

McClymont, Keelan

From: Thomas Karwaki <karwaki@yahoo.com>
Sent: Thursday, November 21, 2019 6:27 AM
To: Council Clerk – Testimony
Subject: Better Housing By Design Report and Amendments

Commissioners,

The University Park Neighborhood Association's Board and its Land Use Committee thanks the BPS Staff for this fine effort. Our concerns are:

1) Increased demand for on-street parking in areas not served by existing or planned transit service (amendment #2) which UPNA's Board is AGAINST.

UPNA's Board is FOR Amendment #4.

2) UPNA's Board and Land Use Committee are FOR Amendments 6a, and especially 6b and 6c. Community use space is important for residents and children.

3) Aging in Place -- UPNA is in favor of Universal Design which requires at least 32 inches for doors (and recommends 24 or 26 inch) which is adequate for wheelchairs. 31.75 inches in the BPS BHBD proposal is not wide enough. As the BPS Staff notes on page 66 of volume 2, there are differences between the BHBD proposal and the RIP proposal. UPNA suggests that the City Council and BPS be uniform in the design of bathrooms and door widths in its visitability requirements between the duplexes and triplexes etc and large apartments and ADUs. BPS Staff thinks that this might be a commercial vs residential building code concern. Having the same standards will promote a level playing field among different types of housing and will assure residents of consistent visitability.

4) Transportation Demand Management (TDM) -- UPNA encourages the City Council to require stronger and TDM plans for BHBD and RIP units with BPS/PBOT creating TDM templates and easier Street Parking Permit systems.

Thomas Karwaki
Chair, Land Use Committee, University Park Neighborhood Association
253.318.2075 cell/text

MARK P. O'DONNELL
8680 SW Bohmann Parkway
Portland, Oregon 97223

AUDITOR 11/18/19 PM 12:14

November 14, 2019

via USPS 1st Class Mail & Via City Council web portal: <https://www.portlandmaps.com/bps/testify/#/mdz>
Portland City Council
BETTER HOUSING BY DESIGN TESTIMONY
1221 SW Fourth Avenue, Room 130
Portland, Oregon 97204

Re: BETTER HOUSING BY DESIGN | Statement in Opposition to Rezoning of 1727 NW Hoyt and 624 NW 18th from RH to RM3

Dear City Council:

Thank you for supporting the Northwest Housing Alternatives (“NHA”) low-income/senior/ special needs development at the above addresses.

The current RH Zone allows a base floor area ratio (FAR) of 4:1. The proposed RM3 Zone only authorizes a base Far of 2:1.

Reasons for Objection

- 1) The proposed change will result in impairment to the fair-market value of the proposed NHA Affordable Housing Development. The buildings will exceed the 2:1 FAR ratio. The bonus only allows a FAR of 3:1. In determining the fair-market value/real-market value of real property, the appraiser/county assessor/estate valuation appraiser, etc., is required to consider current land-use regulations. Approving this zone change will result in the building becoming a nonconforming structure. A nonconforming structure does not have the same value as a conforming structure.
- 2) The Alphabet Historic District (“AHD”) is, was, and will continue to be a sophisticated exclusionary zoning tool under the guise of “compatibility.” The Landmarks Commission delays, reduces density, increases development costs, and takes other actions which discourage and prevents the development of affordable housing in the AHD. We are all familiar with the term “the wrong zip code.” The AHD and how it functions promotes wealth redistribution (the wrong way) and economic segregation (shifts low-income housing to the East Side/Gresham, etc.). The limitation of development and/or its difficulty in the AHD increases asset values of current real property owners. The AHD and Landmarks Commission have been a very effective exclusionary zoning device.

MARK P. O'DONNELL | Wheeler & Commissioners for rezoning 11-14-19 02:03

- 3) A base FAR of only 2:1 becomes a serious obstacle for the needed density to make affordable housing economically feasible due to the high land costs. NHA has stated in its opposition to this “back-door approach” as follows:
 - (a) It reduces the available potential housing in the District/neighborhood as the City grows and will drive up neighborhood housing costs and make living in the neighborhood less affordable.
 - (b) During a housing crisis and in a neighborhood already renown for being difficult to development, this is not the time to make development housing costs less effective and more difficult.
 - (c) AHD is a resource-rich land area. It is walkable, close to jobs, medical facilities, transit and entertainment. Developing in the AHD dramatically reduces costs to the City for infrastructure, including transit and services, while allowing people, regardless of their income levels, to live in a beautiful, vibrant city area.
 - (d) In Northwest Portland, buildings typically fill the entire property. At a 2:1 FAR, only two-story buildings would be allowed. The “bonus” for affordable housing is illusory, as no one is going to take the torturous exclusionary zoning process of the Landmarks Commission.
- 4) NHA was hoping to support the development of more affordable and attainable housing in the Northwest Portland districts. NHA has stated:
 - (a) If the proposed zoning were in place when approached by the landowners, NHA would not have been able to add this critically needed housing.
 - (b) NHA is looking at new property collaborations in the neighborhood and will likely need to abandon those efforts if a downzoning of this magnitude prevails.
- 5) The proposed downzoning resulting in reducing FAR from 4:1 to 2:1 is a “backdoor” approach to NWDA’s 2016 attempts to reduce FAR from 4:1 to 2:1 for this property and other properties in Northwest Portland. Enclosed is NWDA’s 2016 Notice of the City Council Hearing that would consider this FAR reduction and a copy of my October 12, 2016, Opinion Editorial in *The Oregonian*. Please note that the Planning and Sustainability Committee approved/recommended this reduction for 22 properties in Northwest Portland.

