

**REGULATORY IMPROVEMENT CODE AMENDMENTS**

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Gregg S. Eberhart	4014 SE Taylor St 97214	gseberhart@gmail.com
✓ PEGGY MORETTI	Restore Oregon 1130 SW Morrison	peggy.m@restoreOregon.org
<del>Marshall Runkel</del>	4001 Commissioner Eudaly	marshall.runkel@portlandoregon.gov
✓ Alan Verdun	6899 NE Columbia Blvd, Suite A 97218	alandverdunw.org
✓ DAMIEN HALL	101 SW MAIN ST #1100, PDX. 97204	dhall@balljanik.com
✓ Simon Jaworski	10	

**Moore-Love, Karla**

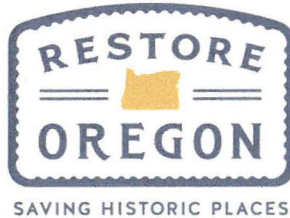
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**From:** Iain Mackenzie <i.f.mackenzie@gmail.com>  
**Sent:** Friday, February 17, 2017 12:19 PM  
**To:** Council Clerk – Testimony  
**Cc:** Commissioner Saltzman  
**Subject:** RICAP 8 testimony

I wish to write in support of Commissioner Saltzman's Amendment 5 to RICAP 8, regarding how FAR is calculated. While it is reasonable and beneficial to the city for PBOT to require wider sidewalks as a condition of new development it seems very unfair to then reduce the development capacity of the site as a knock on consequence. This has had a direct effect on a number of projects I have worked on, and I think Commissioner Saltzman's amendment meets numerous city goals. Even with this amendment it's important to note that new development would still be subject to the same height, setback and landscaping requirements that they are today.

Regards,

Iain MacKenzie, AIA



188259

February 15, 2017

Mayor Wheeler and City Council  
City of Portland, Oregon

**Re. Testimony in favor of RICAP 8 – Protecting historic assets w/120 day demolition delay**

Restore Oregon is a statewide non-profit working to preserve, reuse, and pass forward the historic places that make our communities unique, livable, and sustainable. We endorse the codifying of the **120-day demolition delay period** for properties listed on the Historic Resources Inventory. (It represents a very small piece of a much larger policy strategy necessary) to **curb the demolition epidemic** that has been chewing up Portland neighborhoods.

The vast majority of demolitions are adding no real density – simply replacing modest, affordable homes with bigger, more expensive ones. (An examination of demolitions by Restore Oregon in 2016) revealed that each housing unit demolished was replaced by a mere 1.3 new housing units, and to the best of our knowledge, all those units were significantly more expensive.

The proposed demolition of a **137-year-old farmhouse** in the Reed neighborhood (4731 SE 36th Place) is a current example. The house was built in 1880 and sits on a 8,000-square-foot lot. It appears a developer plans to demo this neighborhood icon and **replace it with two more expensive homes**. The delay period has afforded a neighbor the opportunity to attempt to purchase the property, save the house, and possibly add an ADU.

In addition to demo delay, (we also need **better incentives** for restoration and reuse) in the form of tax credits, tax rebates, fee reductions, code flexibility, and expanded deconstruction requirements. (The **new Goal 5 rules** which Restore Oregon fought to create) need to be implemented by the City. That should include an **update the Historic Resources Inventory** (you cannot manage assets you don't know you have) and a process by which **new historic districts will be able to establish design review standards through a public process that reflects the needs of that neighborhood**.

(Portland's unique older neighborhoods and commercial corridors) are under greater <sup>now</sup> threat than at any time in 50 years. (As you grapple with demands for affordability, sustainability, and economic development), the members of Restore Oregon ask you to remember that the preservation and reuse of older, historic buildings play a significant role in all three of those goals.

(Further, it is the historic homes, neighborhoods, churches, theaters, schools, fire stations, and storefronts) that make Portland, authentically PORTLAND, and not a bland Any-Place, USA. (What you do in the next year) will determine what Portland looks like and feels like for generations.

Peggy Moretti, Executive Director

**Parsons, Susan**

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**From:** Hall, Damien <dhall@balljanik.com>  
**Sent:** Tuesday, February 14, 2017 6:22 PM  
**To:** Moore-Love, Karla; Parsons, Susan  
**Cc:** Callahan, Shannon  
**Subject:** Letter of Support for Amending RICAP 8 (Council Agenda Item 158)  
**Attachments:** PORTLAND-#1098684-v1-LT\_Portland\_City\_Commission\_Re\_AM\_to\_RICAP\_8\_(#1).pdf;  
PORTLAND-#1098688-v1-LT\_Portland\_City\_Commission\_Re\_AM\_to\_RECAP\_8\_(#2).pdf

Karla and Susan,

Please find attached two letters of support for the proposed amendment to RICAP 8 – Minor Policy Item 10. These are for Council Agenda Item 158 for tomorrow's meeting (2/15).

