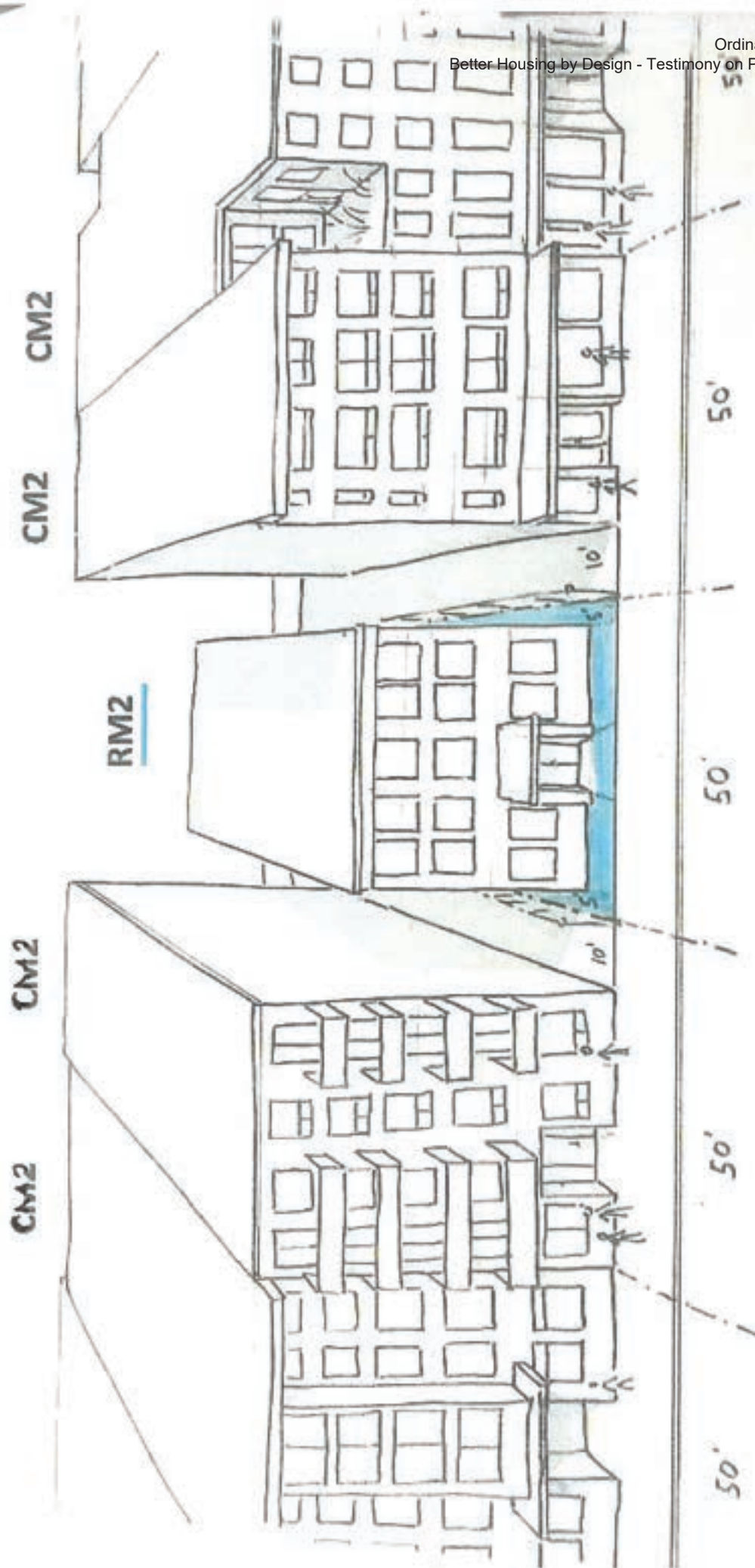
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Allow FAR of 2.0 and 3.0 Bonus  
Increase lot coverage to 85%  
Side setbacks 0,  
Front setback 5',  
reduceable to 0 with raised floor.  
Allow this on Neighborhood  
and Civic Corridors within the  
Inner Pattern Area.  
(FAR of 3.3 would fit in bldg.)



Proposed draft limits size of RM2, even when on Corridors next to CM2 zoning, with this result. FAR and lot coverage need to be raised, and setbacks reduced, so RM2 can take full advantage of Corridor locations. (also, 10' min. setback in adjacent CM2 should be eliminated where sides about RM2)











**Multifamily (yellow) and Mixed Use (red), on Corridors**

# Doug Klotz

**#30568 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Zoe Lynn Powers

**#30569 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

Portland Planning and Sustainability Commission Public Hearing

Date: June 12, 2018  
Name: Jozeil Johnson (Please print legibly)  
Authorized Spokesperson representing: NWDA (Northwest) (if applicable)  
Address: 533 NW 18th  
City: Portland Zip: 97209 Phone: 503-227-2864  
Email Address and/or Fax No.: JJ-Message@yahoo.com  
What agenda item do you wish to comment on? Better housing by design  
Site Address, if different from above: \_\_\_\_\_

☒ (check if written comments are included on back)



You have a NWDA Letter <sup>support and</sup> raising concerns about the changes. Our concern is many of the changes are already in effect - 4:1 FAR specifically

As a member of the NWDA board and the NWDA Planning Committee for the last 2 years I can attest that we did not know about these changes in the historic district (4:1 in historic district)

Most Importantly

- 1) the change applying RM4 Zone in the historic district. This creates conflicts with existing historic district design standards.

We are asking that these Zones be changed back to 2:1 captured in RM3 in the historic zones.

# JoZell Johnson

**#30570 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

June 12, 2018

To the Portland Planning and Sustainability Commission:

**SUBJECT: Better Housing By Design**

While there are many elements of this proposal that are excellent and will improve our city, there are also many elements that will foster development that is contrary to the character of Portland.

I am writing as an affected property owner of RH-zoned property in Northwest Portland, and as an experienced planner. I retired a few years ago after nearly 30 years as a Senior City Planner with Portland, and so I understand, perhaps better than most, the way the Zoning Code works, and the ways that poorly conceived regulations and zoning can damage an area.

**I absolutely agree with all of the points raised in the letter from the Northwest District Association Planning Committee, and particularly share their concern about applying RM4 zoning within the Alphabet Historic District.**

The bulk of the Historic District is composed of buildings with an FAR of 2:1 or less. The RM4 zoning proposed for the existing RH zone east of NW 21st Avenue would allow an FAR of 4:1, and, with bonuses, an increase to 6:1. Heights are also proposed to increase. It is almost impossible for development of that size—even without the bonuses—to meet the Historic Resource Review approval criteria for the Alphabet District. (This is also called Historic Design Review.)

Developers often do not consider the impact of the Historic Resource overlay, and buy property expecting to build to the full allowance of the base zone. They typically pay at a level that reflects that understanding. This sets the stage for continued conflict between neighbors and developers, and puts the City in the position of having to tell developers that they cannot build what they had expected to—and may not be able to make a profit on their investment. Nobody wants that.

**The RM3 zone would be more appropriate for the Alphabet Historic District.** It would encourage developers to design buildings that could meet the historic design guidelines, and would reduce conflicts. It would help preserve the character of the Historic District, while still allowing additional density to be added to our neighborhood.

**I request that you apply the RM3 zone to all RH-zoned properties within the Alphabet Historic District.**

Many complain that Portland is changing too much, that we are losing the unique character that makes Portland special. Nowhere is that character more prominent than in the National Register Historic Districts. Development and change are part of the life of a city, but we can at least try to preserve Portland's character in these districts. Like my neighbors, I support additional density, and welcome additional development. However, in the small portion of Northwest that is in the Historic District, I think we need to balance goals to both allow development at a reasonable level, and preserve the Historic District. The RM4 zone does not do that. The RM3 zone does.

Sincerely,

Jessica Richman  
1911 NW Hoyt St.  
Portland, OR 97209  
Jessica.R.Baking@Gmail.com

# Jessica Richman

**#30571 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.



# Aaron Parecki

**#30572 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Tamara DeRidder

**#30573 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Ave, Suite 7100  
Portland, OR 97201



Arbor Lodge Neighborhood Association  
Transcript of spoken comments  
PSC Public Hearing, June 12, 2018  
2305 SE 82nd Avenue

Hello, my name is Mark Wyman. I serve as co-chair of the Land Use Committee, and as board member for the Arbor Lodge Neighborhood Association. Thank you for the opportunity to provide comments on the proposed changes to multifamily zoning this evening.

Arbor Lodge is currently under immense development pressure, principally directed towards the high density (RH) zones within the North Interstate Planning District. Many of the high density (RH) lots in Arbor Lodge contain single family homes, and are situated on low-rise single family streets. The scale and the pace of redevelopment in Arbor Lodge has left many in our community concerned that our future is being shaped by multifamily developers whose focus is solely on the profitability of their own projects. Better Housing by Design does not revisit the decision to rezone our neighborhood for multifamily development, however it does offer meaningful change that will improve the quality of life for both current and future residents of Arbor Lodge.

Our community supports an inclusive vision for new development, and we are supportive of infill that provides quality housing opportunities for a diversity of household types. We believe this can be done while preserving the qualities that have made Arbor Lodge an attractive location for developers. My comments this evening will highlight Better Housing by Design measures that support this vision, and provides recommendations for additional measures to advance the policy objectives expressed in the Better Housing By Design recommended draft.

Affordable housing and tree preservation are two of the foremost priorities we hear expressed by members of our community. As such, the Arbor Lodge Neighborhood Association

- Supports the proposal to limit density bonuses and transfer rights solely to the provision of affordable housing units, and the preservation of trees

A point of constructive feedback is that the proposed minimum density requirements (which are measured solely by a ratio of dwelling units to square footage of site area) may work against these objectives. The Arbor Lodge Neighborhood Association proposes

- A flexible approach to minimum density requirements which may allow lower density ratios for projects that preserve mature trees or include two or three bedroom apartments

We hear too often that developers cannot save trees because of the footprint of their project, and sadly we see far too many small square footage studio and one bedroom apartments which do not provide viable housing opportunities for families of any income.

The Arbor Lodge Neighborhood Association strongly encourages city planners to retain the following Better Housing by Design measures which will improve the quality of life for new residents:

- Requirements for resident outdoor space in all new development in high density zones should be adopted as proposed
- The proposed 10' front setback requirements should be adopted as proposed
- The enhanced Transportation and Parking Demand Management (TDM) requirements are helpful, however we feel they should be expanded to include all new development within any zoning designation which does not require off-street parking.

An additional measure to support car-free development is a requirement to provide dedicated, secure indoor bicycle parking in addition to in-unit bike parking.

Finally, we wish to highlight staff's thoughtful handling of volume 3, which addresses the interaction of the proposed changes to base zoning with the North Interstate Planning District. The preservation of transitional measures between high and medium density zoning designations is critically important for neighborhoods whose medium density lots are currently occupied by single family housing. It is untenable to envision a building of 65' to 100' being sited within 5' of a single family home.

The Arbor Lodge Neighborhood Association strongly recommends adoption of the proposed transitional measures in section 33.561.230 detailed in Volume 3 of BHD:

- Step down requirements limiting high density (RM 3 + RM 4) building heights to 35' within 25' of an abutting RF to RM2 zoned lot
- Retaining the rear set back requirement of 10' between high and medium density zoned lots.

The proposed measures highlighted in our testimony are examples of meaningful improvements to code which promote a good quality of life for existing and new residents. As a parting



statement, I would like to address those in the development community who may be present this evening. No set of zoning rules, and no law can force a change in perspective. We hope you consider the spirit in which these changes to code are being made. There are too many participants in the building industry who behave as though measures designed to promote the health of residents and communities are nothing but regulatory burden.

We can, and we must do better. The future of our city hangs in the balance, and we must work together to build equitable communities that reflect the values that have long made Portland a special place to live.

Mark Wyman

Co-Chair Land Use Committee  
Arbor Lodge Neighborhood Association  
% NPNS  
2209 N Schoefield St  
Portland, OR 97217

# Mark Wyman

**#30574 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Bradley Bondy

**#30575 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Allen Hines

**#30576 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.



# Miles Sisk

**#30577 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# David Schoellhamer

**#30578 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Mike Beamer

**#30579 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Sandra Ward

**#30580 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Larry Cross

**#30581 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Dani Zeghbib

**#30582 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Harold Carlston

**#30583 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.



# Anthony Bencivengo

**#30584 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Grace Jacobs

**#30585 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Cindy Hurley

**#30586 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

Testimony from Jenka Soderberg  
228 SE 127<sup>th</sup> Ave.  
Portland OR 97233  
June 12, 2018

There is supposed to be a focus on in-fill development in the city of Portland's strategic plan. Instead, you are pushing high rise apartments in outer east Portland – where many people came in order to have a quiet, residential neighborhood.

Last August, our neighborhood watched as developers destroyed a beautiful grove of old growth Douglas fir trees at 127<sup>th</sup> and Stark. Every resident on 127<sup>th</sup> Avenue signed a letter opposing the development, which we sent to City Councilors and the developer. Everyone on this street is concerned about development, and especially concerned about the city's failure to communicate about the construction.

For the past 9 months, we have endured the daily noise of your construction site, the heavy vehicles barreling down our quiet residential street, the potholes on our unpaved road that have been severely exacerbated by your trucks and machinery, and the dust that is now coating our homes and cars from your trucks and machinery tearing through our neighborhood each day with huge clouds of dust.

Our street is unpaved. Instead of offering to pave the road on 127<sup>th</sup> Ave. between Stark and Burnside, **with speed bumps** to prevent speeding, and sidewalks to allow wheelchair users like my husband to be mobile, the city is proposing to build more apartment buildings to destroy more of our street's old growth trees, and those on 126<sup>th</sup> Ave. as well.



# Jenka Soderberg

**#30587 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Claud Gilbert

**#30588 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Steve Maxen

**#30589 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.



Pick Michaelson

Ordinance #189805  
Better Housing by Design - Testimony on Proposed Draft

	R5	R2.5	RM1	RM2	RM3	CM2	CM3	RM4	RX
FAR	.5	.7	1	1.5	2	2.5	3	4	4
HEIGHT	30	35	35	45	65	45	65	75	100
BUILDING COVERAGE	50%	50%	50%	60%/70%	85%	100%	100%	85%	100%
LANDSCAPED AREA			30%	20%	15%	15%	15%	15%	0
FRONT SETBACK	15	10	10	10	10	0	0	5	0
SIDE SETBACK	5	5	5	5	5/10	0	0	5/10	0

# Rick Michaelson

**#30590 | June 12, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

Portland Planning and Sustainability Commission Public Hearing

Date: 6-12-18  
Name: Aida K (Please print legibly)  
Authorized Spokesperson representing: Community (if applicable)  
Address: NE Patton St  
City: Portland Zip: 97211 Phone: \_\_\_\_\_  
Email Address and/or Fax No.: \_\_\_\_\_  
What agenda item do you wish to comment on? Zoning & Charges  
Site Address, if different from above: NE area

☐ (check if written comments are included on back)

Why are issues discussed now for  
communities when development is already  
happening? How is <sup>my</sup> input being considered?  
Will it be considered?

# Aida K

**#30591 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Mary Ann Schwab

**#30592 | June 12, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See video

Testimony is presented without formatting.

# Brad Hochhalter and Siri Shetty

**#30710 | June 12, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We have lived in the historic neighborhood since 2010 and have owned a home in the Alphabet District since 2005. We have reviewed the plans to re-zone areas west of NW 21st to limit the FAR to retain the character of the neighborhood. In that vein, we oppose the proposal to apply the RM4 zone to some areas of the Alphabet Historic District now zoned RH. The new zone would allow FARs of 4:1 (and more with bonuses). It is nearly impossible for development designed at 4:1 FAR to meet the approval criteria for historic design review. The RM3 zone, with a maximum FAR of 2:1, would be a much better fit, and result in development that is more compatible with the Historic District. Please consider the long term effects of buildings that are out of scale with the surrounding neighborhood and how that degrades the intimate character of Portland's Historic District. There are no second chances! Once the buildings go up the change is irreversible.

Testimony is presented without formatting.



# Alan Kessler

**#30272 | June 13, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This project is an opportunity to advance Fair Housing throughout the city. Portland is deeply segregated as a result of its exclusionary zoning. Neighborhoods such as Eastmoreland have been racially-homogeneous enclaves for at least a century. A recent article from the Sightline Institute analyzes this phenomenon well.

<http://www.sightline.org/2018/01/18/every-month-portlands-infill-rules-arent-changed-the-city-looks-more-like-this/>  
The failure of this project and other recent rezoning projects to create opportunities to build dense affordable housing in our most segregated neighborhoods is violation of the Fair Housing Act (e.g. perpetuating segregated housing patterns), and is morally unconscionable. The neighborhoods identified in the Sightline article as having shirked their responsibility to add density during World War II and thereafter (including Eastmoreland) should be receiving largest proportion of RM2-RM4 zoning. The proposed map continues the discriminatory pattern and ensures continued segregation.

Testimony is presented without formatting.

# Marie McKim

**#30275 | June 13, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Efforts to gentrify St. Johns will never really take off until a new route for the massive semi-trucks that cross the bridge is established. Not too many people with big money want to live on a truck route and essentially, N. Ivanhoe has huge trucks barreling down the street at all hours and we have two traffic signals from the bridge to St. Louis, which then turn into Fessenden and getting across the street is treacherous at times not mention how the trucks and vehicles towing boats jump the curb where the only other traffic signal is, making it dangerous to stand on the corner waiting for the light to change...this does not lend itself to gentrification...How much further East are you going to push low income families in the quest to satisfy greedy developers...how about more affordable housing so that we don't have car dwellers all around the neighborhood...So before you get to gentrifying, roll up your sleeves you have a lot of pressing issues standing in the way of recreating NW 23rd.

Testimony is presented without formatting.

# Christine Alexander

**#30276 | June 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

No one near the intersection of Kellogg and st Louis has driveways. We are in competition with the apartment dwellers as it is for street parking. Creating more tall apartment buildings is going to make that even worse. Please provide parking for new projects.

Testimony is presented without formatting.

# Matt Ferris-Smith

**#30279 | June 14, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Thank you for your work to help new homes meet Portland's goals for livability, affordability, and climate change. I strongly recommend revising the proposed draft to allow for more homes, and more types of homes, in our neighborhoods. Allowing for more new homes with flexible requirements will help address our affordability crisis while providing more people with the opportunity to walk, bike, and use transit to access destinations. Specifically, I urge you to:

1. Increase the base FAR and bonuses in the RM1, RM2, and RM3 zones to allow for more new homes in the relatively few areas where these zones apply.
2. Eliminate minimum parking requirements in the RM1, RM2, and RM3 zones. Parking requirements significantly increase housing costs and undercut Portland's goals for climate change and transportation mode share. Meters and permits represent better options to address incumbent residents' concerns about storing private vehicles on public streets.
2. Reduce front setbacks to zero as the general standard in RM1, RM2, and RM3 zones to allow for more flexibility in building types and to support street activation. Privacy concerns can be addressed in other ways, and Portland already has loads of suburban-style housing options for people who desire a setback.
3. Reduce or eliminate private outdoor space requirements to allow for more flexibility in building types and to support more affordable housing. If the City of Portland is concerned about access to outdoor space, please meet this goal by increasing access to high-quality public parks rather than by forcing people to pay for private space that they may not want, may add little to quality of life, and offers nothing to the community at-large.

Thank you!

Testimony is presented without formatting.

# Jenny Rudolph

**#30283 | June 14, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Good Afternoon, I have been a resident of University Park Neighborhood for 8 years and am a homeowner. I am extremely concerned about the proposed zoning changes to the Water Bureau Property. This particular parcel immediately to the NW of 6702 Syracuse contains a designated heritage tree. My own children attend the University Park Preschool right next door and this area provides a wonderful natural playground for the neighborhood children and others of all ages to enjoy our natural environment and trees that are over 100 years old. I urge you to maintain this property as a natural area with NO DEVELOPMENT in the area around the heritage tree. Thank you for your consideration. Jenny Rudolph Mom, UP Neighborhood Homeowner

Testimony is presented without formatting.



**City of  
Portland, Oregon**  
**Bureau of Development Services**  
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-6983  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

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## MEMO

**Date:** June 14, 2018  
**To:** Planning and Sustainability Commission  
**From:** Kimberly Tallant  
Bureau of Development Services  
**CC:** Susan Anderson, Director  
Bureau of Planning and Sustainability  
Rebecca Esau, Director  
Bureau of Development Services  
**Re:** BDS Comments on Better Housing by Design Proposed Draft

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Thank you for the opportunity to review and comment on the Better Housing by Design (BHD) proposed draft code changes. This important project will revise Zoning Code development standards in Portland's multi-dwelling zones (R3, R2, R1, and RH) outside the Central City to better meet Comprehensive Plan policies calling for diverse housing opportunities to meet the needs of a growing Portland. We appreciate the chance to participate in informing this critical re-write of the Zoning Code's development standards.

The comments below highlight our primary areas of concern and provide detailed comments on the proposal. The primary areas of concern are organized into potential implementation issues, and policy concerns. We look forward to working with BPS staff to address our concerns and to providing additional feedback as the project develops. Please direct questions about these comments to Laura Lehman on my staff.

### **Primary Areas of Concern**

#### ***Potential Implementation Issues***

1. Complexity: BDS has concerns that code being proposed is overly complicated, will be challenging for applicants and property owners to understand, and will add to the time it takes to conduct permit reviews. Efforts should be made to reconsider the structure and requirements of some of the standards being proposed, particularly FAR, height, and outdoor area. These requirements should also be aligned with other proposed code changes as closely as possible.
2. Floor Area Ratio: Introducing floor area ratio as a development standard will present a challenge for existing one-and-two dwelling development in the multi-dwelling zones. Because floor area ratio has not been used as a tool for single dwelling development before,

we foresee issues with consistently applying the standard to structures that differ greatly from the commercial buildings that are currently subject to the regulation. Because the standard applies to existing development, applicants for single dwelling and duplex remodeling projects that include additions will need to provide more detailed plans to evaluate existing and proposed floor area and may be subject to repeated Adjustment Reviews. This, in addition to other code changes being made, will add to the time it takes to conduct plan review.

3. **Visitability:** These regulations are close to Building Code requirements for accessibility and those reviewers are best qualified to evaluate projects for compliance and exceptions. We encourage you to look for ways to include the provisions in the Building Code or Title 24. If standards remain in the Zoning Code, they should be simplified so they are easily understood and consistently implemented. The purpose statement should also clearly specify when and how it is appropriate to modify the standards.

### ***Policy Feedback***

1. **Floor Area Ratio:** As stated in the code commentary, single-dwelling development is currently the predominant development type in most multi-dwelling zones. Homeowners often choose to serve as their own contractor when making alterations to their homes. Homeowners may not have expertise in drawing detailed building plans, and introducing floor area ratio as a development standard will require much more detailed plans for remodeling projects that include additions or changes to floor area. This requirement will increase permitting requirements for these projects and could result in equity impacts that disproportionately affect homeowners and small developers. In addition, it is recommended that you strengthen the commentary for “Reasons for regulating FAR...” and why the proposed building coverage, height, and setback standards with the removal of maximum density standards wouldn’t achieve the desired development type.
2. **Minimum Required Site Frontages:** Requiring a minimum site frontage length for development in the multi-dwelling zones presents a barrier to development and could favor larger developers with more resources to aggregate sites for development. Similar minimum site size limitations in Pleasant Valley Plan District have resulted in very little development in the area since its adoption. Consider whether this standard may result in little new residential development due to difficulty in acquiring enough adjacent property to meet minimum site frontage requirements. Applying this restriction in and around neighborhood centers, where additional density/development is desirable, has the potential to push development outside of these areas and further from neighborhood centers/transit options.

An additional stated reason for the proposed minimum site frontage is to prevent some of the development patterns that are often built on narrow lots – however, increasing the minimum frontage does not directly address this concern. Undesirable development patterns could still be built on lots with longer street frontages. It would make more sense to address these concerns directly through development standards related to site design.



## Detailed Comments

We offer the following additional detailed comments.

Item No.	Page	Code Section	Comment
1	Volume 1 5	Graphic	This graphic depicts a deep rear setback on a large block in East Portland. It appears like this area is going to provide a huge open green space in the rear of these lots that provides almost a park like setting with blue arrow that appears to represent paths or connections to adjacent streets. In reality these rear setback areas will likely be fenced off from one another and the code does not require any public paths in the rear of these deep lots via public easements or public pedestrian connections. I think the graphic is misleading in assuming that the future code will result in this scenario based on large rear setbacks in East Portland.
2	Volume 2 23	33.120.030	The RH zone is described as “urban-scale” – the RX zone should also include this language for consistency. Insert “urban-scale” after “high density” in first sentence of RX description.
3	31	33.120.100.B.2	a.2 – 1,000sf of retail per use is small.  “combinedfloor” needs a space
4	41	33.120.110.B	It is confusing to allow retail in RM zones with two different sets of regulations – one based on FAR and one based on percentage of floor area (5% of net building area in accessory commercial in 33.120.110.B.2 vs. 0.4:1 FAR for retail in 33.120.100.B.2). Use one approach or the other. Also, does “in addition to” mean a site can have both: retail up to 0.4:1 AND accessory commercial up to 5% of net building area?
5	47	Table 120-2	A triplex is Multi-Dwelling Development, so technically adding triplex is redundant. This is potentially confusing to folks, since a three-unit multi-dwelling building would fit into two categories, one of which is only a subset of the other.

Item No.	Page	Code Section	Comment
6	49	33.120.205.C, D and E	Please change references to “lot size standards” to “lot dimension standards” for consistency with 33.612. The current language causes confusion about whether all of the lot dimension standards (area, width, depth, front lot line) or just the lot area standards
7	51	33.120.206.C.2.b	Proving density count on adjacent lots will be difficult for customers and potentially staff when it’s not just a house or duplex. This will trigger additional permit research in most cases. Adds time and complexity to scoping whether or not development on the site is prohibited (lots of staff research time).
8	51	33.120.206.C.2.c	The exception to this minimum lot size standard is to allow development to be approved via a Planned Development. Discussions with the BPS team indicated that this would be processed as a Type IIx review, but it does not appear that code amendments have been included to make this clear. Based on the proposed code, this review could still be a Type III in some circumstances. Please include code language to clarify the process type for this review.
9	53 219	Table 120-3 and other locations	Please define “local service street” or otherwise clarify what types of streets are included. This term is used in various locations in the code and has caused confusion. For example, does it apply to private streets? Pedestrian only streets, whether public or private? Please note that 33.654.160 indicates that all new streets and pedestrian connections are local service streets unless the TSP indicates otherwise.
10	53-55	33.120.210	FAR limit as proposed reduces building area in the affected zones – how does this improve affordability or unit diversity? The logic that imposing FAR will reduce townhouse development is somewhat naïve: the end result is likely to be smaller townhouses with less floor area, since that

Item No.	Page	Code Section	Comment
			<p>development type appeals to developers and consumers in East Portland (economy, simple to build, looks like a 'house', privacy, ease of access in a car-dependent culture, nobody above/below you, noise, etc.). This approach may result in fewer units built, smaller buildings, and more expensive per-square-foot housing.</p> <p>If regulating by FAR, please include a small exemption from FAR for houses/duplexes/manufactured homes doing additions. Consider exempting ADUs from FAR standards.</p>
11	53	Table 120-3	<p>A 0-foot front setback in RX zones may present a challenge when providing visitable units.</p> <p>A [2] footnote should be added to the table pointing you to 33.120.284.C for minimum setbacks on flag lots.</p>
12	53	Table 120-3, Minimum Front Setbacks	<p>Higher-density infill housing in Portland, both traditionally and in recent years, has provided side and rear setbacks in these zones but often come close to the street, helping mitigate impacts on other nearby projects on the back or rear sides. Especially on smaller infill or urban sites, the deeper street setback along the front/street sides in this proposal is contrary to the project goals to stimulate traditionally-scaled, smaller, diverse units like courtyard buildings, which often hugged the public right-of-way with only a narrow (ROW) furnishing or planting strip between the building and sidewalk. The new front setbacks are a suburbanizing move that conflicts with good urban design and the desire to foster low-rise, urban "middle" housing in our neighborhoods. The only building in the "middle housing" sample images on this page that would meet these setbacks is the single-family house – everything else is up close to the sidewalk, and would be unable to meet the new front setbacks.</p>

Item No.	Page	Code Section	Comment
13	57	33.120.210.B	An exception for up to 0.5 to 1 FAR for structured parking was added – does this exception intentionally exclude garages? The definitions for garages and structured parking have not been revised, so as proposed, the exception would not apply to houses, attached houses, manufactured homes, and duplexes.
14	55	33.120.210.D.1	This section indicates that buildings on sites receiving FAR must meet development standards. It does not say Adjustments are prohibited. Please note that BDS has interpreted that to mean that ADs to development standards are allowed (unless the specific standard cannot be adjusted).  Also, should this read “...except for maximum <del>density</del> <u>FAR</u> ...”
15	55-57	33.120.210.D	Clarity is needed on the implementation of FAR transfer for tree preservation. Consider what will happen if a tree dies or is removed after the FAR transfer has been completed. More detail is needed about what type of review is needed if a tree utilized for FAR transfer is cut down without being determined dead, diseased or dangerous. Would this be Tree Review?
16	63	33.120.212.B.1.a and b	References to the R3, R2, and R1 zones should be updated to the RM1 and RM2 zones.
17	71	33.120.215.B.1	Regarding sites in the RM4 zone that are not within a Historic or Conservation district and are within 1,000 feet of a transit station, we would like to see a map of where these sites would be.
18	79	33.120.220.B.2.c.a	Numbering should be B.2.c.(1), not letters following letters.  Is the 20’ distance in this standard to the ground floor street-facing façade? To any part of the façade? To any part of an upper floor? Clarify where the 20’ distance applies.

Item No.	Page	Code Section	Comment
19	77	33.120.220.B.3	b. What if this standard doesn't match neighborhood character? Also, what happens on sloped sites?
20	79	33.120.220.B.3.i	This regulation seems to contradict the whole intent of large rear setbacks since an indoor common area would be allowed 5 feet from the rear property line.
21	79	33.120.220.B.3.i	Provision allowing setback encroachment for use-specific buildings is problematic, and will require policing and enforcing the uses in the building over time (e.g. if they convert it to storage, it's not allowed in the setback). If the setback is a regulatory need to preserve open/un-built space, provide a clear standard ensuring that. Only require the setback if the open/unbuilt space is a regulatory need. Keep outdoor area requirements in the outdoor area standard for clarity, not in the setback standards.
22	83	33.120.220.C.1.b(3)	The letter s in the word standard appears to have been inadvertently deleted.
23	95	33.120.225.C	Make sure that this language is consistent with definition of floor area proposed with Code Reconciliation Project.
24	95	33.120.230.B Figure 120-6	If the standard and figure is intended to refer to the articulation of a single building, with the length broken by an inset of at least 10' wide, there should also be a standard regarding the minimum depth of this inset.
25	97	33.120.230.C.2	Offsets should be 5 feet minimum depth.
26	99-101	33.120.231.B.1	Expanding to multi-dwelling is good, but the standard assumes a single building along a street frontage, which is rare in East Portland, on large sites, and on the many sites where they keep the house in front. Multi-building sites with no courtyard will have trouble – could this apply only to the street-facing facades of buildings, and not to

Item No.	Page	Code Section	Comment
			buildings concealed from the street behind another building?
27	105	33.120.232	As before, the visitability standards are going to require very detailed building plans, and accessible spaces are already regulated by building code standards. What is critical here that is not covered by federal ADA regulations? What if the building code regulations change over time to conflict with these? Building code regulations should address these issues for all structures regardless of their base zone.
28	107	33.120.232.C.1	This exemption could be more clearly worded. Maybe exempt buildings that are subject to the OSSC – as written, it is not clear whether planners would not be able to sign off on a permit until Life Safety has signed off that the proposal meets accessibility standards. Consider how planners would verify this exemption.
29		33.120.233.B.2 and 2.a	Ground floor commercial window percentage should match or be closer to that in the adopted mixed-use zones, which is 40 percent; 25 percent is too low.  2.a “working areas” needs to be defined. Suggest cross-referencing MUZ language for active ground-floor windows.
30	111	33.120.235.B.1.b	The parking chapter states that landscaped areas can serve as both BES stormwater facilities and required landscaping, but this code provision goes one step further by pre-empting zoning code landscape standards. As written, no zoning code landscaping standards would apply to areas that are BES stormwater facilities. Was it intentional to supersede 33.248 standards, or was this language intended to still require compliance with 33.248 landscape standards?
31	111	33.120.235.B.1.b & 33.120.235.B.2.a	Both of these provisions require verification from BES permit review staff prior to BES being able to

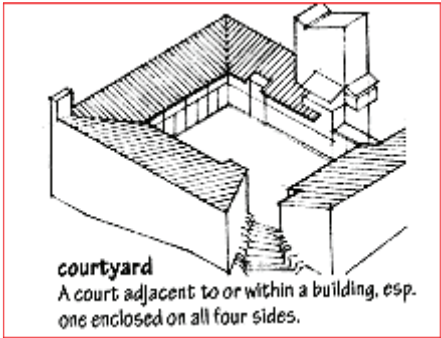
Item No.	Page	Code Section	Comment
			release the permit. If BES is the last outstanding reviewer, the planning review of the permit will be similarly delayed. Adding verification of other regulatory processes prior to Zoning Approval delays the time for project review and permit issuance.
32	113	33.120.235.B.2.b	While we understand other jurisdictions use 30 inches, we recommend you consult with Urban Forestry about this depth.
33	113	33.120.240	<p>The outdoor area and common area standards are very complicated and not easy to understand. It is confusing that the outdoor area standard may be met by providing indoor areas. The purpose statement states that the common area standard may be met by indoor areas, but the code appears to allow the outdoor area standard to be met by indoor area. If indoor areas can meet the outdoor area standard, consider renaming the requirement to something more intuitive.</p> <p>This also appears to be a conflict with 33.120.240.C.5, which states that required outdoor areas may not be fully enclosed – 33.120.240.B.1 says outdoor area may be provided as common indoor area, which is fully enclosed.</p>
34	115	33.120.240.B.1.b	The first line of this paragraph is missing the word “are” (on sites that <u>are</u> 20,000 square feet...).
35	117	33.120.250.D	Discussion with BPS staff indicated that outdoor seating areas would be required to be screened to the L3 standard – this code section requires screening to the L2 standard. Is this the correct standard?
36	133	33.120.270.D	Remove “approved”. There is no approval criteria for reduced 3 foot setbacks so the new language is problematic. The language should be “must be shown on preliminary land division plans”.

Item No.	Page	Code Section	Comment
37	149, 155, 157, etc.	33.120.280.C.2 (+D.1, D.2.d, E.1, F.1, F.2, etc.)	Clamping down on setback exceptions for lots over 7,500 square feet does not achieve any of the stated project goals, but will create an entire class of nonconforming buildings that have used the new regulations that came online in January, 2016. Garages and outbuildings in setbacks are common in Portland, and the larger lot sizes of the bigger lots makes their potential impact quite small. Consider removing this change from the proposed code.  D.1 – why is “attached duplexes” not included in the list of structures?
38	161	33.120.283.D.2.b	Should this say “exclusively” or “only” from an alley or shared court? Some garages have access to both a street and an alley or shared court, which would not prevent a project from using this exemption.
39	161	33.120.283.D.3	This standard will apply to institutional uses, unless an exception or exemption is included (e.g. churches and schools in R zones are not exempt, and the standard applies because it’s not pre-empted by institutional development standards).
40	171	33.120.284.C.1	Table information needs to be added to Table 120-3, or a footnote should be added to Table 120-3 referencing this section.
41	173	33.120.285.C	In sections 2.a and 3 of this standard, different standards are provided for houses, attached houses, duplexes, and manufactured homes. In other code standards (main entrances and garage standards) this subset of housing types is grouped with triplexes. Were attached duplexes and triplexes excluded from this group of housing types for fences standards intentionally?
42	173	33.120.285.C	The fence standards are very complicated and difficult to understand, especially considering the basic simplicity of the regulations. Please consider revising this entire section to be shorter and



Item No.	Page	Code Section	Comment
			<p>simpler and comprehensible at a quick glance, perhaps organized as follows:</p> <ul style="list-style-type: none"> <li>a. House/duplex/triplex fences are max 3.5' in front and 8' in side, unless on a corner in which case you can flip;</li> <li>b. Other development has max 3.5' in front and 8' in side if +30' ROW, and 3.5' in side of &lt;30' ROW.</li> </ul>
43	175	33.120.310	Could this be called "large site" street and pedestrian connections, for clarity? It's confusing to have this section and "pedestrian standards".
44	175	33.120.310.3	Please revise for clarity: "...dedication of <del>ROW</del> <u>public right-of-way</u> for pedestrian connections is required."
45	177	33.120.310.A.5	Is this development standard talking about right-of-way alignments, alignments on private property, or both? The standard suggests that PBOT has purview over all connections, including on-site and off-site, which should be clarified. This reads like a discretionary standard, and may confuse planners as to whether or not PBOT must approve permits prior to approval by planning (adding time, expense, complexity to permitting).
46	177	33.120.310.B	It is unclear why this reference is included in this section. This is similar to other Title 17 references, and is clear that PBOT has a separate regulatory authority that is not a zoning code standard, but the reason it was included here is unclear, especially because 33.120.310.A includes a purpose and a statement of when the standards apply.
47	179	Map 120-1	The public and staff will need to know precisely where each line segment ends and begins, which is unclear from a map at this scale. For example, Burnside E and W of 148 <sup>th</sup> , N edge of NE 42 <sup>nd</sup> , SE 52 <sup>nd</sup> both N and S of Woodstock, Canyon Road W

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			of CCPD, etc.). Please provide zoomed-in, more legible maps.
48	189	33.258.060.A.1.b	<p>This standard requires sites to come fully into conformance with the minimum density standard is dwelling units are added to an existing building, if the building footprint is proposed to be expanded. This is a significant code change and would impact proposals by property owners and small developers to add dwelling units with a small footprint expansion – for example, converting a single-family house to a duplex or triplex. These types of proposals don't necessarily preclude future development to the minimum density in the way that construction of multiple detached units does. Consider expanding the proposed exception to allow addition of dwelling units to an existing structure, including expanding the footprint, without coming fully into conformance with the minimum density.</p>
49	195	33.266.120.C.3.b	<p>This standard prohibits parking spaces between the front lot line and the front building line. Was this intended to prohibit driveways providing access to garages, which typically provide a non-required parking space? The only exception is for houses on lots at least 32 feet wide, so this would prohibit driveways accessing garages for duplexes, manufactured homes, and other housing types on lots 32 feet wide or wider.</p> <p>This new standard should be integrated into paragraph G.1 addressing required parking, unless the intention is to prohibit all driveways, unless the lot is less than 32 feet wide (driveways are non-required parking, typically). The new standard is not a subset of the existing front yard paving limit, but is instead a restriction on required parking spaces that should be integrated with the front and side setback limits in the first paragraph. It's also unclear what restrictions apply to required parking on multi-dwelling lots with a front lot line on a</p>

Item No.	Page	Code Section	Comment
			common green or shared court. Integrate this new restriction into the header paragraph discussing setback restrictions to make the standard clear, not in the front yard paving limit.
50	219	33.910	<p>The “courtyard” definition would allow an applicant to utilize or create a wider side setback. We recommend altering the language so that a three sided or corner courtyard is created that is open to the street.</p> <p>For the purpose of implementing current regulations related to courtyards, BDS has been using a working definition of “an area open to the sky and mostly or entirely surrounded by buildings,” supported by the illustration below from the Visual Dictionary of Architecture. This definition does not allow a side setback to serve as a courtyard. Consider revising the proposed definition of “courtyard” to be consistent with this current practice.</p>  <p><b>courtyard</b> A court adjacent to or within a building, esp. one enclosed on all four sides.</p>
51	Volume 3 29	33.130.230.B.2.b (and generally for all triplex citations)	Please include a definition for “triplex.” Is it one single building with a front porch and internal doorways off a lobby, like the streetcar-era plexes shown in this document and found in close-in neighborhoods like Buckman? Nothing currently proposed in the code would prevent development of a triplex consisting of three townhouse-style units, each with their own separate garage facing the street, designed to meet all front setbacks and

Item No.	Page	Code Section	Comment
			base zone design standards. Was this the intent of including references to triplexes?
52	31	33.130.240.B.1.a	There is a typo in the second bullet in this section – “there must be at least one connections <sub>g</sub> ...”
53	35	33.130.250, 33.140.242, 33.140.265 - & throughout the code	Please be consistent in inserting attached duplex in standards. it is specifically referred to in some standards but left out of others. If it was meant to be left out please clarify in the commentary why the regulation would apply to a stand alone duplex and not an attached duplex.
54	127	33.537.120.D.1	The amendments to this section are proposed to clarify the meaning of “attached housing.” The proposed language states that development must be attached houses or attached duplexes – why were multi-dwelling structures omitted? These structures may be less common in the lower-density zones that cover much of this plan district, but multi-dwelling structures seem consistent with the purpose of this section.
55	175	33.930.050.A	<p>The height measurement is the same in all cases, except for the distinction between referring to “sidewalk or ground surface” (R/E/I/CI zones) as opposed to “sidewalk” in the C/M zones when the building is within 20’ of a street lot line.</p> <p>To ease confusion and simplify prior code language, please just describe base point 1 and 2 generally for all situations once, followed by a sub-paragraph noting the different ground surfaces and proximity requirements for the two possible ways to find the base point.</p> <p>The multi-dwelling zone/structure clause could remain in the intro paragraph where it is, while making the actual measurement section way cleaner and shorter.</p>

Item No.	Page	Code Section	Comment
56	215	33.612.100.A	This section refers to minimum density in Chapter 33.150 (CI zones). This zone does not appear to have a minimum density.
57	215, 221	33.612.100 33.930.025	<p>The allowance to count all street dedication toward FAR at the building permit creates a significant difference between the allowed intensity that can be achieved on sites based on whether they go through a land division or not. This may discourage land divisions – is that intended? Please keep in mind that land divisions are often pursued for financing reasons.</p> <p>If development occurs using street area to achieve an FAR above standards based on lot area, this would preclude future land divisions because adjustments are prohibited.</p>
58	Vol 3 65	33.270.100.K.4.b	For density transfers across zone lines within a site, consider updating the FAR to dwelling unit conversion to be more in keeping with dwelling unit sizes. The current ratio of 1,000 square feet per unit is very conservative. This will come into play more often due to elimination of maximum density standards for all multi-dwelling zones.
59	Vol 3 127	33.537.150.C	Please clarify whether ADUs are allowed in conjunction with attached houses. ADUs are included as a housing type in Table 120-2. They are not specifically listed in the allowed housing types, therefore are not allowed under current code. If they are allowed, consider limiting this to internal ADUs which would be consistent with the original intent of these regulations.

# Laura Lehman

**#30284 | June 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please find a memo summarizing the Bureau of Development Services' comments attached. Thank you for the opportunity to comment.

Testimony is presented without formatting.

# Zachery Eberhardt

**#30285 | June 14, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I sincerely ask the city not to allow development of this piece of land and to instead maintain it as a natural area. It is a beautiful green space and also contains a heritage tree. Thank you.

Testimony is presented without formatting.

# Ovid Boyd

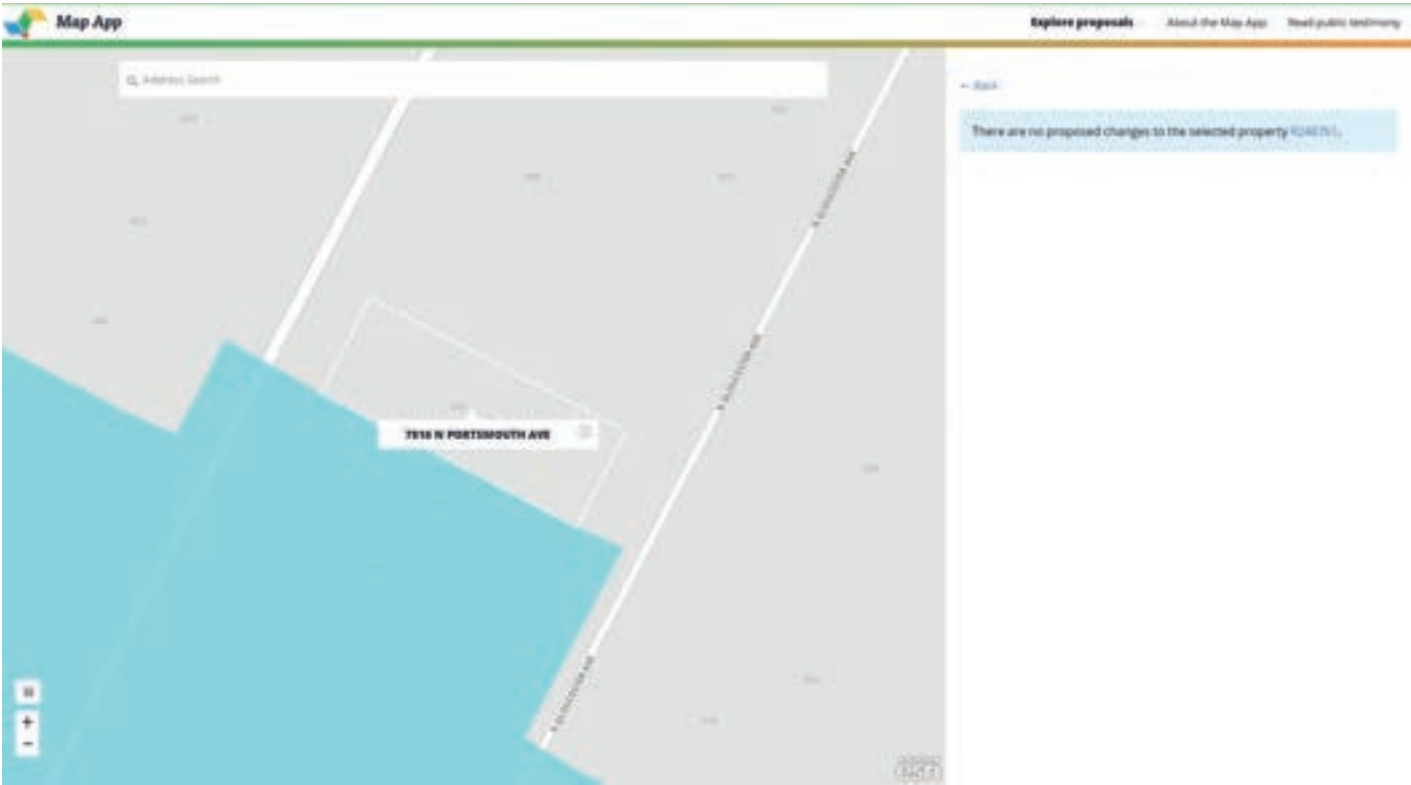
**#30286 | June 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please eliminate the size of building (FAR) restrictions and the parking requirements so housing for people can be built as the city needs.