Conclusion

You are to be commended for your understanding of the relationship between the cost of housing and homelessness. Despite the popular myth, not everyone wants to live in a tent and do drugs. More importantly, you are to be complimented for your actions in helping solve this horrible social and human problem.

This proposed zone change is not only inconsistent with your affordable housing policies, but is in direct opposition to it. NWDA, its allies on the Planning and Sustainability Committee, the Landmarks Commission structure and how it operates are co-conspirators in the promotion of wealth redistribution the wrong way and economic segregation. Numerous stores like Target, Albertson's, Safeway, etc. have closed on the East Side. While the Safeway at Raleigh Hills has closed, most of its patrons had automobiles. This is not true on the East Side. This "economic segregation" only feeds the growth of social issues that are detrimental to a large percentage of our citizens (think "the wrong zipcode" description).

Hopefully, you see the wolf in this sheep's clothing and reject this zone change.

Sincerely,



Mark P. O'Donnell, General Partner
BLACKSTONE CENTER GROUP

MOD/jj

Enclosures

cc: Timothy V. Ramis

NOTICE OF PROPOSED ZONING CODE CHANGES THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES

What does this mean for me?

You received this notice because the Planning and Sustainability Commission (PSC) has recommended a change to a zoning standard on your property. The maximum floor area ratio (FAR) is proposed to change from the current allowance of 4:1 to 2:1. This would affect future development of your property. This change may affect the value of your property.

One of the properties that may be affected is your property at:
State ID #:

The current base zoning of RH is not changing. Only the maximum FAR standard is proposed to change. Other zoning regulations may also apply to this property that are not proposed to change at this time. For more information, please refer to www.portlandmaps.com or call 503-823-0195.

Why are these changes proposed?

State law requires periodic Comprehensive Plan updates. On June 15, 2016, City Council adopted Portland's 2035 Comprehensive Plan as part of the state's periodic review. The 2035 Comprehensive Plan is a 20-year plan to shape the growth and development of the city. The City's Zoning Code and Zoning Map are now being updated to be consistent with the new 2035 Comprehensive Plan goals, policies and map. Proposed changes that may affect your property are included in this update.

How can I learn more about this proposal?

1. Visit our website www.portlandoregon.gov/bps/pdxcompplan for more information, including maps and frequently asked questions.
2. Ask City staff a question. We are happy to help. Call 503-823-0195 or email us at pdxcompplan@portlandoregon.gov.

How is this notice different from previous notice(s) I've received?

You may have received a letter or notice last year about PSC hearings on proposed Zoning Map and/or Zoning Code changes related to the Comprehensive Plan. This new notice is to let you know that the Portland City Council will now consider adopting the PSC-recommended plan.

When will the zoning changes take effect?

January 1, 2018. This allows time for the State of Oregon to acknowledge the plan, and consider any objections that may be filed.

Will the zone changes require me to redevelop or sell my property?

No, as a property owner it is always your choice to sell or redevelop.

How can I provide feedback to decision-makers?

You may testify about proposed changes to the Portland City Council in the following ways:

- Testify in person at the City Council hearing.
- Testify in writing between now and October 13, 2016.

You may speak for 2 minutes to the Council, and your testimony will be added to the public record.
City Hall Council Chambers, 1221 SW 4th Avenue, Portland
Thursday, October 6, 2016 at 2 p.m.
Thursday, October 13, 2016 at 2 p.m.
To confirm dates and times, check the City Council calendar at www.portlandoregon.gov/auditor/26997

Please provide your full name and mailing address.
• **Email:** cputestimony@portlandoregon.gov with subject line "Comprehensive Plan Implementation"
• **U.S. Mail:** Portland City Council, 1221 SW 4th Ave., Room 130, Portland OR 97204, Attn: Comprehensive Plan Implementation

If you need special accommodation, translation or interpretation, please call 503-823-4086 at least 48 hours before the hearing.

All testimony to City Council is considered public record, and testifiers' name, address and any other information included in the testimony may be posted on the website.



IN MY OPINION

Fate of affordable housing project rests with Portland City Council

Mark P. O'Donnell

We have contracted with the nonprofit Northwest Housing Alternatives for the building and operation of a 160-unit low-income senior housing project in Northwest Portland. The nonprofit, which currently provides more than 1,800 housing units for more than 2,700 individuals, is one of Oregon's largest and oldest nonprofit developers of affordable housing in Oregon.

The financial viability of our project rests on two critical foundations. First, we have agreed with the nonprofit to a long-term ground lease at below-market rates. Second, the property is currently assigned a four-to-one "floor-area ratio," meaning you can develop up to a four-floor building.