One letter is from affordable housing developers and advocates, and the second is from market rate housing developers and advocates. This amendment aligns the interests of these communities and provides for increased opportunity to create needed housing in the City.

Damien

**Damien Hall**

Ball Janik LLP  
503.944.6138  
dhall@balljanik.com



February 15, 2017

Portland City Commission  
1221 SW 4<sup>th</sup> Avenue  
Portland, OR 97204

AUDITOR 02/15/17 AM 8:34

RE: Amendment to RICAP 8 – Minor Policy Item No. 10

Mayor Wheeler and City Commissioners:

This letter offers support for amending the Regulatory Improvement Code Amendment Package 8 ("RICAP 8"), to clarify that FAR is calculated based on site size at the time of development permit.

As developers and supporters of affordable housing, we are looking for ways to increase the City's affordable housing inventory to offset the current scarcity of housing choices recognized by the City in declaring the Housing State of Emergency. This amendment furthers our objectives by increasing multi-family housing development capacity, providing for the ultimate development of more affordable units.

What the Amendment Does:

- Specifies that Floor Area Ratio (FAR) is calculated based on the size of a development site before any land is dedicated to the City for streets or open space.
- This approach to FAR results in greater development capacity throughout the City, especially in areas with higher FAR allowances, such as the Central City.
- Greater development capacity means the ability to develop more residential units, including more units in traditional affordable housing developments inclusionary, mixed-income projects.

What the Amendment Does Not Do:

- The amendment does not impact the pedestrian guidelines. All sidewalk and right-of-way dedication requirements would remain unchanged, as would the associated pedestrian experience of the built environment.
- The amendment does not cost the City anything. Implementation is free, and the City is likely to see an uptick in development fees and SDCs associated with development of more residential units.
- The amendment does not create nonconforming development. All buildings constructed pursuant to the amended FAR calculation method would be consistent with the City's Zoning Code, and thus legally conforming development.

Further, this amendment would better align the City's land use and transportation planning by utilizing FAR consistently under the Zoning Code and the Transportation System Plan.

The undersigned urge the City Council to amend RICAP 8 to clarify that FAR is calculated based on site size at the time of development permit, thereby increasing multi-family development capacity and the creating the potential for development of additional affordable housing that is needed in this City. Thank you for your consideration of this matter, and we urge the City Council to adopt this amendment.

Sincerely,

Sean Hubert,  
Chief Housing and Employment Officer  
Central City Concern

Madeline Kovacs  
Program Coordinator at Portland for Everyone  
1,000 Friends of Oregon

Oregon Opportunity Network  
Portland Policy Council  
Contact: Ruth Adkins, Policy Director

Sarah Stevenson  
Executive Director  
Innovative Housing, Inc.

Jonathan Trutt  
Director of Development and Community Revitalization  
Home Forward

February 15, 2017

Portland City Commission  
1221 SW 4<sup>th</sup> Avenue  
Portland, OR 97204

AUDITOR 02/15/17 AM 8:34

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Mayor Wheeler and City Commissioners:

This letter offers support for amending the Regulatory Improvement Code Amendment Package 8 ("RICAP 8"), to clarify that FAR is calculated based on site size at the time of development permit.

The City and development community continue to look for ways to increase the City's affordable housing inventory to offset the current scarcity of housing choices recognized by the City in declaring the Housing State of Emergency. This amendment furthers these objectives by increasing multi-family housing development capacity, providing for the ultimate development of more affordable units.

What the Amendment does:

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The undersigned urge the City Council to amend RICAP 8 to clarify that FAR is calculated based on site size at the time of development permit, thereby increasing multi-family development capacity and the creating the potential for development of additional housing at all levels of affordability, which is needed in this City. Thank you for your consideration of this matter, and we urge the City Council to adopt this amendment.

Sincerely,

Dennis Allen  
Managing Director  
Holland Partner Group

Eric Cress  
Principal  
Urban Development + Partners

Dike Dame  
Executive Director  
Williams & Dame Development

Lauren Golden Jones  
Senior Development Manager  
Capstone Partners LLC

Greg Goodman  
Co-President  
Downtown Development Group LLC

Jeremiah Jolicoeur  
Managing Director – Pacific Northwest  
Alliance Residential Company

Wade W. Lange, CPM, RPA, FMA  
Vice President, Regional Manager  
American Assets Trust

Jonathan Malsin  
Principal  
Beam Development

Oregon LOCUS

Sam Rodriguez  
Senior Managing Director  
Mill Creek Residential

Brad Schnell  
Managing Director, Development  
Greystar Development

Blaine Whitney  
Executive Vice President  
Urban Assets Advisors

James H. Winkler  
President  
Winkler Development Corporation

Brian R. Wilson  
Principal  
Mainland Northwest LLC