Testimony is presented without formatting.





# Kurt Nordback

**#30288 | June 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

This testimony is in reference to the property at 7816 N Portsmouth Ave. This is zoned R5 but has an existing legal nonconforming 8-unit apartment building. It is adjacent to the existing R1 zone. I'd like to suggest that it be included in the proposed RM2 zone district, as this would be much more appropriate than R5 to the current and historic use. Thank you.

Testimony is presented without formatting.

# Aaron Brown

**#30289 | June 15, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I currently rent this house from our landlord with two friends. We all \*love\* living in St Johns - it's an amazing, diverse community with a plethora of lovely restaurants, coffee shops, bus lines, schools, and bars all within walking distance. The three of us are each worried that with Portland's continued housing crisis, we will be unable to someday buy or indefinitely rent a place to live in this neighborhood. Moving forward with the recommendations provided by Portland for Everyone to encourage the creation of more abundant housing in this neighborhood is a crucial and necessary step towards providing the housing stock that will allow everyone in this neighborhood to age in place. Please consider what the mismatch between supply and demand means for new generations of Portlanders who, without intergenerational inheritance, will have no chance of ever obtaining a place to live in our city. The vibrancy of our neighborhoods - especially those like St Johns, which have historically housed working class communities - depends heavily on zoning policies that encourage the construction of an abundance of housing.

Testimony is presented without formatting.



# Sally Donahue

**#30290 | June 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I assume there will be nothing for us to do in our Rowhouse complex. Improvements in the neighborhood are welcome.

Testimony is presented without formatting.

# Sally Donahue

**#30291 | June 15, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I assume there will be nothing for us to do in our Rowhouse complex. Improvements in the neighborhood are welcome.

Testimony is presented without formatting.

# Mark Velky

**#30297 | June 16, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I oppose the proposed re-zoning of the Alphabet and King's Hill historic districts currently zoned RH to RM4. I request that those areas be re-zoned to RM3 and that FAR remain as is today.

Testimony is presented without formatting.

# Elizabeth Cooksey

**#30298 | June 16, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please reconsider the proposed rezoning of the Alphabet and King's Hill historic districts from RH to RM4. I am opposed to it, and hope that the zoning of those areas is changed to RM3. I request that the FAR remain in its current status.

Testimony is presented without formatting.



# Sherry Salomon

**#30299 | June 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I strongly oppose the rezoning of the Alphabet and Kings Hill historic districts. This is a giveaway to greedy developers and those politicians that take their money. Destroying historic districts will not creat affordable housing. It will be license to building monstrosities that will forever damage the livability of our beautiful neighborhood. Market rate housing, which does not accept section 8, is not affordable housing.

Testimony is presented without formatting.

# Robert Hemphill

**#30300 | June 17, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hello, I am writing broadly in support of the BHD proposed draft. I support the views put forward by Portland For Everyone and hope you will take them into consideration. Their letter can be found here: <http://portlandforeveryone.org/wp-content/uploads/2018/05/BHD-DD-P4E-Final-Letter-.pdf> Portland For Everyone argues (and I agree ) for the following changes: Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3 so that there is a discernible difference between standards currently being proposed for Portland's neighborhood residential zones and denser multi-dwelling zones. Increase minimum densities so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped. Increase height allowances in many zones to give greater flexibility across projects, including bonus utilization, layout, tree preservation, and other factors. Reduce standard front setbacks to 0' and side setbacks to 5' across all multi-dwelling zones. If building code and window standards are still met, allow side setbacks to be reduced to 3' in RM1 and RM2, and to 0' in RM4 and RM4. Reduce minimum requirements for sites 7,500 square feet or less, including landscaping. Adjust open space requirements to yield more desirable building forms, site layouts, and more use-able shared spaces. Consider where maximum heights, FAR limits and/or step-down requirements may unintentionally render affordable housing bonuses unusable, counter to the proposal's intentions. Ensure that affordable housing development is feasible in East Portland: Don't layer on so many conditions in pursuit of perfect urban form that affordable housing development is stymied. Also, consider spending increased staff time, attention, and resources on how to encourage affordable housing development and beautiful urban form appropriate for East Portland over spending additional resources on Inner Ring neighborhoods. Map more higher-density multi-dwelling zones along key corridors. There are a few places in particular where up-zoning would help implement the Comprehensive Plan. Ensure that substantially more rental housing will be provided, not just for-sale. Thank you, Robert Hemphill

Testimony is presented without formatting.

# Stephen Salomon

**#30301 | June 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I oppose the change in zoning for the King's Hill Historic District and the Alphabet District. Such a change will adversely impact the livability of these two districts that make Portland such a livable city which has achieved nationwide recognition. Also, I have not seen a credible projection that so many people will come to Portland in the future when the very draw will be degraded. This is supply economics which has been proven to be incorrect.

Testimony is presented without formatting.

# Daniel Salomon

**#30302 | June 17, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am writing to oppose the Better Housing by Design as a disabled adult who is in the Section 8 Voucher program because it would incentivize environmentally wasteful demolitions, destroy community, history, culture, open space, the urban forest and public common areas, increase individualism, consumerism, homogenization and loss of diversity and still not solve the affordable housing crisis. Market rate housing which does not take Section 8 vouchers is not affordable housing. Urban liveability, an element of human dignity, is necessary to make urban ecological and socially responsible lifestyles accessible to most people in search of affordable housing. Not only would the so-called Better Housing by Design unnecessarily undermine the unique liveability of Portland. Once the liveability of Portland is undermined, it would make ecologically and socially responsible lifestyles less accessible, tenable, comfortable and attractive to most low income peoples needing affordable housing. As a devout Roman Catholic, I concur with my Pope, Pope Francis, that human beings need three things to live with dignity: 1) shelter, 2) a rich environment and 3) meaningful employment. Human beings cannot live with dignity, even if they have a place to live, if they are not living and working in a rich natural, social and built environment. I also agree with Pope Francis that each community needs at least one stable landmark in their community and to be developed in such a way to support a sense of community and belonging. Low income and disabled peoples in search of affordable housing need a rich environment to survive, heal, thrive, cope and live with dignity and develop a better life and future. Also, having access to a rich natural, social and built environment also helps to encourage and sustain, climate and environmental commitment. Mounting evidence is supporting these claims. Looking forward! Thanks so much!

Testimony is presented without formatting.

# Elizabeth Perris

**#30303 | June 17, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I oppose the proposed re-zoning of the Alphabet and King's Hill historic districts currently zoned RH to RM4. I request that those areas be re-zoned to RM3 and that FAR remain as is today. In the RM4 zone, an inclusionary housing bonus can increase the FAR to a maximum of 7 : 1 (Table 120-5), almost doubling the density from the current RH zone maximum FAR of 4 : 1.

Testimony is presented without formatting.

# Joe Recker

**#30305 | June 18, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hi, I support the changes proposed by the Better Housing by Design project. In particular, I support the change from a maximum density limitation to an FAR with more flexible density. This form-based residential zoning will provide the flexibility to more organically grow much-needed housing in multi-family districts close to high-quality transit. Thanks.

Testimony is presented without formatting.

# Joe Recker

**#30306 | June 18, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hi, I support the changes proposed by the Better Housing by Design project. In particular, I support the change from a maximum density limitation to an FAR with more flexible density. This form-based residential zoning will provide the flexibility to more organically grow much-needed housing in multi-family districts close to high-quality transit. Thanks.

Testimony is presented without formatting.

# Jason Etzel

**#30310 | June 18, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I understand the need for increased density to address housing supply in Portland. I do not understand how the city reconciles this with the Irvington historic district. I am not allowed to replace my front door or replace my windows for energy efficiency, all in the name of historic integrity. However, under the new proposal both lots adjacent to my house could be replaced with dense four-story housing units that would be completely out of the historic character of the neighborhood. I would hope that if the city decides to proceed with these zoning changes, it at least has the good will to remove the affected portions of Irvington from the historic district so that I can freely modify my house while new development occurs around it, or if I see fit allow me to sell my property to a developer for demolition to build denser housing. I currently would not have this right as my property is “contributing” to the historic district, and essentially cannot be utilized by a developer, unlike my two adjacent parcels. Don’t try to straddle this issue. Either leave the low density historic character of the Irvington historic district intact, or free property owners like myself affected by this zoning change to make whichever decisions that we feel would be in our best interest by removing us from the historic district.

Testimony is presented without formatting.



# Ross Kelley

**#30318 | June 19, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear Planning and Sustainability Commission, I am the owner of 5216 SE 17th Ave. (Parcel R181784). I am in support of Parcel R181790 (5205 SE 18th Ave.) converting to RM4. I write to the Commission to request that my property (516 SE 17th Ave.), along with my neighbor to the north (5206-5208 SE 17th Ave.), converts to RM4 to match the property abutting the east side of our lots for several reasons. Reason #1: Busy Street and Access to Public Transportation My house sits near the corner of the busy intersection of SE McLoughlin Blvd. and SE 17th Ave. SE 17th Ave. is a main service street for this neighborhood, and serves as a major road for public and private transportation. There is a bus stop on SE 17th Ave. (including the bus line #70 that runs along SE 17th, and including the bus line #19 that runs along SE Milwaukie) that is a little over 100 ft. from my doorstep, and there is a MAX station just over 0.3 miles from my doorstep at SE 17th and Holgate. Reason #2: Abutted by RM4 and Commercial Zones Looking at the layout in other parts of the City, the natural flow appears to be a flow from commercially zoned lots to high residential lots to single family lots. The lots to the north of me on either side of 17th or 18th Ave. are zoned CE, which permits a range of uses and allows a height of 45 ft. Parcel R181790 that abuts my eastern property line is converting to RM4, which allows a 75 ft. structure. Currently, there is an active permit in place on Parcel R181790 to build a 59 unit 6 story building. During an early assistance meeting with a City Planner last year (when my property was still zoned RH), the City showed solid approval of an 18-unit project on my property; that design would only be possible now in the RM4 zone (and not the RM2 zone). Suggestion: Change zoning on my property (5216 SE 17th Ave.) and property to the north (5206-5208 SE 17th Ave.) to RM4 Similar to what is seen on the lots directly to the East of my property (Parcel R181790), I suggest that my property and the property to my north change to RM4. Not only would this provide the natural flow from commercial to high residential to single family residential that the City has shown a preference to in the past, but it would also match the eastern abutting properties that are keeping their RM4 zoning and thus would present a better overall pattern and layout for the neighborhood. Sincerely, Ross Kelley

Testimony is presented without formatting.

# Ross Kelley

**#30319 | June 19, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear Planning and Sustainability Commission, I am the owner of 5216 SE 17th Ave. (Parcel R181784). I am in support of Parcel R181790 (5205 SE 18th Ave.) converting to RM4. I write to the Commission to request that my property (516 SE 17th Ave.), along with my neighbor to the north (5206-5208 SE 17th Ave.), converts to RM4 to match the property abutting the east side of our lots for several reasons. Reason #1: Busy Street and Access to Public Transportation My house sits near the corner of the busy intersection of SE McLoughlin Blvd. and SE 17th Ave. SE 17th Ave. is a main service street for this neighborhood, and serves as a major road for public and private transportation. There is a bus stop on SE 17th Ave. (including the bus line #70 that runs along SE 17th, and including the bus line #19 that runs along SE Milwaukie) that is a little over 100 ft. from my doorstep, and there is a MAX station just over 0.3 miles from my doorstep at SE 17th and Holgate. Reason #2: Abutted by RM4 and Commercial Zones Looking at the layout in other parts of the City, the natural flow appears to be a flow from commercially zoned lots to high residential lots to single family lots. The lots to the north of me on either side of 17th or 18th Ave. are zoned CE, which permits a range of uses and allows a height of 45 ft. Parcel R181790 that abuts my eastern property line is converting to RM4, which allows a 75 ft. structure. Currently, there is an active permit in place on Parcel R181790 to build a 59 unit 6 story building. During an early assistance meeting with a City Planner last year (when my property was still zoned RH), the City showed solid approval of an 18-unit project on my property; that design would only be possible now in the RM4 zone (and not the RM2 zone). Suggestion: Change zoning on my property (5216 SE 17th Ave.) and property to the north (5206-5208 SE 17th Ave.) to RM4 Similar to what is seen on the lots directly to the East of my property (Parcel R181790), I suggest that my property and the property to my north change to RM4. Not only would this provide the natural flow from commercial to high residential to single family residential that the City has shown a preference to in the past, but it would also match the eastern abutting properties that are keeping their RM4 zoning and thus would present a better overall pattern and layout for the neighborhood. Sincerely, Ross Kelley

Testimony is presented without formatting.

# Mary Hunt

**#30320 | June 19, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Although it is not perfectly clear how many stories or units will be allowed or whether parking will be provided for tenants, my husband and I have strong concerns with any housing opportunities that increase traffic and competition for parking on Fowler. The street is narrow. There are already rental homes with many cars and little or no parking on the street. The church has limited parking and overflows for services and events. There is a bus stop but it runs infrequently and we are a mile from the Max line. Not many people without cars will find this attractive. I can walk to work faster than use public transit. Traffic: The street does not have a light on Lombard and is overused by drivers cutting through to the neighborhoods behind us. From an aesthetic perspective the tidy single story brick apartments that are currently present fit the period and general look of the surrounding houses. Jamming in a multistory apartment complex would certainly be an exception even with all the demo and shotgun construction on area streets. This is a really nice neighborhood with a great park. Please leave it that way.

Testimony is presented without formatting.

# Gerson Robboy

**#30322 | June 19, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

The Hosford Abernethy N. A. board approved a letter to the PSC requesting that the blocks on the east side of 12th Ave within the Ladd's Addition be down-zoned from RM2 to RM1. I am a home owner in the HAND neighborhood, and I disagree with the neighborhood association. Down-zoning will not protect any historic buildings, and will not accomplish anything, resulting only in fewer dwelling units in whatever properties are eventually re-developed. Historic buildings already have other protections, outside of the zoning. Overall, I approve of the Better Housing by Design project, my objections being that it decreases the height already allowed by the existing zoning, and increases the required setbacks. These are steps in the wrong direction in a housing crisis. I also agree with the reduced parking requirements, but I would like to see the requirements for off-street parking removed entirely. Car ownership has already begun to decline as people use ride services, and this decline will accelerate. What we need instead of off-street parking are pay parking and parking by permit for neighborhood residents.

Testimony is presented without formatting.

# Jessica Engelman

**#30677 | June 20, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am fully supportive of these efforts to increase housing options and density. Please ensure that bonuses are economically enticing, and pencil out sufficiently for developers to eagerly take advantage of them, in order to increase affordable housing and 2-3 bedroom units. Also, any requirements or recommendations for developers to include open space in their developments should be for *\*public\** open space: either by setting aside space on the property, or by paying into a fund to develop/add public parks nearby (similar to the sidewalk infill fund).

Testimony is presented without formatting.





# Gail Simmons

**#30678 | June 20, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I've just come from the KERNS Neighborhood Association meeting. Five people living on Everett St. came to discuss why a four story condominium complex with 12 units spanning an entire block will soon go up in in our sleepy one and two story neighborhood. See location pictures. We understand too late in the game, that nothing much can be done, except by the builder - Everett Custom Homes. Everyone has their own concerns. Jill Arnel and her husband live next to the site. She's frantically making phonecalls and emailing to find out how to mitigate the effects of this wall going up next to her. We wonder is this the end of a quiet, parkable, charming neighborhood? How did the rezoning happen without our knowledge. What can we do now? Why isn't there a strong bridge between the residents and the city, the developers. We are left hanging by a thread. When and how will they block our tiny streets, both on NE Davis and NE Everett during construction. Will my one tenant ever be able to park in front of her home again? How noisy will it be? No one knows. But they should. There should be answers for homeowners and tenants, tax payers! There's a "right to build" in Oregon, I am told. But there's a right to know, a right to peace and quiet, a right to be informed, a right to determine where the community we have lived in, and paid taxes in for many years is headed. City council needs to do a better job. The bureau of planning and sustainability needs reach further. Not leave the residents with their hands tied behind their backs. Have the developer give us green spaces, give the Everett/Davis block a walk through passageway from Everett to Davis, or Public Art! Make it less devastating. Give us options. Not just the builders! And invite the Neighborhood Associations to be more informed about these processes, connect with PBOT. Let us know when they're blocking our streets. We need a bridge quickly to help self-determined people from being subsumed in the Wild Wild West of Portland construction. Sheesh. We're stuck with 45 ft. we're stuck with no appeal to no parking. Those people don't even live here yet, but they already have rights. Thank you for your time.

Testimony is presented without formatting.





June 12, 2018

Katherine Schultz, Chair  
Portland Planning and Sustainability Commission

CC: Mayor Wheeler, City Commissioners  
Susan Anderson and Bill Cunningham, Bureau of Planning and Sustainability

**Re: Increase Housing Opportunities in Our Corridors - Better Housing by Design Proposed Draft**

Madam Chair and Commissioners,

The Northeast Coalition of Neighborhoods appreciates the opportunity to comment on the Better Housing by Design Proposed Draft. We commend the Bureau of Planning & Sustainability on its effort to increase the amount and diversity of housing in our centers and corridors, which supports the vision of the 2035 Comprehensive Plan.

As our top housing priority is affordability, we support the proposed zoning changes to provide short and long-term affordability in our neighborhoods. We believe the form-based approach provides the simplicity and flexibility needed to increase housing opportunities, while respecting our neighborhoods' unique charms.

With our lens of affordability, we identified the following changes essential to accommodate the growth of 100,000 households in Portland over the next 20 years:

- **Increase building coverage and FAR to match similar mixed-use zones especially on Neighborhood and Civic Corridors.**
  - Increasing coverage and FAR allows Portland to meet the Comprehensive Plan goals of increasing growth in our corridors.
  - We prioritize increasing housing on our corridors where future residents can access social services, local businesses, and active transportation connections.

Proposed changes:

	RM1	RM2	RM3
Base FAR	1.5	2.5	3
Bonus FAR	2.5	4	5
Max Building Coverage	85%	100%	100%
Base Height	35 feet	45 feet	65 feet
Bonus Height	35 feet	55 feet*	75 feet

\* Only allowed in Urban Centers and Civic Corridors

- **Exempt the outdoor requirement for sites up to 15,000 square feet.**
  - Requiring outdoor space increases the cost of price of housing and can limit the number of units built on small lot sizes.
  - We prioritize the number and diversity of housing built over over outdoor amenities.
- **Remove parking minimums for all sites.**
  - Parking minimums can both increase the cost of building housing and decrease the amount of housing built.
  - Centers and corridors have been prioritized for active transportation and transit investments, which reduce residents' dependency on driving.
  - We prioritize building more housing at lower costs to meet the housing demands of our growing region.
- **Reduce the front and street setback to zero at least in Neighborhood and Civic Corridors.**
  - Reducing setbacks provides more flexibility and is consistent with the typology of development that is being encouraged in the mixed-use zones.
  - We prioritize the increased housing and active corridors that flexible setbacks provide.
- **Reduce the side setback to zero except for abutting single-family residential zones.**
  - Reducing setbacks provides more flexibility and is consistent with the typology of development that is being encouraged in the mixed-use zones.
- **Allow the deeper housing affordability bonus inside of conservation and historic districts.**
  - These districts make up a significant part of our neighborhoods where affordable housing remains a significant need.
  - We prioritize increasing affordable housing across all of our neighborhoods, including conversation and historic districts.

We believe incorporating these changes will allow Better Housing by Design to fully meets its important goals to accommodate housing growth, provide a diversity of housing types, and prioritize affordable housing.

Regards,



Paul Van Orden, Chair  
Northeast Coalition of Neighborhoods

# Milt Jones

**#30681 | June 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

There are several good pieces to like about this proposal. But the project will be a failure if it does not deal with, and effectively manage, automobile parking and traffic congestion. Send our planners back to the drawing board to do this. Thank you.

Testimony is presented without formatting.

# Blaine Palmer

**#30682 | June 21, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

June 21, 2018 Portland Planning and Sustainability Commission Better Housing by Design  
Testimony Blaine Palmer? Dear Members of the Commission, It is time for Portland to dismantle the segregationist land use patterns adopted decades ago, meaningfully and sustainably. We must recognize that past zoning policies benefited white, able-bodied people like myself, at the cost of people of color and those with disabilities, and not by chance. It is long past time for change. Increasing the availability of affordable housing throughout Portland must be the primary objective of Better Housing by Design. The draft under consideration takes steps to house more Portlanders more affordably, especially those measures meant to simplify and clarify regulations and make building homes more cost-effective. I agree with the assessment by the Portland for Everyone coalition of the strengths of the current draft, and with their suggestions for needed changes in order to meet the stated goal of expanding housing options and increase affordability for Portlanders. Portland is facing an acute housing shortage. Please incorporate the recommendations by Portland for Everyone to revise the current draft to encourage the building of housing options that are available to lower- and middle-income households. Yours truly, Blaine Palmer

Testimony is presented without formatting.

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Ave, Suite 7100  
Portland, OR 97201



Arbor Lodge Neighborhood Association  
Transcript of spoken comments  
PSC Public Hearing, June 12, 2018  
2305 SE 82nd Avenue

Hello, my name is Mark Wyman. I serve as co-chair of the Land Use Committee, and as board member for the Arbor Lodge Neighborhood Association. Thank you for the opportunity to provide comments on the proposed changes to multifamily zoning this evening.

Arbor Lodge is currently under immense development pressure, principally directed towards the high density (RH) zones within the North Interstate Planning District. Many of the high density (RH) lots in Arbor Lodge contain single family homes, and are situated on low-rise single family streets. The scale and the pace of redevelopment in Arbor Lodge has left many in our community concerned that our future is being shaped by multifamily developers whose focus is solely on the profitability of their own projects. Better Housing by Design does not revisit the decision to rezone our neighborhood for multifamily development, however it does offer meaningful change that will improve the quality of life for both current and future residents of Arbor Lodge.

Our community supports an inclusive vision for new development, and we are supportive of infill that provides quality housing opportunities for a diversity of household types. We believe this can be done while preserving the qualities that have made Arbor Lodge an attractive location for developers. My comments this evening will highlight Better Housing by Design measures that support this vision, and provides recommendations for additional measures to advance the policy objectives expressed in the Better Housing By Design recommended draft.

Affordable housing and tree preservation are two of the foremost priorities we hear expressed by members of our community. As such, the Arbor Lodge Neighborhood Association

- Supports the proposal to limit density bonuses and transfer rights solely to the provision of affordable housing units, and the preservation of trees

A point of constructive feedback is that the proposed minimum density requirements (which are measured solely by a ratio of dwelling units to square footage of site area) may work against these objectives. The Arbor Lodge Neighborhood Association proposes

- A flexible approach to minimum density requirements which may allow lower density ratios for projects that preserve mature trees or include two or three bedroom apartments

We hear too often that developers cannot save trees because of the footprint of their project, and sadly we see far too many small square footage studio and one bedroom apartments which do not provide viable housing opportunities for families of any income.

The Arbor Lodge Neighborhood Association strongly encourages city planners to retain the following Better Housing by Design measures which will improve the quality of life for new residents:

- Requirements for resident outdoor space in all new development in high density zones should be adopted as proposed
- The proposed 10' front setback requirements should be adopted as proposed
- The enhanced Transportation and Parking Demand Management (TDM) requirements are helpful, however we feel they should be expanded to include all new development within any zoning designation which does not require off-street parking.

An additional measure to support car-free development is a requirement to provide dedicated, secure indoor bicycle parking in addition to in-unit bike parking.

Finally, we wish to highlight staff's thoughtful handling of volume 3, which addresses the interaction of the proposed changes to base zoning with the North Interstate Planning District. The preservation of transitional measures between high and medium density zoning designations is critically important for neighborhoods whose medium density lots are currently occupied by single family housing. It is untenable to envision a building of 65' to 100' being sited within 5' of a single family home.

The Arbor Lodge Neighborhood Association strongly recommends adoption of the proposed transitional measures in section 33.561.230 detailed in Volume 3 of BHD:

- Step down requirements limiting high density (RM 3 + RM 4) building heights to 35' within 25' of an abutting RF to RM2 zoned lot
- Retaining the rear set back requirement of 10' between high and medium density zoned lots.

The proposed measures highlighted in our testimony are examples of meaningful improvements to code which promote a good quality of life for existing and new residents. As a parting

statement, I would like to address those in the development community who may be present this evening. No set of zoning rules, and no law can force a change in perspective. We hope you consider the spirit in which these changes to code are being made. There are too many participants in the building industry who behave as though measures designed to promote the health of residents and communities are nothing but regulatory burden.

We can, and we must do better. The future of our city hangs in the balance, and we must work together to build equitable communities that reflect the values that have long made Portland a special place to live.

Mark Wyman



Co-Chair Land Use Committee  
Arbor Lodge Neighborhood Association  
% NPNS  
2209 N Schoefield St  
Portland, OR 97217





# Mark Wyman

**#30684 | June 21, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please see attached testimony.

Testimony is presented without formatting.

# Jynx Houston

**#30685 | June 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I LIVE AT 7605 SE LINCOLN ST., & THE INCREASE IN CONSTRUCTION OF NEW HOMES IN MY LARGER NEIGHBORHOOD & HENCE THE DESTRUCTION OF GREEN SPACES IS HONESTLY HORRIFIC. YOUR RIP & DEVELOPMENT PLANS IN GENERAL FOR PORTLAND ARE REPREHENSIBLE EVIDENCE OF HOW YOU HAVE CAVED TO DEVELOPERS--ESP. ON THE EAST SIDE. THIS IS BECOMING APPARENT TO RAPIDLY INCREASING #'S OF PORTLANDERS. YOU HAVE IN SHORT BECOME A LAUGHINGSTOCK TO ALL OF US WHO CLOSELY FOLLOW YOUR LESS-THAN-CANDID DEFENSES OF YOUR POLICIES.

Testimony is presented without formatting.

# Jacquie Walton

**#30693 | June 21, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

As a member of the King neighborhood, I strongly oppose the Northeast Coalition of Neighborhood's (NECN's) recommended changes to the Better Housing by Design proposed draft. The King Neighborhood Association (KNA) board has not had a rep to the NECN for three years and had no input into the NECN's recommendations. The NECN's recommended changes -- which include eliminating or reducing setbacks, exempting outdoor requirements, removing parking minimums, and increasing FAR/maximum building coverage/base and bonus height -- would have a profoundly negative impact on the livability of our NE neighborhoods. The NECN seems to believe that the only way to increase affordability is to decrease livability. I suppose in a way they are right -- if implemented, their recommendations will encourage people to leave Portland, discourage people from moving here, and property values will naturally decrease!

Testimony is presented without formatting.



# City of Portland

## Design Commission

Ordinance #189805  
Better Housing by Design Testimony on Proposed Draft  
1900 SW Fourth Ave., Suite 5000  
Portland, Oregon 97201  
Telephone: (503) 823-7300  
TDD: (503) 823-6868  
FAX: (503) 823-5630  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

Date: 06/15/2018

To: Planning and Sustainability Commission

From: Portland Design Commission

Re: Better Housing by Design Proposed Draft

The Portland Design Commission appreciates the opportunity to review and comment on the Better Housing by Design Proposed Draft. The Commission's comments are focused on items that have import to the work Design Commission does on behalf of Council.

1. Proposal 2 – (33.120.232) 20 percent of units to be “visitable” for projects exceeding one unit per 2,000 sf of site area
  - We agree with the intent of this requirement but accessibility issues are extensively covered with federal and state requirements as well as current building codes (Note that a similar requirement already exists through the Fair Housing Act).
  - Additional zoning requirements have the potential to negatively impact the pedestrian realm if a project site has even a minor grade change. Some of the possible impacts include:
    1. Numerous long ramps in front/side setbacks. Based on current ADA requirements, a grade change of 5 feet (typical for many parts of the city) requires 60 feet of ramp at a 1:12 slope with an intermediate landing.
    2. Overall reduced coherency. Portions of developments meeting this requirement will likely having a unique massing or building form compared to the rest of the development in order to accommodate changes in grade.
  - We recommend that this be more closely studied in order to ensure that the result is a positive response to Guidelines.
2. Proposal 8 – (33.120.235) Alternatives to Conventional Landscaping
  - Landscape is often an important feature of a building entry, an outdoor area, and the pedestrian environment, and the design review process encourages the use of a great variety of notable plants and trees to mark special places. Commission support the use of innovative green features but recommends requirements for green features be revised to ensure they achieve the place making goals described in guidelines. Only a percentage of required landscaping at the pedestrian level should be allowed to be innovative green features to ensure the pedestrian realm continues to host at least some of the diversity and interesting plant species that constitute conventional landscaping.
3. Proposal 10 – (33.266) Reduced Parking Requirements, Especially on Small Sites
  - Parking requirements are reduced while housing density is increased. This will cause an increase in the amount of testimony Commission hears about parking—an issue that is outside our jurisdiction. Because this is such a contentious issue, we request a BPS staff person attend design review hearings if/when parking is likely to elicit public testimony. Succinctly explaining the code and providing general education regarding new parking requirements will be best accomplished by BPS.
4. Proposal 21 – (33.266.410) Transportation and Parking Demand Management requirements in multi-dwelling zones
  - At a cost of \$1,100 per unit, the TDM fee is large enough to be equivalent to some of the City's System Development Charges. Commission wholeheartedly supports multimodal transportation

options and the positive impact they have on private parking needs (reduced) and ground floors (fewer garages means more active uses), but worry about the timing of the implementation. This is an additional burden that many small- to mid-sized housing developers will struggle to shoulder as they adjust to the financial realities of Inclusionary Housing.

- Transportation demand management and parking demand should be part of a broader discussion that includes vehicle sharing, on-demand vehicles, bike share, etc., as these together have a significant impact on the pedestrian experience and often compete for limited space.

Thank you for your consideration,



Julie Livingston, Chair



Tad Savinar, Vice Chair



Andrew Clarke



Jessica Molinar



Sam Rodriguez



Zari Santner



Don Vallaster

Portland Design Commission

Cc: BDS staff

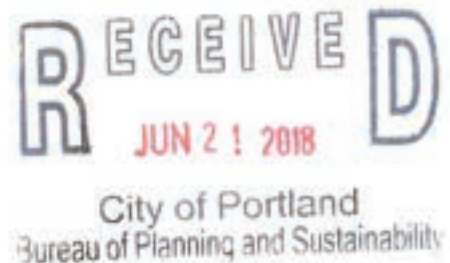
# Hillary Adam

**#30694 | June 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am submitting this testimony on behalf of the Portland Design Commission.

Testimony is presented without formatting.



Monica McGee-Stopper  
225 NE Lombard  
Portland, Oregon 97211  
(503) 285-5276  
[Monicamc225@msn.com](mailto:Monicamc225@msn.com)  
6.17.2018

Portland Planning & Sustainability Commission  
Better Housing Testimony  
1900 SW 4<sup>TH</sup> Avenue  
Suite 1700  
Portland Oregon 97201

Dear Committee,

I am a long- time resident of NE Portland and I am writing to express my concern about the recent discussion and the pending decisions regarding proposed Zoning Codes, Zoning Maps & the Comprehensive Plan Map changes. I am very opposed to the new zones changes and how these decisions will affect the "livability" of my neighborhood and the current/future value of my property!

However, with the ever-increasing homeless population and the latest Census Bureau report that the Rose City and it's metropolitan area continues to be among the fastest-growing areas in the country I realize that tough decisions have to be made.

With that said, I believe it is not fair to the residents that have invested and supported our community. We are the patrons of local businesses, we vote to fund school tax levy and Park and Recreation for our youth, we are the concerned citizens that are the foundation that makes our communities great! To allow "outside" developers who do not live in our community to build large scale developments would be devastating to our neighborhood. Are these tradeoffs that we really want to make? Please reconsider these changes.

I am looking forward to your response.

Sincerely,

  
Monica McGee-Stopper

# Monica McGee-Stopper

**#30781 | June 21, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



# Robert Greene

**#30695 | June 22, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

From the example provided for this zone, what is encouraged is a maximum build out and eliminates most greenery. this proposal is not low or medium density it is high density. This density, while it may have an effect on carbon emissions, does not take into account run off, heat created by paving over green space, light since some units will be required to be lit 24 hours a day, and noise. The overall effect is to have a negative effect on the human body. Nor do I see this new construction as providing affordable housing. Wealth will be concentrated as there will be fewer property owners and more landlords. This new high density zone you are placing my property increases the speculative value of my home and raises my property taxes. When you finally drive me out, which is the goal of this zoning proposal, I will have to sell to a developer and not to a family. This so called plan, offers nothing to the existing residents and demands great sacrifice to furthur enrich developers. Down zone my property. Protect family housing. Please send a copy of testimony to me. Thank You

Testimony is presented without formatting.

# Matvey Rezanov

**#30696 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I strongly support for requirements to include outdoor space for multifamily housing I strongly support for requirements for landlords to subsidize public transportation for multifamily housing tenants (AKA "transportation demand management, TDM, measures) I strongly support for preserving the transitional measures between high and medium density zones that are unique to the North Interstate Planning District

Testimony is presented without formatting.

# S·M·I·L·E

SELLWOOD MORELAND IMPROVEMENT LEAGUE  
8210 SE 13th AVENUE, PORTLAND, OR 97202  
STATION 503-234-3570 • CHURCH 503-233-1497

May 20, 2018

Portland Planning and Sustainability Commission  
Better Housing by Design Project Testimony  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, OR 97201

Dear Commissioners:

The Sellwood-Moreland Improvement League (SMILE) is pleased to offer the following comments on the Better Housing by Design Project (BHD) Proposed Draft Report. The Sellwood-Moreland neighborhood is experiencing phenomenal growth with about 1,600 residential units in the development pipeline or completed since 2015, a 27% increase. We have 2.8 miles of mixed use corridor that has the zoned capacity to add thousands of additional housing units. After the first year on inclusionary zoning, our neighborhood had 3 of the City's 12 privately financed developments that have triggered the new inclusionary zoning rules and 39 of the 89 (44%) of the resulting affordable units. Our membership is concerned with preserving livability and with the lack of affordable housing in our neighborhood. These comments consider the phenomenal growth we are experiencing now, expected future growth, and the concerns of our members. Specific recommendations are stated in **bold** so you can find them.

We are pleased with the following changes from the Discussion Draft to the Proposed Draft:

- Apply the Transportation and Parking Demand Management requirements (proposal 21) to all multi-dwelling zones (removed exemption for RM1).
- Apply commercial parking rules to small lots (proposal 10).
- Detached house setbacks – Only allow the reduced three-foot side setbacks for lot lines internal to a land division (volume 1, page 15, item 9). Paragraph 120.220.B.3.d from the Discussion Draft has been removed.

One of our frustrations with the City planning process is the separate consideration of single-dwelling, multi-dwelling, and commercial zones. The City evaluates the impact of increased density in each zone individually during the Residential Infill/BHD/Mixed Use Zones Projects, but does not appear to consider or plan for the cumulative impact of development in all of these

zones. **Consider, evaluate, and plan for the cumulative impacts of proposed increased density and ongoing development throughout our entire neighborhood.** An example is the two planning processes for residential zones whose timing is now only 4 weeks apart. There are some significant differences in these projects (see table). The conventional wisdom for some of these differences is that multi-dwelling zones are adjacent to corridors and single-dwelling zones are not, but in our neighborhood both are adjacent to corridors. **The Commission should consider and advance the Residential Infill and Better Housing by Design Projects together.** Items to consider for consistency include but are not limited to the items in the table, FAR, height, setbacks, lot coverage, and parking.

#### Comparison of Proposed Drafts of the Better Housing by Design and Residential Infill Projects

Proposal element	Better Housing by Design Project	Residential Infill Project
Overlapping housing types	Detached single family house with ADU allowed in RM1	Duplexes and triplexes
Units in building	Unlimited	Limited
Reduced FAR for detached house	Not reduced	Reduced in R2.5
Driveways in front of buildings	Allowed	Not allowed on narrow lots less than 32 feet wide
Density increase in East Portland	Allowed	Not allowed
Zone numbering	Larger number is more dense	Smaller number is more dense

SMILE supports proposals shaded green and opposed proposals shaded red.

#### *Proposal 1: Scale-base housing*

We believe that BHD is narrowly focused on middle housing and is not accurately portraying or considering the extreme housing types that could be built in the RM1 and RM2 zones. Rather than middle housing, the unintended consequences of the proposal likely will be disproportionally large detached single-dwelling homes and large apartment buildings.

- Extreme density increase: **We believe that the number of units allowed should be limited.** We previously proposed retaining existing limits on market rate units and allowing additional affordable units. Our neighborhood presently has a 4 story 30-unit building on a 3080 sf lot zoned RHd in permit review (5603 SE Milwaukie, see attached floorplan). It has footprint of about 2200 sf which can fit on proposed multifamily-zoned lots with 5000 sf or more, about 950 or 73% of multifamily-zoned lots in our neighborhood. Using this as a template for a building on a 5000 sf lot, a two story 15 unit building in the proposed RM1 zone and a three story 25-unit building in the proposed RM2 zone, and possibly greater, are feasible on 5000 sf lots with the base FAR. Present zoning would allow a maximum of 2 and 5 units, respectively. Thus the proposal

would increase zoned density at least 5-8 fold. In addition, we have one private RH project now in review that is 100% affordable housing and would qualify for the double FAR bonus (5434 SE Milwaukie, 4 stories, 28 units, 1835 sf footprint, see attached site plan). Because private development with 100% affordable housing is feasible in our neighborhood at present, the bonuses for only 50% affordable housing would increase density on some lots 10-16 fold. The zoning code (Title 29 --29.30.290) requires a minimum unit size of only 100 sf for single-room occupancy development allowed in RM2, RM3 and RM4. This level of development, now happening in Seattle, would increase density much more. We have learned to expect that allowed density will happen – when 45-foot-tall mixed use buildings were first zoned for our neighborhood it was commonly but incorrectly assumed they would never be built. In addition, on a R5 corner lot we have a 3-story, 30 foot tall, 45% lot coverage, 6745 sf duplex with two two-car garages under construction, all the maxima allowed.

- BHD does not acknowledge or recognize that such high density development is possible. For the RM1 zone, the maximum density shown in the staff report is a fourplex, not a 15- or 28- unit apartment building. Ongoing development in our neighborhood shows that 4 story 28 unit apartment buildings on 5000 sf lots would be feasible in the RM1 zone with the maximum bonuses which are given for only 50% affordable housing (the existing project is 100% affordable). For the RM2 zone, a 27 unit building on a 15000 sf lot is shown, only about one-third of the feasible density under the proposed rules. Much denser single-room occupancy development is not portrayed in the RM2 zone. **Accurately portray possible development under the proposed zoning rules. The maximum number of units should be provided using fire and building standards. If BHD assumes there is a practical limit to the number of units built in a zone (such as the fourplex shown for RM1), it should be codified as the maximum allowed density,** similar to what the Residential Infill Project has done.
- We are concerned that the extremely dense development this proposal would allow would increase traffic and parking congestion near our corridors which would reduce the viability of some small businesses, increase crowding in our neighborhood schools (already a 39.7% increase in K-12 public school attendees since 2009), hinder emergency vehicle access, and reduce vehicular, pedestrian, and bicycle safety (especially along narrow streets). The Report states *“Proposed code changes will help ensure that new development in the multi-dwelling zones better meets the needs of current and future residents, and contributes to the positive qualities of the places where they are built”* (bottom page 2). An example of where the proposed density increase would not contribute to positive qualities of our neighborhood is Tenino Street: 24 feet wide (three car widths), zoned R2 with some R1, and with an existing traffic volume of 1188 cars per day, many of which are getting to or from the Sellwood Bridge by cutting through the neighborhood to avoid traffic jams on parallel Tacoma Street.

- The proposal fails to consider that, rather than middle housing, oversized single family homes are possible thus making RM1 the new McMansion zone. Under the proposed rules, an oversized single family home with an ADU could continue to be built on 5000 sf lots in RM1. In our neighborhood, ADUs are sometimes used as short term rentals and these do not contribute to the housing supply. If the housing market continues to favor development of oversized houses over middle housing, the RM1 zone could become a McMansion zone with the minor inconvenience of including a small minimal ADU. This would contribute to economic segregation in the City. In addition, the smaller FAR limits proposed by the Residential Infill Project for single family zones increase the likelihood of McMansion construction in RM1 zones where FAR is greater. The Residential Infill Project adopted a 0.5:1 FAR limit for detached homes on R2.5 lots to prevent oversized single family homes. **Add a 0.5:1 FAR limit for detached homes in multi-dwelling zones.** About 88% (462) of R2/RM1 lots in our neighborhood are 5000 sf or larger.
- **We endorse the 35 foot height limit for the RM1 zone.**
- **We would oppose increasing the FAR limits stated in the Proposed Draft Report.**

*Proposal 3: Affordable housing*

- SMILE continues to believe that **any increase in zoned density in our neighborhood should be dedicated to affordable housing.** We recognize that this principle may not be feasible, but it should remain a goal for BHD. At a minimum, **increased density should not contribute to economic segregation.**
- In our neighborhood, 5434 SE Milwaukie is a 4-story 28 unit private RH development in review that is 100% affordable housing and has only a 1835 sf footprint (see attached site plan). BHD would allow this private building on any 5000 sf RM1 or RM2 lot with only 50% affordable housing. Thus, **based on ongoing development in our neighborhood, the assumption that the deep affordable housing bonuses (double FAR, increased coverage, and increased height for only 50% affordable units) would only be used by nonprofits is incorrect for our neighborhood and should be reexamined. Profitability and development capacity vary by neighborhood and different incentives for different neighborhoods would optimize affordability and livability (as defined in City planning documents) citywide.**

*Proposal 5: Commercial uses along corridors*

- **We endorse proposals allowing limited commercial uses along corridors.** North Westmoreland lacks retail and is not a walkable neighborhood despite the presence of frequent transit; this proposal would help correct this problem.

*Proposal 8: Allow alternatives to conventional landscaping*

- **We endorse the overall concept, but recommend that an eco-roof not be given equal weight as landscaping.** An eco-roof should not replace ground-level landscaping which enhances the pedestrian space near the building.

*Proposal 11: Limit garages along street frontages*

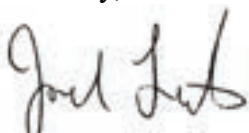
- **We endorse the proposed limits on garages.**
- Fewer curb cuts that serve multiple cars are better than more curb cuts that only serve one car. Excessive curb cuts convert the sidewalk to a driveway, discouraging pedestrians. Where possible, limit curb cuts to every 50 feet and they should serve more than one vehicle.
- Note the differences with the Residential Infill Project regarding driveways and garages (see table). For example, an attached house on a 25 foot wide lot could have a driveway to a garage in a multi-dwelling zone but not in a single-dwelling zone. Additional curb cuts in multi-dwelling zones which are generally close to corridors seem like a pedestrian hazard. **Adopt the Residential Infill Project rules regarding driveways and garages for narrow lots.**

*Other proposals:*

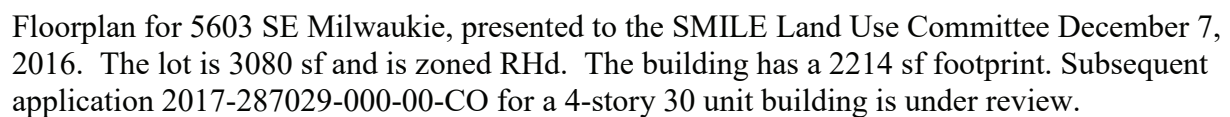
- **We endorse proposals 7 (shared outdoor space), 9 (limit impervious areas), 10 (parking), 12 (entrance orientation), 13 (front setback), 14 (side setback), 15 (height transitions), 16 (division of large building facades), and 21 (Transportation and Parking Demand Management requirements).**

This testimony was approved by the SMILE Board of Directors on May 16, 2018. If you would like any clarifications on these comments, please contact our Land Use Committee Chair David Schoellhamer at [land-use-chair@sellwood.org](mailto:land-use-chair@sellwood.org).