However, the neighborhood group Northwest District Association and the city's Planning and Sustainability Committee have recommended the ratio be cut by 50 percent, affecting a 23-block area within Northwest Portland. The City Council has held the first hearing on the issue as part of its work on the comprehensive plan and will review it again on Thursday.

If the Portland City Council yields to the neighborhood association, our affordable housing project will not happen.

Our plan had called for most of the 160 units to be occupied by seniors and citizens with special needs who are categorized as "extremely low income." Today, the City of Portland has a shortage of

23,295 units for that very category. In Multnomah County, the shortage is 27,535.

In other words, the poorest of the poor have the greatest needs.

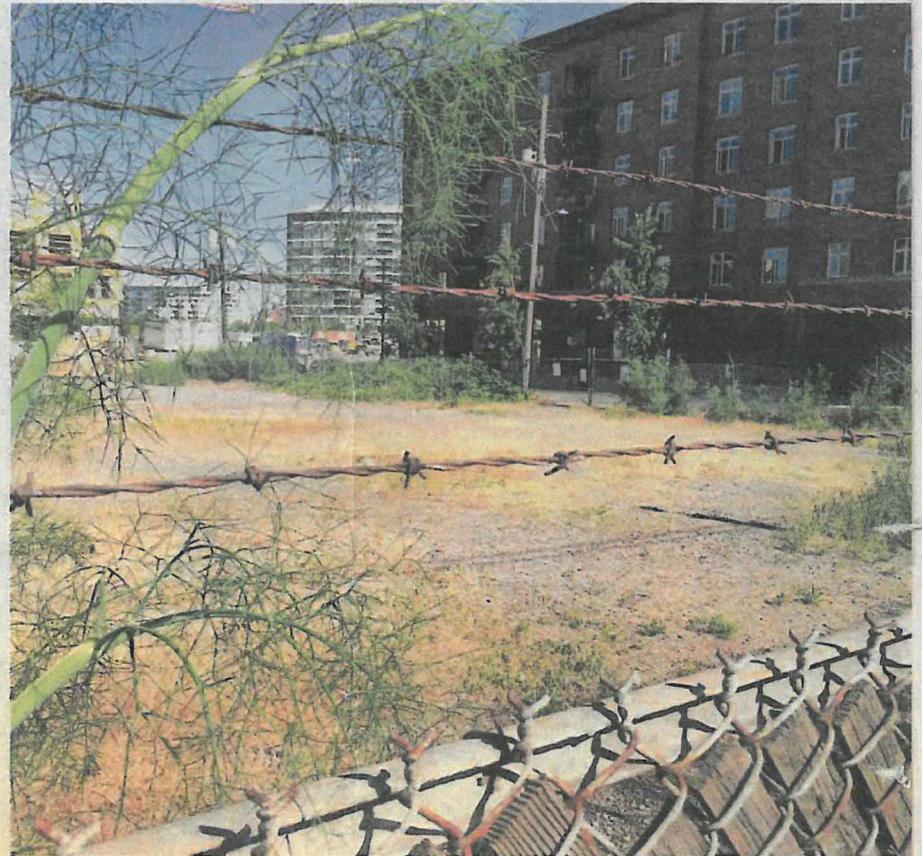
The city should not be asking Portland voters to approve \$258.4 million in general obligation bonds to provide approximately 1,300 affordable apartments and — at the same time — approve the reduction in the floor-area ratio that would eliminate 160 units of affordable housing at no cost to the city.

The Northwest Pilot Project receives an average of 5,000 calls per year for adults over 55 years of age who are homeless or at risk of homelessness in Multnomah County. According to that nonprofit, the population of those age 55 or older who are homeless in Multnomah County has increased by 23 percent between 2013 and 2015. This acute shortage of affordable housing for the extremely low income leads to homelessness.

We have partnered with two nonprofit organizations that have outstanding resumes of helping extremely low-income citizens. Approval of this exclusionary zoning for the elite will kill housing opportunities for those who need it the most.

To do such in this crisis of a 23,295-unit shortage, reminds me of Ralph Waldo Emerson's statement: Your actions are shouting so loud, I cannot hear what you say.

Mark P. O'Donnell is a lawyer who was raised in Northwest Portland. He won the De Paul Freedom Award in 2013.



The city of Portland, which recently bought this quarter block in the Pearl District to build more affordable housing, voted earlier this year to place a \$258 million housing bond on the November ballot. Brad Schmidt / staff

189805

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 1	Anna Kemper		
✓ 2	Christe White		
✓ 3	Maddie Karas	6325 N Albina #7 97217	at yahoo.it!
✓ 4	Sarah Iannarone	5636 SE 63 rd Ave	
✓ 5	DAVID B BINNIG		
✓ 6	Vicki Stryha	1728 NW Hoyt St	vstryha@aol.com
✓ 7	Lyrin Murphy	2336 SW Osage	
8	Harold Coulton	14121 NE Everett St	hcartston@juno.com
✓ 9	Sean Green		
✓ 10	Tony Jordan	4540 SE Yamhill St.	