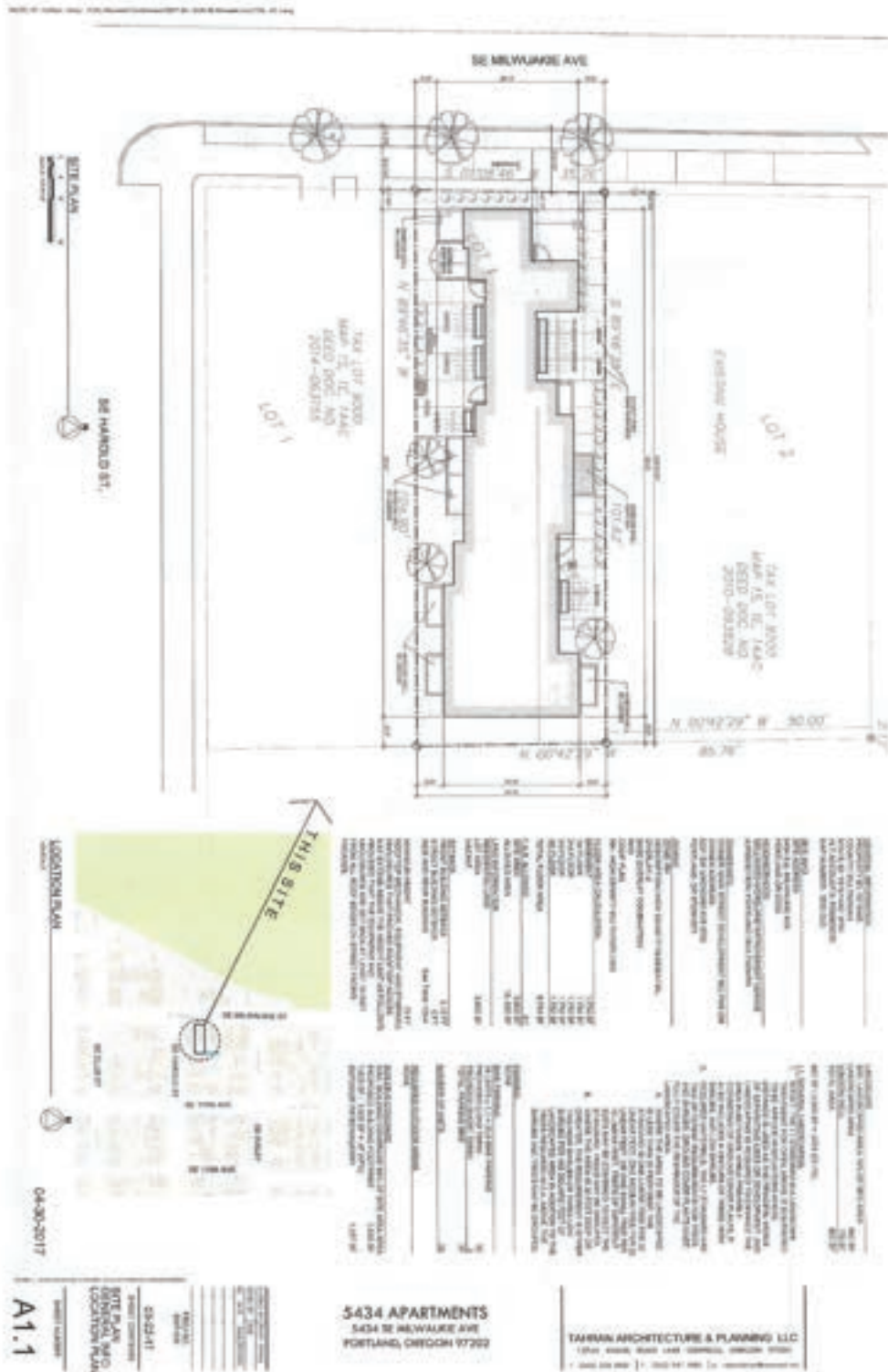
Sincerely,



Joel Leib  
President, Sellwood-Moreland Improvement League







Site plan for 5434 SE Milwaukie, presented to the SMILE Land Use Committee May 3, 2017. The lot is 3900 sf and is zoned RHd. The building has an 1835 sf footprint. Subsequent application 2017-267750-000-00-CO for a 4-story 28 unit building with 100% affordable housing is under review.

# David Ashman

**#30700 | June 22, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We support the Better Housing by Design comments submitted by the Sellwood-Moreland neighborhood association (SMILE) dated May 20, 2018 (attached for reference). Specific and additional comments are included below. The Sellwood-Moreland neighborhood is experiencing phenomenal growth with about 1,600 residential units in the development pipeline or completed since 2015, a 27% increase. We have 2.8 miles of mixed use corridor that has the zoned capacity to add thousands of additional housing units. We are VERY concerned about preserving livability with the proposed zoning changes. Overall, the Commission should consider, evaluate, and plan for the cumulative impacts of proposed increased density and ongoing development throughout our entire neighborhood. The Commission should consider and advance the Residential Infill and Better Housing by Design Projects together. Specific to “Proposal 1: Scale-based housing” from the Planning and Sustainability Commission Proposed Draft Staff Report: The number of units allowed in RM1 should be limited; as it is presently in R2 zoning. With deep bonuses, proposed RM1 zoning could see 4-story 28 unit structures. This is too dense, and quite frankly not fair to existing R2 homeowners many of who have smaller 2-story historic homes. Massive multi-unit structures could negatively impact existing homes’ access to solar and proper air flow. Accurately portray possible development under the proposed zoning rules. The maximum number of units should be provided using fire and building standards. If BHD assumes there is a practical limit to the number of units built in a zone (such as the fourplex shown for RM1), it should be codified as the maximum allowed density, similar to what the Residential Infill Project has done. The Residential Infill Project adopted a 0.5:1 FAR limit for detached homes on R2.5 lots to prevent oversized single-family homes. Add a 0.5:1 FAR limit for detached homes in multi-dwelling zones. Agree with 35-foot height limit for the RM1 zone. Personally, I feel the height limit should be capped at 35 feet even with bonuses/deep bonuses. Strongly opposed to increasing the FAR limits stated in the Proposed Draft Report. Specific to “Proposal 8: Allow alternatives to conventional landscaping” from the Planning and Sustainability Commission Proposed Draft Staff Report: Agree with the overall concept, but recommend that an eco-roof not be given equal weight as landscaping. An eco-roof should not replace ground-level landscaping which enhances the pedestrian space near the building. Agree with Proposals 7 (shared outdoor space), 9 (limit impervious areas), 10 (parking), 12 (entrance orientation), 13 (front setback), 14 (side setback), and 15 (height transitions). Thank you for the opportunity to provide comments. Dave Ashman

Testimony is presented without formatting.



8003 North Crawford Street  
Portland, Oregon 97203  
503-735-9046  
jmuggenburg@comcast.net

21 June 2018

To: City of Portland, Oregon  
Planning and Sustainability Commission and  
Better Housing by Design, Bureau of Planning and Sustainability Staff  
**Better Housing By Design Testimony**  
1900 SW Fourth Street, Suite 7100  
Portland, Oregon, 97201

Via: Messenger and Email

Re.: Possible Regulatory Taking related to Muggenburg Property at  
8003 North Crawford Street  
Portland, Oregon 97203  
Property State ID Number: 1N1W12AC 15700

Dear Commission Members and BHBD Planning Staff:

While I certainly understand the City's desire to alter current residential and multi-dwelling zones to create not only more residential units but also more affordable units, I must object to the changes proposed in the Draft BHBD proposal as they would apply to my property noted above.

In 2001 I very intentionally purchased this 12,500-sf property which is zoned R2, because of the residential development potential of the site, as currently allowed by City R2 Zoning. Basically, this means 6 units could be constructed on the site (one unit per 2000-sf of site area). Built-out fully to the areas and volumes allowed by the constraints of the current R2 height limit (40-feet) and allowed maximum 50% site-coverage (or 6,250-sf), the site could produce a total build-out of 25,000-sf, or an effective FAR of 2 to 1.

The proposed BHBD draft merges the current R3 and R2 multi-dwelling zone into a new single RM1 zone, but in that process reduces the R2 height limit to 35-feet and changes the built area allowed to a FAR-based limit of 1 to 1, or 12,500-sf., which is 12,500-sf LESS than current zoning allows. Furthermore, by reducing the height limit to 35-ft, four story structures are basically impossible if fully built above grade.

The property in question is located in St. Johns east of the St. Johns Bridge in the Cathedral Park Neighborhood, in an area that has some of the more high-end and large residences of the neighborhood. St. Johns has a real dearth of these sort of residential units, either for rental or purchase, and as the area improves and develops, I have sensed the real potential for more of such units. It was my intention to build (6), 3000-sf units on this property, or sell it to a developer who also saw the of the potential of the site, including unobstructed views of the Willamette River, West Hills, and the St. Johns Bridge. With the current Zoning Code Amenity Bonus unit allowances (Section 33.120.265), it might even be possible to construct a 7<sup>th</sup> 3000-sf unit on the site.

continued page 2 following:

## Page 2: Possible Regulatory Taking Letter re.: Muggenburg Property

Basically, the new proposed RM1 zone is in effect a downsizing of the zoned capacity of the current R2 zone, evidently to be closer to the R3 zoning capacity and limits: R3 capacities and limits are raised, while R2 capacities and limits are reduced. And in that process, my property has lost 12,500-sf of potential buildable area and one floor of height which would allow for more flexible building forms.

The current BHBD proposal has removed all of the previously available Amenity Bonuses which could have been used to increase the unit density on R2 sites....the loss of the onsite Tree Preservation bonus is particularly upsetting considering the new FAR increase mechanisms included in the BHBD proposal. In anycase, the current proposal limits FAR increases (Table 120-5) to only an additional 1.5 to 1 FAR on a site, unless affordable units are included which would produce larger FAR increases in varying degrees. Note that FAR increases are not allowed above those stated in Table 120-5 and are not subject to adjustment.

As currently proposed, the BHBD zoning has only very limited methods to increase the FAR, in effect to recoup the “lost” 12,500-sf FAR from the R2 to the new RM1 zone. The only methods allowed so far are:

1. Transfer unused FAR available from another site (for example, historical sites) to the new site;
2. Transfer FAR developed from “preserved” trees on another site;
3. Develop additional FAR by including affordable housing to varying degrees; and
4. Develop additional FAR on the property by paying an amount determined by the Bureau of Housing into the City Affordable Housing Fund.

Basically, this means that there is no way to increase the “RM1 reduced FAR” except by transferring FAR from another site thru several mechanisms, or including affordable housing which in a 6-unit “higher, price-point” project is very unlikely, or by paying a fee into the City Affordable Housing Fund....[To regain the 12,500-sf of FAR lost in the down-sizing change from R2 to RM1, would mean at this time, an approximate contribution to the Fund of \$244,000, using the current Housing Bureau Schedule.]

Allowable R2 height has been reduced from 40-ft. to 35-ft. in the new proposed RM1 zone, although this may be raised I believe, by adjustment, to compensate for the more unusual, sloped sites found in other area of the City than the more or less flat sites of the east side.

I am assuming that as per usual with the Portland Building Code, any enclosed parking (an amenity which would be ‘required’ by this sort of contemplated development) beneath the buildings and below the basepoint elevation, would not be included in any floor area or FAR calculations for the buildings.

Several individuals have already testified that this decrease in building area and height from the current R2 to the proposed BHBD RM1 limits, precludes or at least makes development of large, upper-end units very difficult, and probably more expensive as well.

Depending on how one looks at potential development areas for my piece of property (and of course others), the change from R2 to RM1 means a loss of as little as 5500-sf or as much as 12,500-sf.

continued, page 3 following:

REGISTERED ARCHITECT: OREGON, MASSACHUSETTS EMERITUS, ILLINOIS,  
RETIRED: LEED-AP | BD + C

Should such a loss take place if the BHBD Zoning Proposals are implemented in their current forms, I will have no choice but to consider this a “Regulatory Taking” by the City, decreasing the development potential and value of my property, and to pursue the appropriate remedies from the City.

I am not alone in this sort of reduction of potential development areas and the related financial losses; This change of R2 to RM1 affects thousands of property owners all over the City. I strongly recommend the finally adopted BHBD code changes be appropriately modified to eliminate these unfortunate, ‘regulatory taking’ situations.

Thank you very much for a truly thorough and well-thought out Proposal in general, and also thank you for your time and consideration,

Jim Muggenburg

email: Ted Wheeler, Mayor, City of Portland,  
cc and email: Bill Cunningham, Project Manager BHBD,  
email: BHBD Map App.

REGISTERED ARCHITECT: OREGON, MASSACHUSETTS EMERITUS, ILLINOIS,  
RETIRED: LEED-AP | BD + C

# James Muggenburg

**#30705 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please see attached letter to the Planning and Sustainability Commission 21 June 2018...Thank you.

Testimony is presented without formatting.

# Rex Burkholder

**#30707 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I am very supportive of increasing housing options in every neighborhood in Portland. I also support the recommendations from Portland for Everyone. I have built 2 ADU's and own a duplex in Irvington that adds value to the neighborhood as well as provides more affordable housing . More housing flexibility is beneficial to our city.

Testimony is presented without formatting.





June 12, 2018

Katherine Schultz, Chair  
Portland Planning and Sustainability Commission

CC: Mayor Wheeler, City Commissioners  
Susan Anderson and Bill Cunningham, Bureau of Planning and Sustainability

**Re: Increase Housing Opportunities in Our Corridors - Better Housing by Design Proposed Draft**

Madam Chair and Commissioners,

The Northeast Coalition of Neighborhoods appreciates the opportunity to comment on the Better Housing by Design Proposed Draft. We commend the Bureau of Planning & Sustainability on its effort to increase the amount and diversity of housing in our centers and corridors, which supports the vision of the 2035 Comprehensive Plan.

As our top housing priority is affordability, we support the proposed zoning changes to provide short and long-term affordability in our neighborhoods. We believe the form-based approach provides the simplicity and flexibility needed to increase housing opportunities, while respecting our neighborhoods' unique charms.

With our lens of affordability, we identified the following changes essential to accommodate the growth of 100,000 households in Portland over the next 20 years:

- **Increase building coverage and FAR to match similar mixed-use zones especially on Neighborhood and Civic Corridors.**
  - Increasing coverage and FAR allows Portland to meet the Comprehensive Plan goals of increasing growth in our corridors.
  - We prioritize increasing housing on our corridors where future residents can access social services, local businesses, and active transportation connections.

Proposed changes:

	RM1	RM2	RM3
Base FAR	1.5	2.5	3
Bonus FAR	2.5	4	5
Max Building Coverage	85%	100%	100%
Base Height	35 feet	45 feet	65 feet
Bonus Height	35 feet	55 feet*	75 feet

\* Only allowed in Urban Centers and Civic Corridors

- **Exempt the outdoor requirement for sites up to 15,000 square feet.**
  - Requiring outdoor space increases the cost of price of housing and can limit the number of units built on small lot sizes.
  - We prioritize the number and diversity of housing built over over outdoor amenities.
- **Remove parking minimums for all sites.**
  - Parking minimums can both increase the cost of building housing and decrease the amount of housing built.
  - Centers and corridors have been prioritized for active transportation and transit investments, which reduce residents' dependency on driving.
  - We prioritize building more housing at lower costs to meet the housing demands of our growing region.
- **Reduce the front and street setback to zero at least in Neighborhood and Civic Corridors.**
  - Reducing setbacks provides more flexibility and is consistent with the typology of development that is being encouraged in the mixed-use zones.
  - We prioritize the increased housing and active corridors that flexible setbacks provide.
- **Reduce the side setback to zero except for abutting single-family residential zones.**
  - Reducing setbacks provides more flexibility and is consistent with the typology of development that is being encouraged in the mixed-use zones.
- **Allow the deeper housing affordability bonus inside of conservation and historic districts.**
  - These districts make up a significant part of our neighborhoods where affordable housing remains a significant need.
  - We prioritize increasing affordable housing across all of our neighborhoods, including conversation and historic districts.

We believe incorporating these changes will allow Better Housing by Design to fully meets its important goals to accommodate housing growth, provide a diversity of housing types, and prioritize affordable housing.

Regards,



Paul Van Orden, Chair  
Northeast Coalition of Neighborhoods

# Laura Becker

**#30708 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please see the attached letter from Northeast Coalition of Neighborhoods. Thank you.

Testimony is presented without formatting.



# Portland Housing Bureau

Mayor Ted Wheeler • Interim Director Shannon Callahan

**Date:** June 25, 2018  
**To:** Planning and Sustainability Commission  
**Via:** Shannon Callahan, Director, Portland Housing Bureau  
**From:** Jessica Conner, Housing Policy Planner, Portland Housing Bureau  
**RE:** Better Housing by Design Proposed Draft

The Portland Housing Bureau (PHB) is grateful for the opportunity to participate in the review of the Better Housing by Design (BHD) zoning code project proposed by the Bureau of Planning and Sustainability (BPS). The PHB is committed to equitable housing access and opportunities that safe, stable housing, free from discrimination, can deliver.

The PHB acknowledges that affordable housing operates as a spectrum with a variety of policies and programs directed at many levels of household incomes and tenures. This work requires creative housing solutions, balancing the needs of a variety of household income levels, participating with governmental and non-governmental organizations, assessing policy and program impacts on the most vulnerable and analyzing all housing policy with an equity lens. It is within this scope that the bureau engages with and approves of the general direction that the BPS has set for the BHD proposal.

The PHB requests the Planning and Sustainability Commission incorporate the following recommendations in to the BHD proposal:

1. Support the proposals to change the multi-dwelling zone code names, merge zones R3 and R2, expand the 'd' overlay to include the remaining high-density multi-dwelling zone areas, move to a floor area ratio (FAR) based density, and require visitability standards for new construction.
2. Amend BHD height allowances, Section 33.120.215 B.1, to also include sites that are in the RM4 zone and within 500 feet of a transit street that is served by frequent transit to respond to requests PHB has received from the development industry as a way to assist in increasing the feasibility of projects in the permitting pipeline.
3. Support BHD Proposal 3A to increase the Inclusionary Housing bonus to 50% beyond the base FAR in the multi-dwelling zones.
4. Support BHD Proposal 3B to increase the development bonus for projects providing deeper housing affordability to 100% beyond the base FAR. Additionally,
  - a. Support the BHD proposed allowances for additional height and site coverage, affordability term, income restrictions, and portion of units required for the bonus.

- b. Reinforce that units must be provided on the site and that the Inclusionary Housing Off-Site and Fee-in-Lieu options are not allowed. These points are made in staff comments, but not clearly reflected in the code itself.
  - c. Amend BHD Proposal 3B to allow use of the bonus in historic and conservation districts. Acknowledging that there may be limitations to the development envelope in these areas, thoughtful planning and design processes can preserve historic resources and increase the availability of affordable housing.
5. Support BHD Proposal 3C to allow a 25% development bonus for projects with at least 50% of units as three-bedrooms.
- a. Support allowing the three-bedroom bonus to be layered with the Inclusionary Housing bonuses as another way to support the development of projects in the permitting pipeline, acknowledging that there may be projects that are unable to utilize the entirety of the development bonuses and or height allowances.
6. Support BHD Proposal 4 to allow the transfer of unused development capacity to other sites as an affordable housing preservation tool with the following amendments:
- a. Amend BHD Proposal 4 to allow the transfer of development rights only for existing affordable housing developments with a regulatory agreement with a public agency.
  - b. Amend BHD Proposal 4 to allow transfers into historic or conservation districts.

PHB is concerned about the ability to transfer density out of a historic district with no ability to transfer in. There are several close in neighborhoods with a historic district in a multi-dwelling zone with high opportunity scores. Restricting the ability to incentivize affordable housing in these opportunity rich areas is counterproductive to ending the housing emergency and housing goals outlined in the Comprehensive Plan.

7. Support BHD proposals that increase the flexibility and options for providing outdoor and green space on sites.

The PHB also applauds BPS and Portland Bureau of Transportation (PBOT) staff for their creativity and thoughtfulness of planning and design in East Portland. Their consideration acknowledges the unique features of East Portland, rightly views these features as valuable assets, and attempts to leverage these assets to benefit the community.

8. Support BHD proposals for calculating the floor area ratio prior to the dedication of streets, creating new opportunities for street connections, and continuing East Portland's iconic mid-block spaces through rear setbacks.

Finally, the PHB would like to recognize the time and consideration of BPS staff on the Better Housing by Design project as well as the participation by members of the public.

Copy: Susan Anderson, Director BPS  
Joe Zehnder, Chief Planner BPS

# Jessica Conner

**#30709 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Attached is the letter from the Portland Housing Bureau to the Planning and Sustainability Commission on the Better Housing by Design Proposed Draft.

Testimony is presented without formatting.



**GOOSE HOLLOW FOOTHILLS LEAGUE**  
**2257 NW RALEIGH STREET PORTLAND, OR 97210 503-823-4288**

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June 22, 2018

Planning and Sustainability Commission  
City of Portland  
1221 SW 4th Avenue, Room 110  
Portland, OR 97204

Dear Commissioners,

**RE: Better Housing By Design – Draft May 2018**

The Board of Goose Hollow Foothills League has instructed me by unanimous vote to send the following letter.

**We strongly oppose the proposed re-zoning of the areas of the King's Hill historic district currently zoned RH to RM4. We hereby request that this area be re-zoned to RM3.**

In addition, we believe the same issues apply to the Alphabet District and support the request by other affected parties to re-zone this area to RM3 as well.

Our Board understand and supports the need to respond to Portland's demographic and economic pressures, reflected in the Better Housing by Design proposals. We join with the Bosco-Milligan Foundation and Architectural Heritage Center in supporting the additional protections given to properties with historic resource designations within the proposed modifications of multi-dwelling zone specifications. For example, we support the continued exemption of properties with historic resources (individual landmarks and contributing structures in Historic or Conservation districts) from minimum density requirements for any development of additional residential units (33.445.610.C.6). Moreover, we support the provision that the FAR (floor to area ratios) may be transferred from “a site that contains a Historic or Conservation landmark, or contains a contributing resource in a Historic District or Conservation District,” but the receiving site excludes multi-dwelling zones in Historic or Conservation districts (33.120.210).

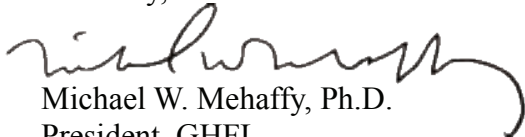
However, we oppose the King's Hill Historic District re-zoning to RM4, rather than RM3. “The RM3 zone is characterized as “medium to high density” with “mid-rise” buildings “up to six stories tall.” In contrast, the RM4 zone is described as “high density,” “an intensely urban zone...with buildings located close to sidewalks”...“a mid-rise to high-rise zone with buildings of up to seven or more stories” (33.120.030). Moreover, in the RM4 zone, a Deeper Housing Affordability bonus can increase the FAR to a maximum of 7 : 1 (Table 120-5), almost doubling

Planning and Sustainability Commission  
June 22, 2018  
Page Two

the density from the current RH zone base maximum FAR of 4 : 1. Attached is a copy of one of the building prototypes that reflects a deeper affordability bonus with a FAR of 6.84 : 1, eight stories tall with a height of 80 feet (RM4 maximum height is 100 feet). Such a building would be out of place on the residential streets in either of the historic districts.

We believe that within the King's Hill historic district, it is clearly inappropriate to encourage development on the residential streets of buildings that are so much out of scale (i.e., larger, taller, and denser) than the surrounding historic neighborhoods of primarily detached houses and low-rise multi-dwelling structures. Beyond preserving individual landmark and contributing historic structures, we strongly agree with the Bosco-Milligan Foundation/Architectural Heritage Center and the local preservation community on the need to maintain the distinctive character of designated historic districts, which contribute so vitally to Portland's priceless heritage and livability.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Mehaffy", with a stylized flourish at the end.

Michael W. Mehaffy, Ph.D.  
President, GHFL



# Michael Mehaffy

**#30712 | June 22, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

June 22, 2018 Planning and Sustainability Commission City of Portland 1221 SW 4th Avenue, Room 110 Portland, OR 97204 Dear Commissioners, RE: Better Housing By Design – Draft May 2018 The Board of Goose Hollow Foothills League has instructed me by unanimous vote to send the following letter. We strongly oppose the proposed re-zoning of the areas of the King's Hill historic district currently zoned RH to RM4. We hereby request that this area be re-zoned to RM3. In addition, we believe the same issues apply to the Alphabet District and support the request by other affected parties to re-zone this area to RM3 as well. Our Board understand and supports the need to respond to Portland's demographic and economic pressures, reflected in the Better Housing by Design proposals. We join with the Bosco-Milligan Foundation and Architectural Heritage Center in supporting the additional protections given to properties with historic resource designations within the proposed modifications of multi- dwelling zone specifications. For example, we support the continued exemption of properties with historic resources (individual landmarks and contributing structures in Historic or Conservation districts) from minimum density requirements for any development of additional residential units (33.445.610.C.6). Moreover, we support the provision that the FAR (floor to area ratios) may be transferred from “a site that contains a Historic or Conservation landmark, or contains a contributing resource in a Historic District or Conservation District,” but the receiving site excludes multi-dwelling zones in Historic or Conservation districts (33.120.210). However, we oppose the King's Hill Historic District re-zoning to RM4, rather than RM3. “The RM3 zone is characterized as “medium to high density” with “mid-rise” buildings “up to six stories tall.” In contrast, the RM4 zone is described as “high density,” “an intensely urban zone...with buildings located close to sidewalks”...”a mid-rise to high-rise zone with buildings of up to seven or more stories” (33.120.030). Moreover, in the RM4 zone, a Deeper Housing Affordability bonus can increase the FAR to a maximum of 7 : 1 (Table 120-5), almost doubling the density from the current RH zone base maximum FAR of 4 : 1. Attached is a copy of one of the building prototypes that reflects a deeper affordability bonus with a FAR of 6.84 : 1, eight stories tall with a height of 80 feet (RM4 maximum height is 100 feet). Such a building would be out of place on the residential streets in either of the historic districts. We believe that within the King's Hill historic district, it is clearly inappropriate to encourage development on the residential streets of buildings that are so much out of scale (i.e., larger, taller, and denser) than the surrounding historic neighborhoods of primarily detached houses and low-rise multi-dwelling structures. Beyond preserving individual landmark and contributing historic structures, we strongly agree with the

Bosco-Milligan Foundation/Architectural Heritage Center and the local preservation community on the need to maintain the distinctive character of designated historic districts, which contribute so vitally to Portland's priceless heritage and livability. Sincerely, Michael W. Mehaffy, Ph.D.  
President, GHFL

Testimony is presented without formatting.

# Zoe Lynn Powers

**#30714 | June 22, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

In researching code changes to the the RH (now RM3) zone under the proposed Better Housing code, it came to my attention that there is an issue with the applicability of the BHD 33.120.100 in the Central City Plan District. RSS and Office uses would appear to be prohibited on the property (and other similarly situated properties) because it is not along a Civic or Neighborhood Corridor. BHD 33.120.100.B.2.a(1). However, the applicable Map 120-1 does not cover this property, because it is in the Central City. CC2035 does not have use regulations that apply in this situation that would preempt the base zoning, so it is unclear if the BHD program intends to allow or not allow RSS and Office uses. Previously, in the RH zone, RSS and Office uses were a conditional use in new multi-dwelling developments up to 20% of the net building area when within 1,000 feet of a Max station. I believe that the intention of the Better Housing code is not to prohibit mixed uses in the Central City with the new BHD 33.120.100. Accordingly, the code should be modified to make clear that in the Central City Plan District the Civic or Neighborhood Corridor prohibition on RSS and Office uses does not apply.

Testimony is presented without formatting.

# Terrie Burdette

**#30719 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

It is my belief that affordable housing units should be a requirement for new housing in St Johns, not an option rewarded with bonus FAR.

Testimony is presented without formatting.

Doug Klotz  
1908 SE 35<sup>th</sup> Pl  
Portland, OR 97214  
June 23, 2018

To: Planning and Sustainability Commission  
Re: Better Housing by Design:  
Response to some NA letters, plus quotes from BDS letter

Chair Schultz and Commissioners:

I note that both the Northwest District Association and the Goose Hollow Foothills League are asking for downzoning in their RH-zoned areas, cutting the 4:1 base FAR in half to a 2:1 base FAR. Apparently they're concerned that the increase in the allowed bonus for affordable housing, and Deep Affordability, are higher than now allowed.

I disagree with these NAs, and I support the application of RM3 wherever there is currently RH with a 2:1 base FAR, and the application of RM4 wherever there is currently RH with a 4:1 base FAR. This will give the equivalent FARs. The fact that the bonuses are higher than the current bonuses is consistent with the city's goal of addressing the housing crisis, which is in part caused by the lack of housing of all types, in all areas. Even more units in NW or Goose Hollow help address the problem by increasing supply in the city.

I also take issue with the NWDA's position against "street-facing" basement apartments. They're concerned that closed curtains will "have the effect of a blank wall". But windows that people can use for light and air are certainly preferable to an actual blank wall. The neighborhood also wants to reduce building heights, but such apartments are a way to get more units in a lower height, and are common throughout the district.

NWDA wants to require dwelling units facing the street on the ground floor, yet are concerned that units raised two feet above grade are not high enough. They would prefer 3 feet, which is much more difficult to make accessible for those with mobility issues, and would have an even higher "blank wall" below them.

I support the Proposed Draft's exception for front setback requirements, reducing the setback in RH to zero if the ground floor is two feet above grade, and I support allowing basement units to have windows onto the sidewalk. These allowances will help increase the amount of housing that can built in these areas which are well-served by transit and within walking distance of thousands of nearby jobs.

I also support reducing front, and "street side" setbacks everywhere in all the MF zones to zero, or making them reduceable to zero if the first floor is 2' above grade. Regarding front setbacks, I should also point out the testimony you received from the city's Bureau of Development Services on June 14, by Laura Lehman. In it, Ms. Lehman notes:

“Especially on smaller infill or urban sites, the deeper street setback along the front/street sides in this proposal is contrary to the project goals to stimulate traditionally-scaled, smaller, diverse units like courtyard buildings, which often hugged the public right-of-way with only a narrow (ROW) furnishing or planting strip between the building and sidewalk. The new front setbacks are a suburbanizing move that conflicts with good urban design and the desire to foster low-rise, urban “middle” housing in our neighborhoods. The only building in the “middle housing” sample images on this page that would meet these setbacks is the single-family house – everything else is up close to the sidewalk, and would be unable to meet the new front setbacks. ” (emphasis added)

I also disagree with HAND neighborhood’s call for downzoning along the east side of SE 12<sup>th</sup> in Ladd’s Addition. The RM2 that is proposed is the equivalent of the R1 that has long been zoned there. The current Historic District protections will still apply. I should note that there are four 1920s apartment buildings in that stretch now, (and one from 1957), so apartment buildings are already part of the historic character of the district, and these buildings will provide a model for new buildings to follow.

Thank you.

A handwritten signature in black ink, reading "Doug Klotz". The signature is written in a cursive, flowing style with a large, stylized 'D' and 'K'.

Doug Klotz

# Doug Klotz

**#30720 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See attached pdf re NA and BDS letters

Testimony is presented without formatting.

June 25, 2018

Portland Planning and Sustainability Commission  
1900 SW Fourth Avenue  
Portland, Oregon

Dear Commission Members,

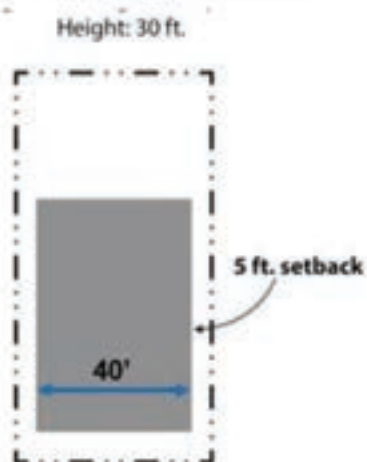
I am writing to follow up on my testimony about the proposed changes to the multi-family setback regulations at your June 12<sup>th</sup> hearing. I strongly oppose the reduction of side and rear yard setbacks to the proposed 5' and 10' from the present 5' to 14' variable setbacks.

Side and rear yard setbacks have a number of purposes. They provide adequate air and ventilation and privacy by preventing buildings being too close together. They are used to provide adequate space for outdoor activities. And, under the present regulations, they encourage building articulation which makes for varied landscaped areas and greener neighborhoods. To simply allow an 85' long 40-50 tall wall 5' from a property line would overwhelm adjacent houses and decrease the livability of our neighborhoods.

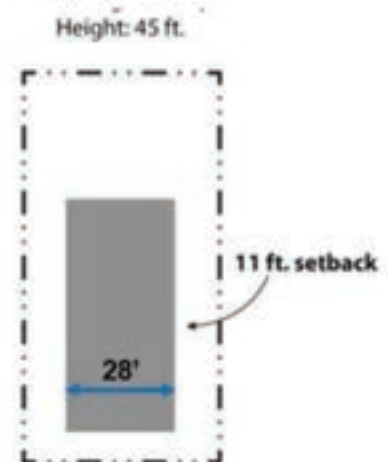
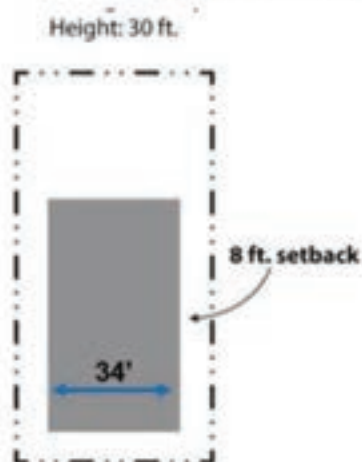
The present setback requirements are not perfect. They are complicated, and on small lots in high density zones, they make development difficult. However, the proposed new regulations go too far in simplicity and in fact make the development even harder on small lots with high density zoning.

Page 74 of the commentary explains some of the reasoning behind the recommendation and accurately reflects the present code language. However, the graphics are flat out wrong. The present code does not require that the entire building be setback based on the building plane, but rather requires that larger portions of building be setback more than smaller portions. The present code allows 1000 sq ft of building plane (30X33) to be set at the 5' property line.

### Single-Dwelling Zones

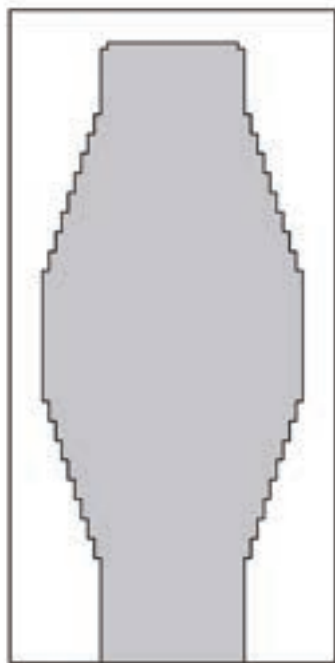


### Multi-Dwelling Zones

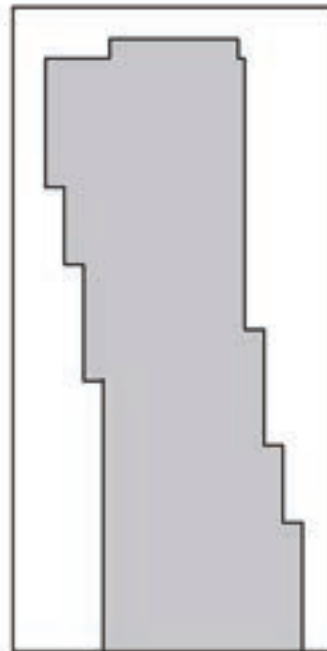




The two graphics below demonstrate what the code really allows – an articulated series of increasing setbacks for portions of the building as it gets bigger. The first graphic is a literal picture of the code allowed building planes. The second one shows a more likely development footprint with fewer steps and staggered building planes that also fully meets the code.



**PRESENT CODE**  
RH 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2880 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

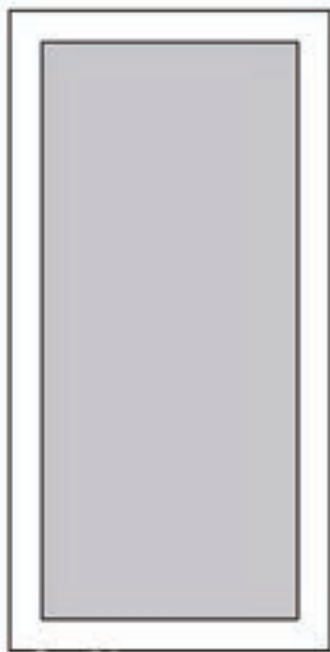


**PRESENT CODE**  
RH 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 3600 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

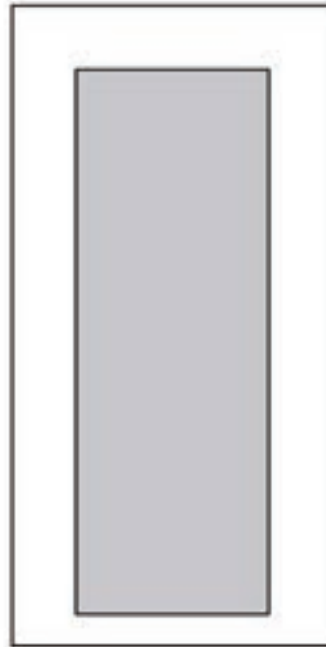
The present regulations do cause problems on smaller lots in high density zones. Building on a 50' X 100' in the RH zone would require that some portions of the building be only 22' wide (50' minus 14' minus 14'). 22' is not a practical building width for multi-family construction and would make it nearly impossible to build the maximum FAR.

The new proposal, however, is not an appropriate fix. Allowing a 50' tall 85' long wall is overwhelming and should not be allowed. We all love the three and four story brick apartment building in NW which are built close to the property lines. However, the apartments on the sides of these buildings are not good places to live as they are too close to their neighbors. We can do better, and the variable side yard and rear yard setbacks of today's code do improve the livability in high density neighborhoods.

On the other hand, the new proposal makes it even harder to approach allowable densities in the RM3 and RM4 zones. Now, by requiring a 10' setback for an entire building when it exceeds 55', 6 and 7 story buildings, which would meet the height limits, would be limited to 30' widths on 5,000 square foot lots. That simply won't work.



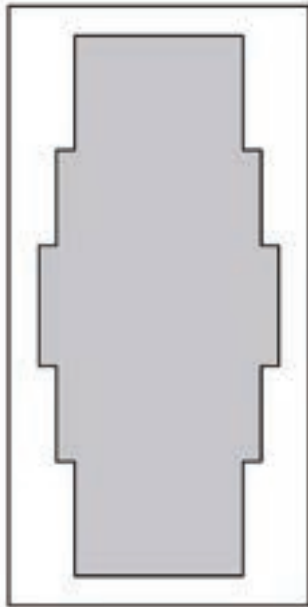
PROPOSED CODE  
RM 4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 3800 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT



PROPOSED CODE  
RM4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2550 SQ FT  
BLDG 6 STORIES 60' IN HEIGHT

There are three possible approaches to these setbacks that are better than the proposed code. First, you could simply leave the present regulations in place. Second, you could revert to the 1981 code where the setbacks were set based on the number of stories. Or you could modify and simplify the existing code by reducing the number of setback distances.

The picture below shows how it would work if there were three setbacks (5', 8', and 11'), instead of the ten (5',6',7',8',9',10',11',12',13',14') now in the code. Also, reducing the maximum setback from 14' to 10' would significantly reduce the difficulty of developing on 5,000 square foot lots.



MY PROPOSED CODE  
RM4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2950 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

Finally, I fully support the idea of the new front setbacks proposed for the RM3 and RM4 zones, although they may be larger than necessary. One of the things that makes old Northwest so attractive is the small amounts of landscaping between the sidewalks and the building fronts. This makes for a much more livable neighborhood scaled streetscape than is found in the Pearl and Conway areas where buildings come right up to the street without any landscaping.

Rick Michaelson



Sullivan's Gulch Neighborhood Association, c/o Holladay Park Plaza, 1300 NE 16<sup>th</sup> Ave., Portland, Oregon 97232  
<http://www.sullivansgulch.org>

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**June 25, 2018**

**Katherine Schultz, Chair  
Portland Planning and Sustainability Commission  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201**

**Subject: Better Housing By Design (BHD) - Draft Plan and Code Amendments**

**Dear Katherine:**

The Sullivan's Gulch Neighborhood Association (SGNA) Board reviewed the draft BHD proposal at its June 12 meeting. We generally support the proposed amendments to the City's multi-family residential (MFR) zones. We thank the City for responding to our recommendations to include an exception to the minimum density requirement for owners who add units to existing structures, which may reduce demolitions, and for setting limits on the size of ground-floor commercial uses in MFR zones in corridors. We have a few concerns, however, that we would like to share.

**NECN Recommendations**

SGNA wants to go on record in opposition to the recommendations forwarded to you by the North East Coalition of Neighborhoods (NECN) Board. We are active NECN members and support NECN's mission. We believe, however, that if implanted the NECN recommendations would do little to increase affordable housing and would harm livability in NE Portland's MFR districts. We tried to raise our concerns to the NECN Board, which are outlined in the attached memo, but we were not allowed enough time to review them. The NECN recommendations to lower developer costs by eliminating parking minimums, green space and open space requirements, and building setbacks in hopes that lower development costs will lead to more affordable housing is more likely to simply boost profit margins for developers while diminishing quality of life for residents. We are especially concerned about the implications for fire/life safety with zero side and rear setbacks and with the lack of open space amenities. Working class families deserve better design than this recommendation would deliver. We support the proposed BHD regulations for parking, open spaces, and setbacks as written. The incentives the City has put in place to incent construction of affordable housing should to be given time to work before offering up additional cost savings to developers without reciprocal performance requirements for actually building affordable housing.

**Urban Design Compatibility**

SGNA remains concerned that the form-based design standards in the RM1 and RM2 zones do not provide sufficient guidance to ensure that new development is compatible with existing development patterns in our neighborhood. These zones are the ones in closest proximity to established residential neighborhoods and most likely to impact current development patterns.

Portland is a diverse city with diverse urban design character. We ask that the code include a reference to neighborhood design guidelines. The guidelines would be developed through a city-managed process. They would be voluntary and only apply to RM1 and RM2 zones. We ask that the following language be included in section 33.120.010.B.

... and contribute to the intended characteristics of each zone Furthermore, some neighborhoods have developed voluntary design guidelines that are intended to provide guidance for integrating new uses within the existing urban environment. At the same time, the standards allow for flexibility for new development...

Our view is that neighborhood guidelines should not be proscriptive as to building styles, materials, color, etc. They should allow for diversity and experimentation but with an eye toward form, scale, and design elements. In our inner-northeast neighborhood, for example, the design guidelines that the City adopted as part of the Albina Plan may provide a starting point for guidelines suitable for most inner NE and SE Portland neighborhoods. We also encourage a policy reference to voluntary design guidelines for MFR development in the Comprehensive Plan.

#### **Bonus FAR**

SGNA supports the inclusion of FAR bonuses to incent affordable housing and tree preservation. We are concerned that the FAR bonus for affordable housing in the RM1 and RM2 zones could lead to development that is out of scale with existing and planned uses that do not qualify for a bonus. We recommend identical bonuses in Table 120-5 for affordable housing and other bonuses and that the FAR bonus be capped at 1.5 in the RM1 zone and at 2.5 in the RM2 zone.

#### **TDM Requirement**

SGNA supports efforts to reduce auto trips but feels that the City should provide greater incentives for all residents to abandon their cars. Requiring developments that add 10 or more units to adopt a TDM program carries considerable cost. The financial burden that TDM programs impose on MFR development could harm affordable housing efforts in particular. We would rather see the City approach this issue more systemically at the neighborhood level. Neighborhood oriented TDM programs could be used to set up taxi/car share pick up/drop-off locations, improve pedestrian-scale lighting and sidewalk enhancements, offer transit pass discounts, expand bike-share programs, and other strategies. We recommend the TDM threshold be raised to 20 units and that the city explore neighborhood TDM. SGNA would gladly participate in this effort.

#### **Metrics**

SGNA asks the City to design metrics to monitor BHD and other residential infill efforts for how well they delivery affordable housing and the efficient use of limited land resources. There should be goals for expanding housing choices in all neighborhoods. Metrics need to be expressed in quantitative measurable terms so that over time we can monitor if these initiatives are effective.

Sincerely,



David Brook, Chair  
Sullivan's Gulch Neighborhood Association

cc. Bill Cunningham, City of Portland  
Enclosure

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Memorandum

To: North East Coalition of Neighborhoods Board  
From: Sullivan's Gulch Neighborhood Association (SGNA)  
Date: June 19, 2018  
Re: Response to draft letter dated June 12, 2018 titled "Increase Housing Opportunities in Our Corridors"

SGNA would like to offer support for the above referenced letter with the following recommendations and modifications. The SGNA Board is requesting the letter offer more clarity, be better defined and more limited.

- How are corridors defined and who is establishing this definition?
- Does this letter apply to just corridors or is it universal? Are the recommendations geographically limited to just NE Portland or are they intended to apply city-wide?-

2<sup>nd</sup> paragraph – "As our top housing priority is affordability, we support the proposed zoning changes to provide short and long-term affordability in our neighborhoods." We understand housing is a top priority, but is it the only priority? Does NECN recognize the importance of livability?

- 1) Bullet point #1. "Increase building coverage and FAR to match similar mixed-use zones especially on Neighborhood and Civic Corridors." Please clarify that the increased building coverage and FAR to match mixed-use zones is limited to developments in corridors and centers and would not be applied to projects in city-neighborhoods.
- 2) Bullet point #2. "Exempt the outdoor requirement for sites up to 15,000 square feet." Please remove unless there is clarification that it applies only in to designated areas, such as where there is ample public open space to offset the need for private amenity spaces.
- 3) Bullet point #3. "Remove parking minimums for all sites." Please clarify that the adjustment would only apply in corridors and centers. Limit this parking recommendation so that it does not apply to RM2, RM3, or RM4, and that the adjustment is limited to the percentage of units that are reserved as affordable units. Our concern is that an RM3 designation in a corridor with bonuses could allow for a 20-story tower. Do we want a 20 story tower with no parking? This benefit is to developers, not the residents of the building or adjacent neighborhoods.
- 4) Bullet point #4. "Reduce the front and street setback to zero at least in Neighborhood and Civic Corridors. " Please remove. This is a redundancy to existing overlays in most center and corridor areas. We are also concerned about the appropriateness in neighborhoods and for life and safety reasons.
- 5) Bullet point #5. "Reduce the side setback to zero except for abutting single-family residential zones. " Please remove. It is redundant and not appropriate in neighborhood settings for fire/life/safety access.

# Dave Brook

**#30776 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



8003 North Crawford Street  
Portland, Oregon 97203  
503-735-9046  
jmuggenburg@comcast.net

21 June 2018

To: City of Portland, Oregon  
Planning and Sustainability Commission and  
Better Housing by Design, Bureau of Planning and Sustainability Staff  
**Better Housing By Design Testimony**  
1900 SW Fourth Street, Suite 7100  
Portland, Oregon, 97201

Via: Messenger and Email

Re.: Possible Regulatory Taking related to Muggenburg Property at  
8003 North Crawford Street  
Portland, Oregon 97203  
Property State ID Number: 1N1W12AC 15700

Dear Commission Members and BHBD Planning Staff:

While I certainly understand the City's desire to alter current residential and multi-dwelling zones to create not only more residential units but also more affordable units, I must object to the changes proposed in the Draft BHBD proposal as they would apply to my property noted above.

In 2001 I very intentionally purchased this 12,500-sf property which is zoned R2, because of the residential development potential of the site, as currently allowed by City R2 Zoning. Basically, this means 6 units could be constructed on the site (one unit per 2000-sf of site area). Built-out fully to the areas and volumes allowed by the constraints of the current R2 height limit (40-feet) and allowed maximum 50% site-coverage (or 6,250-sf), the site could produce a total build-out of 25,000-sf, or an effective FAR of 2 to 1.

The proposed BHBD draft merges the current R3 and R2 multi-dwelling zone into a new single RM1 zone, but in that process reduces the R2 height limit to 35-feet and changes the built area allowed to a FAR-based limit of 1 to 1, or 12,500-sf., which is 12,500-sf LESS than current zoning allows. Furthermore, by reducing the height limit to 35-ft, four story structures are basically impossible if fully built above grade.