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Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 11	Hinda Nettekoven	2018 SE Ladd Ave 97214	
✓ 12	Lawrence Kojaku	2448 NW Webster Rd. 97210	lkojaku@aol.com
✓ 13	Daniel Salomon	1701 SW Columbia St. APT 119	danielsalomon@comcast.net
✓ 14	Sherry Salomon	#204 2393 S.W. Park Place	sherry.salomon@comcast.net
✓ 15	Steve Salomon	"same"	salomonsteve@comcast.net
✓ 16	Robin Laakso Robin Laakso	223 NW 18th Ave 97209	laakso@pacifier.com
✓ 17	Dennis Harper	221 NW 18th Portland 97209	dnhylvhs@yahoo.com
✓ 18	Doug Klotz	1968 SE 35th Pl.	dklotz@comcast.net
19	XXXXXXXXXXXX		
✓ 20	Jim Garter	8041 SW 8 97219	

comcast.net

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Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 21	HENRY KRAEMER	3968 NE 6TH AVE 97212	KRAEMER.HENRY@GMAIL.COM
✓ 22	Aaron Brown	8016 N Vanhoer 97203	
23	Lean Porter	1822 NE Wasco 97232	
24	Jordan Winkler		Jordan@WinklerCompanies.com
25	Brooke Best	2100 SE Larch Ave Portland 97214	bvbseattle@comcast.net
✓ 26	John Liu	461 NE Mirimar Pl PHD 97232	JohnLiu@gmail.com
27	Kiel Johnson	3927 ne 7th ave 97212	
28	Kate Johnson	" "	
✓ 29	Nathan LeRud	147 NW 19th Ave Portland, OR 97209	nathan@tribby-episcopal.org
✓ 30	Dean Gisvold	2225 NE 15th	dean@mcnewgsvold.com

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 31	Brad Hochhalter	1723 NW GLISAN 97219	oboebrae@yahoo.com
✓ 32	Julie Garver	Innovative Housing 219 NW 2nd Ave 97209	jgarver@innovativehousinginc.com
33	Peggy North	Ruston Oregon	
→ 34	Nathan Lerner Allison Reynolds	140 SW 9th Ave Ste 3000 Portland OR 97205	allison.reynolds@stoel.com
✓ 35	R. CHATARD SHEPHERD	3970 N INTERSTATE AVE. Unit 203 PORTLAND, OREGON 97227	
✓ 36	2720 NW Upshur Katrice Metzger	2720 NW Upshur	metzger@sbeglobal.net
✓ 37	Thomas Metzger	2720 NW Upshur	metzger@sbeglobal.net
✓ 38	Thomas Karwaki	7139 N. Macrum Ave. 97203	Karwaki@yahoo.com
39			
40			

Harold Carlston
14621 NE Everett St
Portland, OR 97230

Mayor Wheeler, Commissioners,

Thank you for carrying over the testimony concerning Better Housing by Design from the October 2nd Council meeting.

As a lifelong resident of Portland and 26 year resident of East Portland, specifically east of 122nd in the northern portion of the light rail corridor south of Glisan and north of Burnside, I wanted to offer a few perspectives and observations that I haven't heard expressed yet.

Higher Density

While I understand the need to increase density, the rate of the increase is a bit troubling for a few reasons. During my 26 years of residence in this area as an example, the zoning density of my residential property has increased from R10 which allowed 1 residence per 10,000 square feet of real estate to R1 which if I understand correctly, allows 10 residences in the same space. That is simply housing people without a connection to the area.

In that same period of time, there has been zero infrastructure improvements in the way of destinations for residents to walk/bike to or from. Not just in the light rail corridor, but most anywhere east of 122nd. There are really no destinations between 122nd and the outer boundary at 162nd. We seem to be making a priority of putting people in this area without the amenities of neighborhoods like Montavilla, Hollywood, Alberta, Lents, etc. Of all the areas in Portland, because of this, it encourages the area to be car-centric. Without a change in focus to encourage or incentivize development of commercial/retail in this area, it will continue be car-centric with just a larger parking problem.

Just to be clear, I am a self-professed car nut that enjoys working on and caring for classic cars as a hobby and use PIR on a somewhat regular basis and I of all people understand that automobiles are not self-sustaining in the long run. BUT, I only drive one car a time. If the push is for incoming residents to use taxis, Uber, Lift, in addition to transit, keep in mind that it is still a trip in a car. The only thing that has changed is the ownership. Encourage developers to build destinations in this area and in theory, more walking/biking should occur.

Concurrently with these zoning changes to higher density without a focus on destinations in the area, Access to Education and Employment has pinched down to traffic on Glisan to 2 lanes from 4. Did I mention that there is no employment in this area?

At the same time Better Housing by Design is potentially restricting off-street parking with new housing development. Again, this only makes sense if there is a destination within the area. The argument has been made that if development within 500 feet of light rail, there should be zero parking allowed. I think this is short-sighted. While a development may be within 500 feet, it may be near a mile to a light rail stop as an example. That makes it very difficult for residents to make the choices you would like them to make. Another issue is reasonable access to westbound Tri-Met stops from the south side of Glisan is almost non-existent, especially between 122nd and 148th.

Amendment #2



Character of the Area

In 1993, this area was considered sub-urban or Mid-County. As a result of the lack of balanced development over the last 26 years, the character is still sub-urban. When zoning allows 100 foot tall buildings in a sea of single level homes, what may that do to the character of the area?