The property in question is located in St. Johns east of the St. Johns Bridge in the Cathedral Park Neighborhood, in an area that has some of the more high-end and large residences of the neighborhood. St. Johns has a real dearth of these sort of residential units, either for rental or purchase, and as the area improves and develops, I have sensed the real potential for more of such units. It was my intention to build (6), 3000-sf units on this property, or sell it to a developer who also saw the of the potential of the site, including unobstructed views of the Willamette River, West Hills, and the St. Johns Bridge. With the current Zoning Code Amenity Bonus unit allowances (Section 33.120.265), it might even be possible to construct a 7<sup>th</sup> 3000-sf unit on the site.

continued page 2 following:

REGISTERED ARCHITECT: OREGON, MASSACHUSETTS EMERITUS, ILLINOIS,  
RETIRED: LEED-AP | BD + C



## Page 2: Possible Regulatory Taking Letter re.: Muggenburg Property

Basically, the new proposed RM1 zone is in effect a downsizing of the zoned capacity of the current R2 zone, evidently to be closer to the R3 zoning capacity and limits: R3 capacities and limits are raised, while R2 capacities and limits are reduced. And in that process, my property has lost 12,500-sf of potential buildable area and one floor of height which would allow for more flexible building forms.

The current BHBD proposal has removed all of the previously available Amenity Bonuses which could have been used to increase the unit density on R2 sites....the loss of the onsite Tree Preservation bonus is particularly upsetting considering the new FAR increase mechanisms included in the BHBD proposal. In anycase, the current proposal limits FAR increases (Table 120-5) to only an additional 1.5 to 1 FAR on a site, unless affordable units are included which would produce larger FAR increases in varying degrees. Note that FAR increases are not allowed above those stated in Table 120-5 and are not subject to adjustment.

As currently proposed, the BHBD zoning has only very limited methods to increase the FAR, in effect to recoup the "lost" 12,500-sf FAR from the R2 to the new RM1 zone. The only methods allowed so far are:

1. Transfer unused FAR available from another site (for example, historical sites) to the new site;
2. Transfer FAR developed from "preserved" trees on another site;
3. Develop additional FAR by including affordable housing to varying degrees; and
4. Develop additional FAR on the property by paying an amount determined by the Bureau of Housing into the City Affordable Housing Fund.

Basically, this means that there is no way to increase the "RM1 reduced FAR" except by transferring FAR from another site thru several mechanisms, or including affordable housing which in a 6-unit "higher, price-point" project is very unlikely, or by paying a fee into the City Affordable Housing Fund....[To regain the 12,500-sf of FAR lost in the down-sizing change from R2 to RM1, would mean at this time, an approximate contribution to the Fund of \$244,000, using the current Housing Bureau Schedule.]

Allowable R2 height has been reduced from 40-ft. to 35-ft. in the new proposed RM1 zone, although this may be raised I believe, by adjustment, to compensate for the more unusual, sloped sites found in other area of the City than the more or less flat sites of the east side.

I am assuming that as per usual with the Portland Building Code, any enclosed parking (an amenity which would be 'required' by this sort of contemplated development) beneath the buildings and below the basepoint elevation, would not be included in any floor area or FAR calculations for the buildings.

Several individuals have already testified that this decrease in building area and height from the current R2 to the proposed BHBD RM1 limits, precludes or at least makes development of large, upper-end units very difficult, and probably more expensive as well.

Depending on how one looks at potential development areas for my piece of property (and of course others), the change from R2 to RM1 means a loss of as little as 5500-sf or as much as 12,500-sf.

continued, page 3 following:

Page 3: Possible Regulatory Taking Letter re.: Muggenburg Property

Should such a loss take place if the BHBD Zoning Proposals are implemented in their current forms, I will have no choice but to consider this a "Regulatory Taking" by the City, decreasing the development potential and value of my property, and to pursue the appropriate remedies from the City.

I am not alone in this sort of reduction of potential development areas and the related financial losses; This change of R2 to RM1 affects thousands of property owners all over the City. I strongly recommend the finally adopted BHBD code changes be appropriately modified to eliminate these unfortunate, 'regulatory taking' situations.

Thank you very much for a truly thorough and well-thought out Proposal in general, and also thank you for your time and consideration,

  
Jim Muggenburg

email:	Ted Wheeler, Mayor, City of Portland,
cc and email:	Bill Cunningham, Project Manager BHBD,
email:	BHBD Map App.

REGISTERED ARCHITECT: OREGON, MASSACHUSETTS EMERITUS, ILLINOIS,  
RETIRED: LEED-AP | BD + C

# James Muggenburg

**#30780 | June 22, 2018**

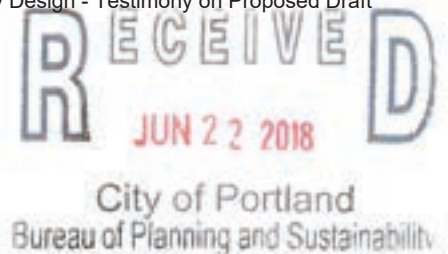
Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached

Testimony is presented without formatting.



Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4<sup>th</sup> Avenue, Suite 7100  
Portland, Oregon 97201



June, 2018

Re: Proposed Zoning Change for NE Portland Neighborhood Completely, Uniquely  
Enclosed by Freeway 84 and Halsey Street

Dear Portland Planning and Sustainability Commission,

We are an increasingly organized neighborhood group brought together by our severe concern about the proposed property zoning change. Our neighborhood is entirely constrained by the borders of freeway 84 to our north, west, and east and by Halsey Street to our south. It is an area north of Halsey between NE 72nd Avenue and NE 77th. Most, or almost all, of us are house owners living in our own houses. We cherish our neighborhood and have worked together for decades to improve it and to maintain harmony and cooperation among ourselves. Aren't we exactly the kind of neighborhood that the City of Portland wants to foster?

We are confused and dismayed that notices, or some of them, regarding a zoning change that would severely impact the quality of life in our neighborhood were not received until less than one month prior to the June 12th hearing. Why was the notice not sent months before the hearing? Some of us seriously wonder whether the decision to delay notifying citizens raises worrisome credibility issues about the City management.

We are extremely concerned about your inadvisable proposal to rezone our area from R2 to MD-N, a multi-dwelling, higher living density zone. The crime rate in our area has rapidly increased recently, and statistics clearly show that a change to multi-dwelling, higher density units predicts more crime. However, the reason unique to our neighborhood that makes such a change an impossibility is that our parking is already 100% constrained by physical limits. All of our streets dead end into 84 (no parking) or dead end into Halsey (no parking). Our area was developed long ago and our narrow, one-car driveways already force most of us to often park on the street a distance from our houses since most of our households already require more than one car. There has already been an increase in car break-ins due to our lack of parking close to our houses where we can help each other watch over our cars. Your proposal would 100% predictably severely aggravate the problem. Do you really want to force us to walk a mile or more away across 84 to an area with its own restrained parking or very dangerously force us to cross an always busy 4-lane road to park while carrying heavy groceries and other items to our homes? Again, our area literally has concrete barriers. There is zero option for additional parking. There is already substantially inadequate parking. Your proposal would have extremely negative changes on the quality of our lives, on our personal safety, on our car property safety, and on the well being of ourselves and our neighborhood, and, of course, on our voting.

We politely, but emphatically reject your proposed zoning change. Please do not destroy the quality of life in our neighborhood.

Sincerely yours,

Signature

Name

Louise Pender

Address

(enrcr) 1514 NE 76th Ave, Portland 97213

# Louise Pender

**#30782 | June 22, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

MICHAEL W. MEHAFFY, PH.D.

June 23, 2018

Planning and Sustainability Commission  
City of Portland  
1900 SW 4th Avenue  
Portland, OR 97204

Dear Commissioners,

**RE: Opposition to proposed re-zoning of King's Hill to RM4; request rezone to RM3**

I am writing to offer this testimony on the above-referenced topic (part of the Better Housing by Design proposal) as a resident of King's Hill. For the record, I am also president of the Goose Hollow Foothills League, a business owner in sustainable development consulting with an international practice, and president of a non-profit think tank in sustainable urban development, called Sustasis Foundation ([www.sustasis.net](http://www.sustasis.net)). However, I wish to make it clear that in this letter, I speak as a citizen on my own behalf.

My residence is at 742 SW Vista Avenue, Apartment 42. My six-story apartment building has a net density of 196 units per acre (45 units on a 10,000 SF parcel). My neighborhood of King's Hill, as well as the surrounding areas of Goose Hollow and the Alphabet District, are among the densest in all of Oregon (approx. 22 units per acre gross). As my Ph.D. dissertation research has shown, this density and mix is optimal for reducing greenhouse gas emissions and providing other valuable benefits of sustainable urban development. Indeed, I have published books and lectured extensively about this area and its remarkable urban characteristics. It is featured in the book *Cities Alive* and in the class I teach in the School of Sustainability and School of Geographical Sciences and Urban Planning at Arizona State University, among others. (I have also taught at U of O and elsewhere.)

Large parts of our region, including areas within the City of Portland, are very low-density, sprawling and high-emissions. They desperately need new and more livable forms of development that are more sustainable. This was a major effort in my own career when I became project manager for the master developer of Orenco Station in Hillsboro, taking an extremely low-density area (<1 unit per acre gross) with no walkable amenities, and building a "complete community" that offered a much more compact, walkable neighborhood (density >12 units per acre, plus extensive mixed use).

Through the best of intentions, we could all too easily destroy the priceless urban asset represented by King's Hill, the Alphabet District and Goose Hollow. In my research and consultancy in other cities around the world, I have seen exactly this tragic result. In fact, the momentous changes in development practices in the 1950s and 1960s left us with sad remnants of once great cities, and horrific damage committed by very well-meaning people for the best of reasons – economic growth, opportunity, better living conditions, "modernization" and so on. The past is a warning to the present.

Today I believe there is also a well-meaning but terribly misguided approach that has come to dominate in Portland, which may be reflected in the current proposal to upzone King's Hill and the Alphabet District. As in the 1950s and 1960s, it places great faith in "modernization," and in the capacities of new development to better reflect the spirit of the age and its needs and ambitions.



Planning and Sustainability Commission  
June 23, 2018  
Page Two

In particular, there is what some have called the “Vancouver Model” – to accommodate the needs of a growing city by upzoning, replacing older low-rise and mid-rise buildings with high-rise buildings, adding more units, and also encouraging mixed use and transit-served development. At least the addition of mixed use and transit are improvements over the older 1950s and 1960s models, it is felt.

But there is a warning today emerging from Vancouver, and other cities like it. Leaders like Patrick Condon – head of the urban design program at UBC, and now a potential candidate for Mayor – have cautioned places like Portland to learn from their mistakes, and the highly problematic results. Vancouver thought it could add many units to the core and thereby meet demand with supply, thus lowering prices. But this approach didn’t work – to put it mildly. Vancouver is today one of the least affordable cities in the world, and significantly higher than Portland. (As Patrick Condon and others have pointed out, this outcome was not explainable as a one-time event related to Chinese investment; indeed, international investment is accelerating, in Portland as well as other cities.) Meanwhile, Vancouver has lost much of its priceless historic neighborhood fabric, including older and more affordable buildings that once occupied the site of expensive new condominiums.

One of the people praising the high cost of housing in Vancouver is Donald Trump Jr., in charge of building the luxury Le Corbusier-style Trump Tower there. “We’ve done it time and time again — when you combine a great location with incredible architecture and incredible amenities ... it’s sort of a formula for success.” He was speaking of the eye-popping sales prices for the 214 luxury units in Trump Tower Vancouver, which sold at an average \$1,610 per sq. ft. — the highest rate in Vancouver, or for that matter, all of Canada. One single unit sold for over \$6 million.

Portland is rightly celebrated as having charted a different path – revived and built on many historic assets like the streetcar system, the Skidmore Fountain area and others. The Alphabet District, Goose Hollow and King’s Hill have also become models of livability, after a wave of destructive tear-downs and insensitive modern buildings in the 1960s. We should recognize and protect what we achieved.

This is a kind of “Jane Jacobs urbanism” – accommodating new projects, yes, but carefully, and retaining a mix of old (and cheaper) with new. This diversity of age matches other kinds of diversity, including income, ethnicity and other factors. It assures that new projects achieve a “gentle densification,” as Patrick Condon has termed it – building on under-utilized sites like parking lots, before allowing affordable historic buildings to be torn down.

My own apartment, built in 1911, is a case in point – it rents for \$1.60 per foot. If this site were upzoned, I might (from a pure business perspective) advise a developer, perhaps with foreign capital, to demolish this building and put up a much taller and more profitable building. This might well happen to the next affordable building, and the next – and soon, we would transform the city, into a pale imitation of Vancouver, with perhaps only the worst of its attributes.

Instead we must follow the old saying, “if it ain’t broke, don’t fix it.” If we want a more sustainable, affordable region, we need to re-focus away from the neighborhoods that are already models of sustainability, and toward the lower-density, sprawling, monocultural places, as I did in my years with Hillsboro and Orenco Station. It is in these suburban areas that over 80 percent of the region lives, and arguably, over 95 percent of the region’s sustainability challenge remains. Following Jane Jacobs, we need geographic diversity as well as other kinds of diversity.

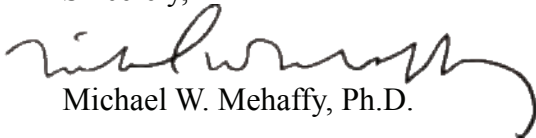
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Page Three

**Therefore, I strongly oppose the proposed re-zoning of the areas of the King's Hill historic district currently zoned RH to RM4. I hereby request that this area be re-zoned to RM3.**

In addition, I believe the same issues apply to the Alphabet District, and I support the request by other affected parties to re-zone this area to RM3 as well.

I do appreciate the efforts to provide historic protections within the current proposals. However, beyond preserving individual landmark and contributing historic structures, I strongly agree with the Bosco-Milligan Foundation/Architectural Heritage Center and the local preservation community on the need to maintain the distinctive character of designated historic districts, which contribute so vitally to Portland's priceless heritage and livability.

Sincerely,



Michael W. Mehaffy, Ph.D.



# Michael Mehaffy

**#30721 | June 23, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Commissioners, RE: Opposition to proposed re-zoning of King's Hill to RM4; request rezone to RM3 I am writing to offer this testimony on the above-referenced topic (part of the Better Housing by Design proposal) as a resident of King's Hill. For the record, I am also president of the Goose Hollow Foothills League, a business owner in sustainable development consulting with an international practice, and president of a non-profit think tank in sustainable urban development, called Sustasis Foundation ([www.sustasis.net](http://www.sustasis.net)). However, I wish to make it clear that in this letter, I speak as a citizen on my own behalf. My residence is at 742 SW Vista Avenue, Apartment 42. My six-story apartment building has a net density of 196 units per acre (45 units on a 10,000 SF parcel). My neighborhood of King's Hill, as well as the surrounding areas of Goose Hollow and the Alphabet District, are among the densest in all of Oregon (approx. 22 units per acre gross). As my Ph.D. dissertation research has shown, this density and mix is optimal for reducing greenhouse gas emissions and providing other valuable benefits of sustainable urban development. Indeed, I have published books and lectured extensively about this area and its remarkable urban characteristics. It is featured in the book *Cities Alive* and in the class I teach in the School of Sustainability and School of Geographical Sciences and Urban Planning at Arizona State University, among others. (I have also taught at U of O and elsewhere.) Large parts of our region, including areas within the City of Portland, are very low-density, sprawling and high-emissions. They desperately need new and more livable forms of development that are more sustainable. This was a major effort in my own career when I became project manager for the master developer of Orenco Station in Hillsboro, taking an extremely low-density area (12 units per acre, plus extensive mixed use). Through the best of intentions, we could all too easily destroy the priceless urban asset represented by King's Hill, the Alphabet District and Goose Hollow. In my research and consultancy in other cities around the world, I have seen exactly this tragic result. In fact, the momentous changes in development practices in the 1950s and 1960s left us with sad remnants of once great cities, and horrific damage committed by very well-meaning people for the best of reasons – economic growth, opportunity, better living conditions, “modernization” and so on. The past is a warning to the present. Today I believe there is also a well-meaning but terribly misguided approach that has come to dominate in Portland, which may be reflected in the current proposal to upzone King's Hill and the Alphabet District. As in the 1950s and 1960s, it places great faith in “modernization,” and in the capacities of new development to better reflect the spirit of the age and its needs and ambitions. In particular, there is what some have called the “Vancouver Model” – to accommodate the needs of a growing

city by upzoning, replacing older low-rise and mid-rise buildings with high-rise buildings, adding more units, and also encouraging mixed use and transit-served development. At least the addition of mixed use and transit are improvements over the older 1950s and 1960s models, it is felt. But there is a warning today emerging from Vancouver, and other cities like it. Leaders like Patrick Condon – head of the urban design program at UBC, and now a potential candidate for Mayor – have cautioned places like Portland to learn from their mistakes, and the highly problematic results. Vancouver thought it could add many units to the core and thereby meet demand with supply, thus lowering prices. But this approach didn't work – to put it mildly. Vancouver is today one of the least affordable cities in the world, and significantly higher than Portland. (As Patrick Condon and others have pointed out, this outcome was not explainable as a one-time event related to Chinese investment; indeed, international investment is accelerating, in Portland as well as other cities.) Meanwhile, Vancouver has lost much of its priceless historic neighborhood fabric, including older and more affordable buildings that once occupied the site of expensive new condominiums. One of the people praising the high cost of housing in Vancouver is Donald Trump Jr., in charge of building the luxury Le Corbusier-style Trump Tower there. “We’ve done it time and time again — when you combine a great location with incredible architecture and incredible amenities ... it’s sort of a formula for success.” He was speaking of the eye-popping sales prices for the 214 luxury units in Trump Tower Vancouver, which sold at an average \$1,610 per sq. ft. — the highest rate in Vancouver, or for that matter, all of Canada. One single unit sold for over \$6 million. Portland is rightly celebrated as having charted a different path – revived and built on many historic assets like the streetcar system, the Skidmore Fountain area and others. The Alphabet District, Goose Hollow and King’s Hill have also become models of livability, after a wave of destructive tear-downs and insensitive modern buildings in the 1960s. We should recognize and protect what we achieved. This is a kind of “Jane Jacobs urbanism” – accommodating new projects, yes, but carefully, and retaining a mix of old (and cheaper) with new. This diversity of age matches other kinds of diversity, including income, ethnicity and other factors. It assures that new projects achieve a “gentle densification,” as Patrick Condon has termed it – building on under-utilized sites like parking lots, before allowing affordable historic buildings to be torn down. My own apartment, built in 1911, is a case in point – it rents for \$1.60 per foot. If this site were upzoned, I might (from a pure business perspective) advise a developer, perhaps with foreign capital, to demolish this building and put up a much taller and more profitable building. This might well happen to the next affordable building, and the next – and soon, we would transform the city, into a pale imitation of Vancouver, with perhaps only the worst of its attributes. Instead we must follow the old saying, “if it ain’t broke, don’t fix it.” If we want a more sustainable, affordable region, we need to re-focus away from the neighborhoods that are already models of sustainability, and toward the lower-density, sprawling, monocultural places, as I did in my years with Hillsboro and Orenco Station. It is in these suburban areas that over 80 percent of the region lives, and arguably, over 95 percent of the region’s sustainability challenge remains. Following Jane Jacobs, we need geographic diversity as well as other kinds of diversity. Therefore, I strongly oppose the proposed re-zoning of the areas of the King's Hill historic district currently zoned RH to RM4. I hereby request that this area be re-zoned to

RM3. In addition, I believe the same issues apply to the Alphabet District, and I support the request by other affected parties to re-zone this area to RM3 as well. I do appreciate the efforts to provide historic protections within the current proposals. However, beyond preserving individual landmark and contributing historic structures, I strongly agree with the Bosco-Milligan Foundation/Architectural Heritage Center and the local preservation community on the need to maintain the distinctive character of designated historic districts, which contribute so vitally to Portland's priceless heritage and livability. Sincerely, Michael W. Mehaffy, Ph.D.

Testimony is presented without formatting.

# Amelia Cohn

**#30722 | June 24, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

The only way this development is acceptable is if 50% of the housing it creates is affordable for minimum wage workers, and if it is 100% green. By green it MUST collect rain water, have a green roof, solar panels, and garden space. Our planet and society can no longer afford to scrimp on regenerative building practices. We are in the eye of the storm currently with earth changes and must prepare for super hot and dry summers, scarce food supply, and electric grid malfunctioning. Think visionary people, the planet is changing and either we change with it or we (or specifically the stupids who keep building business as usual) will die.

Testimony is presented without formatting.

# Eric Lara

**#30723 | June 24, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

As a homeowner across the street from the Alphabet historic district, I very strongly object to the proposed zoning change in most of the historic district to RM4. It is, of course, a neighborhood with some of the most irreplaceable historic residential architecture in all of Portland, and has one of the highest levels of density already. I think it is generally accepted that the NW 21st and 23rd Ave. commercial corridors could be permitted relatively large building allowances, but the plan to have a very extreme increase in the height and bulk of buildings in the historic residential areas is certainly not something that I (or most other area homeowners and residents) will ever accept. Hence, rezoning the residential portions of the Alphabet historic district (and King's Hill historic district) to RM3 is clearly the appropriate change.

Testimony is presented without formatting.

# Tobin Weaver

**#30724 | June 24, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

For the Alphabet District below NW 21st, I strongly urge you update the current RH zone to new zone RM3 rather than RM4 as proposed. The 10-foot maximum height difference between RM3 and RM4 is important. What makes Portland's most dense existing residential neighborhood attractive and livable are the many trees, the many historic structures, and the consistent fabric of 5-story apartment buildings. I feel strongly that 5 stories is the limit for a feeling of human scale and for good sunlight access. I also feel strongly that new development should respect the character of mature and very functional neighborhood fabric by fitting with neighbors rather than overshadowing them. Design review only goes so far – size matters. The scattered taller buildings in the neighborhood may offer better views to inhabitants, but they block views for everyone else, cast long shadows on everyone else, and disrupt the rhythm and feel of the neighborhood. They are simply not good neighbors. The Alphabet District neighborhood should be viewed as a model of very workable density. As long as the older apartment buildings are not demolished or converted to condominiums, the neighborhood also contains a wide range of housing prices. Please don't undermine this model neighborhood in a mad dash to density.

Testimony is presented without formatting.

# Tobin Weaver

**#30725 | June 24, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I spent an hour trying to figure out how to navigate this website, and only after submitting testimony did I discover the Summary of Multi-Dwelling Zones document. I would like to add an addendum to my previous testimony urging new zone RM3 rather than RM4 for my neighborhood, the Alphabet District below NW 21st. Now that I understand that new zone RM4 allows “high-rise” scale of “up to seven or more stories,” I more emphatically urge you to keep all zones in the Alphabet District RM3 and not RM4. Please keep Portland’s most dense yet livable neighborhood livable! Thank you.

Testimony is presented without formatting.

# Richmond Neighborhood Association



c/o Southeast Uplift  
3534 SE Main ST  
Portland, OR 97214

(503) 232-0010  
<http://richmondpx.org>

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June 24, 2018

To: [betterhousing@portlandoregon.gov](mailto:betterhousing@portlandoregon.gov)  
Mayor Wheeler

RE: Better Housing by Design Project  
Dear Mr. Cunningham, Mayor Wheeler—

The RNA would like to thank Bill Cunningham and his team at BPS for having clear materials that are easy to follow. Such clear, simple, and well-defined documents, images, and renderings were a boon to our community's ability to review, process, and agree to support of the following points.

The RNA Supports the following recommendations as-written..

1. Regulate development intensity by the size of the building, instead of numbers of units.
2. Require higher-density development to include visitable units.
4. Provide incentives for preserving existing affordable housing and trees through transfers of development rights.
5. Allow small-scale commercial uses on major corridors and near transit stations
8. Allow alternatives to conventional landscaping.
9. Limit large surface parking lots and asphalt paving.
11. Limit garages to no more than 50 percent of building street frontages.
12. Require building entrances to be oriented to streets or to courtyards.
15. Require building height transitions to single-dwelling zones.
20. Strengthen minimum density requirements.

The RNA Supports the following with changes...

6. Require residential outdoor areas in high density zones. ( $\geq 20,000$  sqft)  
We request that outdoor or green space requirements be the larger 48 sqft for all sizes of properties.
7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet.  
We request that common areas be an element be for all sizes of properties
10. Reduce parking requirements.  
We would like to see more parking permit programs or zones to better prevents the current tragedy of the commons occurring near dense residential and commercial areas with street parking.
13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts.



The proposed standard doesn't seem flexible enough. Perhaps have different standards for RM-zones that are interior to a neighborhood vs. those that are on transit corridors.

14. Simplify side setback regulations and reduce barriers to development on small sites.

Allow for zero side setbacks on sides adjacent to other RM-Zones or Commercial Zones provided that green space is then used elsewhere in the project.

16. Require large building facades to be divided into smaller components

Would like to see the requirements reduced from 100' to 50'; meaning 50' frontages wouldn't need a notch, but anything larger would.

This opinion is shared both by the RNA and the Division Design Initiative

The RNA is split or not offering a stance on...

3. Prioritize affordable housing by:

While the RNA supports affordable housing for a more economically diverse neighborhood; opinions differ greatly on how to get or enforce affordable housing.

- 17, 18, or 19. As these pertain to East Portland

21. Require transportation and parking demand management approaches.

While we like the idea, it should be for a longer term and more than just bus passes. Or we should approach parking strategies better to prevent abuse of free parking and let the markets decide how to get best incentivize people to live in units without parking.

#### Minority Position

Recognizes the project is in the early phases, and would appreciate Bill Cunningham and his team presenting the topic to the community to learn more about the project before sending a letter.

Thank you for all your hard work and outreach regarding the Better Housing by Design Project.  
And thank you for considering our requests.

Sincerely,



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Erik Matthews – Richmond Neighborhood Association – Chair

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Matt Otis – Richmond Neighborhood Association – Land Use and Transportation Committee Chair

# erik matthews

## #30726 | June 24, 2018

### Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft

June 24, 2018 To: betterhousing@portlandoregon.gov Mayor Wheeler RE: Better Housing by Design Project Dear Mr. Cunningham, Mayor Wheeler— The RNA would like to thank Bill Cunningham and his team at BPS for having clear materials that are easy to follow. Such clear, simple, and well-defined documents, images, and renderings were a boon to our community's ability to review, process, and agree to support of the following points. The RNA Supports the following recommendations as-written.. 1. Regulate development intensity by the size of the building, instead of numbers of units. 2. Require higher-density development to include visitable units. 4. Provide incentives for preserving existing affordable housing and trees through transfers of development rights. 5. Allow small-scale commercial uses on major corridors and near transit stations 8. Allow alternatives to conventional landscaping. 9. Limit large surface parking lots and asphalt paving. 11. Limit garages to no more than 50 percent of building street frontages. 12. Require building entrances to be oriented to streets or to courtyards. 15. Require building height transitions to single-dwelling zones. 20. Strengthen minimum density requirements. The RNA Supports the following with changes... 6. Require residential outdoor areas in high density zones. (?20,000 sqft) We request that outdoor or green space requirements be the larger 48 sqft for all sizes of properties. 7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet. We request that common areas be an element be for all sizes of properties 10. Reduce parking requirements. We would like to see more parking permit programs or zones to better prevents the current tragedy of the commons occurring near dense residential and commercial areas with street parking. 13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts. The proposed standard doesn't seem flexible enough. Perhaps have different standards for RM-zones that are interior to a neighborhood vs. those that are on transit corridors. 14. Simplify side setback regulations and reduce barriers to development on small sites. Allow for zero side setbacks on sides adjacent to other RM-Zones or Commercial Zones provided that green space is then used elsewhere in the project. 16. Require large building facades to be divided into smaller components Would like to see the requirements reduced from 100' to 50'; meaning 50' frontages wouldn't need a notch, but anything larger would.?This opinion is shared both by the RNA and the Division Design Initiative ?The RNA is split or not offering a stance on... 3. Prioritize affordable housing by: While the RNA supports affordable housing for a more economically diverse neighborhood; opinions differ greatly on how to get or enforce affordable housing. 17, 18, or 19. As these pertain to East Portland 21. Require transportation and parking demand management approaches. While we like the idea, it should be for

a longer term and more than just bus passes. Or we should approach parking strategies better to prevent abuse of free parking and let the markets decide how to get best incentivize people to live in units without parking. Minority Position Recognizes the project is in the early phases, and would appreciate Bill Cunningham and his team presenting the topic to the community to learn more about the project before sending a letter. Thank you for all your hard work and outreach regarding the Better Housing by Design Project. And thank you for considering our requests. Sincerely, Erik Matthews – Richmond Neighborhood Association – Chair Matt Otis – Richmond Neighborhood Association – Land Use and Transportation Committee Chair

Testimony is presented without formatting.

# Nancy Hedrick

**#30727 | June 24, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Re Multifamily housing: Too many large developments without parking by stores & schools: I would like there to be more disabled spots placed near grocery stores and schools. Right now, with my chronically injured right foot, I often have to walk 2 blocks from Interstate New Seasons. I've stopped going to some places in Portland because of no parking. (I also have bus diesel allergy, & not impaired enough to justify really Trimet Lift.) In my mother's last years of life, we had to stop eating out in SE Ptd, because we couldn't find parking within walker range. When so many multi-family units go in by New Seasons and the nearby school, it just gets worse & worse. Also, it will become more difficult to park on R Parks to use the Max, as more multi-family units crowd in. The thinking has to be re-thought about multi-use areas (larger store, school, Max) all crowding into same place. It's not like I could get home on the bike from the store with my typical groceries...or the age that I can ride my bike that well. Please don't make N Portland into Division St., where there is no parking, and so many large bldgs., without parking. Please require parking with the multi-family units more often. I would like there to be support for outdoor space as a requirement for multi-family units, especially larger ones. I would like there be a requirement for subsidizing for public transportation with multi-family units, especially where near public transit lines. I would like there to be strong incentives or support included in regulations such as there as transitional measures between high & medium density zones that are unique to the North Interstate Planning District. Tree preservation, existing affordable housing preservation, & inclusion of affordable housing in new housing should be a goal of new guidelines. Please don't reduce design review periods further: this means neighbors have even less power, and the developers have more. I like most of the elements I read on the BPS document:

[http://www.hfore.com/files/12240\\_8-page\\_discussion\\_draft\\_comments\\_due\\_March\\_19\\_2018.pdf](http://www.hfore.com/files/12240_8-page_discussion_draft_comments_due_March_19_2018.pdf) I agree with one of the neighborhoods' comments that RIP and BHD need to be considered together, as throughout the city, older housing is rapidly being torn down with density increasing very rapidly. (And at some point, we will have a housing glut, especially of more expensive housing.)

Testimony is presented without formatting.

# Catherine Mushel

**#30728 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear BHBD Planners: Thank you so much for extending the comment period. Thank you so much for this huge effort to see into the future and to keep what is good and life-giving in our city. Please continue to make sure that city bureaus work together to make this design initiative focussed on housing the best that it can be because you have made green space large enough for large-form trees that mature over 50 feet in height, while preserving existing large-form trees for the sake of everyone's safety, health, and well-being. Also, improving planting strip widths for medium- and small-form trees is necessary in this collaborate effort. Ideally, for example, the planning for Streets 2035 should be parallel to the BHBD efforts. Please preserve groves of trees wherever possible in over-sized blocks, 1. either work with the county to place a covenant on the land where the trees are growing to preserve not only the trees but the space for them in perpetuity; 2. or work with PP&R to create small pocket parks that serve the whole block. Please keep the proposal to make sure that at the very least 50% of green space must be devoted to trees in the ground. Please work with Urban Forestry and PBOT when looking at the housing-to-street interface, and look for innovative solutions for designing space for street trees (especially large-form trees) which we all know reduce traffic speeds, mitigate for the heat-island effect, sequester carbon, and shade walkers and cyclists alike, 1. either by creating sidewalks that bend around large-form trees with a carriage walk for car passenger entries and exits, especially where front courtyards make space for a large-form tree in relation to the building frontage, but recognizing that the greatest benefit from that tree will arise when it shade both the street and the courtyard. (Already, 30 years on, we take up sidewalks and make the re-installed concrete bend around large-form trees: why not start by bending the walk around the tree because the tree is so necessary to everyone's safety, health, and well-being?) 2. or by changing the configuration of the street because you are paying attention to Urban Forestry planting requirements--strip width and overhead high voltage wires utilities generally, and traffic controls. a. making the street one-way to allow for a wider planting strip and large form trees on the non-wire side of the street; b. making planting spaces for large-form trees on the non-sire side of the street that allow for bike passage in a lane along the street, but carve out a planting space with cure on all sides for a large-form tree. c. putting in signs on opposite sides of the street that say "PULL OUT FOR ON-COMING TRAFFIC" in order to accommodate planting space in the parking area for large-form trees. People already must pull out for on-coming traffic where cars are parked on both sides of the street, so pulling out for a tree parked permanently in a parking space will be nothing new. Please, please pay attention to public comments that ask for more parking--why? for the sake of the people

and the trees because no parking means the planting and parking strips are taking a real beating, given the number of dogs urinating on trees you are adding with increased human density, and the number of cars you are adding next to trees because there is no off-street parking. 1. Incentivize putting parking underground; 2. Incentivize first floor parking and provide templates for plans for how that parking might be converted into living space when we have reached the nirvana of no cars. 3. If single houses are built with driveways, change street design to allow the planting space between driveways (where houses are only 10 feet apart which is not wide enough for a car to park at the curb) to extend eight feet outside of the usual curb to allow space for a large-form tree...hence, allowing for parking on site and for a large-form tree. Thank you again for your work, and please keep all provisional changes for tree space on private and right-of-way areas. While respecting the public comments that say no private trees should be required, please defend that space for trees because the common good is best protected with an eye not only for space, but also for the slow time it takes for trees to mature while people move and new generations occupy the same property. Stay strong in the commitment to a city that is resilient and has a good future because you have protected the safety, health, and well-being of its people. Sincerely, Catherine Mushel

Testimony is presented without formatting.

# LC Hansen

**#30729 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Comments on proposed zoning code changes. Height and timing of this proposal: This expanded map is too permissive of 45' height development for now. Sub-divide the city areas and target where these new height allowances should start. Then set timelines every couple years for expansion of the areas where the greater height will be permitted. Property owners could make plans to sell and move when their neighborhood becomes scheduled for multi family towers. Make this process less willy-nilly. I have personally participated in an appeal by neighbors to confront unreasonable density in the Brooklyn neighborhood. The scorn and disdain in the body language and the words of both the developer and the city planning representative were apparent and offensive. I have lived in Portland my entire adult life, participated in political campaigns and have hope that this is one part of the world that will not be destroyed through supine backbones of elected officials. This legislation will be your legacy and you shouldn't compromise to destroy our public areas. For example: why in the world would you permit big trees to be cut down? Unless there is strong defensible reason, just say no. If there is a genuinely good reason, then permit it. Force our professional city planners to enforce real restrictions on any development that doesn't meet long term livability goals. Those goals should include green spaces, gardens, trees, taller apartments with 2 or 3 bedrooms with parking off the street, and enforced height and style restrictions in areas filled with smaller homes now. Expand the area of density every few years as part of this plan. FAR Multi units should be required, no monster mansions permitted: The FAR should have proportional restrictions that limit the ability of developers to create four story single family houses of immense size. For example a 5000 ft.<sup>2</sup> lot should not be permitted to have 7500 ft.<sup>2</sup> of living space unless reasonably sized multiple units are included in the design. A terrible example is the ugly monster building on 25th Av across from Wallace Park where rich people bought an old house and are covering the ground with a huge single family building. The bonus FAR is unnecessary, all regulations should forbid destruction of old trees and green spaces unless individually approved by planning commission employees who must be given guidelines for their work performance and held accountable for permitting violations of the intent of the rules. Seriously! Some identified City employee should have to sign their name, be reviewed, and have their individual job prospects on the line for adhering to livability standards. Perhaps create a Citizen Oversight Committee? Don't worry about developers complaining about Portland City being unfriendly to profit making lousy construction designs. The builders build and then leave town, that is their only goal. Parking The city should outlaw any development that does not include off-street parking for all multi-unit developments. I



am against reducing requirements for off-street parking. Double-size, or larger, and all entry garages should be limited to one single curb cut per 50 feet of curb space. It is genuinely ludicrous to imagine that residents within the next generation (15 years) will cease having cars because it is more difficult to park. Is the city creating public transportation infrastructure as part of these zoning changes? No, and there is nothing but pie-in-the-sky thinking to imagine that private capital will provide any transportation solutions to address this giveaway of the common areas of the street. This is a major livability issue and is class based. Off-street parking once built, can later be converted to other uses for predictable density needs. For example: parking areas can become small bespoke workshops. But housing units will never be converted to parking. This is an opportunity to deal in reality and protect poor people from limitations on transportation options. Poor people use cars to get to jobs with night hours and inconvenient locations. Information disclosure I have submitted these comments with a belief that this is a done-deal process benefiting developers because I have actually sat and observed the behavior of our city planning employees. For this proposal, the information provided to regular citizens is not clear or transparent. An example is the front page of the website which says that wheelchair use will be affected. This is announced without describing whether that effect is to require more wheelchair access, or to eliminate the requirement that buildings be visited by wheelchairs? Have any of the city employees reading these comments attempted to discern that wheelchair answer using the website provided? The website information presentation should include click-through menus, so that citizens may better understand these proposals. Height We live in a house that is approximately 18 feet tall with a basement. The changes would permit a 45 foot above ground height on our property and on adjacent properties. 45 feet is so high that it would eliminate all privacy in adjoining back yards or patios for a significant distance on each block. A quality of life for Portlanders who like to garden or sit outside during good weather would be lost with huge towers shadowing each remaining tiny green space. These changes appear to have no limits by block or locations and would encourage incompatible building designs. Please try harder to restrict market forces! Unless there are enforced civic rules, development limits in each neighborhood will only be imposed by the inherent limit of capitalist profit making. I am using the word capitalist in the economically constructed definition that requires increasing efficiency for competitive edge. I am not using it as a pejorative political term. Profit making creates lousy architectural designs which the city should restrict. The inherent problem of leaving development to market forces while providing a regulatory possibility of nearly unlimited density, is that over time either new political changes will have to be created to limit the destruction of livability in our city, or that the destruction will proceed unabated. Put the tough ideal restrictions in now and hold to our greater ideals!

Testimony is presented without formatting.



# John Flack

**#30730 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

It is fair and reasonable to calculate development allowances prior to street dedication to facilitate street connections. The property I own at 8780 SE Flavel has been severely impacted because the dedication of 3.5 feet to allow for sidewalk improvements. This dedication dropped the square footage below 6000 thus disallowing 3 units in this R-2 zone. I am providing affordable housing for seniors and people with disabilities. By only allowing 2 units on this property the city has not only reduced options for affordable housing, the city has increased the cost of said housing to seniors and people with disabilities. The unnecessary dedication has disallowed this property to be developed to its best and highest use. Sidewalk improvements were recently made on both sides of the street for 10 blocks. My property is the only new construction with a 10 foot setback. The city didn't even put the new sidewalk back 10 feet on their own property at the Spring Water Corridor Trail ! To correct this issue, I propose the zoning calculation to be based on the 6000 sq ft taxed amount- thereby allowing 3 housing units on this site.

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# Kathleen Carter

**#30731 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I oppose the application of a new RM4 zone to the portion of the Alphabet Historic District below NW 21st. I live and own property at 1930 NW Irving St and would be directly impacted by your proposal. Over 20 years ago I moved to this portion of the Alphabet District because of its historic character of Victorian homes and small scale apartment complexes. And I thought that the historic district designation would ensure that the district remained that way. Your proposal to double the allowable FAR ratio to 4:1 in the portion of the District is totally incompatible with its historic scale and its historic designation. We have welcomed new development in the area, provided that its scale fits with the scale of the area. The proposal to change from RH to RM4 for our neighborhood is incompatible, contradicting the historic nature of our portion of the Alphabet District. Please keep us compatible with the rest of our historic residential district by providing the same zoning designation of RH3.

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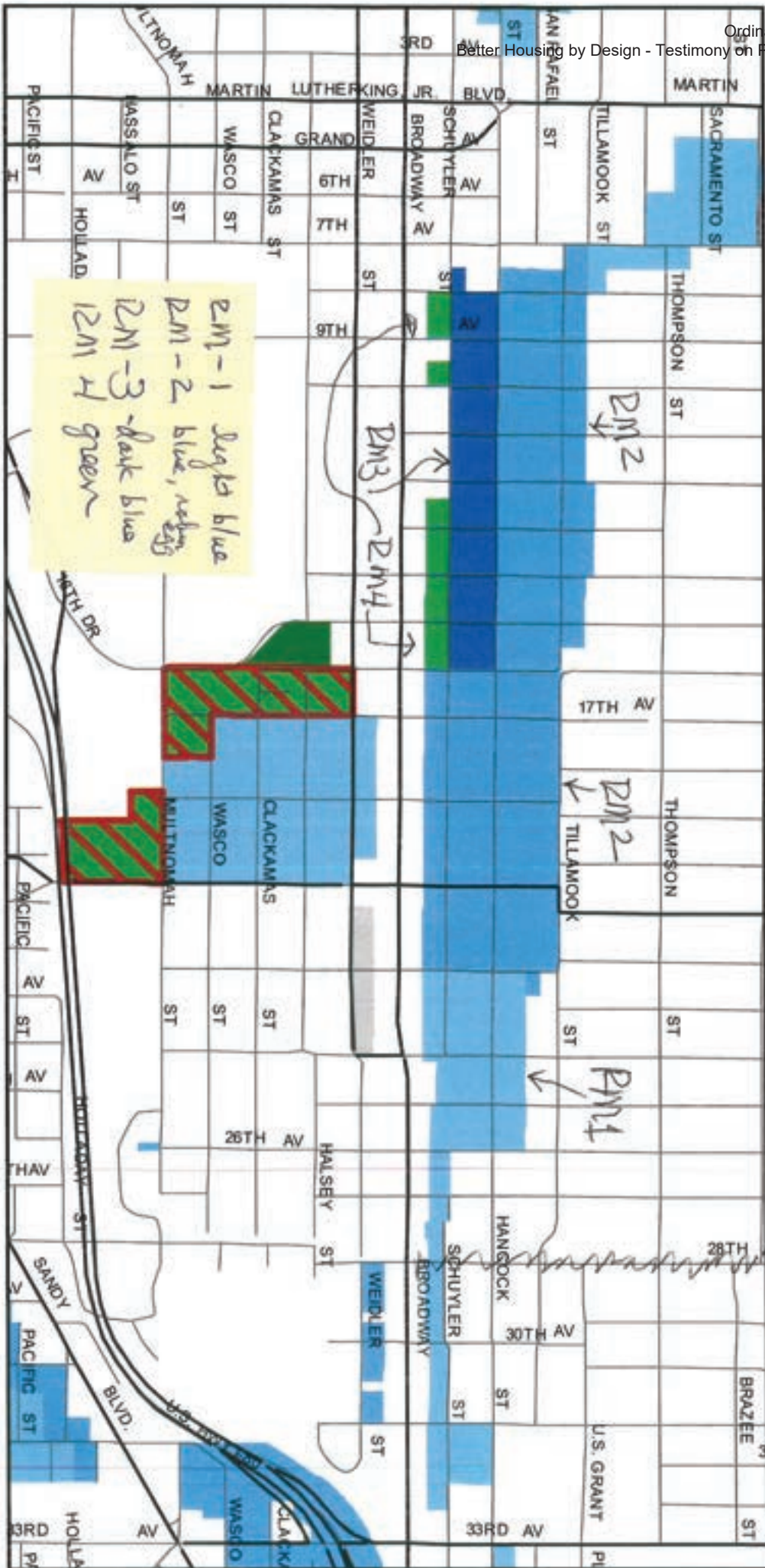
# dean gisvold

**#30732 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Additional comments on BHD from Dean Gisvold, Irvington resident. The renter analysis prepared by Meg Hanson, raises real issues regarding the lack of anti-displacement regulations for renters in multi-family housing that will be at greater risk of displacement once it pencils out to demolish their vintage apartment buildings to be replaced by market rate units, either under current zoning or under BHD. Renters will suffer from BHD-vintage multi family units, including non contributing resources in the Irvington Historic District will be subject to market pressures to demolish the auto centric 50s and 60s apartment buildings for denser, smaller, no parking buildings. If the City is serious about demolitions and renter displacement, the City should subject demolition of sound, habitable housing to reasonable restrictions before a demolition permit is issued. I think a design review overlay to be applied to the two new RH zones, RM 3 and RM 4, when they are not in an historic district, is a good idea. Beginning on page 14, the proposed draft describes the changes from the Discussion Draft, 13 in number. I support items 3, 4, 5, 7. 8, 10 if a compatibility standard is added, 11, amd 13 if the 10 unit exemption is deleted. Submitted by Dean Gisvold, 2225 NE 15th Ave, Portland, Or 97212 Type or paste your testimony in this box...