*Sincerely,
Harold S. Calton*



November 6, 2019

City of Portland
Attn: Mayor Wheeler and City Commissioners
1221 SW Fourth Ave, Room 110
Portland, OR 97204

Subject: Enhanced Air Quality Filtering and Other Pollution Mitigation needed for Multi-family Units developed in Multi-dwelling zones – Better Housing by Design Testimony

Honorable Mayor and City Commissioners,

Thank you for the opportunity to testify on Better Housing by Design. I am thankful to Planner Bill Cunningham who has done an outstanding job conducting this process with the neighborhoods other public meeting events. I believe that the new multi-dwelling zoning classifications allow more flexibility in the size and design of these units as they will be based on Floor Area Ratio rather than a prescribed number of units.

But I am concerned that the proposal fails to address the air quality and other health related impacts for these units as required in the 2035 Comprehensive Plan. Chapter 4- Design Development states the following policies:

- Policy 4.33 Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.
- Policy 4.35 Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
- Policy 4.36 Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
- Policy 4.37 Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.
- Policy 4.83 Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

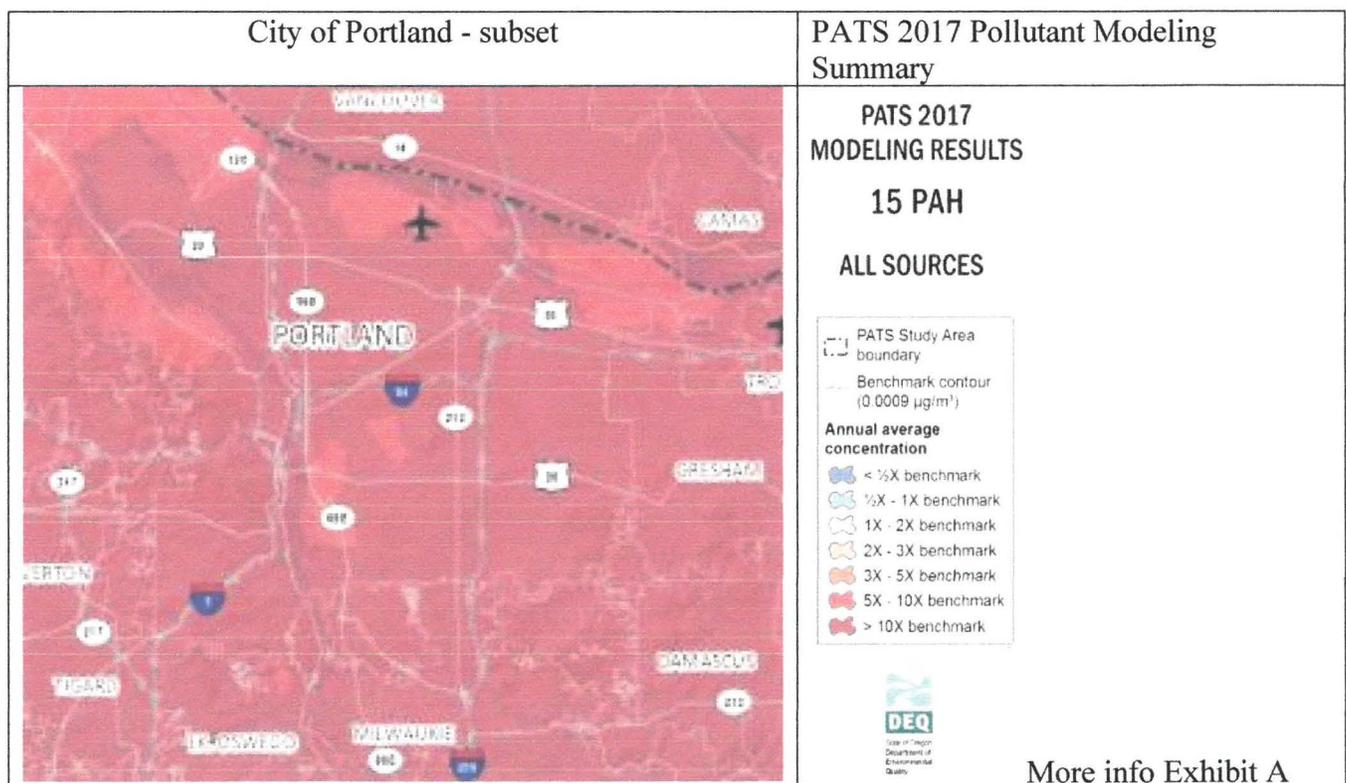
The vast majority of renters in Portland’s multi-family developments tend to be poorer, of greater ethnic diversity, and those with weak or fragile immune systems, such as the elderly and children. Policy 4.33 states “Limit and mitigate public health impacts”. This is a directive to staff to take the needed precautions that make sure the proposed design meets or exceeds healthy levels for humans.