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14D-2

Attachment A

# dean gisvold

## #30733 | June 25, 2018

### Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Memorandum To: PSC From: Dean Gisvold Date: June 25, 2018 - Map App Testimony for Irvington Community Association Re: Better Housing By Design (BHD) - Comments on Proposed Draft -- ICA BHD represents the efforts of Bureau of Planning and Sustainability (BPS) to address issues regarding the so-called "missing middle housing" in multifamily dwelling (MFD) zones. The Mixed Use project addressed the missing middle issues, in mixed use zones, and RIP is trying to deal with missing middle housing in single family zones. BHD focuses on the MFD zones of which the Irvington Historic District (IHD) has three, currently R-1, R-2, and RH. BHD will change the nomenclature to RM1, RM2, RM3, and RM4. Context: BHD is the most significant rewriting of the zoning code for multifamily zones for many years. Ten percent of the City's land area is in MFD zones. The IHD has approximately 7 blocks of RM1, 20 blocks of RM2, 8 blocks of RM3, and 5 half blocks of RM4. All of the MFD zones are located within, and covered by the IHD regulations and historic review. BHD does not seek to make changes to the historic review criteria, which has been in effect in the IHD since October, 2010, or to the areas covered by MFD zones. IHD has 193 buildings in the R1 zone, RM2 under BHD (118 contributing), 60 in the R2 zone, RM1 under BHD (48 contributing), and 59 in the RH zone, RM3 and RM4 under BHD (44 contributing). This means IHD has 102 multifamily zoned sites where demolition is allowed for potential replacement with larger, denser construction. See Attachment A for the locations of the proposed four multifamily zones in Irvington. A pro argument is that BHD may provide economic incentives for replacing some of the low-density parking-centric housing units built in the 1960s and 1970s in the RM2 zone. However, by providing such incentives, BHD may increase demolition of presently "affordable" housing, labeled noncontributing, for those folks below 80% or 100% medium family income (MFI). BHD may also increase pressure on the contributing single family houses and some older apartment buildings in the RM2 zone. PSC needs to look carefully at the details of BHD to determine if it will lead to "better housing," as promised, and actually provide more missing middle housing, described as duplexes, triplexes, fourplexes, and courtyard units. Proposal 1, Regulate development (density) by building scale and size, not the number of units. The major change wrought by BHD is eliminating the unit-based limits in favor of floor area ration (FAR) based limits for R2 and R1 zones (RH zone is already regulated by FAR, not by units). In practice, this means that in the R1 zone, RM2 under BHD (193 buildings covering 266 5000 sq.ft. lots), instead of allowing no more than 5 units on a 5000 sq.ft. lot (one unit per 1000 sq.ft.), the limit will be a maximum floor area (regardless of the number of units) of 7500 sq.ft. of building (using the base 1.5



to 1 FAR) + plus bonuses, if applicable. Assuming 750 sq.ft. units, that would allow 10 units instead of just 5 on a 5000 sq.ft. lot. If unit size was 500 sq.ft., 15 units would be possible. Neither example would be a duplex, triplex, fourplex, or courtyard apartment. The number of units will also be affected by the zone details, such as lot coverage, height, front, side, and rear setbacks, and landscape and outdoor area requirements, and by HR criteria relevant to the IHD. If you walk the Irvington streets between Tillamook and Broadway, you will see many examples of the missing middle, because the IHD historically allowed such duplexes, triplexes, fourplexes, 3 story apartment buildings, and courtyard apartments. BHD wants more of what the IHD already has, but BHD as proposed will not cause such housing to occur. A good example of what we do not want, if the goal is the missing middle, is another 4 story apartment building like the one located at 15th and Hancock, built before historic review, which has forty three 450 sq.ft. apartments with no elevator, no air, and no parking. Such building does not provide missing middle housing. BHD, like RIP, has aspirational hopes that the proposed changes will cause developers to build MM housing, but the market will dictate what happens. If small high density units are selling, that is what will be built. BHD staff tells us that "modeling" shows that small units will not occur under BHD. If that is the case, there is no reason not to put in a limit on the number of units. For example, for 7,500 sq.ft., seven units would be appropriate. This would allow space for several two- and three-bedroom units. Other reasons to zero in on unit size and number of units is that extremely dense development, as allowed by BHD, will increase parking congestion in MF zones. Along the Broadway and NE 15th corridors, each with frequent bus service, no parking is currently required within 500' of the bus routes. That extends into the neighborhood to roughly half-way between Hancock and Tillamook. Unfortunately, historic review says nothing about parking availability for multifamily housing. In fact, the multifamily structures built between 1910 and 1948 (of which there are quite a few in the IHD) generally did not have parking provided. Another comment about FAR issues. Please note that the two RH zones, now RM3 and RM4, have FARs of 2 to 1, and 4 to 1, respectively. We have argued during this 5 year Comp Plan process for no more than 2 to 1 FAR for the RH zone in the historic district. Thus, we ask again that the five half blocks zoned RM4 in green (the Central City portion of IHD) on the attached map. be changed to RM3 or a 2 to 1 FAR; the higher the FAR the more pressure put on surrounding areas to be similar. "Visitable" Units We support the concept of visitable units, but it needs more thought to make it work in the context of the missing middle. Transfer of FAR and FAR Bonus Options Bonus FAR for affordable housing is treated differently than transferred FAR. FAR Transfer - landmarks and contributing resources can sell and transfer extra FAR out of historic districts, but no FAR can be sold and transferred into an historic district. FAR Bonus options - • Mandatory and voluntary inclusionary zoning developments and 3 bedroom developments can use bonus FAR in an historic district. • Low income or deep housing affordability bonus cannot be used in an historic district. More context. The almost adopted Central City Plan covers a small portion of the IHD and does not allow the use of bonuses or FAR transfers in historic districts for fear of the additional pressure on historic resources, which is consistent with the changes in BHD. For historic districts, we support the following: the use of FAR bonus for inclusionary zoning and 3 bedroom developments, but the use of bonus FAR for the RM1 zone should be capped

at 1.5 to 1, and for the RM2 the cap should be 2 to 1. No bonus FAR should be allowed in the RM3 and RM 4 zones, which are already 2 to 1 and 4 to 1, respectively. We support the restrictions on FAR transfers relative to historic districts. A suggestion, for discussion, that any incentive or subsidy or bonus, such as additional bonus FAR, additional units, waiver of parking requirements, or waiver of system development charges should require the property owner to agree, among other things, that the property will not be used for short term rentals, and that the property will participate in a city approved parking management plan that covers the property area. Transportation and Parking Demand Management requirements, proposal 21. TDM should apply to all zones and to all building types -- it is appropriate regardless of zone and the number of units, given the lack of on-street parking in the multifamily zones in the IHD, the area from Tillamook South to Broadway, which will deteriorate further as the Comp Plan and its component pieces kick in. Setback requirements. The side setback for single family homes on full size lots should remain at 5 feet. Alternatives to conventional landscaping. We support the overall concept, but recommend that an eco-roof not be given equal weight as landscaping. No required parking on lots smaller than 7500 sq.ft. The on-site parking requirement for small lots should be waived only where there is frequent transit to prevent inequities between adjacent multifamily and commercial zones that would make building dense apartments more economical in multifamily zones than mixed use zones and where the owner agrees not to participate in short term rentals. Minimum Density. BHD fails to consider that the minimum density in RM1 could allow an oversized single family home, a "McMansion." Under the proposed rules, an oversized single family home with an ADU could meet the minimum density rule on a 5000 sq.ft. lot in RM1. BHD should close this loophole. Transition rules from multi-zone to single family zones is a good idea, but needs more work regarding single family homes in multifamily zones, which is common in the IHD. Note: the condos across from Safeway deal fairly well; with the transition from 5 stories on Broadway to the 2 1/2 stories on Schuyler. Commercial uses along corridors. The only relevant corridor in the IHD is Broadway which already has commercial uses. The use could be on Broadway and one-half block into the neighborhood, which also seems reasonable, given the current commercial uses in the neighborhood. Conclusion. Since the MFD zones in the IHD already have more than twice the zoning capacity for housing needed for 2035, the IHD has opportunities to develop needed housing in the MFD zones which should be the priority. Addition density should NOT be added to R5 SFD zone through the RIP. The City should focus on fleshing out a reasonable BHD, and move RIP to another day. Submitted by Dean Gisvold, 2225 NE 15th Ave, Portland, 97212, on behalf of the Irvington Community Association. Attachment A Type or paste your testimony in this box...

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## City of Portland Historic Landmarks Commission

June 25, 2018

To: PSC

Re: Better Housing by Design Proposed Draft

The Portland Historic Landmarks Commission (PHLC) received a briefing and reviewed the Discussion Draft of the Better Housing by Design (BHBD) code update project on February 12, 2018. Our response to the Bureau of Planning & Sustainability, dated March 12, 2018, is the basis for this response to the Portland Planning & Sustainability Commission.

The PHLC does not have regulatory oversight for resources or areas of the City without formal designation (Landmarks or sites within Historic or Conservation Districts), but the Commission is interested in regulatory impacts on resources that are eligible to be historic, especially those already ranked on the 1984 Historic Resource Inventory. Our comments therefore in some cases apply to regulatory impacts to older buildings or concentrations of older buildings that are not (yet) designated.

As with the RIP project, the Commission wants to ensure that new regulations do not make it easier for historic buildings to be demolished. Several of the proposed regulations in the BHBD work to preserve historic buildings, including the provision that parking does not have to be provided on site for small sites, the provision that minimum density requirements may be waived for historic resources or for adding ADUs to existing houses, and the provision that FAR cannot be transferred into a Historic or Conservation District. The Commission also supports the idea that FAR should be measured by bulk for residential uses just as it is for all other uses in the City. We see this change as better enabling the internal conversions of what was a single-family house or unit into a multi-family, but even more important, it allows the code to better support the use of historic multi-family forms and building types in review for new construction in Historic or Conservation Districts. As long as the proposed form and massing are compatible with the contributing properties in an area, the number of units in the proposal should be less important.

The BHBD proposal does raise a concern, however, with the potential results of simplifying the side setback requirements. While it is true that the existing formula for deriving setbacks based on the plane of the wall is not always simple, it does have some unexpected benefits to the building's massing. When the side plane of a proposed development is quite large, an applicant sometimes has to break the plane of the wall into smaller pieces at varying depths from the property line in order to meet the setback regulation, creating interest, depth, and opportunities for more light and air towards the neighboring property. Eliminating this formula is likely to create flatter, larger wall planes, which would be an unfortunate result.

Further, regarding the way the new RM4 zone relates to single-dwelling houses in immediate proximity, the PHLC is appreciative of the design review overlay being added to these zones. With code requiring a 35' height limitation within 25' of single dwelling zones, the resulting massing could be awkward and acontextual. Design Review or Historic Review would have the flexibility to require the more appropriate response to an existing older development, whether it is a larger setback, a smaller area of wall at the minimum setback, or a step-back in height.

Though historic or conservation districts are not yet located in East Portland, the PHLC has a comment regarding the East Portland provision for outdoor area location flexibility. Residential outdoor zones are important in any multi-family development, and the PHLC recognizes that flexibility is critical. However, we suggest that the code should prioritize or incentivize outdoor spaces that can be seen or experienced to some degree by the public. These outdoor spaces can help improve a neighborhood, vs. those in



privatized rooftops or inner courtyards, which benefit far fewer people overall. Accordingly, an outdoor space along a sidewalk should be incentivized over a rooftop deck area which has no impact on the neighborhood.

Our most pressing concern overall in this proposal is the result of allowing new projects located in Historic or Conservation Districts to earn FAR that may be above the amount which could be approvable on that site. A project earning 50% more than the base FAR might be approvable with only some of that "earned" FAR added to the project, based on the compatibility criteria for that district. This is extremely important, because in some districts, the base maximum FAR and heights allowed by code are already sometimes more than would be approvable through Historic Resource Review. The PHLC strongly suggests that projects that earn bonus FAR and cannot achieve it within a site because of compatibility-based approval criteria should be allowed to market that unused FAR outside of the historic or conservation district. Adding incentives for increased density in historic districts where underlying zoning is already not compliant with approved district guidelines will only exacerbate conflicts which delay projects and confuse the process, creating the very opposite of the predictability that development professionals asked for through this project.

Thank you for your attention to these issues.

Sincerely,



Kirk Ranzetta

Chair



Kristen Minor

Vice Chair

Cc: Bill Cunningham, BPS

# Hillary Adam

**#30734 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please accept this testimony on behalf of the Portland Historic Landmarks Commission.

Testimony is presented without formatting.



**Portland Community  
Reinvestment Initiatives Inc.**  
6329 NE Martin Luther King, Jr. Blvd.  
Portland, OR 97211

Portland Planning & Sustainability Commission  
1900 SW 4th Ave, Suite 701  
Portland, OR 97201  
Attn: Residential Infill Project staff

June 25, 2018

Dear Members of the Portland Planning & Sustainability Commission,

Portland Community Reinvestment Initiatives (PCRI) is a non-profit community organization that for 25 years has owned, developed and managed affordable housing for rent and for sale. PCRI provides stable housing for over 800 households across our portfolio of nearly 300 properties in over 30 Portland neighborhoods. We also have several developments underway in multi-family zones – one smaller scale townhome development under construction in R1, one property in design development in R1, and another two properties in design development in RH. Our portfolio and development pipeline lend first-hand knowledge of how the changes proposed in Better Housing by Design (BHD) can impact housing development across all scales of the multi-family zones. We also have a deep understanding of how these recommendations may help or harm our city's—and our--ability to respond to growth and affordability and serve the communities most in need of housing.

In addition to this, PCRI is heavily involved in Anti-Displacement PDX, Portland for Everyone, and Housing Oregon and its associated Portland Metro Policy Council. While the feedback noted in this letter is not necessarily a direct representation of these groups, we note this in order to express that our input outlined below comes through extensive collaborative conversations.

We applaud the objectives of BHD which include providing diverse and affordable housing options, outdoor spaces and green elements to support human and environmental health, building design and scale that contributes to pedestrian-friendly streets and relates to context, and responding to East Portland's distinct characteristics and needs. We want to express our appreciation for the work staff has put into BHD who have proactively reached out to affordable housing organizations and developers such as PCRI throughout the process. As a result, we have seen language incorporated in BHD that improves BHD's ability to achieve its objectives. At the same time, there are still areas that need to be improved in order to best serve Portland's most vulnerable populations. We also want to sincerely thank the Commission members putting great thought and consideration into the proposal.

The feedback below includes key components of the current BHD proposal which PCRI hopes remain in the final draft, as well as areas that we hope will be modified and improved to best serve the goals noted above.

#### **Proposal 1: FAR**

- **We support the switch to FAR for all zones within the multi-family zones**, especially with the inclusion of a bonus structure/incentive for family-sized units.

#### **Proposal 2: Visitability**

- **Staff need to carefully weigh the cost implications of requiring visitability on projects, especially smaller scale projects.** While we don't have the capacity to do an intensive study of cost implication of these standards ourselves, we encourage a deeper look at the potential cost burden on developers of

affordable homes who cannot simply pass-through costs with increased rents or sale prices. Of specific concern are increased concrete work needed for retaining walls if a ramp/accessible route is being constructed in lieu of stairs, and meeting stormwater requirements if constructing a ramp where permeable pavers aren't an option. Permeable concrete comes at a higher cost than standard concrete, and/or a larger drywell which impacts cost and buildable area for a project. Further, potential engagement of a civil engineer is an added cost that we are often able to avoid on simpler site designs.

- **Increase the baseline trigger for requiring visitable units to better spread the cost implications across units** – ideally one unit per 3,000 square feet of site area. This baseline should also consider when this might trigger the requirement for elevators on projects that would not otherwise need to provide them – a substantial cost impact for small to medium sized projects.
- **Encourage visitable entrances but don't require them, instead require adaptable design.** Previous proposal drafts allowed either a low-step or a no-step entrance for a visitable unit. While we certainly understand the reasoning behind shifting to a no-step entry, it creates some concern around water infiltration and adds complexity in site design and construction – which can potentially create need for a civil engineer on a project with a complicated site. We'd prefer language that focuses on adaptability such as a low-step that can more easily be ramped as needed, but does not require a no-step entrance as part of the initial design.
- **Exemptions to the visitability requirement need to include lots that are raised above the public sidewalk.** We do appreciate that there are exemption options which take into account the average slope of the site. However, the lack of an exemption based on the slope from the right-of-way to the unit entrance is problematic. It is the greatest concern for us when looking at typical lots in inner-N/NE Portland where many of the lots may be relatively flat but sit several feet above the right-of-way, making it difficult to provide an accessible route to unit entrances. Based on an analysis of sites in PCRI's development pipeline, the exemption based on slope from the right-of-way has a significant impact on feasibility. Further, we feel the originally proposed 10% slope should be reduced to a 7% slope. Few sites with a dramatic slope to the entrance can accommodate a straight ramp, necessitating an unsightly switchback ramp that also uses significant site area—site area that could be better utilized to accommodate visitable interior spaces or could accommodate an additional home.
- **We would highly recommend staff look into the placement allowances for ramps and landscaping/screening requirements and setback requirements** and how this impacts building design, access, and number and placement of units on the ground-floor.
- **There are competing incentives/requirements between the required visitability and the option to reduce the setback in RM2-RM4 if the ground floors are raised 2 feet above sidewalk level.** We would suggest the baseline setback be reduced to 0/5-ft vs 5/10-ft in RM2 and RM3, and a 0-ft setback in RM4 to better respond to these competing values.
- **We appreciate staff's addition of options for meeting the visitable bathroom requirement.** Although we still have concerns about feasibility of meeting this requirement on standard sized lots with limited ground floor area, the flexibility is certainly helpful to finding potential solutions.

### **Proposal 3: Affordable Housing Bonuses**

- **Consult affordable housing development experts, including public funders such as PHB and OHCS, on how fully realizing the deep affordability bonuses may be limited by funding sources.** Although LIHTC funding does roughly scale with total development cost, local gap funding sources are often limited to fixed amounts - thereby making additional development of deeply affordable units unlikely even with increased density allowances. That said, so long as this proposal isn't coming at the cost of something else, we support the inclusion of more flexibility in how affordable housing projects can be designed including increased FAR, height, and lot coverage. We would also push for a reduction in setbacks for these same guidelines as well (both in the basic bonus as well as the "special" bonus for affordability).

- **We strongly support the inclusion of a bonus for family-sized units and one that is at a higher MFI and not tied to permanent affordability.** We would suggest staff look at the possibility of tying this (and other affordability bonuses) to SDC waivers, as is already done in the tree code (11.50.040.C.1.b.(4)). We would be interested in being a part of the conversation around program design and length of time required for affordability.
- **Expand the structure of the proposed family-sized units bonus to other affordable housing bonuses to create opportunities for bonuses that don't hinge on permanent affordability.** PCRI's flagship initiative, Pathway 1000, has plans to build 800 homeownership units over the next 10 years. We already have 10 of these homes under or nearing construction with 12 more in our pipeline—many of which are in multi-family zones. While we continue to explore a variety of affordable homeownership models, our primary focus for these units is for community members that have been displaced or are at risk of being displaced from inner-N/NE Portland. Many of these families have faced generational barriers to homeownership such as redlining and discriminatory covenants, and thus our focus is to allow them benefits afforded to others when homes were more affordable: full access to the equity of their homes. As the RIP is currently written, this means that PCRI would not be able to access the affordable housing bonus because it hinges on units being permanently affordable.

We ask that staff and Commissioners seriously explore options to allow models such as ours to access bonuses in order to increase the supply of affordable homeownership options that exist in Portland for first-time buyers who may have been previously barred from homeownership. By giving access to homeownership to one family who will move out of rental housing, it also results in access to an affordable rental unit for another family – thus increasing the supply of affordable housing twofold. As referenced earlier, this can be achieved by utilizing existing screening tools such as SDC Waivers, HOLTE, or CET Waivers.

#### **Proposal 5: Small-scale commercial uses**

- **We support the inclusion of opportunities for small-scale commercial uses along corridors.** However, we would suggest that an additional FAR allowance be associated with commercial uses in order to support the commercial uses without taking away potential residential units.

#### **Proposals 6 & 7: Outdoor spaces**

- **We appreciate the differing requirements for sites above/below 20,000 SF. We would also suggest that staff explore an option for incentivizing shared common space versus requiring it.** i.e. – a lower SF per unit for shared common areas versus individual common areas. And/or consider exemptions for sites that are within walking distance of a park.
- **We support the option to count indoor community spaces** toward the common area requirement.
- **Avoid layering too many requirements.** While we value the need and intention of required outdoor space, we do encourage staff to again evaluate the layers of requirements that come with outdoor space, setbacks, lot coverage limits, accessible entries, and where/how these various items can or cannot intersect and especially how this impacts the ability to provide affordable housing. Layering too many requirements risks achieving none of them, limiting design creativity and flexibility in order to meet program goals and requirements for the project. This also increases design time and costs. We would prefer an incentive model on items such as outdoor space rather than a mandate.

### **Proposal 9: Limiting large surface parking lots and asphalt**

- **Explore exemptions/alternatives for affordable housing developments.** While we support the need and purpose of this element, the cost difference between asphalt and the alternative materials proposed is substantial.

### **Proposal 10: Parking requirements**

- **We highly support removing parking requirements for sites up to 7500 SF** and believe this aligns well with the RIP parking proposal as well. In addition, we also would recommend increasing the lot size threshold to 10,000 SF.

### **Proposal 11: Limit front garages and parking along street frontages**

- **We support the sentiment around this proposal but want to raise concern around this if Proposal 10, as written, does not remain.** 11b. in particular could be problematic - if parking becomes required on sites that are 7500 SF or less, it will be very difficult to provide parking that is only on the side of the building.

### **Proposals 14 & 15 Setbacks and step-downs**

- **We highly recommend increasing the step-down height in the RM3 – RX zones to 45’ as opposed to the current proposal of 35’.** In practical terms, this means any affordable housing project above three stories will need to step down. This change lowers the number of affordable housing units that can be produced in infill multifamily buildings and renders the remaining units less useful to residents. **The 35’ step-down height, as proposed, benefits adjacent sites in terms of “compatibility” at the cost of providing new, well-designed housing.** Due to the building code, there is a dramatic escalation in the cost of constructing buildings over 4 stories. By eliminating area for the buildable envelope on the fourth floor, we’ll need to build taller to recover lost units. This makes the entire project more expensive and less feasible. Additionally policy that regulates step-downs complicates the buildable envelope of a given site, meaning the internal layout of the building must fit within a complex shape. This is important because in designing housing there is always a trade-off between the internal layout of the building, which benefits residents, and the external form of the structure. By complicating the external form, internal elements like unit layouts, corridors, stairwells and elevators are affected. By prioritizing the external form of the building in terms of requiring step-downs, the code is prioritizing the neighbor’s compatibility concerns over the well-being of the people who reside inside the building. We view the recommendation of a 45’ step-down height as a compromise, as it aligns the code with building code and other cost drivers and still furnishes additional “compatibility.”
- **We strongly support the simplification of the side and rear setbacks. However, we recommend the setback be reduced on sites that are 10,000 SF or less that are building more than 55’ tall in the RM3 and RM4.** This seems excessive and complicated especially when combined with required step-downs next to single-family zones.

### **Proposal 21: Required TDM**

- **We greatly appreciate the addition of an exemption from the required TDM for affordable units through 2020.** We still want to express appreciation for the effort to coordinate across bureaus and agencies with this item, but still have we are concerns about the one-off impact of the policy as written. We would encourage staff to continue conversations with agencies such as TriMet and PBOT to come up

with long-term solutions such as incentive programs that cross bureaus without burdening affordable housing developers with solutions such as those proposed.

### **Removal of the Albina Community Plan District Code Section**

- **Overall, we have limited concerns about the impact of the removal of the Albina Community Plan District from the Zoning Code, but feel this should have been more clearly communicated in both RIP and BHD outreach processes.** The Albina district holds great significance as part of the historical Black/African American community of Portland. Thus, although the removal of the Plan District may have minimal zoning implications (see below for specifics on this), we are troubled that this change was not more clearly communicated in summary documents or in meetings with staff as part of BHD and the RIP. It represents a short-sightedness about the historical importance of such a change. This was only recently brought to our attention thanks to the N/NE District Liaison, Nan Stark.
- **As it relates to BHD code changes, the removal of the Albina Community Plan District from the Zoning Code has little to no impact so long as the related changes are preserved in the final BHD draft.** As staff have noted, many of the items contained in the Plan District Code are being absorbed/reflected in BHD. This includes reduced parking requirements for lots 7500 SF and less and allowances for limited ground-floor commercial along corridors. So long as the related items remain in the final BHD proposal, we so no issue in absorbing this language into the base zones.
- **Although not part of BHD, removal of the Plan District does have implications on R5, single-family zones.** This shift was not clearly described in drafts or communications from the RIP staff. Currently, via the Plan District Code Section 33.505.230, R5 lots that have been vacant for at least 5 years can be more easily developed with duplexes and/or attached fee simple homes, even if the lot is a mid-block/interior lot. From our perspective, this is not adequately reflected in the RIP as currently proposed which, based on our understanding, only allows interior lot duplexes if one unit is visitable (not currently a requirement in the Plan District), and does not allow for easy creation of fee-simple attached homes on interior R5 lots – a key component in affordable homeownership development. We encourage staff and Commissioners to consider the implications on existing code outside of the multi-family zones when reviewing this piece of the draft.

### **Other Topics**

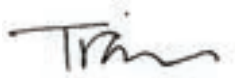
- **We would encourage staff to explore the opportunity for increasing opportunities along and within proximity to transit corridors by shifting current R2 zones to RM2 zones with the code update.** These exist often in the Interstate URA, which currently have high opportunity for affordable housing development thanks to current funding streams, such as along the Martin Luther King Jr Blvd corridor, Albina/Mississippi corridor, and Interstate Avenue corridor.
- **In general, we again encourage staff to consider the many push-pulls that exist in affordable housing. Not only are we responding to code requirements, but we also having funding requirements and programming goals that must be met as well.** With every additional layer of requirements, the harder it becomes to make affordable housing projects pencil. **The more flexibility you can provide our projects, the better.**

It is important to underscore for staff and Commissioners that PCRI's and our partners' sole missions are to serve Portland's most vulnerable – voices that are often unheard through City processes due to structural and institutional barriers to power and influence. These Portlanders' primary focus is on their family, their jobs, and

finding or keeping a place to call home. They have not been afforded the privilege to take time out of their busy schedules to dig into the intricacies of proposals such as Better Housing by Design, let alone time to come and speak with you in person about how this could impact them. For some additional context, PCRI alone has served over 1500 people in the past year through both providing housing as well as supportive services such as workshops for homeownership, financial counseling, home repair, and afterschool activities. Over 75% of our residents and 85% of all program participants are People of Color. Last year, nearly 90% of people participating in our homebuyer program were People of Color. **As we noted in our testimony around the RIP, just because these households have not been afforded the opportunity to purchase a home years ago, or they do not hold the highest paying jobs in the region, does not mean that they matter less. They are just as deserving of a zoning code that will help them access affordable, safe housing choices.**

Again, we truly appreciate the time and effort that has been made to incorporate our feedback. We look forward to continuing our conversations as this project progresses.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis", with a stylized flourish at the end.

Travis Phillips  
Director of Housing Development, PCRI



# Travis Phillips

**#30735 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear Members of the Portland Planning & Sustainability Commission, Attached, please find Portland Community Reinvestment Initiatives' (PCRI) letter regarding the Better Housing by Design Proposed Draft. Thank you for your time and your thoughtfulness in this process. Sincerely, Travis Phillips

Testimony is presented without formatting.

June 25, 2018

Portland Planning and Sustainability Commission  
1900 SW Fourth Avenue  
Portland, Oregon

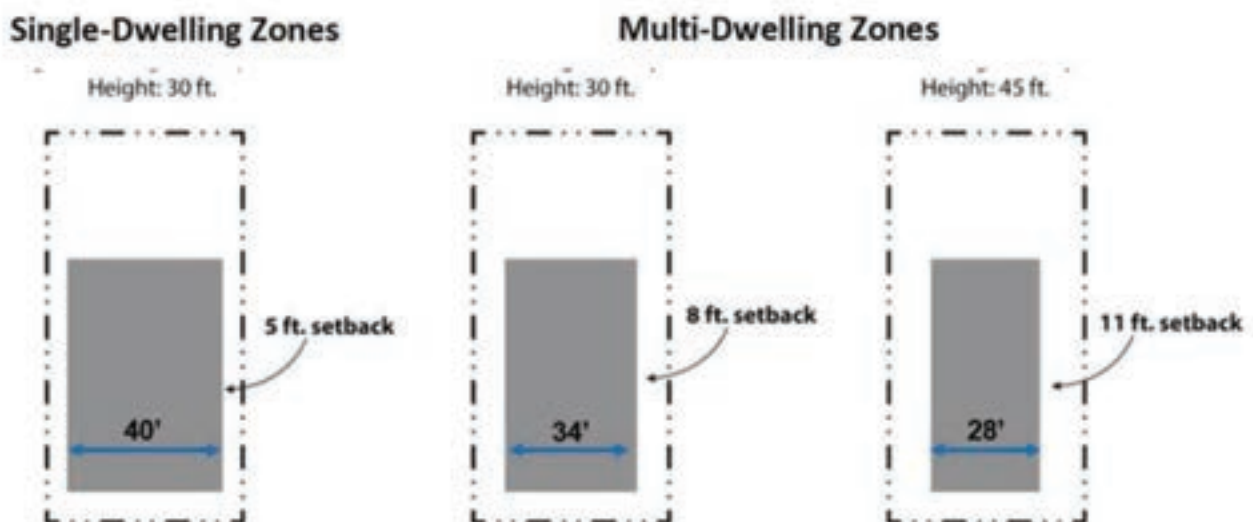
Dear Commission Members,

I am writing to follow up on my testimony about the proposed changes to the multi-family setback regulations at your June 12<sup>th</sup> hearing. I strongly oppose the reduction of side and rear yard setbacks to the proposed 5' and 10' from the present 5' to 14' variable setbacks.

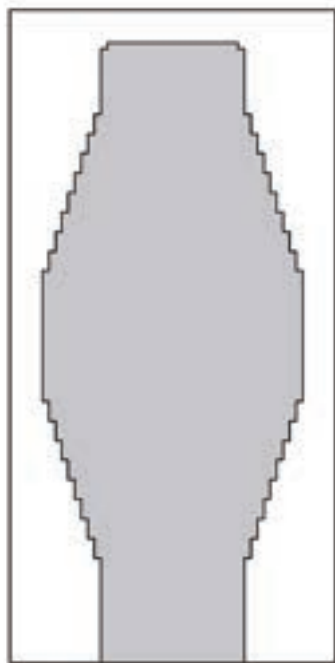
Side and rear yard setbacks have a number of purposes. They provide adequate air and ventilation and privacy by preventing buildings being too close together. They are used to provide adequate space for outdoor activities. And, under the present regulations, they encourage building articulation which makes for varied landscaped areas and greener neighborhoods. To simply allow an 85' long 40-50 tall wall 5' from a property line would overwhelm adjacent houses and decrease the livability of our neighborhoods.

The present setback requirements are not perfect. They are complicated, and on small lots in high density zones, they make development difficult. However, the proposed new regulations go too far in simplicity and in fact make the development even harder on small lots with high density zoning.

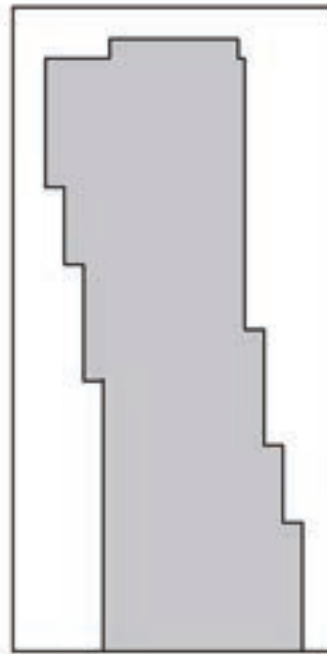
Page 74 of the commentary explains some of the reasoning behind the recommendation and accurately reflects the present code language. However, the graphics are flat out wrong. The present code does not require that the entire building be setback based on the building plane, but rather requires that larger portions of building be setback more than smaller portions. The present code allows 1000 sq ft of building plane (30X33) to be set at the 5' property line.



The two graphics below demonstrate what the code really allows – an articulated series of increasing setbacks for portions of the building as it gets bigger. The first graphic is a literal picture of the code allowed building planes. The second one shows a more likely development footprint with fewer steps and staggered building planes that also fully meets the code.



**PRESENT CODE**  
RH 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2880 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

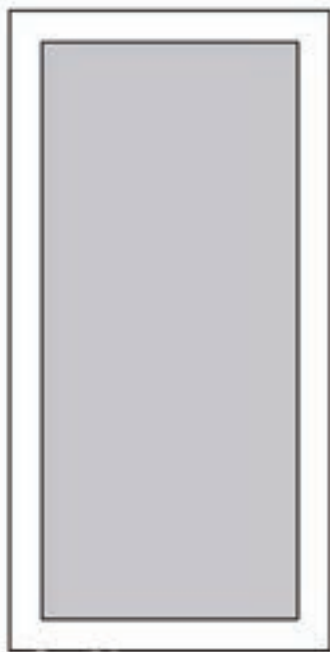


**PRESENT CODE**  
RH 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 3600 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

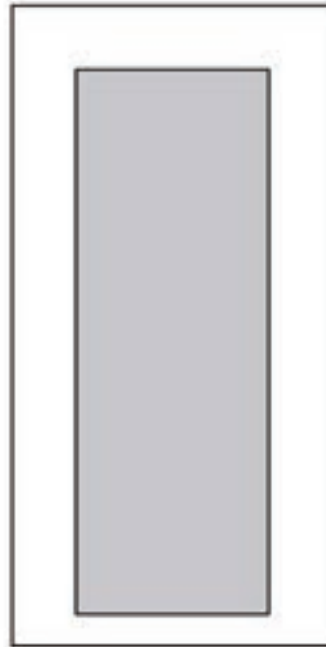
The present regulations do cause problems on smaller lots in high density zones. Building on a 50' X 100' in the RH zone would require that some portions of the building be only 22' wide (50' minus 14' minus 14'). 22' is not a practical building width for multi-family construction and would make it nearly impossible to build the maximum FAR.

The new proposal, however, is not an appropriate fix. Allowing a 50' tall 85' long wall is overwhelming and should not be allowed. We all love the three and four story brick apartment building in NW which are built close to the property lines. However, the apartments on the sides of these buildings are not good places to live as they are too close to their neighbors. We can do better, and the variable side yard and rear yard setbacks of today's code do improve the livability in high density neighborhoods.

On the other hand, the new proposal makes it even harder to approach allowable densities in the RM3 and RM4 zones. Now, by requiring a 10' setback for an entire building when it exceeds 55', 6 and 7 story buildings, which would meet the height limits, would be limited to 30' widths on 5,000 square foot lots. That simply won't work.



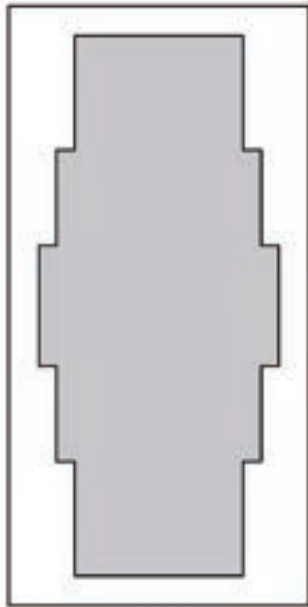
PROPOSED CODE  
RM 4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 3800 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT



PROPOSED CODE  
RM4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2550 SQ FT  
BLDG 6 STORIES 60' IN HEIGHT

There are three possible approaches to these setbacks that are better than the proposed code. First, you could simply leave the present regulations in place. Second, you could revert to the 1981 code where the setbacks were set based on the number of stories. Or you could modify and simplify the existing code by reducing the number of setback distances.

The picture below shows how it would work if there were three setbacks (5', 8', and 11'), instead of the ten (5',6',7',8',9',10',11',12',13',14') now in the code. Also, reducing the maximum setback from 14' to 10' would significantly reduce the difficulty of developing on 5,000 square foot lots.



MY PROPOSED CODE  
RM4 4:1 FAR  
ALLOWED BUILDING 20,000 SQ FEET  
ALLOWED COVERAGE 85%  
ALLOWED FOOTPRINT 4250 SQ FT  
AREA WITHIN SETBACKS 2950 SQ FT  
BLDG 5 STORIES 50' IN HEIGHT

Finally, I fully support the idea of the new front setbacks proposed for the RM3 and RM4 zones, although they may be larger than necessary. One of the things that makes old Northwest so attractive is the small amounts of landscaping between the sidewalks and the building fronts. This makes for a much more livable neighborhood scaled streetscape than is found in the Pearl and Conway areas where buildings come right up to the street without any landscaping.

Rick Michaelson

# rick Michaelson

**#30736 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See attached file for my testimony. Graphics would not copy to here Rick Michaelson

Testimony is presented without formatting.

Iain MacKenzie  
915 SE 35<sup>th</sup> Ave, #207  
Portland, OR  
97214

I am writing in general support of the Better Housing by Design project. I am in favor of the change from regulating by number of units to regulating by FAR throughout our multifamily zones, consistent with the regulations in the commercial / mixed use zones. I also support the reductions in the amount of parking required, consistent with the goals of the Climate Action Plan and the Comprehensive Plan.

I do however believe that the allowances in the RM2 zone are too low where it is mapped along designated corridors, such as Belmont, where I live. I would suggest that either these areas be mapped RM3; or the FAR allowances of the RM2 zone be increased. This would ensure that new development in the multifamily zones consistent with the scale of what can be built on adjacent CM2 parcels.

The Better Housing by Design project should also be consistent with the approach taken in the Mixed Use Zones Project, where the different zones were all given the same Comprehensive Plan designation. This approach ensures that the barriers to seeking a zone change are lower.

Finally, I oppose any efforts to downzone the Alphabet District or Kings Hill, as proposed by the neighborhood associations. The FAR allowances of RM4 are consistent with the existing development pattern in those neighborhoods. Applying the RM3 zone would result in a great number of historic buildings becoming non-conforming, and limit the ability to build new buildings consistent with what makes those neighborhoods special.

Regards,

Iain MacKenzie, AIA

# Iain MacKenzie

**#30737 | June 25, 2018**

Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

See attached PDF

Testimony is presented without formatting.



# Ted Reid

**#30742 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Thank you for considering the Metro Planning and Development department's comments. Based on the city's economic modeling, Metro Planning staff are concerned about the viability of additional housing development under the proposal. However, this appears to us to be a challenge related to the city's Inclusionary Zoning program rather than being an issue specific to the Better Housing by Design proposal. The revenue from the additional units that would be allowed under the proposal does not appear to be enough to balance out the cost of additional affordable housing units required under Inclusionary Zoning. The Floor Area Ratio bonus appears to allow a project currently capped at below 20 units to build more units (which we support). However, that bonus triggers Inclusionary Zoning requirements, wiping out residual land value and making the bonus units less financially viable. Thank you for considering our comments, which may be better handled in adjustments to the city's Inclusionary Zoning program.

Testimony is presented without formatting.

# Jack Carter

**#30744 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am writing to oppose the creation and application of a new RM4 zone to the portion of the Alphabet District below NW 21st Avenue. I have lived in this area for twenty years and my wife and I own two properties in the area. The area is known and loved for its mixed urban use and combination of large older houses, many of them victorian townhouses, and moderately sized apartment buildings. The blend creates an environment that supports a vibrant, thriving urban neighborhood and a compatible home for the many historic properties in the area. High density development such as that envisioned in an RM4 zone would be visually incompatible with the rest of the neighborhood and would isolate and render contextually incoherent the valuable historic buildings. I hope you will hear my strong opposition, and that of others in the neighborhood, and protect this vital urban and historic neighborhood. Sincerely, Jack Carter 1930 NW Irving Street, Apt 604 Portland, Oregon 97209 [jcarter43@me.com](mailto:jcarter43@me.com)

Testimony is presented without formatting.

Comments for Markham Neighborhood from  
Interim Land Use Representative –John T. Gibbon

The concerns that have been expressed in the Markham Neighborhood has about the proposed “Better Housing by Design Project” in seem to be fairly reflective of the neighborhood’s mixed character as an area of transition from the Southwest’s Inner Suburban Hillside neighborhood character( in its northeastern area – bounded by I- 5 Spring Garden –Taylors Ferry - 25<sup>th</sup> Ave.) to its Outer Suburban Stream Corridor neighborhood character (in its southwestern area - bounded by I-5–Lancaster Rd./25<sup>th</sup> Ave.- Macara Park & St – 35<sup>th</sup> Ave.) . Both of Markham’s neighborhood areas should reasonably be characterized as part of the Comprehensive Plan’s Western Neighborhoods Pattern area. This makes them potentially burdened with an undue dependence on the automobile. But factors unique to Markham (beyond the above described mixed character) has meant that criticism of the proposal’s lack of auto parking has seemed to it be somewhat less intense than in most of other the Southwest neighborhoods.

In most of the Southwest neighborhoods, whether they are perceived by their residents as being predominately of one or the other the above described characters (hillside or stream corridor), distance from commercial areas ,the lack of transit of adequate frequency and the existence of active transportation chokepoints and inadequacies makes the neighborhood very auto dependent. However in the northeastern wing of the Markham neighborhood data produced by the Southwest in Motion project shows a stronger focus by residents on active transportation. This probably is because of the Spring Garden/19<sup>th</sup> Avenue overcrossing complex creates relatively friendly active transportation freeway crossing , creates proximity to the Barbur transportation and commercial corridor and leaves its residents less subject to the pattern area’s perceived inherent lack of walkability.

So far this has meant that in Markham’s Northeast wing the potential possibility of redevelopment/development created by the Better Housing by Design changes to a significantly underdeveloped multifamily zoned property in this area has engendered no significant expressions of concern by involved neighborhood residents. It should be noted however that on a past occasion when the development of an R2.5 lot nearby was proposed as a common wall land division initial opposition by immediate neighbors, although not supported in a neighborhood wide meeting, nevertheless lead to the project’s development and retention by a single owner. It seems to the author that throughout the SWNI neighborhoods, especially in those rendered more auto dependent by location and topography, a

phenomena of sudden realization of allowable density enhanced by BHBD parking changes followed by angry activism be the end result of the Better Housing by Design project.

Two transportation factors suggest that even in this relative active transportation supportive neighborhood that perceptions related to active transportations safety could change if at least some onsite parking and adequate street improvements were not part of a BHBD prompted redevelopment of the impacted parcels. These include the recent completion of a PBOT/BES test local street improvement in a location that potentially could provide a cut through gateway to the street adjoining the BHBD parcel, and the lack of sidewalks (including in front of the recently developed R-2.5 parcel !) connecting the BHBD parcel to the overcrossing.

The only parcel affected by the BHBD project in the western wing of Markham contains an existing garden apartment project near the Taylors Ferry off ramp from I-5 and across the 35<sup>th</sup> from the ODOT maintenance yard (located in the West Portland NA). Due to the complete lack of sidewalks on the major adjacent streets (the east side of 35<sup>th</sup> and most of both sides of SW Taylors Ferry [through the off ramp complex) these apartments are very poorly positioned for any type of active transportation. Based on author's knowledge of the history of the area (near to or part of an area that was pre-I-5 a drive-in theater) as well as how multifamily project siting occurred through at least the early 1980's (with site's visible from freeways and other heavily travelled roads preferred), imposing the BHBD project's limited or no parking formula on this property, or more precisely its redevelopment, is problematic. Couple this with current intense debate in the neighborhood over whether or not new sidewalk construction along the very busy arterials is acceptable to parents of schoolchildren or adequate to appeal to the auto oriented residents of these auto oriented neighborhoods making these changes seems at best wishful thinking. Hopefully the existing multifamily project in West Markham will retain sufficient economic viability to delay any redevelopment to a point at which a sidewalk on the east side 35<sup>th</sup>, at least, will provide some limited amount of connectivity if distance to the Barbur Crossroads area.

# John Gibbon

**#30745 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I have attached BHBD testimony submitted to provide the PSC a context for the impact of this project on one of SW Portland's 17 neighborhoods. Even in an neighborhood more welcoming than many toward both this and the RIP project, the challenges produced by getting the density cart ahead of the transportation and storm water infrastructure horse raised significant questions that the commission should give attention to.

Testimony is presented without formatting.

# Holly Balcom

**#30746 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I'm writing in support of the Better Housing By Design project. I'm especially happy to hear that much of the NW Alphabet district will be kept at 4:1 FAR (RM4) as that allows more homes in this popular neighborhood. I would encourage you to expand RM4 to the whole current RH zone. I live in Sullivan's Gulch and many of the old, historic apartment buildings are no longer code-compliant due to downzoning. Our neighborhood association is worried we will lose these naturally affordable homes if they ever need to be rebuilt or re-developed as a result. Let alone build new homes at comparable density! I don't think the deep, suburban setbacks are compatible with the stated goal of promoting missing middle homes. The traditional courtyard developments in inner Portland often are right on the right of way, or a very narrow strip of grass. Please also consider up-zoning all the proposed RM2 lots that are currently on corridors. This would limit the size of the building to be much smaller than their surrounding buildings on the CM2 lots.

Testimony is presented without formatting.



## Northwest District Association

June 25, 2018

To the Portland Planning and Sustainability Commission

### RE: Additional Comments on Better Housing By Design

We have previously commented, both by letter and in person, on this project. Staff helped to clarify that the areas proposed for RM4 zoning are all currently zoned RH with a 4:1 FAR; the areas with a 2:1 FAR are proposed for RM3 zoning.

Although the staff proposal is for a straight-across rezoning, **we request that all of the RH zoning in the Alphet Historic District be changed to RM3** to preserve the **special character** that led to this area being added to the National Register of Historic Places. Equally important, “right-zoning” the area will give potential developers information about what they can realistically develop, and so will **reduce future conflict** between developers and neighbors; it is virtually impossible to design a building with a 4:1 FAR that also meets the guidelines for Historic Resource Review, yet property is often purchased—and priced--with the intention of developing at 4:1.

We understand the need for additional housing, particularly affordable housing. The need for housing is why we do not object to the RM4 zoning outside of the Historic District, to the proposed bonuses or transfers of development rights that can nearly double the size of a building, or to the increased heights. However, **the need for housing must be balanced against the need to preserve Goal 5 resources, including historic resources.**

The Buildable Lands Inventory shows that most properties in the Alphet District have little to no redevelopment potential because they hold buildings that are either landmarks or contributing resources, so the **housing potential lost by going from RM4 to RM3 is minimal**. Conversely, the RM4 zoning will increase development pressure on those valuable resources. To mitigate the minor loss of potential housing and the loss of value to property owners, we continue to request that properties with a current FAR of 4:1 be allowed to transfer their lost FAR outside the district.

We also note that some of the proposed regulations limit or prohibit bonuses or transfer of development rights into historic districts. We support this, but **request that all bonuses or TDRs in historic districts be prohibited.**

In our earlier letter we commented on several proposed development standards. Staff helped to clarify that these are standards already adopted for mixed use and commercial areas. While we support consistency within the Zoning Code, we think there are significant differences between



## Northwest District Association

purely residential areas and those that are mixed or commercial, and that **different regulations are warranted within the areas expected to have the densest residential development.**

Best Regards,  
Northwest District Association Planning Committee

Greg Theisen  
Co Chair, NWDA Planning Committee



# Gregory Theisen

**#30747 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Testimony attached.

Testimony is presented without formatting.

# Svetlana Fursova

**#30748 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I oppose the new zoning codes.

Testimony is presented without formatting.

# Tanner Baldus

**#30749 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

We need to do everything we can to alleviate our housing crisis so I heartily endorse the amendments proposed in the Portland For Everyone Coalition letter. Again that is to Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3 Increase densities so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped. Increase height allowances in many zones Reduce standard front and side setbacks to 0 feet across all multi-dwelling zones. Reduce minimum requirements for sites 7,500 square feet or less, including landscaping. Ensure that affordable housing development is feasible in East Portland Map more higher-density multi-dwelling zones along key corridors Ensure that more rental housing will be provided, not just for-sale

Testimony is presented without formatting.

# Braden Bernards

**#30750 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Hi Planning and Sustainability Commission-- I'll keep this brief! Setbacks have never made for a good city, let alone a great one. People want to be cuddled by gorgeous buildings, not awash in seas of parking and value-landscaping (a shrub here, a shrub there!). Let's allow for real density--FAR up to 5:1, etc. Let's let more people live and love this city, and push them all closer together to watch their ideas mingle. The benefits of urban agglomeration only take hold if people are, say, encouraged to agglomerate. Yours, Braden

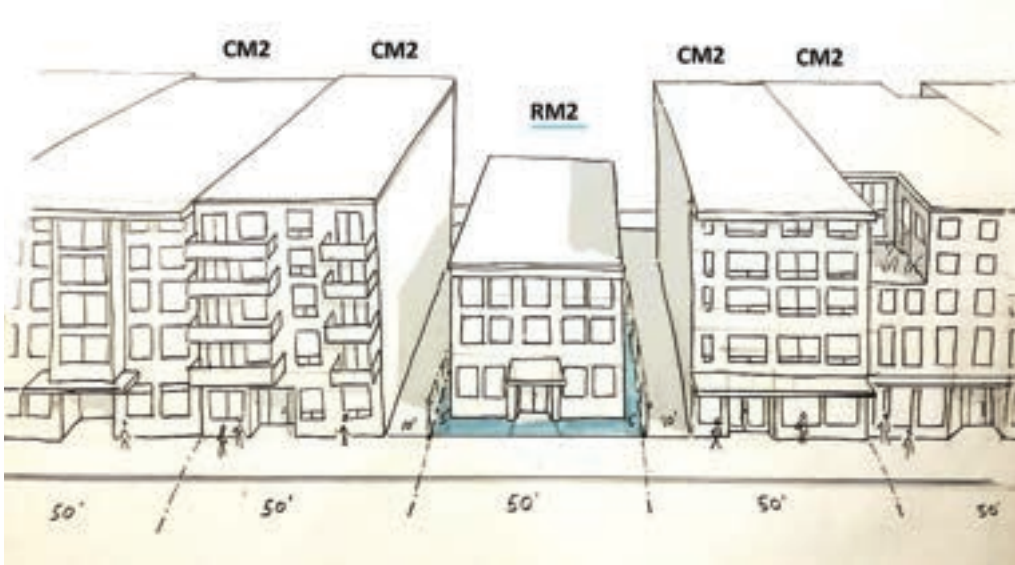
Testimony is presented without formatting.

Doug Klotz  
1908 SE 35<sup>th</sup> Pl  
Portland, OR 97214  
June 22, 2018

To: Planning and Sustainability Commission  
Re: Better Housing by Design  
Chair Schultz and Commissioners:

I will address **the advantages of zero side setbacks** in this letter.

Here are some further details on my proposal to allow higher density development along Neighborhood and Civic Corridors, to avoid the mis-match and unused spaces that the current proposal will result in (as illustrated below):



( ← the Mismatch)

By raising FARs and Maximum Lot Coverage, reducing Min. Landscaping, and removing or reducing front and side setbacks, we will enable RM2 buildings that are located on these Corridors to better match the massing and scale of the CM-2 lots that are the most common zone on these busy corridors. (see my detailed recommendations at end of letter)

**Buildings with “Zero lot lines”, or no minimum side setbacks:**

A key to my proposal is that buildings in RM2 (as well as RM3 and RM4) should be allowed to build right to the side lot lines (and rear if not against single-family), as is possible today in the CM1-CM3 zones. Some have argued that there is a need for side windows. But dozens of new buildings with residential units abut the side lot lines, as do some old ones. Many of these buildings have residential units that face the front of the building, a corridor down the middle, and the rest of the units facing the rear of the building. Quite a few older buildings used this same pattern. This policy change will allow an increase space for housing units in RM2, while giving allowing creativity in providing access to light and air. (All examples are buildings with some or all residential uses. The newer examples are in Mixed Use zones because that's about the only place they're currently allowed);

Here is a typical building with residential units, with windows at the front and the rear:



Rear:



However, this is not the only option. Many buildings which have no minimum side setbacks, have parts of the building abutting the property line, while other parts are set back. (50' x 100' interior lots especially benefit from this pattern):



**Here are some examples of side windows on buildings where zero side setback is or was allowed:**

This building on SE Belmont is at the side lot lines for the first 20' or so, and then steps inward about 8':



This allows for side windows, and even a rear window for the front apartments, while gaining space near the street:



Some new buildings like this one on SE 19<sup>th</sup> near Hawthorne, use a similar design, at front and rear:





This all-residential building under construction on Division at 29<sup>th</sup> has a large inset courtyard on one side, while the rest of the side wall is at the property line:



Windows will face this side courtyard:



Some buildings have generous upper-story side setbacks, but zero setback at the ground floor:



These examples show many ways that residential units can take advantage of the **flexibility** that removing minimum side setbacks allows. These techniques are often not visible from the street, but allow architects and developers to use more of the valuable space on these lots on Corridors, and I hope this change will allow an increase in livable space to where rental buildings will be economically feasible on these Corridors. I hope you will consider increasing building allowances on these Corridors with this and other changes I've detailed, and make them part of your Recommended Draft.

Thank you for all the work you do in analyzing these proposals and reading all the public comments.

Sincerely,

A handwritten signature in black ink that reads "Doug Klotz". The signature is written in a cursive, flowing style.

Doug Klotz

*See next page for my proposal for Corridor sites:*

***Here are a portion of my comments from June 12 on these changes and where they could be made:***

**Increase capacity in RM2 on Neighborhood and Civic Corridors in Inner Pattern Area**

Dramatically increase entitlements in the RM2 zone, where it occurs alongside Commercial Zoning, on all lots abutting Neighborhood Corridors and Civic Corridors within the Inner Pattern Area thusly:

Raise the FAR to a base of **2.5:1** and a bonus of **3.5:1**, with Deep Affordability of 4.0:1. (recently updated to ask for 2.5:1 base and 3.5:1 bonus, based on discussions with BPS economist.)

Raise the Maximum Lot Coverage to 85%.

Reduce the required Landscaping to 10%.

Reduce the required Front Setback and the Required Street Setback (which would be for side streets) to 5', with the option of reducing the setback to zero if the ground floor is at least 2' above sidewalk grade.

**Reduce the required Side and Rear setbacks to zero**, except if abutting Single-dwelling zoning, in which case the minimum should remain at 5'

To increase capacity on these Corridors and allow a continuous street wall, **also** reduce minimum building setbacks in the **Commercial/Mixed Use Zones in these locations**, on lot lines abutting RM2 – RM4 lots, to zero. This way, neither the RM lots or the CM lots would have a side setback, and could be abutting.

# Doug Klotz

**#30751 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Attached are my comments on Side Setbacks, including zero setback building examples.

Testimony is presented without formatting.

Doug Klotz  
1908 SE 35<sup>th</sup> Pl  
Portland, OR 97214  
6-25-18

## Suggested Upzonings in Better Housing by Design

Chair Schultz and Planning Commission members:

There are several locations in the city where R-2 is proposed to become RM1 in the Better Housing by Design project. I suggest that many of these locations, along Transit Corridors and near or in commercial areas, are good candidates for being rezoned as RM2 rather RM1. The higher intensity zone is appropriate for these locations, which will allow more new residents to take advantage of the well-served locations, helping affordability and reducing carbon emissions. These locations are near transit streets and/or on commercial streets, and are in “high opportunity” areas.

### Suggested Upzones from R-2 to RM2:

#### **NE**

Between NE MLK and 7<sup>th</sup>, from NE Thompson to Fremont, change all existing R-2 to RM2.

Between NE 17<sup>th</sup> and NE 21<sup>st</sup>, Multnomah to Broadway, change all R-2 to RM2.

Between NE Broadway and Tillamook, from NE 22<sup>nd</sup> to NE Chavez, change all R-2 to RM2.

Between NE Glisan and Sandy, and NE 30<sup>th</sup> and 32<sup>nd</sup>, change all R-2 to RM2.

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#### **SE**

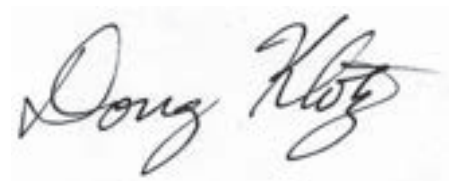
SE Division St between 50<sup>th</sup> and 77<sup>th</sup>, change all R-2 on the north and south sides of the street, to RM2.

SE 50<sup>th</sup> to 52<sup>nd</sup>, Division to Woodward. Change all R-2 to RM-2 to match other RM-2 within this six block area near the booming 50<sup>th</sup>/Division commercial and apartment center.

SE Francis to SE Powell, from 41<sup>st</sup> to 43<sup>rd</sup>, change all R-2 to RM2 to add more housing near parks.

North side of SE Powell, 52<sup>nd</sup> to 78<sup>th</sup>. R2 to RM2. This stretch has good transit.

I hope such changes can be included in this project, to better meet important city goals.



Doug Klotz

# Doug Klotz

**#30752 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Attached are some suggestions for minor upzoning from RM1 to RM2 along several busy corridors.

Testimony is presented without formatting.

# Eun-Sun Lee

**#30753 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Comments on proposed zoning code changes: Multi units should be required, no monster mansions: The FAR should have proportional restrictions that limit the ability of developers to create four story single family houses of immense size. For example a 5000 ft.<sup>2</sup> lot should not be permitted to have 7500 ft.<sup>2</sup> of living space unless less reasonably sized multiple units are included in the design.

Parking The city should outlaw any development that does not include off-street parking for all multi-unit developments. I am against reducing requirements for off-street parking. Double-size, or larger, garages should be limited to one single curb cut per 50 feet of curb space. It is genuinely ludicrous to imagine that residents within the next generation (15 years) will cease having cars because it becomes more difficult to park. Is the city creating public transportation infrastructure as part of these zoning changes? No, and there is nothing but pie-in-the-sky thinking to imagine that private capital will provide any transportation solutions to address this giveaway of the common areas of the street. Off-street parking once built, can later be created to other uses for reasonably predictable density issues. For example: parking areas can become small bespoke workshops. But housing will not be converted to parking. This is an opportunity to deal in reality and protect poor people from limitations on transportation options. Information disclosure indicates a violation of public trust: We have submitted these comments with a belief that this is a done-deal process benefiting developers. We do not believe that the information provided to regular citizens is clear or transparent. An example is the front page of the website which says that wheelchair use will be affected. This is announced without describing whether that effect is to require more wheelchair use, or to eliminate the requirement that buildings be visited by wheelchairs. Have any of the people reading these comments attempted to discern that answer using the information provided? The website information presentation should include click through menus so that citizens may better understand these proposals. The fact that there are no such click through opportunities for easy access to this information is an indicator that the elites proposing it have no interest in changing anything based on any opinions of anyone other than themselves. Height We live in a house that is approximately 18 feet tall with a basement. The changes would permit a 45 foot height on our property and on adjacent properties. 45 feet is so high that it would eliminate all privacy in adjoining back yards or patios for a significant distance on each block. A quality of life of Portlanders who like to garden or sit outside during good weather would be lost with huge towers shadowing each remaining tiny green space. These changes appear to have no limits by block or locations and would encourage incompatible building designs. Limits will only be imposed by the inherent limit of

capitalist profit making. I am using the word capitalist in the economic construct definition that requires increasing efficiency for competitive edge. I am not using it as a pejorative political term. Profit making creates lousy architectural designs. The inherent problem of leaving development to market forces with a regulatory possibility of unlimited density is that over time, either new changes will have to be put in to limit the destruction of livability in our city, or that the destruction will proceed unabated. Put the tough ideal restrictions in now and hold to our greater ideals! The above are one of my neighbor wrote and I all agreed. I moved from the other country and lived here almost 20years. I had felt in love once I saw this area. It was because it was not that big, not that crowded, not that many big buildings, and also there was characteristics in each of houses. If one of my neighbors starts building 4th floor house, we will start losing all my privacy in our house and this historical areas will be destroyed. Why and what for do we need these changes?

Testimony is presented without formatting.



# Richmond Neighborhood Association



c/o Southeast Uplift  
3534 SE Main ST  
Portland, OR 97214

(503) 232-0010  
<http://richmondpx.org>

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June 24, 2018

To: [betterhousing@portlandoregon.gov](mailto:betterhousing@portlandoregon.gov)  
Mayor Wheeler

RE: Better Housing by Design Project  
Dear Mr. Cunningham, Mayor Wheeler—

The RNA would like to thank Bill Cunningham and his team at BPS for having clear materials that are easy to follow. Such clear, simple, and well-defined documents, images, and renderings were a boon to our community's ability to review, process, and agree to support of the following points.

The RNA Supports the following recommendations as-written...

2. Require higher-density development to include visitable units.
4. Provide incentives for preserving existing affordable housing and trees through transfers of development rights.
5. Allow small-scale commercial uses on major corridors and near transit stations
8. Allow alternatives to conventional landscaping.
9. Limit large surface parking lots and asphalt paving.
11. Limit garages to no more than 50 percent of building street frontages.
12. Require building entrances to be oriented to streets or to courtyards.
15. Require building height transitions to single-dwelling zones.
20. Strengthen minimum density requirements.

The RNA Supports the following with changes...

6. Require residential outdoor areas in high density zones. ( $\geq 20,000$  sqft)  
We request that outdoor or green space requirements be the larger 48 sqft for all sizes of properties.
7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet.  
We request that common areas be an element be for all sizes of properties
10. Reduce parking requirements.  
We would like to see more parking permit programs or zones to better prevents the current tragedy of the commons occurring near dense residential and commercial areas with street parking.
13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts.

The proposed standard doesn't seem flexible enough. Perhaps have different standards for RM-zones that are interior to a neighborhood vs. those that are on transit corridors.

14. Simplify side setback regulations and reduce barriers to development on small sites.

Allow for zero side setbacks on sides adjacent to other RM-Zones or Commercial Zones provided that green space is then used elsewhere in the project.

16. Require large building facades to be divided into smaller components

Would like to see the requirements reduced from 100' to 50'; meaning 50' frontages wouldn't need a notch, but anything larger would.

This opinion is shared both by the RNA and the Division Design Initiative

The RNA is split or not offering a stance on...

1. Regulate development intensity by the size of the building, instead of numbers of units

3. Prioritize affordable housing by:

While the RNA supports affordable housing for a more economically diverse neighborhood; opinions differ greatly on how to get or enforce affordable housing.

- 17, 18, or 19. As these pertain to East Portland

21. Require transportation and parking demand management approaches.

While we like the idea, it should be for a longer term and more than just bus passes. Or we should approach parking strategies better to prevent abuse of free parking and let the markets decide how to get best incentivize people to live in units without parking.

#### Minority Position

Recognizes the project is in the early phases, and would appreciate Bill Cunningham and his team presenting the topic to the community to learn more about the project before sending a letter.

Thank you for all your hard work and outreach regarding the Better Housing by Design Project.

And thank you for considering our requests.

Sincerely,



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Erik Matthews – Richmond Neighborhood Association – Chair

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Matt Otis – Richmond Neighborhood Association – Land Use and Transportation Committee Chair

# erik matthews

**#30754 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

PLEASE DISREGARD PREVIOUS TESTIMONY AND USE THIS: June 24, 2018 To: betterhousing@portlandoregon.gov Mayor Wheeler RE: Better Housing by Design Project Dear Mr. Cunningham, Mayor Wheeler— The RNA would like to thank Bill Cunningham and his team at BPS for having clear materials that are easy to follow. Such clear, simple, and well-defined documents, images, and renderings were a boon to our community's ability to review, process, and agree to support of the following points. The RNA Supports the following recommendations as-written... 2. Require higher-density development to include visitable units. 4. Provide incentives for preserving existing affordable housing and trees through transfers of development rights. 5. Allow small-scale commercial uses on major corridors and near transit stations 8. Allow alternatives to conventional landscaping. 9. Limit large surface parking lots and asphalt paving. 11. Limit garages to no more than 50 percent of building street frontages. 12. Require building entrances to be oriented to streets or to courtyards. 15. Require building height transitions to single-dwelling zones. 20. Strengthen minimum density requirements. The RNA Supports the following with changes... 6. Require residential outdoor areas in high density zones. (?20,000 sqft) We request that outdoor or green space requirements be the larger 48 sqft for all sizes of properties. 7. Require shared common areas, such as courtyards, for large sites more than 20,000 square feet. We request that common areas be an element be for all sizes of properties 10. Reduce parking requirements. We would like to see more parking permit programs or zones to better prevents the current tragedy of the commons occurring near dense residential and commercial areas with street parking. 13. Require front setbacks that reflect neighborhood patterns and limit privacy impacts. The proposed standard doesn't seem flexible enough. Perhaps have different standards for RM-zones that are interior to a neighborhood vs. those that are on transit corridors. 14. Simplify side setback regulations and reduce barriers to development on small sites. Allow for zero side setbacks on sides adjacent to other RM-Zones or Commercial Zones provided that green space is then used elsewhere in the project. 16. Require large building facades to be divided into smaller components Would like to see the requirements reduced from 100' to 50'; meaning 50' frontages wouldn't need a notch, but anything larger would.?This opinion is shared both by the RNA and the Division Design Initiative ?The RNA is split or not offering a stance on... 1. Regulate development intensity by the size of the building, instead of numbers of units 3. Prioritize affordable housing by: While the RNA supports affordable housing for a more economically diverse neighborhood; opinions differ greatly on how to get or enforce affordable housing. 17, 18, or 19. As these pertain to East Portland 21. Require

transportation and parking demand management approaches. While we like the idea, it should be for a longer term and more than just bus passes. Or we should approach parking strategies better to prevent abuse of free parking and let the markets decide how to get best incentivize people to live in units without parking. Minority Position Recognizes the project is in the early phases, and would appreciate Bill Cunningham and his team presenting the topic to the community to learn more about the project before sending a letter. Thank you for all your hard work and outreach regarding the Better Housing by Design Project. And thank you for considering our requests. Sincerely, Erik Matthews – Richmond Neighborhood Association – Chair Matt Otis – Richmond Neighborhood Association – Land Use and Transportation Committee Chair

Testimony is presented without formatting.

# Paul Frazier

**#30755 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Hello, We need more housing, density, transit and greenspace. And we need to do this while finding room for more and more people. How can we solve this puzzle? Get rid of single family housing zones. Get rid of parking. Create amazing bike/alternative transit infrastructure. Create density of all kinds! I support Portland for everyone's recommendations and encourage us to think big and bold to help solve this housing emergency. Just today another report came out of Seattle that rents are stabilizing and even falling in response to their building spree! Let's do the same! Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3 so that there is a discernible difference between standards currently being proposed for Portland's neighborhood residential zones and denser multi-dwelling zones. Increase densities so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped. Increase height allowances in many zones to give greater flexibility across projects, benefiting bonus utilization, layouts, tree preservation, and other factors. Reduce standard front and side setbacks to 0 feet across all multi-dwelling zones. Reduce minimum requirements for sites 7,500 square feet or less, including landscaping. Adjust open space requirements to yield more desirable building forms, site layouts, and more useable open spaces. Consider where maximum heights, FAR limits and/or step-down requirements may unintentionally render affordable housing bonuses unusable, counter to the proposal's intentions. Ensure that affordable housing development is feasible in East Portland: Don't layer on so many conditions in pursuit of perfect urban form that affordable housing development is stymied. Also, consider spending increased staff time, attention, and resources on how to encourage affordable housing development and form appropriate for East Portland over spending additional resources on Inner Ring neighborhoods. Map more higher-density multi-dwelling zones along key corridors. There are a few places in particular where up-zoning would help implement the Comprehensive Plan. Ensure that more rental housing will be provided, not just for-sale: The City-commissioned economic analysis found that for-sale homes might be more feasible than rental homes under regulations as currently proposed.

Testimony is presented without formatting.

# Beth Hyams

**#30756 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am concerned about trends in Portland that diminish the very features that attract people here to live and visit. Among those attributes are the older and historic homes, quiet neighborhoods and tree-lined streets. These proposed zoning changes would encourage demolition of older homes, destruction of trees and green spaces, and would crowd the streets further with parked cars. This proposal says that it would include “reduced requirements for off-street parking.” Portland already has many neighborhoods, especially in the densely-populated NW quadrant, where parking is nearly impossible, due to the lack of spaces provided in apartment buildings. Too many developments have already been allowed with insufficient parking. The theory that buildings without parking will attract people without cars is flawed; new residents will instead add to the competition for parking spaces on the street. As an example, there’s an apartment building on my street that has a parking lot, but the spaces cost tenants extra. Therefore, very few people rent them, instead parking on the street while spaces in the lot lie empty. Please consider the factors that make Portland pleasing and attractive before voting for zoning changes that decrease livability with no way to undo what’s been done.

Testimony is presented without formatting.

# Emily Guise

**#30757 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Planning and Sustainability Commission, Thank you very much for the opportunity to weigh in on the Better Housing by Design Draft. As a person who rents and who lives in an apartment, I agree whole-heartedly with the recommendations proposed by Portland for Everyone, including: Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3 so that there is a discernible difference between standards currently being proposed for Portland's neighborhood residential zones and denser multi-dwelling zones. Increase densities so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped. Increase height allowances in many zones to give greater flexibility across projects, benefiting bonus utilization, layouts, tree preservation, and other factors. Reduce standard front and side setbacks to 0 feet across all multi-dwelling zones. Reduce minimum requirements for sites 7,500 square feet or less, including landscaping. Adjust open space requirements to yield more desirable building forms, site layouts, and more useable open spaces. Consider where maximum heights, FAR limits and/or step-down requirements may unintentionally render affordable housing bonuses unusable, counter to the proposal's intentions. Ensure that affordable housing development is feasible in East Portland: Don't layer on so many conditions in pursuit of perfect urban form that affordable housing development is stymied. Also, consider spending increased staff time, attention, and resources on how to encourage affordable housing development and form appropriate for East Portland over spending additional resources on Inner Ring neighborhoods. Map more higher-density multi-dwelling zones along key corridors. There are a few places in particular where up-zoning would help implement the Comprehensive Plan. Ensure that more rental housing will be provided, not just for-sale: The City-commissioned economic analysis found that for-sale homes might be more feasible than rental homes under regulations as currently proposed. Thank you for your time, Emily Guise

Testimony is presented without formatting.

Monday, June 25, 2018

Catherine Schultz, Chair  
Portland Planning & Sustainability Commission  
VIA EMAIL at [psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)

Dear Commissioner Schultz and the Planning & Sustainability Commission,

On behalf of Portland's Urban Forestry Commission, please accept this letter as public comment on the Better Housing By Design discussion draft. I am authorized by the UFC to submit this letter.

First, we are grateful to Bill Cunningham, Bureau of Planning and Sustainability (BPS) planner, for presenting the changes since the last draft and for answering our many questions, at our monthly meeting last Thursday, June 21, 2018.

We support and recognize the careful work of BPS in adding features to BHBD to preserve greenspace in proposed multifamily housing developments. As affordable housing is a major goal of this plan, it is important that low income residents enjoy the health and heat island reduction benefits trees provide at their place of residence, as do the Portland's wealthier residents, many of whom live in tree-rich neighborhoods. . Please do not approve additional exemptions from tree planting and preservation requirements for affordable housing, and consider addressing current exemptions in Title 11, Trees. Title 11 exempts affordable housing projects from the tree preservation and planting standards that most other development projects must meet. These exemptions further exacerbate the inequities associated with tree deficient neighborhoods. The more that the City of Portland can do to promote economic and racial equity in this context, the better.

We strongly support the proposed maximum of 30% of the site for parking, and no more than 15% of the site area in asphalt. Any incentive for developers to use materials for paving with a higher reflectivity than asphalt would be desirable, as that will likely reduce the heat island effect.

Limiting impervious area in development situations is important for preserving future space for large form trees and for protecting existing trees. The UFC submitted comments to this effect in the recent Residential Infill Project draft. This concept is just as important for BHBD as for RIP. We urge you to consider further limits on impervious areas beyond those numbers referenced in the previous paragraph, and to urge the City Council to enact impervious surface limitations that would apply to future development in all zones.

Once a space is paved, it is unlikely to be de-paved, so that area is lost to the urban canopy. With the largest buildings—RM4—allowing 85% building coverage, street and street-facing trees become even more critical for our urban canopy. Please consider allowing setback flexibility so that if a developer agrees to an additional front setback, then the rear setback may be reduced by a corresponding width. This will potentially allow either room for new trees on the private land in front of the building or for more space for the canopy of a tree in the street right-of-way.

We are somewhat concerned about the proposed flexible landscaping provisions, with the requirement that at least 50 percent of the landscaping be "in ground". We fear that these provisions will further encourage the payment of fees in lieu of tree preservation and planting, as allowed by Title 11. However, we could support this proposal with an additional requirement that Title 11 Tree Density



Standards are met by planting trees rather than fee in lieu of tree planting. Please elaborate how flexible landscaping will help maintain the urban forest canopy. Please request that BPS staff work with Portland Bureau of Transportation to ensure wider planting strips in the street right-of-way. We understand that separate policies govern PBOT and BPS concerning the ROW, but we ask that wider ROW planting strips need to be a requirement for development, particularly in higher density areas.

We also support the efforts to promote undulating façade design—such as a 100 foot maximum of unbroken building façade—to support space for large street-facing form trees. Please recommend that sidewalk design can also be undulating: periodic narrowing of the sidewalk to allow space for large form trees. Please recommend that PBOT update their procedures to ensure that street trees and innovative sidewalk design are considered early in in ROW design and utility planning in these new developments.

Parking requirements—in addition to planting strip width—determine how much space is available for large form street trees. We support the reduction of parking requirements and urge careful limitations on street cuts in RM1 & RM2 situations for off-street garages, as these also limit space for street trees.

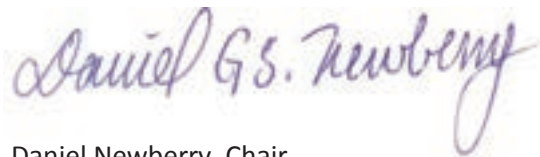
We appreciate that that part of the intent to set aside interior courtyard greenspace is to preserve small groves of large conifers in East Portland. Because Title 11 allows developers to pay fees in lieu of tree preservation, we do not believe that the current BHBD draft can do much to save these conifers. We recognize that saving these trees will be difficult. We believe that using SDCs for City purchase of small groves as “pocket parks” in areas affected by BHBD (or purchase no-cut easements as an alternative to outright land purchase) may be an instrument to protect these groves. We ask your support in helping us advocate with the City Council to develop this idea.

We support the proposal to allow Transfers of Development Rights to protect trees. However, in the past, “Transfer of Development Rights” (TDR) has been underutilized by developers. We understand that a change to allow developers to transfer these rights anywhere in the city (getting rid of the distance limit) is an attempt to make TDRs more attractive. We still have questions about whether or not this will increase the use of TDRs. This mechanism has the potential to save existing large trees, so the UFC supports TDRs as long as they do not otherwise limit space for large form trees.

We understand that tracking these TDRs and a variety of protective covenants (such as heritage trees) is difficult with the City’s current mapping system. We support the creation of a new map layer that would identify public and private trees, groves, and Heritage Trees, so that it may be easily used along with other relevant map layers during the development review and permitting process.

Thank you for this opportunity to comment on BHBD and for adding elements to the plan to promote greenspace in the most urban of our planned housing.

Sincerely,



Daniel Newberry, Chair  
Policy Committee of the Urban Forestry Commission  
For the Urban Forestry Commission

# Daniel Newberry

**#30758 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Monday, June 25, 2018 Catherine Schultz, Chair Portland Planning & Sustainability Commission VIA EMAIL at [psc@portlandoregon.gov](mailto:psc@portlandoregon.gov) Dear Commissioner Schultz and the Planning & Sustainability Commission, On behalf of Portland's Urban Forestry Commission, please accept this letter as public comment on the Better Housing By Design discussion draft. I am authorized by the UFC to submit this letter. First, we are grateful to Bill Cunningham, Bureau of Planning and Sustainability (BPS) planner, for presenting the changes since the last draft and for answering our many questions, at our monthly meeting last Thursday, June 21, 2018. We support and recognize the careful work of BPS in adding features to BHBD to preserve greenspace in proposed multifamily housing developments. As affordable housing is a major goal of this plan, it is important that low income residents enjoy the health and heat island reduction benefits trees provide at their place of residence, as do the Portland's wealthier residents, many of whom live in tree-rich neighborhoods. . Please do not approve additional exemptions from tree planting and preservation requirements for affordable housing, and consider addressing current exemptions in Title 11, Trees. Title 11 exempts affordable housing projects from the tree preservation and planting standards that most other development projects must meet. These exemptions further exacerbate the inequities associated with tree deficient neighborhoods. The more that the City of Portland can do to promote economic and racial equity in this context, the better. We strongly support the proposed maximum of 30% of the site for parking, and no more than 15% of the site area in asphalt. Any incentive for developers to use materials for paving with a higher reflectivity than asphalt would be desirable, as that will likely reduce the heat island effect. Limiting impervious area in development situations is important for preserving future space for large form trees and for protecting existing trees. The UFC submitted comments to this effect in the recent Residential Infill Project draft. This concept is just as important for BHBD as for RIP. We urge you to consider further limits on impervious areas beyond those numbers referenced in the previous paragraph, and to urge the City Council to enact impervious surface limitations that would apply to future development in all zones. Once a space is paved, it is unlikely to be de-paved, so that area is lost to the urban canopy. With the largest buildings—RM4—allowing 85% building coverage, street and street-facing trees become even more critical for our urban canopy. Please consider allowing setback flexibility so that if a developer agrees to an additional front setback, then the rear setback may be reduced by a corresponding width. This will potentially allow either room for new trees on the private land in front of the building or for more space for the canopy of a tree in the street right-of-way. We are somewhat

concerned about the proposed flexible landscaping provisions, with the requirement that at least 50 percent of the landscaping be “in ground”. We fear that these provisions will further encourage the payment of fees in lieu of tree preservation and planting, as allowed by Title 11. However, we could support this proposal with an additional requirement that Title 11 Tree Density Standards are met by planting trees rather than fee in lieu of tree planting. Please elaborate how flexible landscaping will help maintain the urban forest canopy. Please request that BPS staff work with Portland Bureau of Transportation to ensure wider planting strips in the street right-of-way. We understand that separate policies govern PBOT and BPS concerning the ROW, but we ask that wider ROW planting strips need to be a requirement for development, particularly in higher density areas. We also support the efforts to promote undulating façade design—such as a 100 foot maximum of unbroken building façade—to support space for large street-facing form trees. Please recommend that sidewalk design can also be undulating: periodic narrowing of the sidewalk to allow space for large form trees. Please recommend that PBOT update their procedures to ensure that street trees and innovative sidewalk design are considered early in in ROW design and utility planning in these new developments. Parking requirements—in addition to planting strip width—determine how much space is available for large form street trees. We support the reduction of parking requirements and urge careful limitations on street cuts in RM1 & RM2 situations for off-street garages, as these also limit space for street trees. We appreciate that that part of the intent to set aside interior courtyard greenspace is to preserve small groves of large conifers in East Portland. Because Title 11 allows developers to pay fees in lieu of tree preservation, we do not believe that the current BHBD draft can do much to save these conifers. We recognize that saving these trees will be difficult. We believe that using SDCs for City purchase of small groves as “pocket parks” in areas affected by BHBD (or purchase no-cut easements as an alternative to outright land purchase) may be an instrument to protect these groves. We ask your support in helping us advocate with the City Council to develop this idea. We support the proposal to allow Transfers of Development Rights to protect trees. However, in the past, “Transfer of Development Rights” (TDR) has been underutilized by developers. We understand that a change to allow developers to transfer these rights anywhere in the city (getting rid of the distance limit) is an attempt to make TDRs more attractive. We still have questions about whether or not this will increase the use of TDRs. This mechanism has the potential to save existing large trees, so the UFC supports TDRs as long as they do not otherwise limit space for large form trees. We understand that tracking these TDRs and a variety of protective covenants (such as heritage trees) is difficult with the City’s current mapping system. We support the creation of a new map layer that would identify public and private trees, groves, and Heritage Trees, so that it may be easily used along with other relevant map layers during the development review and permitting process. Thank you for this opportunity to comment on BHBD and for adding elements to the plan to promote greenspace in the most urban of our planned housing. Sincerely, /s/ Daniel Newberry, Chair Policy Committee of the Urban Forestry Commission For the Urban Forestry Commission

Testimony is presented without formatting.

# Beth Hyams

**#30759 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I am concerned about trends in Portland that diminish the very features that attract people here to live and visit. Among those attributes are the older and historic homes, quiet neighborhoods and tree-lined streets. These proposed zoning changes would encourage demolition of older homes, destruction of trees and green spaces, and would crowd the streets further with parked cars. The Alphabet District has many houses that date back to the 19th century. Visitors to the neighborhood can be seen gawking at the architecture, and enjoying a taste of an earlier time. These buildings give Portland its flavor and character. Many would be lost to this zoning change. This proposal says that it would include “reduced requirements for off-street parking.” Portland already has many neighborhoods, especially in the densely-populated NW quadrant, where parking is nearly impossible, due to the lack of spaces provided in apartment buildings. Too many developments have already been allowed with insufficient parking. The theory that buildings without parking will attract people without cars is flawed; new residents will instead add to the competition for parking spaces on the street. Please consider the factors that make Portland pleasing and attractive before voting for zoning changes that decrease livability with no way to undo what’s been done.

Testimony is presented without formatting.





DISABILITY RIGHTS OREGON

Via Map App and email to [betterhousing@portlandoregon.gov](mailto:betterhousing@portlandoregon.gov)

June 25, 2018

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Ave, Suite 7100  
Portland, OR 97201

Dear Commissioners,

The following comments are in response to the current Better Housing by Design Proposed Draft (May 2018). These comments are prepared by Disability Rights Oregon staff attorney, Matthew Serres. The Better Housing by Design proposal is an opportunity to expand the ability of individuals with disabilities to have greater freedom in terms of where and how they live by increasing the availability of affordable and accessible housing. Disability Rights Oregon supports the inclusion of visitability standards contained in the Better Housing by Design proposal and hopes that testimony from developers and other community stakeholders does not degrade the visitability provisions in the current draft. In fact, those provisions should be strengthened and additional enforcement provisions included.

Because far too little of the housing built today in Portland is accessible to persons with disabilities, the visitability provisions are critically important and represent a starting point for future efforts to increase the stock of accessible housing units. We encourage the commission to continue to explore ways to enforce accessibility standards and incentivize universally-designed housing and environments. Many design elements such as zero-step entries are undeniably necessary for providing access for persons with disabilities and are a benefit for everyone.

In terms of potential improvements to the proposal, we suggest eliminating the option for developers to access smaller setbacks by opting to raise the ground floor 2 feet to limit privacy impacts.<sup>1</sup> Two feet does not accomplish the stated goal of limiting privacy impacts, yet provides an unnecessary barrier to many individuals with a disability. A developer accessing smaller setbacks by raising the ground floor 2 feet would have to construct a 20-foot walkway to meet the maximum allowed slope of for visitability (10 percent). A 20-foot walkway is a burden on persons with disabilities. In order to reduce setbacks, developers would most likely abandon accessibility altogether. We recommend eliminating that incentive for reduced setbacks.

We suggest increasing the requirement for visitable units to at least 40 percent of units (two out of every five) for projects with unit densities exceeding 2000 square feet of site area, instead of the proposed 20 percent (one out of every five). We discourage any effort to increase the

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<sup>1</sup> See Volume 1, p 41.



baseline trigger from unit densities exceeding the proposed one unit per 2000 square feet of site area to some lesser density like one unit per 3000 square feet of site area.

The visitability standards contained in the proposed zoning code amendments (33.120.232) provide for more accessible entrances, bathrooms, living areas, hallways, and doors; however, there are other universal design features that should be required. We encourage the commission to strengthen the visitability standards to include the following basic accessibility requirements: (1) single-floor living or ground level accessibility that does not allow inaccessible upper levels within the same unit; (2) public and common use areas must be readily accessible to and usable by people with disabilities, including common hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas, and passageways among and between buildings; (3) light switches, electrical outlets, thermostats and other environmental controls must be in accessible locations reachable from a wheelchair; (4) lever-style handles on faucets and doorways; (5) usable kitchens such that an individual using a wheelchair can maneuver about the space; and (6) one visitable bathroom must have walls that contain reinforcements to allow later installation of grab bars for toilet, tub, showers, and shower seats.

We also encourage the commission to explore designs and incentives to encourage the construction of buildings with residential elevators. The Fair Housing Act requires that multi-family housing with four or more units must meet specific accessible design and construction requirements that enable a person with a wheelchair to access units. For buildings that have one or more elevators, accessible design and construction requirements extend to all dwelling units. By encouraging the installation of residential elevators, accessible design and construction requirements may be extended to dwelling units above the ground floor.

Disability Rights Oregon also recommends that the commission couple the visitability standards with strong enforcement provisions. We recommend that the code requirements for visitability and accessibility be bolstered by a right to private civil action. We also recommend that any violations of the visitability provisions or building code be treated as an unlawful practice and a continuing violation that does not terminate until the building defects are cured. As a result, complaints may be filed at any time that the building continues to be in noncompliance, because the failure to design and construct the building in compliance with the code does not terminate until the defects are cured. With regard to any statute of limitation, we recommend that the limitations period does not commence until the defect has actually been cured.

Unfortunately, for persons with disabilities, the ability to exercise meaningful choice in terms of where they live and to what extent they are included in our community is severely limited by the shortage of affordable and accessible housing. For instance, the lack of affordable and accessible housing is one of the primary barriers preventing persons with disabilities from transitioning out of institutional settings.

According to the U.S. Census, nearly twenty percent of the population reports having one or more disabilities. The Joint Center for Housing Studies at Harvard University found that in over 17 million households, at least one person has a disability with ambulatory problems that directly affect the accessibility of their homes. Those challenges are amplified among low-income households, where one-quarter of households earning under \$15,000 per year include someone

with an ambulatory disability. Nonetheless, only 1 percent of the nation's housing actually offers five basic universal design features (no-step entries, single-floor living, extra-wide hallways and doorways, electrical controls reachable from a wheelchair, and lever-style handles on faucets and doors).<sup>2</sup> There are simply more people who have ambulatory disabilities than there are accessible units.

Due to the lack of affordable and accessible housing, people with disabilities disproportionately experience homelessness and are unnecessarily placed in institutional settings. Homelessness and institutionalization impacts an individual's ability to exercise meaningful choice, deprives individuals of dignity and privacy, and alienates them from the community.

The visitability requirements in the Better Housing by Design proposal are integral to improving accessible housing and enabling persons with disabilities to be housed and to live independently in the community. We strongly support the commission's efforts to incorporate incentives and requirements for visitability in the existing proposal and encourage the commission to strengthen and to provide for enforcement of those critically important measures.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Serres', written in a cursive style.

Matthew Serres  
Staff Attorney  
Disability Rights Oregon  
Phone: 503-243-2081 x 219  
mserres@droregon.org

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<sup>2</sup> Joint Center for Housing Studies (JCHS) of Harvard University. (2017). *The State of the Nation's Housing*, p. 36. Retrieved at [http://www.jchs.harvard.edu/sites/default/files/harvard\\_jchs\\_state\\_of\\_the\\_nations\\_housing\\_2017.pdf](http://www.jchs.harvard.edu/sites/default/files/harvard_jchs_state_of_the_nations_housing_2017.pdf)



# Matthew Serres

**#30760 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

June 25, 2018 Portland Planning and Sustainability Commission Better Housing Testimony 1900 SW 4th Ave, Suite 7100 Portland, OR 97201 Dear Commissioners, The following comments are in response to the current Better Housing by Design Proposed Draft (May 2018). These comments are prepared by Disability Rights Oregon staff attorney, Matthew Serres. The Better Housing by Design proposal is an opportunity to expand the ability of individuals with disabilities to have greater freedom in terms of where and how they live by increasing the availability of affordable and accessible housing. Disability Rights Oregon supports the inclusion of visitability standards contained in the Better Housing by Design proposal and hopes that testimony from developers and other community stakeholders does not degrade the visitability provisions in the current draft. In fact, those provisions should be strengthened and additional enforcement provisions included. Because far too little of the housing built today in Portland is accessible to persons with disabilities, the visitability provisions are critically important and represent a starting point for future efforts to increase the stock of accessible housing units. We encourage the commission to continue to explore ways to enforce accessibility standards and incentivize universally-designed housing and environments. Many design elements such as zero-step entries are undeniably necessary for providing access for persons with disabilities and are a benefit for everyone. In terms of potential improvements to the proposal, we suggest eliminating the option for developers to access smaller setbacks by opting to raise the ground floor 2 feet to limit privacy impacts. (See Volume 1, p 41.) Two feet does not accomplish the stated goal of limiting privacy impacts, yet provides an unnecessary barrier to many individuals with a disability. A developer accessing smaller setbacks by raising the ground floor 2 feet would have to construct a 20-foot walkway to meet the maximum allowed slope of for visitability (10 percent). A 20-foot walkway is a burden on persons with disabilities. In order to reduce setbacks, developers would most likely abandon accessibility altogether. We recommend eliminating that incentive for reduced setbacks. We suggest increasing the requirement for visitable units to at least 40 percent of units (two out of every five) for projects with unit densities exceeding 2000 square feet of site area, instead of the proposed 20 percent (one out of every five). We discourage any effort to increase the baseline trigger from unit densities exceeding the proposed one unit per 2000 square feet of site area to some lesser density like one unit per 3000 square feet of site area. The visitability standards contained in the proposed zoning code amendments (33.120.232) provide for more accessible entrances, bathrooms, living areas, hallways, and doors; however, there are other universal design features that should be required. We encourage



the commission to strengthen the visitability standards to include the following basic accessibility requirements: (1) single-floor living or ground level accessibility that does not allow inaccessible upper levels within the same unit; (2) public and common use areas must be readily accessible to and usable by people with disabilities, including common hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas, and passageways among and between buildings; (3) light switches, electrical outlets, thermostats and other environmental controls must be in accessible locations reachable from a wheelchair; (4) lever-style handles on faucets and doorways; (5) usable kitchens such that an individual using a wheelchair can maneuver about the space; and (6) one visitable bathroom must have walls that contain reinforcements to allow later installation of grab bars for toilet, tub, showers, and shower seats. We also encourage the commission to explore designs and incentives to encourage the construction of buildings with residential elevators. The Fair Housing Act requires that multi-family housing with four or more units must meet specific accessible design and construction requirements that enable a person with a wheelchair to access units. For buildings that have one or more elevators, accessible design and construction requirements extend to all dwelling units. By encouraging the installation of residential elevators, accessible design and construction requirements may be extended to dwelling units above the ground floor. Disability Rights Oregon also recommends that the commission couple the visitability standards with strong enforcement provisions. We recommend that the code requirements for visitability and accessibility be bolstered by a right to private civil action. We also recommend that any violations of the visitability provisions or building code be treated as an unlawful practice and a continuing violation that does not terminate until the building defects are cured. As a result, complaints may be filed at any time that the building continues to be in noncompliance, because the failure to design and construct the building in compliance with the code does not terminate until the defects are cured. With regard to any statute of limitation, we recommend that the limitations period does not commence until the defect has actually been cured. Unfortunately, for persons with disabilities, the ability to exercise meaningful choice in terms of where they live and to what extent they are included in our community is severely limited by the shortage of affordable and accessible housing. For instance, the lack of affordable and accessible housing is one of the primary barriers preventing persons with disabilities from transitioning out of institutional settings. According to the U.S. Census, nearly twenty percent of the population reports having one or more disabilities. The Joint Center for Housing Studies at Harvard University found that in over 17 million households, at least one person has a disability with ambulatory problems that directly affect the accessibility of their homes. Those challenges are amplified among low-income households, where one-quarter of households earning under \$15,000 per year include someone with an ambulatory disability. Nonetheless, only 1 percent of the nation's housing actually offers five basic universal design features (no-step entries, single-floor living, extra-wide hallways and doorways, electrical controls reachable from a wheelchair, and lever-style handles on faucets and doors). (See Joint Center for Housing Studies (JCHS) of Harvard University. (2017). The State of the Nation's Housing, p. 36. Retrieved at [http://www.jchs.harvard.edu/sites/default/files/harvard\\_jchs\\_state\\_of\\_the\\_nations\\_housing\\_2017.pdf](http://www.jchs.harvard.edu/sites/default/files/harvard_jchs_state_of_the_nations_housing_2017.pdf).)

There are simply more people who have ambulatory disabilities than there are accessible units. Due to the lack of affordable and accessible housing, people with disabilities disproportionately experience homelessness and are unnecessarily placed in institutional settings. Homelessness and institutionalization impacts an individual's ability to exercise meaningful choice, deprives individuals of dignity and privacy, and alienates them from the community. The visitability requirements in the Better Housing by Design proposal are integral to improving accessible housing and enabling persons with disabilities to be housed and to live independently in the community. We strongly support the commission's efforts to incorporate incentives and requirements for visitability in the existing proposal and encourage the commission to strengthen and to provide for enforcement of those critically important measures. Sincerely, Matthew Serres Staff Attorney Disability Rights Oregon Phone: 503-243-2081 x 219 mserres@droregon.org

Testimony is presented without formatting.