Oregon Public Broadcasting updated a 2012 article on July 10, 2018 titled “Mapping Everyday Air Toxics” that takes a look whether DEQ’s proposed air quality improvements by 2017 had occurred. It states: “Working with the Air Toxics Solutions Advisory Committee, the agency put out a report last month illustrating which toxics are expected to exceed a set of agreed-upon health benchmarks. The DEQ report concluded that 15 air pollutants will exceed healthy levels – throughout the metropolitan area, in most cases – by 2017. (Air toxics can raise the risk of cancer and other [diseases](#) at higher concentrations, though they’re not regulated like other air pollutants under the Clean Air Act) It found higher levels of air toxics near low-income and minority communities.

It concluded the eight riskiest pollutants are 1,3-Butadiene, benzene, diesel particulate, 15 polycyclic aromatic hydrocarbons (PAHs), naphthalene, cadmium, acrolein and formaldehyde.

And the culprits? Mostly cars, trucks, and wood stoves.

“So much of the pollution is from everyday activities,” said Marcia Danab, communications and outreach coordinator for the Oregon Department of Environmental Quality. “When you look at the maps, you see areas that have higher concentrations are along the major roadways: It’s cars and trucks, diesel trucks, construction equipment powered by diesel or gas, and it’s wood smoke.””



Further the article states: “The advisory committee recommended five areas where these toxic pollutants can be reduced: residential wood stoves, light-duty and heavy-duty vehicles, construction and non-road equipment and industrial metals facilities.”¹

The one area that this committee failed to consider is in the City of Portland Municipal and State-wide Building Codes. Through conditions of approval on new construction property owners can be required to install enhanced air-quality air systems/filters in their multi-family structures. Building Code or Fire Codes can then require regular inspections to assure that this air quality mitigation is implemented into the future.

At the end of August last year, Portland was identified as having the second worst air quality in the major cities **worldwide**.² You may recall that at that time the Eagle Creek fire in the Columbia River Gorge was causing smoke-filled skies throughout the Portland Metro area. With Climate Change wildfire smoke events will only increase. This only intensifies the need to call to action for enhanced air quality filters to be in place in people’s homes as well as public facilities throughout the city.

In addition, on July 3, 2019, EPA issued documentation titled, “Air Quality and Climate Change Research”³. It states, “Air quality can impact climate change and, conversely, climate change can impact air quality. For example black carbon emissions will continue to warm the earth”. “Atmospheric warming associated with climate change has the potential to increase ground-level ozone in many regions, which may present challenges for compliance with the ozone standards in the future. The impact of climate change on other air pollutants, such as particulate matter, is less certain, but research is underway to address these uncertainties.”

How does this information impact the current Better Housing By Design Recommended Draft dated Aug. 2019?

Finding 1: “Section 1: Introduction” of this Draft identifies the project’s objective to revise City regulations to better implement the Comprehensive Plan policies that call for:

- “Housing opportunities in and around centers and corridors.
- Housing diversity, including affordable and accessible housing.
- Design that supports residents’ health and active living.”

But fails to include relevant Comprehensive Plan policies from Chapter 4- Design Development, including, but not limited to:

¹ OPB Ecotrope “Mapping Portland’s Everyday Air Toxics”, May 25 2012 Updated July 10, 2018, by Cassandra Profita. See: <https://www.opb.org/news/blog/ecotrope/mapping-portlands-everyday-air-toxics/>

² KGW8 news, “Portland’s Air Quality Ranks 2nd worst in Major Cities Worldwide”, published Aug. 21, 2018. See: <https://www.kgw.com/article/weather/air-quality/portlands-air-quality-ranks-second-worst-in-major-cities-worldwide/283-586223379>

³ EPA, “Air Quality and Climate Change Research”, July 3, 2019. See: <https://www.epa.gov/air-research/air-quality-and-climate-change-research>

Policy 4.33 Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.

Further, this chapter states Key Comprehensive Plan Objectives stated on page 3 fails to include measures to limit and mitigate public health impacts for the inhabitants of these developments. The only Objective relating to health states:

□ Outdoor spaces and green elements to support human and environmental health.

Therefore, the Better Housing By Design Recommended Draft dated Aug. 2019 Section 1 fails to include Policies 4.33, 4.35, 4.36, 4.37, 4.83 of the 2035 Comprehensive Plan and and considering them in the Key Comprehensive Plan Objectives resulting in a failure to satisfy the 2035 Comprehensive Plan.

Finding 2. “Section 2: Direction from the Comprehensive Plan” is to provide direction regarding development in the multi-dwelling zones. Guiding Principles identifies:

“2. Human Health

Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

This project furthers this principle by increasing opportunities for the housing people need to live secure and healthy lives. The proposals also contribute to human health by ensuring new housing includes residential outdoor spaces that support healthy living and social interaction, through limiting large paved areas that contribute to urban heat island impacts, by facilitating active mobility by allowing more people to live close to services, and by supporting the development of a wide range of housing that can meet the diverse needs, abilities, and economic conditions of Portlanders.”

This Guiding Principle fails to include the Comprehensive Plan policy 4.33 language that states “Limit ***and mitigate public health impacts***, ...”, as identified in Finding 1.

Therefore, Section 2 Direction from the Comprehensive Plan Guiding Principles Subsection 2. Human Health fails to include Plan policy 4.33 that includes actionable language “limit and mitigate public health impacts” and fails to satisfy Chapter 4 of the 2025 Comprehensive Plan.