# Meryl Redisch

**#30761 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Chair Shultz and Commissioners, I am writing to share my views and provide comments regarding the Better Housing and Design Project that is well underway. Although i completed my terms on the Urban Forestry Commission in February, i attended their last meeting to hear Bill Cunningham present the proposed draft summary to the Commission and to answer questions that were raised from a March 19th letter to the PSC. Bill did an excellent job responding to the UFC's list of concerns and encouraged the Commission and others to submit comments. The following are points worth emphasizing as you take into account the perspectives from a wide array of stakeholders. 1. I support the Bureau of Planning and Sustainability implementing a more flexible approach to street design. However, its critical that Title 11 tree density standards are upheld by the preservation and planting of trees rather than a fee in lieu of tree planting. 2. I support the program that Transfers System Development Rights and pleased to learn that the geographic threshold will not be limited to within 2 miles. However, i continue to question how developers, particularly small businesses that may not have additional properties, will take advantage of this option. How will this option and additional help for interested developers occur and be tracked? 3. I support the flexible building setbacks for ground floor privacy and neighborhood aesthetic. There needs to be attention paid to ensure that sufficient space is allocated to street trees. In situations where new projects require sidewalks, please allow below ground space for trees to expand their roots and thrive. Protocols need to be developed so that cables, utilities and other under- ground infrastructure does not take up the entire planting strip and therefore prevent a large-form tree from being planted. 4. I support limiting impervious surfaces and requiring wherever possible, either concrete or pavers to be used. This is an important next step for the City to undertake and consistent with the UFC and community's comments on the Residential Infill Project. I support the UFC's recommendation that the PSC request the City Council to limit impervious surfaces citywide. 5. The images of East Portland's long, linear blocks showing conifer and other trees is really positive. I credit the bureau's community outreach work which resulted in understanding what is important to residents including; space for children to play, space for cars, safety corridors, trees,shade and more. I appreciate the priority balancing act that has be considered. That said, East Portland still retains many large conifers and small groves. I strongly urge you to think creatively when redeveloping these important parcels of land. If East Portland loses it's iconic Douglas firs and other large, old trees, we all lose the myriad of social, environmental and health benefits Thank you. Sincerely, Meryl A. Redisch  
1918 SW Pendleton Street Portland, Oregon 97239

Testimony is presented without formatting.

June 25, 2018

Dear Chair Schultz and other members of the PSC:

### **Design Matters**

As one of the first in Oregon to achieve accreditation from the Congress for the New Urbanism (CNU-A), I applaud the title of this project: Better Housing by Design. It shows you know design matters. That has been a CNU precept since its founding. To see a dramatic illustration of this, take a bike ride down N. Haven Street as I did yesterday during Sunday Parkways North. Note the awesome difference in feel between the relatively new housing that has been built across from Cesar Chavez School and the moment you enter New Urbanist designed New Columbia at the pocket park at N. Haven and N McCoy St. It's like walking into an Old-Growth forest after trudging through a tree farm!!!

### **Fourplexes**

We New Urbanists were the first to come up with and promote the term "Missing Middle" so I would like to see Portland's attempt to re-establish Missing Middle get it right. Putting Fourplexes in the BHD is misplaced. Fourplexes are an essential part of Missing Middle housing—and, in a red hot market, the only pathway to inserting more affordability back into the zones we excluded them from when Portland took the exclusionary path toward single family only zones. Move fourplexes back to the Residential Infill Project where they belong. At the very least, don't let the fact that staff has proposed them for BHD, keep you from making fourplexes a use by right in the RIP.

I want to express my support for most parts of the comments submitted by both Portland For Everyone and the Urban Forestry Commission—although these comments are somewhat at odds with each other when it comes to landscaping and setbacks.

### **Keep Setbacks**

Before I take issue with my friends in P4E and PDX Yimby's, I want to say that I completely empathize with the young people who are struggling so hard to find and hold onto a place to live in this housing market. It is why I have "sacrificed" so much of my business time to assisting pro bono Portland Small Developer Alliance rather than pursuing paid contracts.

After a survey of the West End of downtown with two friends (one is on a waiting list for affordable housing, the other is in a URM and hence insecure in her housing), we concluded that even a small setback, when nicely landscaped--can make a world of difference to the occupant of a unit at street level—or even two feet above street level. Neither friend would want this amenity sacrificed in order to build a few more apartments.

Another thing setbacks do is to allow and encourage the planting of large canopy trees in the street tree strip or box. The watering of any landscaping planted in the

setback often reaches the street trees' roots as well, encouraging the street tree to send its roots over to the unpaved surface area. This allows the tree to grow much larger.

My own apartment is setback TWICE from the five-lane one-way car sewer that is SW 12<sup>th</sup> Ave., first by a community courtyard balcony that has planter boxes for gardening on the second story and then by a 3.5' individual balcony. Both of these "setbacks" make a world of difference to my health and well-being, helping to muffle the sounds of the city from leaf-blowing to pressure-washing, from garbage pick-up to truck idling to the I-405 freeway only one block away. In addition, they allow me to grow most of my own greens THROUGHOUT THE YEAR!!!

### **Encourage Large Canopy Trees and Sustainable Stormwater Landscaping**

It is amazing to me what a difference even the smallest setback can make to a building's livability for its tenants—e.g., the Center for Architecture in NW Portland planted some vines a few years ago that now cover the entire face of the building, making it cooler and quieter for those using it. While I agree with the UFC that neither green roofs, nor green walls, nor bioswales or other landscape stormwater features can come close to a large canopy street tree in its ecosystem services, all of them are important to our livability. So, rather than the typical landscape architect approach to shrubbing it up with a bunch of alien ornamentals, I encourage you to find a way to encourage more such stormwater features developed with NATIVE PLANTS. Please see my review of Tom Liptan's recent book here: <https://www.theintertwine.org/outside-voice/putting-water-landscapes-not-drains-and-pipes>.

### **Step-Down/Step-Up Height Limit**

I especially support this recommendation from Leon Porter:

*Rather than imposing Step-Down Height limits on multifamily-zoned lots within 25' of a single-family zone, allow a Step-Up Height limit of 45' on single-family-zoned lots within 50' of a multifamily zone.*

As P4E, Sightline, Alan Kessler, Doug Klotz and several others have pointed out in their comments, just because the City enabled exclusionary practices in creating single-family zones in the past, that doesn't mean that we need to continue that practice.

### **Portland for Everyone:**

I think it is worth spelling it out that I agree with these general recommendations from P4E:

- **Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3** so that there is a discernible difference between standards currently being proposed for Portland's neighborhood residential zones and denser multi-dwelling zones.

- **Increase minimum densities** so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped.
- **Increase height allowances in many zones** to give greater flexibility across projects, including bonus utilization, layout, tree preservation, and other factors.
- **Adjust open space requirements** to yield more desirable building forms, site layouts, and more use-able shared spaces.
- **Consider where maximum heights, FAR limits and/or step-down requirements** may unintentionally render affordable housing bonuses unusable, counter to the proposal's intentions.
- **Ensure that affordable housing development is feasible in East Portland:** Don't layer on so many conditions in pursuit of perfect urban form that affordable housing development is stymied. Also, consider spending increased staff time, attention, and resources on how to encourage affordable housing development and beautiful urban form appropriate for East Portland over spending additional resources on Inner Ring neighborhoods.
- **Map more higher-density multi-dwelling zones along key corridors.** There are a few places in particular where up-zoning would help implement the Comprehensive Plan.
- **Ensure that substantially more rental housing will be provided, not just for-sale.**

Thank you so much for your attention and the difficult job that you do.

**Mary Vogel, CNU-A  
PlanGreen**

# Mary Vogel

**#30762 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Commissioners: Please see my attached comments in overall support of Better Housing by Design with some suggested modifications. I've tried to format them to make them easier to read. In response to the Design Commission's comment about limiting the percentage of landscaping devoted to green infrastructure, I would invite them to see some of the best that nature has to offer with me. Thanks, Mary Vogel, CNU-A PlanGreen

Testimony is presented without formatting.



# Christopher Mommsen

**#30763 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the letter submitted by Portland for Everyone.

Testimony is presented without formatting.



June 25, 2018

City of Portland Planning & Sustainability Commission  
Attn: Better Housing by Design Project  
1900 SW 4th Ave Suite 7100  
Portland OR 97201

Re: Better Housing By Design Proposed Draft

To: Chair Schultz and Members of the Portland Planning & Sustainability Commission:

Portland is facing an acute housing shortage. In particular, our city has a dearth of housing options that are available to lower- and middle-income households. **One contributing factor is the lack of multi-dwelling housing options across the city - both in terms of land zoned for multi-dwelling housing, and also in terms of the buildings allowed within those zones.**

We are grateful for staff's time and dedication, crafting zoning regulations that will offer a wider range of housing choices than are currently available. We support the goals and policy direction being set by the Better Housing by Design (BHD) code reforms, especially those measures meant to simplify and clarify regulations, make building housing more cost-effective, and offer meaningful incentives for affordable housing projects. We also support the BHD project goal of encouraging development patterns that improve walkability and transit access in East Portland.

The members of Portland for Everyone have reviewed the Proposed Draft with one overarching question in mind: ***"Will this plan meaningfully expand housing options and increase affordability for Portlanders?"*** To ascertain whether a plan helps achieve this goal, we asked whether provisions and policies will: adequately increase the supply of housing; increase the range and quality of housing types possible to build in Portland; and offer meaningful incentives that make nonprofit and/or affordable housing projects competitive. We believe the Better Housing by Design Proposed Draft meets some of these very goals well.

However, we would remind the Planning & Sustainability Commission that as a long-range plan, covering 20 or more years of development, BHD must create a code that is flexible and responsive to changing conditions, allowing enough new housing to be produced - both rental and for-sale - through market fluctuations. We must ensure that clear and feasible development paths exist for both rental and for-sale homes in Portland's multi-dwelling zones. We believe the following changes are necessary to improve the proposal's ability to meet these goals:

## Summary of Key Recommendations:

- **Increase maximum Floor Area Ratios (FARs) and bonuses in RM1, RM2, and RM3** so that there is a discernible difference between standards currently being proposed for Portland's neighborhood residential zones and denser multi-dwelling zones.
- **Increase densities** so that truly multi-dwelling developments will occur in the relatively little amount of space where these zones are mapped.
- **Increase height allowances in many zones** to give greater flexibility across projects, benefiting bonus utilization, layouts, tree preservation, and other factors.
- **Reduce standard front and side setbacks to 0 feet across all multi-dwelling zones.**
- **Reduce minimum requirements for sites 7,500 square feet or less**, including landscaping.
- **Adjust open space requirements** to yield more desirable building forms, site layouts, and more useable open spaces.
- **Consider where maximum heights, FAR limits and/or step-down requirements** may unintentionally render affordable housing bonuses unusable, counter to the proposal's intentions.
- **Ensure that affordable housing development is feasible in East Portland:** Don't layer on so many conditions in pursuit of perfect urban form that affordable housing development is stymied. Also, consider spending increased staff time, attention, and resources on how to encourage affordable housing development and form appropriate for East Portland over spending additional resources on Inner Ring neighborhoods.
- **Map more higher-density multi-dwelling zones along key corridors.** There are a few places in particular where up-zoning would help implement the Comprehensive Plan.
- **Ensure that more rental housing will be provided, not just for-sale:** The City-commissioned economic analysis found that for-sale homes might be more feasible than rental homes under regulations as currently proposed.

We thank staff again for their patience and dedication to reviewing and reflecting on all of the community feedback that they received on the BHD Discussion Draft. We especially support those policies that regulate development intensity by scale (FAR), rather than by number of units. We also support added incentives for affordable housing, reduced parking requirements, flexibility in meeting development standards such as landscaping, the creation of safer, pedestrian-oriented street environments, and incentivizing green building and energy-efficient development patterns. We were especially pleased to see the following modifications in the Proposed Draft, among others:

- Recommendation 11.a, limiting front garages and parking structures to 50% of building street frontages, will help support a pleasant and safe pedestrian experience. (However, we would caution that 11.b, disallowing parking to be located between a building and the street, may become problematic on some sites, especially corners, if the parking exemption for small sites under 7,500 sf is not maintained).
- Recommendation 13's reduced setback requirement for building wings surrounding a landscaped courtyard will re-legalize many older, sought-after building types.
- Recommendation 17's exemption from the 25 ft rear setback for sites providing large common areas elsewhere on the site will help ensure that desirable layouts with large open spaces for residents will be feasible.

## Detailed Recommendations and Narrative:

### Development Standards:

- **Increase allowed FAR for most multi-dwelling zones** so they are appreciably different from what is already being considered throughout Portland's residential neighborhoods. Also increase bonus FAR to deliver more affordable homes, and ensure that bonuses offer enough gain to offset costs. (NB: FAR increases *must* come with height and lot coverage increases - or they are meaningless and do not contribute to the flexibility needed for many projects, especially those utilizing affordability and 3-bedroom bonuses.) This would also better align multi-dwelling FAR's with their counterparts in CM (CM2 = 2.5:1; CM3 = 3:1). Modify the following zone standards to:
  - RM2 - base FAR of 2.5:1 and bonus FAR of 3.5:1
  - RM3 - base FAR of 3:1 and bonus FAR of 5:1
- **Minimum densities should also be increased slightly** to ensure that the relatively small amount of land zoned for multi-dwelling housing options actually yields multi-dwelling developments: We recommend changing minimum densities to the following:
  - RM1 - one unit per 2,000 sf
  - RM2 - one unit per 1,000 sf
  - RM3 & RM4 - one unit per 750 sf
- **Increase allowed heights** so that affordable housing, 3-bedroom, and combined bonuses may be realized, and optimal building forms may be achieved. *The simpler method would be to eliminate height maximums for affordable housing projects, and regulate affordable projects simply by FAR.* However, in particular, the below will yield better building forms:
  - RM1 - maximum height of 45 ft
  - RM3 - maximum height of 75 ft
- **Mirror height measurement procedures proposed in the Residential Infill Project** for multi-dwelling zones. This would create better consistency across Portland's zoning code.
- **Increase allowed building coverages** so that the lowest multi-dwelling zone begins above the highest standards for single-dwelling residential zones (50% building coverage is allowed in R5 for lots that are 3,000 sf or less). *The simpler method to achieve this goal would be to eliminate building coverage maximums, which are often an unnecessary additional regulation once setbacks, landscaping, and outdoor area standards are met.* In lieu of removing this criteria and simplifying the code, however, we recommend adjusting building coverage standards in particular to ensure logical progression throughout residential zones:
  - RM1 - 55% maximum building coverage
  - RM2 - 65% maximum building coverage (for properties not abutting civic or neighborhood corridors, which we support keeping at 70%).
- **RM2 zones mapped on Transit Streets and near Mixed Use Zones should have comparable FAR and heights**, rather than the lack of transition and "gap tooth" effect that is zoned for currently (see image below). RM2 is frequently mapped abutting or between CM2 along transit corridors. In these locations, RM2 standards should be further changed to mirror CM2 allowances:
  - Building coverage maximum of 85%
  - Eliminate side setback requirements and reduce front setback to 5 ft
  - FAR of 2.0:1 base and 3.0:1 bonus, and
  - Allow upper floors to reach the front property line (even when the first floor is set back)

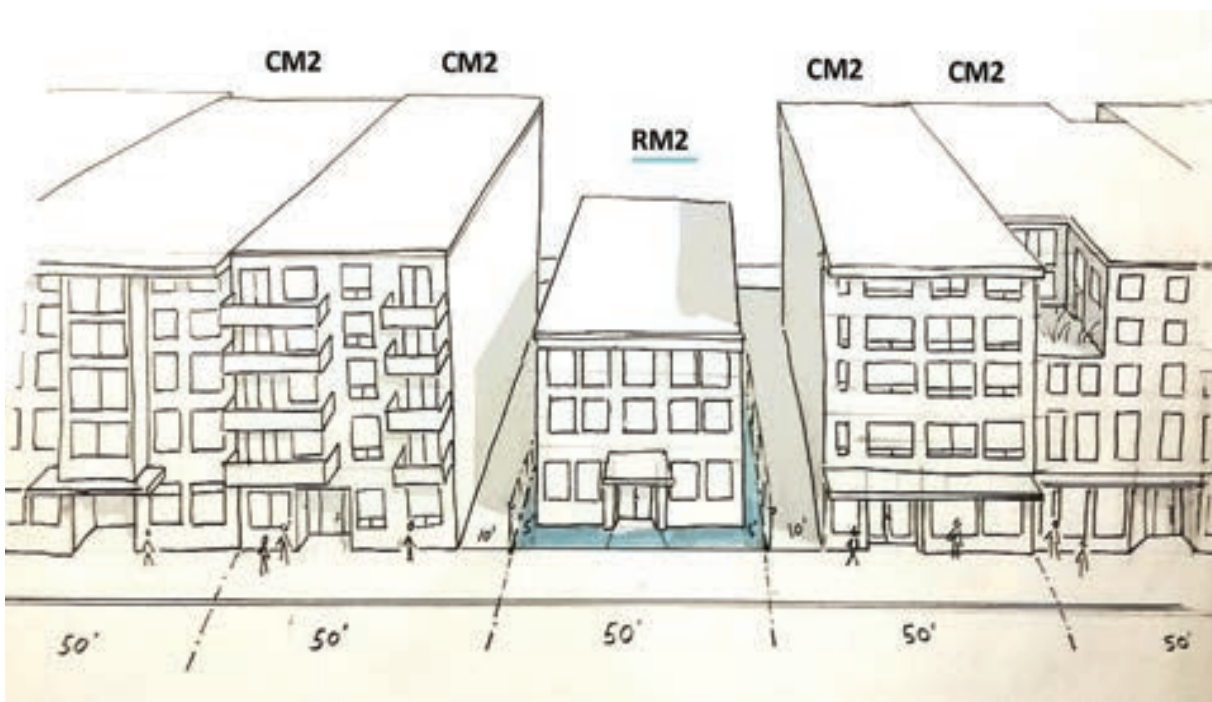


Image courtesy Doug Klotz, as shown to the Planning & Sustainability Commission on June 12, 2018.

- **A more realistic compromise for RM3, RM4 and RMX abutting existing residential areas would be stepping down to 45 ft.** Stepping down to 35 ft on site abutting residential neighborhood zones will not be feasible in many cases. Construction techniques change dramatically to meet building codes above four stories, and requiring affordable housing projects to step down to three stories instead of four will add considerable cost by pushing the development into a fifth story in order to make up for the lost units due to the step-down. In addition, internal features such as unit layouts, staircases, and elevators must shift to accommodate external layout requirements. Again, these code-required changes will come at the expense of more affordable homes, and/or the quality of homes within these new buildings.
- **Note where currently maxing out FAR through an affordable housing bonus would also max out height and building coverage limitations.** In these instances, there remains close to no flexibility for any design or massing (re)distribution requirements (such as stepping down to meet the residential zone adjacency height standard). It becomes impossible - even for affordable housing builders - to meet both requirements at once. Consider providing additional height or building coverage in these instances.<sup>1</sup>

#### *Diverse Housing Options & Affordability:*

We support staff's move towards a more FAR-based code for multi-dwelling zones. We agree that this will allow greater flexibility, open up housing choices, and re-legalize many desirable building types. We also support development bonuses for affordable housing, and transfers of development rights for tree preservation, historic preservation and preservation of existing affordable housing. We ask the Commission to make the following changes to improve development outcomes under the proposal:

<sup>1</sup> Another approach would be to calculate maximum heights and lot coverage after base and bonus FAR's are ascertained: Comparing the RM2 base allowances with the RM1 standard affordability bonus for example, demonstrates why this might make more sense: Both RM2 base and RM1 bonus standards arrive at 1.5:1 FAR, but the RM1, an affordable housing project, would receive 10 ft less in height and 10% less in lot coverage. Backing into height and lot coverage standards after taking bonus FAR's into account, therefore, would help ensure that affordable housing projects aren't accidentally penalized.

- **(Proposal 2) Accessibility minimum requirements should be triggered at three units, rather than two** (or require 20% of homes be visitable for projects exceeding one unit per 3,000 square feet of site area). This would ensure that there is not an outsized impact on small project costs.
  - Also, as we noted in our RIP letter as well, affordable housing developers in particular should not be held to stringent requirements, whenever feasible.
- **(Proposal 3) There are currently competing and incompatible standards proposed regarding setbacks and visitability requirements:** If a developer opts to raise the ground floor 2 ft to improve privacy and access smaller setbacks, they would likely no longer meet the minimum accessibility requirement for a zero-step entry. Similarly, stormwater management requirements become much harder to meet when accessibility requirements for small projects will result in ramps or other additions to impervious surfaces. We recommend adopting standards for building specifications that will allow for future adaptability, rather than requiring all projects to meet stringent standards upon construction.
- **Provide larger development allowances for projects using either affordable housing bonus,** not only the deep affordability bonus. Both inclusionary housing and deep affordability bonuses should allow 10 ft of additional height and 10% of additional building coverage for qualifying projects.
- **Create parity among bonuses** by allowing three-bedroom bonus up to 50% above base FAR. Increasing the supply of family-sized homes across the city is critical. Further, economic conditions combined with an FAR-based code may tend to favor the provision of units with fewer bedrooms in multi-dwelling developments. This bonus would help counter this imbalance.
- **Allow bonuses for deeper affordability and three-bedroom units to be utilized together** (rather than separately, as proposed) for maximum benefit to lower- income Portland families. Combined, two affordable housing bonuses could, together, yield up to 75% above base FAR.
- **Allow both permanent affordability and full-equity homeownership models to access all affordable housing bonuses.** For all bonuses and bonus combinations, the 99-year term of affordability for inclusionary is housing should apply, OR in some cases based on non-profit organizational policies, 10-year term of regulated affordability should be allowed with certification from the Portland Housing Bureau.
- **Consider offering graduated FAR increases for corresponding amounts of affordable homes.** While we appreciate staff's efforts to simplify the code, and reduce complexity associated with calculating bonuses, we think that a graduated approach to the affordability bonuses, rather than a binary pass/fail, might yield better results. This approach would encourage more projects to have an affordable component while reducing the risk if financial models and/or programs need to be adjusted during design.
- **Take the opportunity to revisit the Inclusionary Housing bonus ratio, distribution, and size/bedroom requirements** to better reflect program intentions and create more affordable homes:
  - Mirror the Bedroom Distribution and Unit Count administrative rule changes being proposed for the Inclusionary Housing program, which states that IH units must be provided at the same ratio as market rate units, and states that the total number of IH units must equal the designated percentage for the IH program selected.
  - Allow for unit sub-types to meet the standard affordability bonus when there are distinct market rate offerings within a building, such as micro studios vs conventional studios or one-bedrooms with and without dens.
- **Consider the implications of layered requirements** (such as outdoor space and where it can/can't be located, landscaping requirements, parking, setbacks, proposed required visitability standards, etc) **on the ability to meet the many other demands on affordable housing projects.** Funding is typically prioritized only for the housing units themselves. Although shared amenities may provide quality of life benefits and other positive impacts for a development project, too many prescriptive requirements can limit a project's ability to respond to competing priorities among codes, funders, and others. BPS staff



should consult with PHB staff and other affordable housing development experts to better understand this dynamic.

- **Consult affordable housing development experts, including public funders such as PHB and OHCS, on how fully realizing the deep affordability bonuses may be limited by funding sources.** Although LIHTC funding does roughly scale with total development cost, local gap funding sources are often limited to fixed amounts - thereby making additional development in LIHTC funded projects unlikely even with increased density allowances.
- **(Proposal 4) Make small changes to the transfer of development rights** to ensure that one area of Portland isn't retaining all trees but receiving no affordable multi-dwelling development: Maintain the citywide geography for historic and affordable housing preservation, but:
  - Require a maximum of one mile between sending and receiving sites utilizing the tree preservation development potential transfer.
- **(Proposal 5) Where small-scale commercial uses are allowed, grant FAR to offset housing losses/ enact a no net housing capacity loss policy on these sites.**

#### *Outdoor Spaces and Green Elements:*

We support staff's proposal to limit climate impacts and cost-drivers such as parking minimums. We also like the approach of allowing stormwater planters/ecoroofs to contribute to the landscaping requirements. This will greatly improve smaller project cost efficiencies and improve many site layouts. In addition, we would recommend amending the proposal to:

- **(Proposals 6-8) Develop less stringent landscaping requirements for sites 7,500 sf and under.**
- The requirement for 48 sf of outdoor area per unit is too high, especially for RH, with many competing constraints. Reduce this in order to remove the impact this will have on housing supply & affordability, while *also* introducing a different framework that will actually result in better-quality outdoor spaces:
  - **Consider a graduated outdoor space requirement**, similar to building coverage requirement structure in the SFR code (33.110.225, Table 110-4). Requirements could be based on the number of units, for example:
    - 1-4 homes - 200 sf total
    - 5-10 homes - 300 sf total
    - 11 - 20 homes - 400 sf total... etc.
  - **When shared common areas are provided, such as a central courtyard, allow for 0' side setbacks.**
  - **Allow shared common areas to count double that of individual areas toward meeting the outdoor spaces requirement.** This would greatly incent combined outdoor spaces.
- In addition, the City should develop a long-term strategy to site, fund, and build more public parks in East Portland, independent of zoning and building requirements.
- (Proposal 9) Further study is needed regarding the cost-impact of the proposal to limit the amount of asphalt paving (especially cost impacts on affordable housing projects). Consider excluding covered parking, such as carport structures, from surface parking limits.
- **(Proposal 10) Expand the elimination of parking minimums throughout all multi-dwelling zones.** Portland should be moving toward a parking allowance system, rather than minimum requirements. We should allow for parking when it makes sense, but also allow for maximum cost-effectiveness and flexibility in all cases.

#### *Building Design & Scale:*

We support proposals to limit garages on street frontages, to simplify standards for side and rear setbacks, and to require building entrances to be oriented to streets or courtyard. We ask staff to consider:

- **(Proposals 13-14) Reduce standard front setbacks to 5 ft everywhere**, and to 0 ft everywhere if the ground floor is 2 ft or more above street level.

- **Reduce standard side setbacks to 0 ft across all multi-dwelling zones.** At a minimum, reduce side setbacks to 0 ft if there is a central common courtyard. Fire code requirements will still require fire ratings and regulate windows near property lines. In addition, 6 foot gaps between buildings do nothing to improve urban form, and reducing setback requirements allows for greater flexibility, including cases where buildings are shifted to one side to make larger, more usable outdoor spaces, rather than long slivers resulting from setbacks.
  - **At a minimum, reduce the current minimum 10 ft side setback for RM3 and RM4 buildings** over 55 ft tall. This standard will create awkward building forms and spacing.
  - Also consider reduced/ zero setbacks on both sides for courtyard projects on corners, and/or allowing these projects to choose the “front” lot line that makes the most sense in each case, based on the surrounding urban context.

#### *East Portland Standards & Street Connections:*

We appreciate East Portland’s unique design and development challenges, but we ask staff to consider how well-intentioned requirements might, all told, result in the provision of less housing and especially less affordable housing in East Portland. Specifically:

- Echo mid-block requirements and flexibility for appropriate development and design responses for inner pattern development in the Residential Infill Project, particularly skinny lots. Don’t require parking on mid-block, skinnier lots, and allow for flexibility to better meet development challenges. East Portland’s extra deep lots mirror that of the SFR zone narrow lots in their proportion, so staff should look to some of the flexible options being proposed in the RIP for skinny lots in these instances, such as some baseline requirements to develop skinny lots together when *possible* but not required when adjacent lots are under separate ownership and/or already developed.

#### *Other Major Proposed Amendments*

We support raising minimum density requirements generally.

- (Proposal 20) However, we would caution you to also consider those cases where mandating building to the new minimum density, rather than developing a property further into compliance, might have unintended consequences.
- (Proposal 21) We thank staff for exempting affordable units from transportation and parking demand management (TDM) requirements through 2020. However, we also **caution that the TDM approach as written may unintentionally burden denser IH housing projects near transit - a development outcome we assume the City wants to be successful.** Please work with other bureaus to revisit this requirement, and ensure that this layering of requirements won’t end up killing preferred development outcomes.

#### *Additional recommendations:*

- Upzoning certain places along key corridors would both support Comprehensive Plan goals and complement the surrounding context. Staff should revisit those places where lower-density RM zones are mapped adjacent to medium-density CM zones. One option could be to **create an overlay that gives greater development allowances for RM2 and RM3 lots abutting high frequency transit and existing commercial hubs.** These areas could be defined as all Neighborhood and Civic Corridors.
- **Also upzone existing R-2 in areas on or near transit streets to RM2** to take advantage of the opportunity there. Some locations for this change include:
  - SE Division between 50th and 77th,
  - SE Francis to SE Powell, from 41st to 43rd,
  - Between NE MLK and 7th, from NE Thompson to Fremont,
  - Between NE Glisan and Sandy, and NE 30th and 32nd.
- Energy efficiency is an important factor for both long-term affordability and climate mitigation. Staff should explore ways to promote increased energy efficiency in the multi-dwelling zones. To ensure that



regulations do not accidentally penalize high performance projects with thick, energy-efficient walls, Portland could consider a model such as the “Floor Space Exclusion to Accommodate Improved Building Performance” employed by Vancouver BC. To actively promote energy-efficiency, **consider adding a bonus or exemption for projects meeting specific efficiency criteria.** For example, for Earth Advantage Multifamily Gold and Platinum certified buildings exclude the full thickness of exterior walls from FAR calculations.

As always, the members of Portland for Everyone will continue to push our local elected and City officials to make equitable and forward-thinking land use decisions that will:

- Allow plenty of affordable and diverse housing types in every Portland neighborhood,
- Prioritize the housing needs of historically and currently under-served populations,
- Prioritize housing for humans over shelter for cars,
- Allow more people to live in areas with good access to transportation, parks, and services,
- Create and maintain economically diverse neighborhoods.

We thank staff again for their time and their dedication to creating a Portland where ALL of our residents are housed stably and affordably.

Sincerely,

A handwritten signature in black ink, reading "Madeline Kovacs". The signature is fluid and cursive, with the first name "Madeline" written in a larger, more prominent script than the last name "Kovacs".

Madeline Kovacs  
Coordinator, Portland for Everyone  
[www.portlandforeveryone.org](http://www.portlandforeveryone.org)

1000 Friends of Oregon  
133 SW 2nd Ave, Suite 201  
Portland OR 97204

# Madeline Kovacs

**#30764 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear members of the Portland Planning & Sustainability Commission, Attached please find Portland for Everyone's coalition letter on the Proposed Draft of the Better by Design zoning project. We want to stress that Portlanders seeking housing desperately need a plan that will deliver more housing, and ensure that affordable housing projects are feasible and competitive. We would also like to thank staff for their time and care in crafting these proposals. Sincerely, Madeline Kovacs

Testimony is presented without formatting.

# Tony Jordan

**#30765 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

I encourage the PSC to support the changes recommended in the Portland for Everyone letter regarding BHD. Particularly, PSC should recommend eliminating minimum parking requirements for all residential uses. The BHD policy is forward thinking in requiring open space and "green" features like permeable surfaces and restricting paved lot coverage, but these are hollow sentiments if parking is required in the first place. There is no such thing as "green" required parking, eliminate the requirements and THEN require the parking to be more environmentally friendly. Anything else will simply increase the cost of housing and reduce the amount of housing built.

Testimony is presented without formatting.

# Doug Klotz

**#30766 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Chair Schultz and Commissioners: Regarding the letter from Matthew Serres, of Disability Rights Oregon: Mr. Serres argues for not allowing buildings closer to the sidewalk if the first floor is raised two feet. I would agree that there should not be the requirement for the first floor to be raised. But, there shouldn't be a 10' or 5' front setback requirement, either, as these also increase the distance those using mobility devices have to travel from the sidewalk, and give the developer less options for how buildings are arranged within the lot, or even restrict the number of units built. It is also true that multistory buildings with an elevator can solve the 2' height problem with a 2-door elevator, with "sidewalk" and "first floor" landings, as is planned for two new buildings on SE Division St. that are on 50 x 100' lots.

Testimony is presented without formatting.

# Thomas Karwaki

**#30767 | June 25, 2018**

## **Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

The University Park Neighborhood Association's Board and its Land Use & Transportation Committee suggest that the minimum setback requirements be reduced for the sides of buildings to zero so as to promote flexible developments such as town homes. The UPNA Board and Land Use Committee request that the proposed draft include incentives for Universal Design, and that visitable units be defined as having 36 inch doors and hallways. UPNA supports eliminating auto servicing as a use. The proposed draft should be amended to require TDM plans for all development over 5 units and without geographic limits as to the proximity to transit. Parking requirements for RM1 and RM2 are adequate if PBOT will do what Seattle has done and limit most residential streets to parking on one side and if the City requires on-street parking permits. Otherwise, a 1 car per 1 unit rule seems appropriate for non-central city areas. ODOT vehicle registrations suggest that most residences in Portland have 2 or more vehicles, suggesting that anything less than 1 unit 1 car on-site will result in significantly increased on-street parking demand. Almost 50% of the residences in UPNA have over 3 vehicles. UPNA's Board would also request that additional incentives for the preservation of heritage and large trees and historical structures be included in the final draft and it supports the draft plan's use of Transferable Development Rights. We request that the final draft plan include an environmental assessment or pollution mitigation plan for any development of 50 units or more that is within 500 feet of a railroad or US highway. This is particularly important for the City owned land near the BNSF mainlines and Lombard (US 30) within the UPNA and could also help the Portsmouth, St Johns and Cathedral Park neighborhoods. All of these neighborhoods will be impacted by this draft plan and could have significant multi-unit affordable housing developments near sources of significant pollution and rail lines.

Testimony is presented without formatting.

# Shane Boland

**#30768 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please increase FAR on sites in R1-R3 zones when existing structures are preserved or re-purposed to encourage creative and affordable in-fill projects. Developers and builders should be incentivized to expand upon the existing framework of neighborhoods, not ignore it.

Testimony is presented without formatting.

# Doug Klotz

**#30769 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I support the thorough and forward-thinking letter from Portland For Everyone. I agree with all of their points, including the need to raise the FARs and other allowances to ensure that more housing can and will be built, and especially raising allowance even further on well-served Corridors and Transit Streets. Thank you for reading through all these comments. You're almost near the end!

Testimony is presented without formatting.

# Jesse Lopez

**#30770 | June 25, 2018**

**Testimony to the Planning and Sustainability Commission on the Better Housing by Design, Proposed Draft**

Dear Commissioners, I am writing in general support of the Better Housing by Design project, but believe that it could be improved with some general enhancements to ensure the city policies enable development that facilitates increased affordable housing and walkable areas. Generally, I'd ask that the commission allow for increased density, height allowances, FAR bonuses, and the elimination of parking requirements across the entire city. A couple of specific points, I'm opposed to any downzoning in Goose Hollow or Alphabet District because it would prohibit the exact building types that make those neighborhoods so walkable and desirable. I would also suggest upzoning RM2 to RM3 along Sandy and in Kerns because that would be consistent with many of the oldest multi-family buildings such as the one I live in. Thanks for your time and work on these important issues. Regards, -Jesse Lopez

Testimony is presented without formatting.



# Jonathan Korman

**#30771 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

More density. More rental properties. More transit. More local services. More mixed use. YES IN MY BACKYARD

Testimony is presented without formatting.

# Dani Zeghbib

**#30772 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Dear PSC and city staff: I am an architectural designer, property owner, and Portland resident since 2008. I am also a small developer--a member of the Portland Small Developer Alliance--though I am representing myself with this testimony. While the intentions of the Better Housing by Design proposal are good, and I support many aspects (e.g. reducing parking requirements, moving towards a form based code rather than density maximums), I'm compelled to write due to other aspects that will ultimately result in more housing unaffordability and a decrease in the quality of life for many current and future Portlanders. Because 3 of the 4 properties I own are in the current R2 zone, I will limit my testimony to certain aspects of the proposal that pertain to that zone in particular. Specifically, there are serious implications to proposed changes in building height, Floor Area Ratio, and "affordability bonuses." FAR Current lot coverage and building height in the R2 zone (the most abundant multifamily zone in the city) is 50% and 40 feet maximum. For a 10,000 sqft lot, this would mean 4 stories and 20,000 sqft total, or what would amount to a 2:1 FAR. If divided into 5 (or 6, with amenity bonuses) lots, this could lead to six attached or detached family sized houses plus six 800 sqft ADUs, housing 12 families. The houses might also serve as intergenerational housing and/or shared housing for roommates. The BHD proposes merging the current R3 and R2 zones into one zone, RM1. Staff proposes a FAR of just 1:1, meaning that on a 10,000 sqft lot at 50% lot coverage, 2 stories and 10,000 sqft would be allowed. While the city proposes to remove density maximums, allowing an infinite number of units, it is also cutting in half the allowable floor area on any given R2 lot. The likely result of this would be many very small units and very little, if any family sized units built. Further, though there may be more individual units, fewer individual humans will be able to live there. Taking the 10,000 sqft lot example, the likeliest scenario is for 19 units of approximately 500 sqft per unit, meaning studios or 1 bedroom units. Assuming 1.5 people on average live in each unit, this would house about 28 people—none of them families or children. Taking the previous example of 12 family homes, and assuming that 4 people live in the larger homes and 3 people live in the ADUs, that same 10,000 sqft piece of land would house 42 people, or 150% more than the 19 one bedroom apartments. If larger shared houses for roommates or multi-generational families were built, that land could house 6 families of 3 in the ADUs plus 36+ people in the larger houses. That's 54 people total. If today, we can house 54 people, then why would the city cut FAR in half, resulting in housing only 28 people, none of whom are families? We need families and children to remain a vibrant community. Staff may argue that there's a FAR bonus of .25 for affordable 3 bedroom units, but these will not get built because: 1. For a small developer,

the requirements to build “affordable” units are too onerous, and 2. A .25 increase doesn't pay. If a landlord can earn \$1000 per 300 sqft micro-unit or \$2000 per 1200 sqft 3-bedroom unit, that is twice the rent per square foot for the micro-units. To truly incentivize 3 bedroom units, the FAR bonus would have to be at least 100%. Adding an affordability clause will not incentivize the building of 3 bedroom units if it adds risk and especially, if it doesn't pay. The only thing that reducing FAR will accomplish is housing fewer people, and pushing out families. Height. Staff proposes to reduce building height in the current R2 zone from 40 to 35 feet. They will say this is because R2 is supposed to be “low density,” comparable to single dwelling zones. This is not the case. R2 is multifamily. It is not single dwelling. With the reduction in height, there is nothing differentiating the R2/future RM1 zone from the R 2.5 zone, which also has a 35 foot height maximum and 50% lot coverage. If the city is concerned that R2 lots abutting single dwelling zones will overshadow them, then why not create an exception only for those lots that abut single dwelling zones, requiring a step-down within 25 feet of R5? This is how it's done with every other zone that abuts a single dwelling zone. Why reduce current heights, when we're in the midst of a housing crisis and need all the housing we can get? Further, this will have serious implications for “visitability.” If a house must be built at grade in order to be visitable, AND the building height maximum is reduced, this could result in a full 1.5 stories lower than what can currently be built. One solution is, if “visitability” is required, a 5 foot height bonus is granted by right. Lastly, lowering heights will reduce variability and creativity in architectural design. Currently, height is measured either through the center of a gabled roof, or at the top of a flat or shed style roof. Reducing heights means that more gabled roofs are likely to be built, creating more homogeneity in the built environment. For the future of our city's health, vitality, and affordability, I urge the PSC and the city to reconsider its halving of FAR and reduction in building heights in the future RM1 zones. Sincerely, Dani Zeghib

Testimony is presented without formatting.

# Esme Miller

**#30773 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I have only a few requests of the city in planning new rules for multi-dwelling zones: 1.) Please please allow for enough housing to be built for everyone who currently lives in the city, and everyone who is expected to arrive in coming years. This is not pie in the sky. It is the basics of a humane society. 2.) Please be aware of the history of zoning as an instrument of segregation and the vested interest current homeowners have in housing scarcity. 3.) Please provide whatever special inducements you can for affordable housing.

Testimony is presented without formatting.

Jill Warren  
607 NW 18<sup>th</sup> Ave.  
1815 NW Hoyt Ave.  
Portland, OR 97209

June 25, 2018

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4<sup>th</sup> Avenue Suite 7100  
Portland, OR 97201

Dear Planning Commission Members, RE: zone change in Alphabet District to RM4

Please consider my testimony regarding changing the zoning in part of the Alphabet Historic District to RM4.

I have been the owner of 2 historic buildings, a Church and Parish, on NW 18<sup>th</sup> and Hoyt that total 10 units of rental property for 25 years. The status of housing has changed dramatically in that time and not always for the better.

### **Historic Value**

Because of the rush of new construction in Portland we have tall buildings creeping into our neighborhood that are out of character. Higher density zoning tempts property owners to demolish historic properties in favor of higher density to increase profits. It makes no sense to create a historic district and then have zoning that encourages demolition and new development that is out of scale. Why bother having historic districts in the first place?

That neighborhood has a cornerstone of 3 prominent churches, my Methodist-Episcopal Church, the First Immanuel Church and the Danish Methodist Baptist Church. There were prominent Scandinavian and Swedish populations at the turn of the century. The Mission Theater was not originally a theater. For over 40 years it was the religious and social center of Portland's humble and devout Swedish Mission Covenant congregation. Later it served as a very busy labor-meeting hall.

### **Flooding/Infrastructure**

During the 1996 flood my two basement units flooded. We had to do extensive repairs from water damage and learned that the municipal pipes are made out of clay. How much more stress can they withstand? They're over 100 years old and need updating. Recently my basement unit on Hoyt flooded because of the mandate for property owners to disconnect downspouts from the municipal system because it can't handle the water volume. It cost \$20,000.00 to do comprehensive flood abatement. With water damage comes mold and it is my responsibility to minimize risk my tenants' health and safety.

The RM3 zone, with 2:1 FAR, makes sense because it preserves the historic integrity of the neighborhood and will help alleviate flooding impacts on existing properties.

## **Affordable Housing**

My rents are way below market value. Park 19 has 2-br. units for over \$4,000.00 month. My 2 -br. units rent between \$1,500.00 - \$1,650.00 a month. It appears historic buildings are the last bastions of affordable housing in Portland. I don't have fancy granite countertops or laundry in the unit but I do have fabulous architecture and beautiful stained glass.

## **Gentrification**

The rush of increased development is resulting in gentrification and exacerbating homelessness. We need lower and middle class populations to work in restaurants, stores, bakeries etc. A diverse population is healthy and more functional than a monoculture of affluent renters.

## **Conclusion**

Thank you for considering eliminating 4:1 FAR allowances in RH-zoned parcels in the Alphabet Historic District. When we bought our properties we received a 59-page document from the Department of the Interior stating the dos and don'ts of owning historic properties. They are extremely restrictive and it impressed upon me that we are caretakers of these historic landmarks and must be treated as such.

Housing is much more than turning a profit for an owner/developer. RM3 zoning with a 2:1 FAR throughout the Alphabet Historic District will help maintain the value of our neighborhood made up of mostly Victorian era homes and small apartment complexes.

Respectfully submitted,

Jill Warren

# Jill Warren

**#30774 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Please include my testimony regarding proposed zone changes in the Alphabet Historic District.

Testimony is presented without formatting.

# David Alberti

**#30775 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

After reviewing the information you sent, my concerns are around not having adequate parking for the new development. Additionally an alternate proposal would be that all new housing developments, would have a required percentage be affordable housing. Also that new developments should have 2 and 3 bedroom apartments vs studios and 1 bedrooms units. Lastly, It would be suggested to have tax incentives for developers who implement the affordable housing described above.

Testimony is presented without formatting.





President  
Sam Rodriguez  
Mill Creek Development

June 25, 2018

Vice President  
Dennis Allen  
Urban One

Katherine Schultz, Chair  
Planning and Sustainability Commission  
1900 SW 4th Avenue, Suite 7100  
Portland, OR 97201

Secretary/Treasurer  
Tim O'Brien  
Urban Asset Advisors

Dear Chair Schultz:

Board Members  
Cassidy Bolger  
Portland Lloyd Center  
Community, LLC

Matthew Goodman  
Downtown Development Group

Jeremiah Jolicoeur  
Alliance Residential Company

Noel Johnson  
Cairn Pacific

Joel Kaplan  
Oregon Law Group

Wade Lange  
American Assets Trust

Michael Nagy  
Wood Partners

Peter Skei  
Specht Properties

Brad Schnell  
Greystar Real Estate  
Development

Christe White  
Radler White Parks & Alexander  
LLP

Brian Wilson  
Mainland Northwest

Kurtis Fusaro  
Gerding Edlen Development

Executive Director  
Mike Kingsella  
mkingsella@locusdevelopers.org

Oregon LOCUS appreciates the opportunity to provide testimony on the Better Housing by Design Proposed Draft Report. As the Oregon affiliate of Smart Growth America's coalition of responsible developers and investors, Oregon LOCUS supports policies that encourage walkable, compact development that is economically, environmentally and socially sustainable. In the multi-dwelling zones code revision, it's critical that new housing production be encouraged and overall regulation balanced to ensure needed housing can be delivered at lower price-points. It's also essential that code revisions focus on the core purpose at hand and not try to meet too many disparate goals through these code revisions, lest they become unworkable.

**Oregon LOCUS believes the primary—and priority—goal of the Better Housing by Design Project must be *maximizing* the amount of quality multifamily housing developed at a range of affordability levels for multiple household sizes in the mapped multi-dwelling zones.**

Therefore, we provide the following comments to the Proposed Draft Report and strongly urge the revisions included below:

- Increase Density and Multifamily Development Options:
  - **Significantly increase the entitled density in the new RM 1 and 2 zones.** Switching the regulation of building scale to an FAR approach is a good idea. However, the density proposed for these zones is a huge missed opportunity to increase housing options in highly walkable, transit-rich areas. The RM2 is almost always mapped alongside CM2, where the base is 2.5:1 and bonus is approximately 4:1. Given the overlap between the new RM2 and CM2, the FAR should be increased **to 2.5:1 FAR in order to track with the CM2 zone mapping.** In addition, the site coverage should be determined by the setbacks and landscaping achieved, not by the 60% maximum. **The new RM1 Zone should not reduce height to 35'. We encourage increasing the height to 55 feet for RM 1 and 2.**
  - In addition, the site coverage should be determined by the setbacks and landscaping achieved, not by the maximums, some as little as 50%.
  - The **height transition requirement proposed is too prescriptive** and would result in fewer units and more expensive housing. A more effective transition alternative is to **map more RM 1 and 2 small-scale multi-dwelling zones farther into neighborhoods, providing a much more organic and seamless transition.**

We do support the requirement that **building entrances be oriented to the public streets or pathways.**

- The proposed setback standards still wouldn't re-legalize many of the best existing small apartment buildings in near-in Portland neighborhoods that have zero-front lot line setbacks. These are efficient buildings that both maximize density and are attractive. The code should **allow zero front setbacks** to legalize multifamily forms not currently allowed and to provide greater ease for achieving outdoor space and rear parking. Side setbacks should be reduced to the five feet required for single family homes, across all multifamily zones, and storage sheds and other small structures should be able to encroach in the setback.
- We **generally support the changes to the bonus and transfer regulations**, especially increasing the affordable housing bonus to 50%. However, if new requirements for outdoor recreation facilities are not revised along the lines of our feedback below, the lack of bonus for outdoor areas is potentially problematic. We agree that development rights and/or FAR bonuses should be transferrable for preserving significant trees, but emphasize that transference mechanisms must be legally simple, durable and permanent for such a transfer of "assets" concept to work.
- Any revisions to zoning must **ensure that allowed density is calculated prior to any site reduction for street dedications and additional connectivity**, and such an approach is currently the method applied in the urban core. We also note that this approach is required to ensure growth is congruent with assumed density potential models per Metro and BPS long-range modeling. Walkable urban development needs good connectivity and we generally support prioritizing connectivity in areas that with connectivity would have strong opportunity scores. However, so much depends on the code language that it is difficult to provide specific feedback at this time.
- Simplify and Flex Outdoor and Green Space Requirements:
  - **Exempt properties from outdoor space requirements if they are within a half a mile of an existing or proposed park.** This achieves the intended goal and leverages existing investments.
  - Rather than add a minimum of 36' per unit of open-space for all multifamily development, it will be more cost-effective to **map more RM zones close to existing parks and add more parks to the zone map funded by existing parks SDCs.**
  - The market already incentivizes larger multifamily developments to include outdoor spaces, yet **codifying outdoor spaces as standards will have a significant negative impact on non-profit development** trying to deliver much-needed family-sized housing. **We support development of flexible options for how shared outdoor space is achieved for larger sites. At the same time, it is not correct to assume larger sites can always more easily accommodate requirements contemplated**, so this needs to sit in context with other large-site requirements/costs.
  - **Allowing alternatives to conventional landscaping is a positive addition.** Rooftops and raised courtyards should count towards landscaping standards, but BES should be consulted with regards to the challenge of maintaining roof-top storm water facilities, and the challenges ensuring that property owners comply. Other non-storm water management options should also be added.