Finding 3. “Section 2: Direction from the Comprehensive Plan” identifies Guiding Principles:

“4. Equity

Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address, and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

This project advances this principle by providing incentives for the creation of new affordable housing

and for preserving existing affordable housing. The proposals also contribute to equity through development bonuses for “visitable” housing that is physically-accessible to people with a range of abilities, through provisions that address the need for street connections and outdoor spaces in East Portland, by increasing opportunities for home-based businesses and services along East Portland’s corridors, and through focused engagement with low-income renters and other historically under-represented populations to help shape the project’s proposals”

This language fails to consider the Oregon Department of Environmental Quality’s PATS 2017 Pollutant Modeling Summary⁴ on Portland’s air quality where it states it promotes equity and environmental justice. It fails to include policy direction provided by Chapter 4-Design Development in the 2035 Comprehensive Plan including:

Policy 4.33 Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.

Therefore, Section 2: Direction from the Comprehensive Plan, Guiding Principles, Subsection 4. Equity fails to satisfy the 2035 Comprehensive Plan.

Finding 4. Page 55 of the Recommended Draft provides a comparison of Current and Proposed Development Standards. The environmental mitigation has been **reduced** in the Draft for the current R3 zone and R1 zone where it abuts Civic Corridors. This is in conflict with the Guiding Principles for Human Health and fails to consider the Comprehensive Plan policies:

⁴ DEQ PATS 2017 Pollutant Modeling Summary, Portland Air Toxics Solutions Advisory Committee, January 25, 2011. See: <https://www.oregon.gov/deq/FilterDocs/15pollutantsAboveSummary.pdf>

- Policy 4.35** **Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
- Policy 4.36** **Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
- Policy 4.37** **Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.

Comparison of Current and Proposed Development Standards

This table provides a comparison of development standards that apply in the current zones (shaded) and those proposed for the new zones. This table is a summary and does not include all development standards and details (see Volume 2 for details on existing and proposed development standards). The table includes only one column for the RX zone and does not include the RMP zone, as these zones are retaining their current names and are not proposed for significant changes.

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 1 to 1	1 unit per 1,000 sq. ft. of site area	FAR of 1.5 to 1	FAR of 2 to 1 or 4 to 1	FAR of 2 to 1	FAR of 4 to 1 (3 to 1 in historic districts)	FAR of 4 to 1
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.	35 ft.	45 ft.	45 ft.	65 ft. or 75/100 ft.	65 ft.	75/100 ft. ⁶	100 ft.
Step-Down Height (25' from SFR zone)	--	--	35 ft.	--	35 ft.	--	35 ft.	35 ft.	35 ft.
Minimum Front Setback	10 ft.	10 ft.	10 ft.	3 ft.	5/10 ft. ¹	0 ft.	5/10 ft. ¹	0/5 ft. ¹	0 ft.
Minimum Side/Rear Setback ³	5-14 ft.	5-14 ft.	5 ft.	5-14 ft.	5 ft.	5-14 ft.	5/10 ft. ²	5/10 ft. ²	0 ft.
Maximum Building Coverage	45%	50%	50%	60%	60% 70% ⁴	85%	85%	85%	100%
Minimum Landscaped Area	35%	30%	30%	20%	20%	15%	15%	15%	none
Required outdoor area per unit	48 sq. ft.	none	36/48 sq. ft. ⁵	36/48 sq. ft. ⁵	none				

¹The 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.

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

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

⁴70% building coverage applies to properties that abut Civic or Neighborhood corridors.

Therefore, the proposed Minimum Landscaped Area of 30% for the current R3 zone and the Maximum Building Coverage of 70% in the current R1 zone does not satisfy Policies 4.33, 4.35, 4.36, 4.37, 4.83 of 2035 Comprehensive Plan and its own Guiding Principles.

Finding 5. The 2035 Comprehensive Plan Map and 2035 Portland Transportation System Plan co-exist yet the Freight Transportation Routes compromise livability along major corridors due to deisel

emissions. Having testified before the Planning and Sustainability Commission in 2011 on the Comprehensive Plan Background documents I disclosed that the highest residential density planned for the City of Portland is placed directly along major freight corridors. This subjects residents of those properties an increased risk of health challenges and that the location of the zones should either be reversed with the low density zones or these developments should be mitigated. The Planning Commission then agreed that the impact of this pollution should be mitigated. Now there is clear evidence through the PATA report and Portland Deisel Particulate map that these high density residential zones are receiving over 10xs the DEQ agreed healthy limit of deisel exhaust, largely due to the freight corridors.

Therefore, the City Council for the City of Portland as the ultimate authority in balancing residential livability and freight movement needs. As elected representatives for the current and future residents of this city it is obligated to weigh the air quality evidence that places undue health risk on the populations residing in the majority of the multi-family zoned properties within the City of Portland.

In conclusion, as an AICP Land Use Planner I call on our Code of Ethics that requires me in overall responsibility to the public to speak up for those that are disadvantaged under article 1.f:

“f) We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.”

I find that the failure of the planning and appointed officials to consider relevant published DEQ the air quality reports and include vital policies of the Comprehensive Plan cannot go unchallenged.