Small sites (5,000 square feet or smaller) should be exempt from landscaping, especially tree standards, as it may decrease the viability of small site to be developed for multifamily housing.

- Although we appreciate the desire to reduce impervious surfaces on large sites and support sustainability in development, overly prescriptive regulations may result in prohibitive costs (permeable pavers) or duplication/conflicts with other codes/standards. **Re-investment into existing properties that limit asphalt surfaces to no more than 15% of the site may be discouraged in the future. It is likely the existing and proposed storm-water-focused regulations adequately address needed improvements.**

Oregon LOCUS believes the above revisions to the Proposed Draft Report are essential to meeting the goals of the multifamily dwelling zones to provide needed housing, and looks forward to working with the Planning and Sustainability Commission and staff to revise the zoning recommendations in the Better Housing by Design Proposed Draft Report.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Kingsella", with a stylized flourish at the end.

Mike Kingsella  
Executive Director

cc: Planning and Sustainability Commission

# Gwenn A. Baldwin

**#30777 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

On behalf of Executive Director Mike Kingsella, Oregon LOCUS appreciates the opportunity to submit written testimony on the Proposed Draft Report for Better Housing by Design, and we look forward to working with you, the Commission and bureau staff going forward.

Testimony is presented without formatting.



37 AM  
6/25/18

2448 NW Westover Rd., Unit 502  
Portland, OR 97210  
June 22, 2018

Portland Planning and Sustainability Commission  
Better Housing by Design Testimony  
1900 SW 4<sup>th</sup> Ave., Suite 7100  
Portland, OR 97201

Dear Commissioners:

As the owner of a home immediately adjacent to both the Alphabet and King's Hill Historic Districts, I urge you to rezone areas of both those two historic districts that are currently zoned RH to RM3, rather than RM4, as proposed in the Better Housing by Design draft. Please note that the proposed rezoning would apply only to the residential streets of both historic districts, not the commercial streets, which would retain their current zoning.

As you know, both the Alphabet and King's Hill Historic Districts are long-established and officially recognized, having been added to the National Register of Historic Places in 2000 and 1991, respectively. An Historic Resource Overlay Zone is currently applied to both historic districts requiring historic design review (33.445.320), which

"...evaluates a number of elements of the proposed construction or alteration including: architectural style, **structure placement, dimensions, height, and bulk; lot coverage;** building materials and color; and other factors. The approval criteria are the adopted design guidelines applicable in the area..." (*Report 3: Understanding Historic Resources in Portland*, 2010)

However, the applicable guidelines of both the Alphabet and King's Hill Historic Districts are not compatible with the proposed RM4 rezoning. The *King's Hill Historic District Guidelines* (2001) specify:

"Use **siting, mass, scale, proportion**, color, and material to achieve a coherent composition that adds to or builds on the characteristics **of historic buildings in the immediate vicinity** and the character of the King's Hill Historic District as a whole."

Similarly, the *Historic Alphabet District: Community Design Guidelines Addendum* (2000) states:

"The design of new construction will be **compatible with the historic qualities of the district** as identified in the Historic Context Statement."

The proposed rezoning to RM4 would encourage the development of buildings that would be clearly inappropriate in either historic district. The RM4 zone is described as "high density...an intensely urban zone...with buildings close to sidewalks...a mid-rise to high-rise zone with buildings of up to seven or more stories" (33.120.030). The maximum height would be 100 feet. The current RH zone base maximum FAR of 4:1 could be almost doubled in the RM4 zone



to 7:1, with a Deeper Affordability bonus (Table 120-5). The new RM3 zone would be more compatible with the historic buildings in the immediate vicinity, since it would have a base maximum FAR of 2:1 (which could be increased to 4:1 with a Deeper Affordability bonus), and a maximum of six stories and height of 65 feet.

Moreover, the proposed rezoning of much of the Alphabet Historic District and virtually all of the King's Hill Historic District from RH to RM4, contradicts many of the goals and recommendations articulated in documents produced by the Bureau of Planning and Sustainability, and adopted by the City Council. For example, in the *Goose Hollow Station Community Plan* (1996), which includes the King's Hill historic district, the first item of the action plan is:

**"Adopt design guidelines which ensure compatibility of new development and maintain the heritage of the neighborhood. Include guidelines for incorporating historical themes...and maintaining residential building character."** (page 10)

More specifically, the *Northwest District Plan* (2003), which includes the Alphabet historic district, recommends the following:

**"...development throughout the Northwest District should contribute to maintaining the district's architectural scale and its fine-grain pattern of development. New buildings and additions that are taller than the two- to four-story building height that is predominant in the district should have upper stories stepped-back in order to contribute to a more consistent streetscape and to maintain neighborhood scale."** (C-15)

**"...new development should...distinguish the residential side streets from the more intensely developed main streets...Development should also acknowledge the scale, proportions, and street orientation of existing Pre-World War II structures and continue the area's diverse range of building typologies."** (C-17)

In conclusion, the proposed rezoning from RH to RM4 within both the Alphabet and King's Hill historic districts both is incompatible with the guidelines for required historic design review and contradicts the planning bureau's own stated goals for these fragile neighborhoods. Therefore, I strongly object to rezoning those areas of both the Alphabet and King's Hill historic districts currently zoned RH to RM4, as proposed in the Better Housing by Design draft. Instead, all areas within both historic districts currently zoned RH should be rezoned to RM3.

Thank you for your consideration of this testimony.

Sincerely,

A handwritten signature in blue ink that reads "Lawrence K. Kojaku". The signature is fluid and cursive, with the first name "Lawrence" and last name "Kojaku" clearly legible.

Lawrence K. Kojaku, Ph.D.

# Lawrence K. Kojaku

**#30779 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



Jill Arnel  
2114 NE Everett Street  
Portland, OR 97232

Bureau of Planning and Sustainability  
1900 SW 4<sup>th</sup> Avenue  
Suite 7100  
Portland, OR 97201  
June 20, 2019



City of Portland  
Bureau of Planning and Sustainability

To Whom-it-May-Concern:

I live adjacent to the vacant lot between 20<sup>th</sup> and 22<sup>nd</sup> (Permit number 17-109701-CO). As you know, Everett Custom Homes is planning to erect a high rise 12-unit condo complex practically abutting our small bungalow, altering the character of the neighborhood. They will not be providing parking. This exacerbates our already problematic parking situation as we have several (small) apartments on our street that also don't provide parking. People in other more modest apartments and several around the corner also park on our narrow street. This also affects Davis Street, another narrow street with similar parking issues.

We are barely within the 500-foot walking distance from a bus stop—However, it is unreasonable that plans for a couple of bicycle racks will sufficiently address our parking issues and that residents of these expensive condominiums will not have cars and plan to bike or use public transportation.

There has been plenty of development in this general area, but none of these high-rises are situated in the middle of a block. This project would undoubtedly destroy the character of this neighborhood.

I have been aware of the inevitability of some development on the lot, but not only would this closely abut our house since our property line is no more than a yard from 2108 NE Everett, it is so close that will obliterate any daylight on that side of our house. It would also negatively impact the east side of the modest apartments on the other side of the lot.

When I contacted the Kerns Neighborhood Association, a representative confirmed that they were made aware of the zoning changes and received a certified letter to that effect. However, it concerned the general zoning changes but not this proposed project. I was only made aware of the builder's plans less than two weeks ago.

Was anyone ever notified about this specific project? We were not. Was there a well-publicized hearing regarding this and its impact on the neighborhood? A representative of the Kerns Neighborhood Association does not recall receiving notice about this particular proposal.



I called your department and was told that quality of life and neighborhood concerns are not considered if any proposed building satisfies legal conditions. Additions such as soundproofing the buildings allow for more leeway in what would be approved such as larger and more units. Has anyone from your department visited this street? A personal visit to this site will bear out our neighborhood's concerns. Legality should not be considered equivalent to current residents' quality of life.

I'm attaching a document that claims that it would provide "affordable housing" rumored to cost \$400,000 a unit. Affordable for whom? Please look into this.

Please re-evaluate this permit application. We are willing to accept something less intrusive, but the current plans are simply unacceptable.

Thank you.

Sincerely,



Jill Arnel  
[jill.arnel@gmail.com](mailto:jill.arnel@gmail.com)  
(503)35-19277

See reverse side for contact and project information. →

**Applicant's statement describing proposal and requesting a meeting**

Everett Custom Homes proposes to build a three-story, wood frame, for-sale condominium building. There will be six flat units each approximately 1,100 sq. ft. with two bedrooms and two baths per unit. This building will provide new affordable housing.

Project is located at: 2105 NE Davis

**Neighborhood Association**

Contact and address

Kerns Neighborhood Association  
P.O. Box 13350  
Portland, OR 97213

**Neighborhood Coalition**

Contact and address

SE Uplift Neighborhood Program  
3534 SE Main Street  
Portland, OR 97214

**Applicant name**

Contact info

Everett Custom Homes  
3330 NW Yeon Avenue  
Portland, OR 97210  
Vic Remmers  
(503) 726-7060

**Need more information?**

Contact the applicant listed above  
Call Portland's Zoning information line 503 823 7526  
Online [portlandonline.com/zoningcode](http://portlandonline.com/zoningcode); Neighborhood Contact Requirement contained in Zoning Code Chapter 33.700

September 5, 2014

# Jill Arnel

**#30783 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



2:22 PM  
NT

To whom it may concern, (PSC)

Hi, My name is Cindy Hurley and I live at 24 NE 16<sup>th</sup> Ave. Portland OR 97232

I called the city to get clarification on the proposed zoning changes that may affect my property and neighborhood. I had two lengthy conversations with Sarah Wright at the city office, and I've highlighted a few of the comments she made during our discussion on zoning changes.

"The American dream does not exist anymore as you know it"

"People can't afford to buy houses in Portland anymore, and people need to be happy living in small apartments"

"You're a baby boomer, and the city is very concerned about the amount of old people verses young in the next decade. The city doesn't want old people rambling around in their big old houses. We want them in small apartments"

Since it was made very clear to me during my phone conversations with Sarah Wright, and at the PSC Public Hearing I attended on June 12<sup>th</sup> that condensed living is Portland's future. I would like to testify and state my concerns, and disapproval about the zoning change.

Concern 1: No off street parking for all new apartment buildings/existing building and homes. This would be a huge disservice for everyone in Portland. In my phone conversation with Sarah she explained to me why off street parking will be eliminated. The driveways to enter the off street parking area would take away 1 to 2 coveted parking spots on the street. She said that was unacceptable, but where most of the new apartments are being built driveways have been there for years to accommodate the previous house or business. So in reality you're really not losing any parking spots on the street, It's more like a relocation of a driveway.

For example If a 100 unit complex goes up in a neighborhood, and the city doesn't want off street parking due to the loss of 2 parking spot on the street. If 25% to 50% of those people living in the 100 unite complex own and drive a car, we have now lost 25 to 50 parking spots on the street opposed to 2. If parking truly was a concern, and the city had any regards for the livability of Portland they would take the opportunity to add additional parking when we can. No matter how challenging the city tries to make driving, people are still going to drive. No matter how condensed Portland gets, people are still going to drive. Why would the city not want to take action to prevent this parking issue, instead of causing a bigger issue? Did we not learn from NW 23rd, and all the other areas in Portland that are breeding parking nightmares!!

Concern 2: Sewage in the Willamette River. So Portland wants to build more apartments and increase density, how will that effect our sewer system? It is a known fact that when it rains heavy in Portland the overflow (sewage) goes in the Willamette River. This has been going on since my great grandparents lived here, and is still happening. The big pipe project started before 100 people a day were moving into Portland, as stated at the hearing. A lot of us have heard that the pipe project was put into motion, and when the city realized it was not going to solve our sewage issue, it was to late to stop it. It's a known fact that some of these pipes are not even connected. I really hope the City PSC takes time to look into this, because 100 people a day will provide the city with a lot of new sewage. The Willamette River is beautiful. Lets keep it that way.

Concern 3: Density, building apartments smaller and smaller. How will families be accommodated by our great city, if we've over saturated the market with studios and 1 bedroom apartments? It appears that Portland doesn't want families moving here! With the new proposed zoning change the square footage of living space will be getting smaller, so more units can be fit into a building. The industry standard for occupancy is 2 adults per bedroom. Square footage also plays a roll in occupancy. While talking with Sarah she told me that a family could live in a 1 bedroom, they just have to get creative. Basically the city is promoting families to be creative, opposed to following the law. There are fire code laws, occupancy laws, and when these buildings are over occupied it can overload the buildings systems. Is the new American dream to raise a family of 4,5,6, or more in a one bedroom apartment?

The city's slogan: "The city that works". Yet after my conversations with the city I didn't feel that there was any truth in that slogan. It actually seems like you don't want people owning their homes or living in them as they age. Doesn't everyone age? And deserve to stay in their homes. I grew up believing in the American dream. My husband and I, two hairdressers have worked our fingers to the bone to own our home and have the security of a roof over our heads as we age. It is concerning when the city you've loved, and lived in your entire life would rather have you banished from your home and replaced with apartments on your property. That sounds like greed and control.

I also asked about the statement on the notice I received. The zoning changes affecting the permissible uses, and affecting the value of my property. I was told permissible uses means nothing and is something they have to put in the notice. The same with affecting my property value. I asked Sarah if this zone change would affect my property value or increase my property taxes. Her answer to me was no, she didn't see that happening.

I'm 4<sup>th</sup> generation in a 6 generation family, living in Portland. I think Portland has been the most wonderful place to live and raise a family. I hope the city slows down enough to realize why everyone wanted to move here in the first place. It seems the city is allowing the demolition of beautiful historical buildings. I would like to see Portland's history, charm, and quirkiness protected.

Sincerely  
  
Cindy Hurley

# Cindy Hurley

**#30784 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



TO: Planning and Sustainability Commission, City of Portland

FROM: Bosco-Milligan Foundation/Architectural Heritage Center

RE: Better Housing by Design, Proposed Draft, May 2018

DATE: June 22, 2018

The Board of Directors of the Bosco-Milligan Foundation, owners and operators of the Architectural Heritage Center, generally supports the responsiveness to Portland's demographic and economic pressures that is reflected in the Better Housing by Design proposals.

We appreciate the additional protections given to properties with historic resource designations within the proposed modifications of multi-dwelling zone specifications. For example, we support the continued exemption of properties with historic resources (individual landmarks and contributing structures in Historic or Conservation districts) from minimum density requirements for any development of additional residential units (33.445.610.C.6). Moreover, we strongly support the provision that the FAR (floor to area ratios) may be transferred from "a site that contains a Historic or Conservation landmark, or contains a contributing resource in a Historic District or Conservation District," but the receiving site excludes multi-dwelling zones in Historic or Conservation districts (33.120.210).

However, we are very concerned about the proposed rezoning within two Historic Districts: much of the Alphabet and all of the King's Hill Historic Districts that are currently zoned RH are proposed to be re-zoned to RM4, rather than RM3. The RM3 zone is characterized as "medium to high density" with "mid-rise" buildings "up to six stories tall." In contrast, the RM4 zone is described as "high density," "an intensely urban zone...with buildings located close to sidewalks"...a mid-rise to high-rise zone with buildings of up to seven or more stories" (33.120.030). Moreover, in the RM4 zone, a Deeper Housing Affordability bonus can increase the FAR to a maximum of 7 : 1 (Table 120-5), almost doubling the density from the current RH zone base maximum FAR of 4 : 1. Attached is a copy of one of the building prototypes that reflects a deeper affordability bonus with a FAR of 6.84 : 1, eight stories tall with a height of 80 feet (RM4 maximum height is 100 feet). Such a building would surely be out of place on the residential streets in either of the historic districts.

We believe that within the Alphabet and King's Hill historic districts, it is clearly inappropriate to encourage development on the residential streets of buildings that are so much out of scale (i.e., larger, taller, and denser) than the surrounding historic neighborhoods of primarily detached houses and low-rise multi-dwelling structures. Beyond preserving individual landmark and contributing historic

Bosco-Milligan Foundation/Architectural Heritage Center  
701 SE Grand Ave. Portland, OR 97214 Tel. 503-231-7264  
[info@visitahc.org](mailto:info@visitahc.org) [www.visitahc.org](http://www.visitahc.org)

structures, the Bosco-Milligan Foundation/Architectural Heritage Center and the local preservation community seek to maintain the distinctive character of designated historic districts, which contribute to Portland's unique collection of diverse neighborhoods. We regularly offer a number of popular walking tours of both the Alphabet and King's Hill historic districts, which we do not want to become only a shrinking number of historic structures scattered within a sea of massive and monolithic apartment and condominium buildings. Unfortunately, we fear the proposed re-zoning will result in exactly that outcome.

In summary, **we strongly oppose the proposed re-zoning of any areas of the Alphabet or King's Hill Historic Districts to RM4.** We request that **all areas within those historic districts that are currently zoned RH be re-zoned to RM3.**

Thank you for your attention to this concern.

Sincerely,



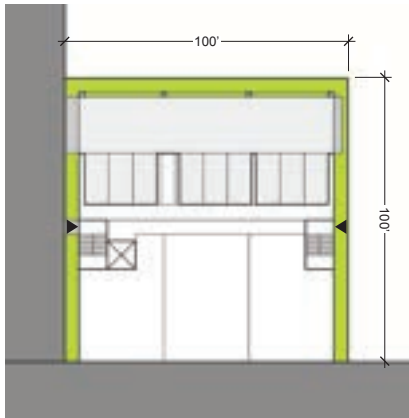
Stephanie Whitlock  
Executive Director



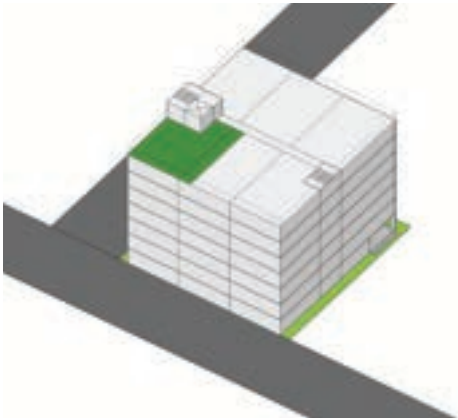
Steve Dotterer  
President, Board of Directors

Attachment





GROUND FLOOR PLAN

**SITE**

Dimensions: 100' x 100'  
Area: 10,000 SF

0 10 20 40

**LEGEND**

	Required Outdoor Area
	Required Landscape Area
	Remaining Site Area
	Street
	Driveway/Parking
	Driveway/Parking Under Bldg
	Maximum Additional Site Coverage
	Maximum Height & Setbacks Envelope

**RH ZONE STANDARDS**

Max FAR: 6 : 1 (With Bonus)  
Allowable Building Floor Area: 60,000 SF

Max Height: 75'  
Minimum Front Setback: 0'  
Minimum Side Setback: 5'  
Minimum Rear Setback: 5'

Max Building Coverage: 85% (8,500 SF)

Required Landscaping: 15% of site area

Required Outdoor Space: 36 SF / unit

Required Common Area: 0%

Required Parking Stalls: 0

**BUILDING PROTOTYPE**

FAR: 5.99 : 1  
Building Floor Area: 59,850 SF

Height: 70'

Building Coverage: 8,500 SF

Landscaping: 1,500 SF

Required Outdoor Space: 1,404 SF  
(shown as part of common area)

Common Area: 1,404 SF

Provided Parking Stalls: 9

Number of Units: 39  
Average Unit Area: 1,284 SF  
Building Efficiency: 84%

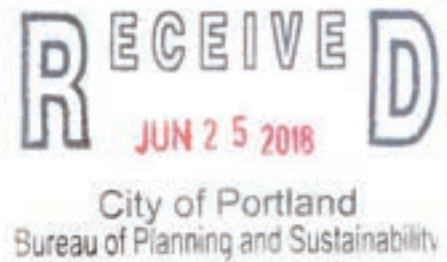
# Stephanie Whitlock

**#30785 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.



June 20, 2018

Bill Cunningham  
Bureau of Planning and Sustainability

Dear Mr. Cunningham,

**Regarding:** Comments for the Better Housing by Design proposed zoning changes to properties within the Ladd's Addition Historic District, along SE 12<sup>th</sup> and SE Hawthorne

In reviewing the Better Housing by design (BHBD) project in relation to Ladd's Addition, *the HAND Historic Resources Sub-committee* would like to submit the following comments based on discussions with neighbors and a review by the HAND board at the Hosford-Abernethy Neighborhood District (HAND) June 19-2018, Land-Use Committee and Board meetings.

We request that the proposed zoning changes for Ladd's properties be revised to RM1 with a 'h' historic overlay to better align with the historic designation of the district and prevent the demolition of historic buildings. Currently, there are a diversity of housing types on SE 12<sup>th</sup> and on Hawthorne with varying densities including single family residences. Implementing the proposed zoning change would have a negative impact on the integrity of the district by encouraging demolition of structures that are viable and affordable. All of the properties in the BHBD proposal built within the Ladd's period of significance, 1890-1960, are in good condition and can be rehabilitated or retrofitted. We would rather see creative solutions that keep the existing structures intact and maintain the integrity of the district as a whole. As proposed, we do not see any considerations for historic preservation within the BHBD project.

The neighborhood is also concerned that property owner notification for this project has overlooked several critical steps. To our knowledge, only the owners of properties slated for the zoning change have been notified. The historic district overlay requires that changes to a property requires notification to adjacent properties within 400'. Since these properties contribute to the integrity of the entire historic district and could impact its National Register status, the State Historic Preservation Office as indicated by (ORS) 358.653 and *the HAND Historic Resources Sub-committee* should have been informed as well. HAND has advocated for notification of neighbors surrounding an area of proposed change in zoning, as well as renters living within the area of the proposed zoning change throughout the HAND neighborhood. All of the above will potentially be affected by development under the new zone.

*See attached spreadsheet with inventory of properties impacted.*





### Background for the National and Local Significance of Ladd's Addition:

The Ladd's Addition Historic District was listed as a Portland Conservation District in 1977 and listed on the National Register of Historic Places on August 31, 1988. The listing identifies Ladd's Addition, platted in 1891, as significant under Criteria A for its association with Planning and Community Development and Criteria C for its representative styles of residential architecture of late 19<sup>th</sup> and early 20<sup>th</sup> century. Ladd's is bounded by SE Hawthorne on the north, SE Division on the south, SE 12<sup>th</sup> on the west and SE 20<sup>th</sup> on the east and contains 1,100 built resources, which includes all houses and garages, contributing and non-contributing. There are also 6 sites listed: the central park, the 4 rose gardens and the street trees.

Nationally, Ladd's has been recognized and is cited in the 2002 National Register Bulletin addressing Historic Residential Suburbs, 1830-1960. As noted in the Bulletin, the plan configuration of Ladd's was influenced by the City Beautiful movement has a formalism unknown to early Olmstead and Picturesque suburbs. Instead, the formal principles of Beaux Arts design, drawn from European Renaissance and Baroque periods, emphasize radial and axial components that provided an orderly hierarchy of residential streets and community facilities. Ladd's is one of the earliest attempts to adopt a radial plan drawn from Baroque principles of planning for the design of a garden suburb built to accommodate streetcar commuters.

Ladd's is also cited in the 2002 National Register of Historic Places Multiple Property Documentation Form and noted as a likely candidate for a National Historic Landmark status, because of Ladd's high level of integrity. ***The form states that a residential suburb must possess historic integrity, that it must visibly reflect the overall physical appearance it gained during the period of significance.*** Historic integrity requires that the various features that made up the neighborhood in the historic period be present today in the same configuration and similar conditions. These qualities are applied to dwellings, as well as roadways, open spaces, garages and other aspects of historic design. The issues of integrity also extend to landscape architecture as a character defining feature.

The on-going involvement of the neighborhood to maintain the integrity of Ladd's has been achieved, in large part, by volunteers and organizations such as Save Our Elms, Friends of Ladd's Addition Gardens and the Historic Resources Sub-committee of the HAND neighborhood association. These efforts were recognized in 2009 by the American Planning Association when Ladd's was recognized as one of the Great Places in America.

### Better Housing by Design Project Goals:

Ladd's already meets many of the criteria of the stated goals of the Better Housing by Design Project. Ladd's performs a vital role in providing open space, a walkable neighborhood, and green elements such as the tree canopy to adjacent areas that are currently lacking in amenities yet are rapidly adding density. Ladd's four rose gardens and central park have become a destination for Abernethy School field trips, community events, city tours and dog walkers. Yet as development





continues to evolve adjacent to Ladd's on SE 12<sup>th</sup>, SE Division, SE 20<sup>th</sup> and Hawthorne, and within the Central Eastside, there has been no commitment by the City to add additional open space. The green amenities encouraged by the Better Housing by Design projects tend to be privatized and designed to serve large housing complexes. There are no mandates for public amenities such as wide parking strips free of overhead power lines for large street trees which Ladd's planners incorporated. Further, the traffic on SE 11<sup>th</sup> has become extremely congested since the "Clinton Triangle" Light-rail/Train crossing modifications. As housing density increases this will further exacerbate the situation, creating grid-lock and pedestrian/bicycle safety issues in the area.

### Responses to Better Housing by Design Project:

**Stated Overview:** The Better Housing by Design project is revising development and design standards in Portland's multi-dwelling residential zones (R3, R2, R1 and RH) outside the Central City. These middle- and higher density zones provide opportunities for new housing to meet the needs of current and future residents

**Stated Goals:** The project will update the Zoning Code and align with the 2035 Comprehensive Plan to improve building design and development as well as foster housing that will:

- ☐ Help meet Portland's diverse housing needs, including housing that is affordable to lower income households and units designed for people of all ages and abilities. ***In Ladd's, this can be achieved in the current zoning with accessory dwelling units, additions and internal conversions of existing buildings. Overall, changing the zoning will provide minimal additional units and create added pressure for demolition of existing buildings. Of the 32 properties identified, 27 are historic resources that should be protected from demolition.***
- ☐ Include open space and green elements that support healthy living for residents. ***The BHBD project would likely reduce green elements. Due to the existing lot sizes and allowable lot coverage the parcels aren't big enough to trigger the greenspace requirements designated for larger scale complexes.***
- ☐ Be designed and scaled to fit in with neighborhood characteristics in middle-density zones. ***Hawthorne Boulevard and 12<sup>th</sup> Avenue properties are part of the district and contribute to the historic district. The multifamily buildings housing in the neighborhood are small in scale and fit the adjacent context. Future development should be considered in context with the historic properties in Ladd's for scale and character. The parameters of this new zone are not fine-grained enough to make this distinction and fail to recognize or understand the existing successful environmental conditions.***





- Use new approaches to create street and pedestrian connections in areas where they don't exist or are insufficient. **Scope of the Ladd's properties is too small to be of benefit to this goal. However, the City should recognize the added impact of more users to Ladd's parks and pathways and reevaluate current strategy of disinvestment in maintenance and upgrades. Perhaps BHBD could facilitate improvements to public amenities through systems development charge revenue.**
- Respect for neighborhood context. **Respect for the Ladd's historic designation and national recognition, as stated above, should be a critical consideration for context.**

In conclusion, we would like to work with city staff to assess the current zoning for these properties and assign a zoning designation that is more in keeping with the goals of the district. Adding an 'h' overlay to the district and other historic areas in the city could help eliminate potential confusion and bring clarity to the historic review process and the stated city goals of historic preservation.

As Portland embarks on a path toward greater density and redevelopment of large swaths of inner city neighborhoods it is critical that we do not lose sight of the pieces of the fabric that currently function well and can contribute to the future fabric as a unique part of the urban composition. Ladd's Addition is a discrete area with defined boundaries. The changes proposed will have little impact on the larger goals of the city but could have huge ramifications for the integrity of the district.

We look forward to the inclusion of our group in further discussions for this area. We would appreciate a dialog that thoughtfully considers the points made above.

Sincerely:

Chris Eykamp, HAND Chair

**Lead: Addition Properties Proposed for Re-Zoning**

**June 2018 Survey by HAND Historic Resources Sub-Committee**

NRN #	Address	History	# of Units	Issues	Year Built	Current Occupant	Additional Notes	Designer	Original Owner
1	6-15 2211 SE 12th Avenue	HNCCC	1	Porch, windows & siding altered	1923	Owner		JW McFadden	Ludwig Hoffman
2	6-16 2204 SE 12th Avenue	HNCCC	1	Siding & porch details altered	1923	Rental		JW McFadden	Ludwig Hoffman
3	6-17 2146-48 SE 12th Avenue	H	Duplex		1924	Rental		CR Bailey	Minnie Kerns
4	6-18 2138 SE 12th Avenue	HNCCC	1	Porch & siding altered	1925	Rental	porch restored	JW McFadden	Roy Westlund
5	6-19 2128 SE 12th Avenue	H	1		1925	Owner		JW McFadden	William Ingart
6	6-20 2120 SE 12th Avenue	H	1		1925	Owner		KA Bookman	Almon Verlen
7	6-21 2110 SE 12th Avenue	H	1		1923	Owner	not visible from street	Lee Dean	Lee Dean
8	6-22 202 SE 12th Avenue	H	Multi-family 12		1927	Rental	Virginia Lee Apartments - originally The Syndicate Apartments	Premier Co.	Premier Co.
9	6-23 2044-46 SE 12th Avenue	H	Duplex		1926	Owner		Richard Anderson	Walter East
10	6-24 2038 SE 12th Avenue	HNCCC	1	Porch altered	1925	Rental	former window altered	Universal Plan Co.	W.R. Severy
11	6-25 2028 SE 12th Avenue	H	1		1923	Owner		unknown	Asa Hughes
12	6-26 2014 SE 12th Avenue	HNCCC	Multi-family 20	Some windows altered	1924	Rental	Bryson Apartments - originally Regner Apartments	Bill Hennick	Arthur Regner
13	13-13 1940 SE 12th Avenue	NCI	Multi-family 12	Outside of historic period	1960	Rental	Rental Development Corporation Apartments	RS Manchester	Rental Dev. Corp.
14	13-12 1924-26 SE 12th Avenue	H	Duplex		1923	Rental		unknown	William Clements
15	13-13 1912-28 SE 12th Avenue	HNCCC	Duplex	Porch, windows & siding altered	1924	Rental		W.D. Seawright	W.D. Seawright
16	13-14 1902 SE 12th Avenue	H	1		1912	Owner		Camp & Shufay	Clifford Moore
17	13-15 1844 SE 12th Avenue	H	1		1910	Owner	Identical house built at 1748 SE 12th	James Wilson	Hammond Chapman
18	13-16 1830-36 SE 12th Avenue	NCC	2	Outside of historic period	1996	Owner	Vacant at time of nomination; compatible built to district design guidelines		
19	13-17 1822-26 SE 12th Avenue	NCC	2	Outside of historic period	1996	Owner	Vacant at time of nomination; compatible built to district design guidelines		
20	13-18 1810 SE 12th Avenue	NCC	1	Outside of historic period	1943	Owner	May now be eligible for inclusion as Historic during the secondary period of development	unknown	James Montag
21	13-19 1806 SE 12th Avenue	H	Triples		1925	Owner		Walter Klinger	August Feltch
22	13-20 1802 SE 12th Avenue	H	Triples		1925	Owner		Walter Klinger	August Feltch
23	13-21 1748 SE 12th Avenue	H	1		1910	Rental	Identical house built at 1844 SE 12th	James Wilson	William Reiner
24	13-22 1720-42 SE 12th Avenue	HNCCC	Commercial 5	Storefront windows altered	1928	Rental	Reimers & Schuster Store Building	Oregon House Designers	James Reinson
25	13-23 1638 SE 12th Avenue	H	Multi-family 30		1914	Rental	Mullerberry Apartments	Smith & Griffiths	William Frisberg
26	14-1 1500 SE Hawthorne Blvd	H	Multi-family 8		1913	Rental	Divided into apartments c. 1933	Edward O'Neill	Calvin Cuthbert
27	14-4 1512 SE Hawthorne Blvd	NCI	Multi-family 8	Outside of historic period	1971	Rental	The 1512 Apartments, house built in 1928 demolished in 1971 for its construction	Bruiser & Associates	Edward Ryan
28	14-5 1528 SE Hawthorne Blvd	H	Multi-family 11		1924	Rental	Hawthorne Apartments	ER Miller	John Osborn
29	14-7 1519 SE 18th Avenue	H	1		1921	Owner		unknown	William Ingart
30	15-1 1512 SE 18th Avenue	H	Multi-family 16		1927	Rental	Warner Apartments; similar to building at 1624-34 SE Hawthorne	J.C. Meyer	Andrew Johnson
31	15-3 1624-34 SE Hawthorne Blvd	H	Multi-family 24		1926	Rental	Lynwood Apartments; similar to building at 1512 SE Hawthorne	J.C. Meyer	Peter Bill
32	18-4 1630 SE Hawthorne Blvd	H	Multi-family 22		1924	Rental	Hawthorne Court Apartments	Clausen & Clausen	Oscar Hambrickson

**NOTE: Historic Status Codes:**

H: Historic Contributing

HNCCC: Historic Non-Contributing in Current Condition: Buildings constructed during the Historic Period that have been altered (secondary siding, windows or porches) but that could be restored

NCI: Non-Contributing Incompatible: Built after the Historic Period and incompatible in design

NCC: Non-Contributing Compatible: Built after the Historic Period, but compatible in design

**NOTE:** At the time of designation of the District, there were 5 properties listed as Non-Contributing 2 were vacant and have subsequently been developed &

3 were constructed outside of the historic period in 1943, 1960 & 1971. It appears that at least one of these properties might now be eligible for inclusion as Historic.

The remaining 27 properties are considered to be Historic Contributing buildings within the District. 7 of these had minor alterations at the time of listing that were considered adverse to the buildings integrity but easily reversible.

**NOTE:** The area proposed for rezoning along Hawthorne Ave excluded the following two properties: 1544 SE Hawthorne is a 4 unit apartment - historic & contributing building & 1620 SE Hawthorne 2 commercial storefronts

Also the property where Hinkins Hardware is located has been excluded, it is a NC building with a large site that could be redeveloped with housing & supposedly the property owner is interested in doing that.

32 - # of units  
8 - duplex units  
9 - triple units  
171 - multi-family units  
200 units total

**NOTE:** The rezoning along the west side of 12th Avenue consist of victorian era houses and larger multi-family residences from the early 1900's, most are in fair to good repair. There is also a individually designated Historic Landmark.



# Chris Eykamp

**#30786 | June 25, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.

# Michael Leis

**#30787 | June 25, 2018**

## Testimony to the **Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Thank you for having this medium to voice our concerns and opinions. I am impressed by the activity as well, which means it is a very important process overall. Writing on behalf of 1840 SW Main St, as well as in the midst of a project to increase the density of my property from a single family structure to a 3 unit, 4 story building, I wanted to weigh in. I understand the concern by many that quiet, low density neighborhoods are going to be missed, but I would argue that the growth of Portland is not merely a product of those moving to Portland, but also internal growth based on a previous generations' tendency to have more children than that of the current. It is a bit selfish and short-sighted to prohibit expansion in order to maintain current desires, while wanting or thinking there is an increased value of one's own property at the same time. Value is a byproduct of functionality and service, not merely one's own regard. I am also against massive, profit driven commercial buildings that do not account for societal needs. I am for a very simplified approach that is open and non-cumbersome, but offers incentives for moderate building activity to stymie accelerated, unkempt growth and one that incentivizes moderate growth. I think if home owners take on the responsibility of increasing density on their own properties rather than relying on continuous large-scale commercial entities, a more appropriate growth rate would ensue and allow for an increased density without overbearing buildings. I was a bit concerned with the delineation between RM3 and RM4 zones and could not figure how the zones were selected other than maybe due to existing structures already on the property. I think pushing for RM4 for most areas and then incentivizing smaller scale buildings with more open spaces surrounding would give Portland better characteristics during this growth cycle. As it stands and although some argue for or against the RM3 and RM4 classification, it is a bit unfair to either side to arbitrarily select this classification. Being classified as RM3 for my property, I would have wanted the option for RM4 classification in order to preserve future value and options, while still selecting to build a more moderate structure. I understand Portland wants to encourage less auto traffic and parking within the city and agree that structures should focus less on onsite parking and garages. It should be the city's responsibility, however, to encourage or provide nearby unified parking facilities to account for the large demographic still requiring/using independent transportation means. It seems they will be around for some time regardless of future neighborhood plans and transportation technologies. Thanks again for allowing the opportunity to weigh in and thank you to all those that are taking the time to address the issue. I think this is a strong characteristic of Portland and I am happy to be a part of it.

Testimony is presented without formatting.





**College of Urban and Public Affairs**  
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June 25, 2018

Re: Better Housing by Design

**Context: Creating a Portland for All Ages and Abilities**

As noted in previous written testimony, Portland's efforts to advance visitability are a positive "step in the right direction" and in line with the Portland Plan (see: Portland is a Place for All Generations) and the Comprehensive Plan (see policies under following sections: Urban Form, Design and Development, Housing & Transportation). It should be noted that although visitability is a worthwhile goal, the City of Portland should consider the policy as a starting point for future efforts to increase housing accessibility; the Comprehensive Plan, in particular, calls for universally-designed housing.

**Background/Context**

Since we do not know the stock of accessible housing in Portland, we should look to national numbers to understand that the U.S. (and likely Portland) faces a serious dearth of accessible housing: HUD estimated that in the U.S. only 3.8% of all housing was livable for individuals with moderate mobility difficulties and that less than 1% was wheelchair accessible.<sup>1</sup>

Locally, Portland's reported rates of disability are increasing (3.2% growth from 2015-2016 according to ACS estimates in 2016<sup>2</sup>) and that substantial numbers of Portlanders are living with various disabilities: more than 20% of the adult population (aged 18-64) reported having a disability in 2016 while more than half of the population aged 75+ (55.9%) reported living with at least one disability.

Additional research is needed to understand the existing accessible housing stock in Portland. This will lead to understand how inadequate the supply is – note: anecdotal information suggests that it is very difficult to find accessible housing in Portland; especially affordable housing that is accessible. To date, the City of Portland has not been able to identify the accessible housing stock and, therefore, policymakers and community stakeholders are unable to understand existing needs and to prepare for solutions.

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<sup>1</sup> U.S. Department of Housing and Urban Development (2015). *Accessibility of America's Housing Stock: Analysis of the 2011 American Housing Survey*. Office of Policy Development and Research, U.S. Department of Housing and Urban Development.

<sup>2</sup> U.S. Census Bureau (2016). Disability Characteristics: 2012-2016 American Community Survey 5-year Estimates (Portland).

**The following comments are carried over from earlier testimony:**

**Bathroom Design**

With respect to visitable bathrooms, although the 60-inch turning diameter is a preferred standard, T-turns should be explored as a reasonable trade-off when considering small unit sizes and housing affordability.

**Affordable, Accessible Housing**

We have a growing need for affordable housing citywide that accompanies the lack of accessible housing. However, the creation of affordable housing that comes at the expense of accessible housing (e.g., “we can’t make it pencil when building to accessible standards”) is an inequitable approach to housing people who are facing multiple barriers.

**Residential Elevators**

Please continue to explore the costs and benefits of residential elevators (i.e., not commercially-permitted elevators). In addition to design that may allow future elevators to be installed (e.g., stacked closet), please explore opportunities for incentivizing the building of new and/or retrofitted multi-dwelling units that can accommodate residential elevators.

**Take a Bold Step: Apply for an Exemption re: Visitability**

The City of Portland should request an exemption from the State of Oregon on the visitability policy pertaining to Better Housing by Design. The aging and disability communities can and should be worked with when/if such an exemption is requested. Personally and professionally, I would like to assist with supporting such an effort to request an exemption.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alan DeLaTorre". The signature is fluid and cursive, with the first name "Alan" and last name "DeLaTorre" clearly distinguishable.

Alan DeLaTorre, Ph.D.  
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# Alan DeLaTorre

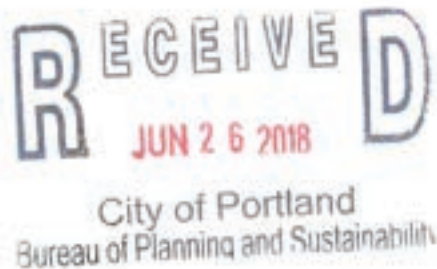
**#30788 | June 26, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

I understand that this testimony is late, but am hoping to get it on the record. Even if it is not officially on the record, it is important to note that the aging and disability communities can and should be involved in supporting a request for an exemption to the build code, as detailed at the end of the testimony.

Testimony is presented without formatting.

Portland Planning and Sustainability Commission  
Better Housing Testimony  
1900 SW 4th Ave, Suite 7100  
Portland, OR 97201



Arbor Lodge Neighborhood Association  
Transcript of spoken comments  
PSC Public Hearing, June 12, 2018  
2305 SE 82nd Avenue

Hello, my name is Mark Wyman. I serve as co-chair of the Land Use Committee, and as board member for the Arbor Lodge Neighborhood Association. Thank you for the opportunity to provide comments on the proposed changes to multifamily zoning this evening.

Arbor Lodge is currently under immense development pressure, principally directed towards the high density (RH) zones within the North Interstate Planning District. Many of the high density (RH) lots in Arbor Lodge contain single family homes, and are situated on low-rise single family streets. The scale and the pace of redevelopment in Arbor Lodge has left many in our community concerned that our future is being shaped by multifamily developers whose focus is solely on the profitability of their own projects. Better Housing by Design does not revisit the decision to rezone our neighborhood for multifamily development, however it does offer meaningful change that will improve the quality of life for both current and future residents of Arbor Lodge.

Our community supports an inclusive vision for new development, and we are supportive of infill that provides quality housing opportunities for a diversity of household types. We believe this can be done while preserving the qualities that have made Arbor Lodge an attractive location for developers. My comments this evening will highlight Better Housing by Design measures that support this vision, and provides recommendations for additional measures to advance the policy objectives expressed in the Better Housing By Design recommended draft.

Affordable housing and tree preservation are two of the foremost priorities we hear expressed by members of our community. As such, the Arbor Lodge Neighborhood Association

- Supports the proposal to limit density bonuses and transfer rights solely to the provision of affordable housing units, and the preservation of trees



A point of constructive feedback is that the proposed minimum density requirements (which are measured solely by a ratio of dwelling units to square footage of site area) may work against these objectives. The Arbor Lodge Neighborhood Association proposes

- A flexible approach to minimum density requirements which may allow lower density ratios for projects that preserve mature trees or include two or three bedroom apartments

We hear too often that developers cannot save trees because of the footprint of their project, and sadly we see far too many small square footage studio and one bedroom apartments which do not provide viable housing opportunities for families of any income.

The Arbor Lodge Neighborhood Association strongly encourages city planners to retain the following Better Housing by Design measures which will improve the quality of life for new residents:

- Requirements for resident outdoor space in all new development in high density zones should be adopted as proposed
- The proposed 10' front setback requirements should be adopted as proposed
- The enhanced Transportation and Parking Demand Management (TDM) requirements are helpful, however we feel they should be expanded to include all new development within any zoning designation which does not require off-street parking.

An additional measure to support car-free development is a requirement to provide dedicated, secure indoor bicycle parking in addition to in-unit bike parking.

Finally, we wish to highlight staff's thoughtful handling of volume 3, which addresses the interaction of the proposed changes to base zoning with the North Interstate Planning District. The preservation of transitional measures between high and medium density zoning designations is critically important for neighborhoods whose medium density lots are currently occupied by single family housing. It is untenable to envision a building of 65' to 100' being sited within 5' of a single family home.

The Arbor Lodge Neighborhood Association strongly recommends adoption of the proposed transitional measures in section 33.561.230 detailed in Volume 3 of BHD:

- Step down requirements limiting high density (RM 3 + RM 4) building heights to 35' within 25' of an abutting RF to RM2 zoned lot
- Retaining the rear set back requirement of 10' between high and medium density zoned lots.

The proposed measures highlighted in our testimony are examples of meaningful improvements to code which promote a good quality of life for existing and new residents. As a parting

statement, I would like to address those in the development community who may be present this evening. No set of zoning rules, and no law can force a change in perspective. We hope you consider the spirit in which these changes to code are being made. There are too many participants in the building industry who behave as though measures designed to promote the health of residents and communities are nothing but regulatory burden.

We can, and we must do better. The future of our city hangs in the balance, and we must work together to build equitable communities that reflect the values that have long made Portland a special place to live.

Mark Wyman



Co-Chair Land Use Committee  
Arbor Lodge Neighborhood Association  
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PORTLAND, OR 972  
21 JUN 2018 PM 11



Planning + Sustainability Commission  
Better Housing testimony  
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97201-538075



# Mark Wyman

**#30789 | June 26, 2018**

Testimony to **the Planning and Sustainability Commission** on the **Better Housing by Design, Proposed Draft**

Letter attached.

Testimony is presented without formatting.