Please join me in my recommendation to remand this Draft back to the Planning Commission in order for them to consider all the requirements of the 2035 Comprehensive Plan including Chapter 4-Design Development as it fails to address equity and health for all residents of Portland. In this consideration please include enhanced air quality systems and filtration for all Multi-Dwelling zoned developments.

Respectfully,



Tamara DeRidder, AICP
Principal, TDR & Associates
Land Use/ Public Engagement/Design
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804

Attachments:

- Exhibit A. Rose City Park Neighborhood Area Freight Routes
- Exhibit B. Rose City Park Neighborhood Area Land Use Map
- Exhibit C. Rose City Park Neighborhood Area 24-hr Diesel Count, 2018
- Exhibit D. Portland Diesel Particulate, by Portland Clean Air
- Exhibit E. PATS 2017 Pollutant Modeling Summary 1/25/11 Draft Page 15

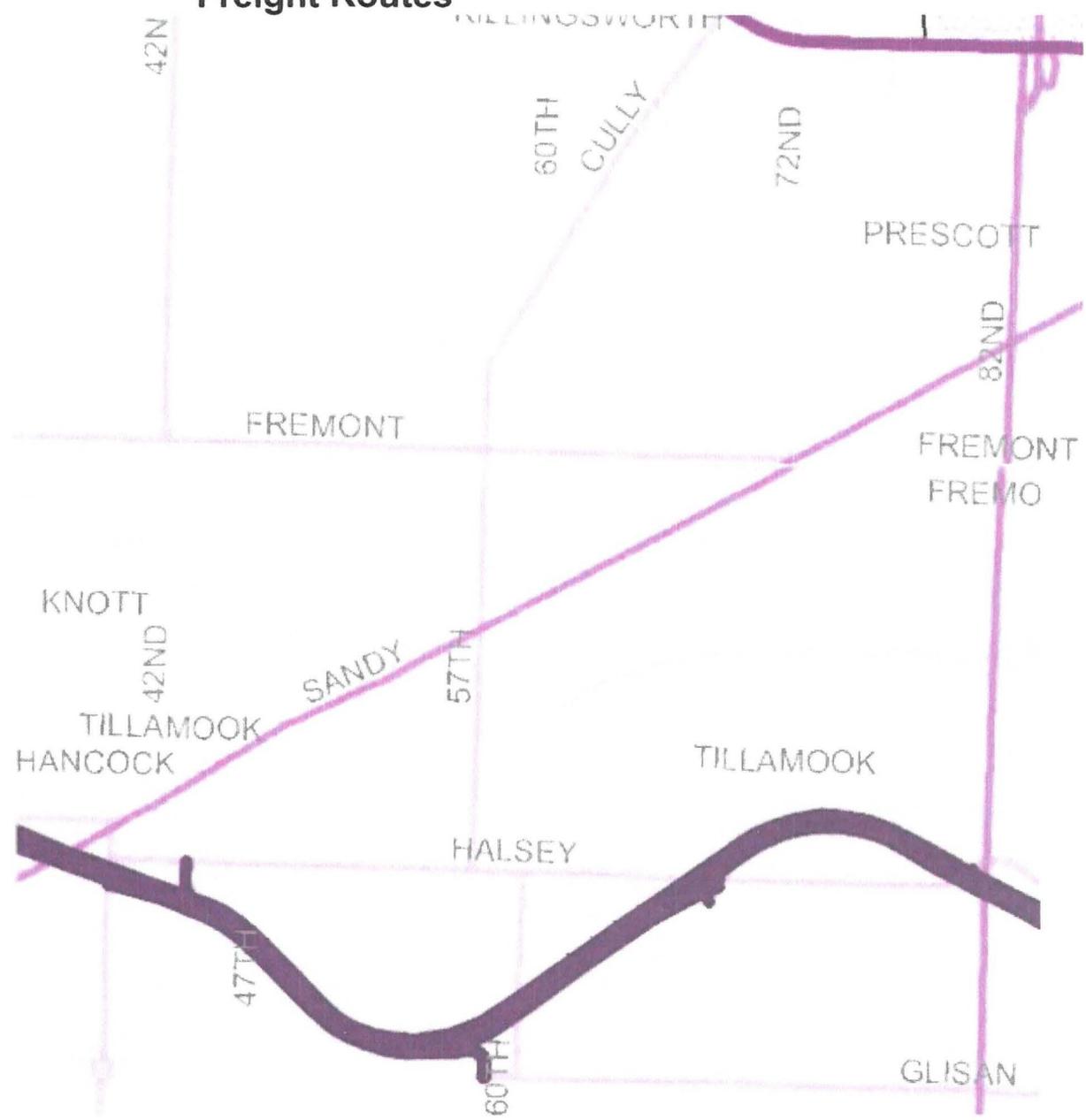
Rose City Park Neighborhood Area Freight Routes



Freight Classification

- Regional Truckway
- Priority Truck Street
- Major Truck Street
- Truck Access Street
- Local Service Truck Street
- Railroad Branch Line
- Railroad Main Line
- Freight District

2035 Comprehensive Plan,
Transportation Systems Plan
May 2018



B4,
p.
167

C4,
p.
172

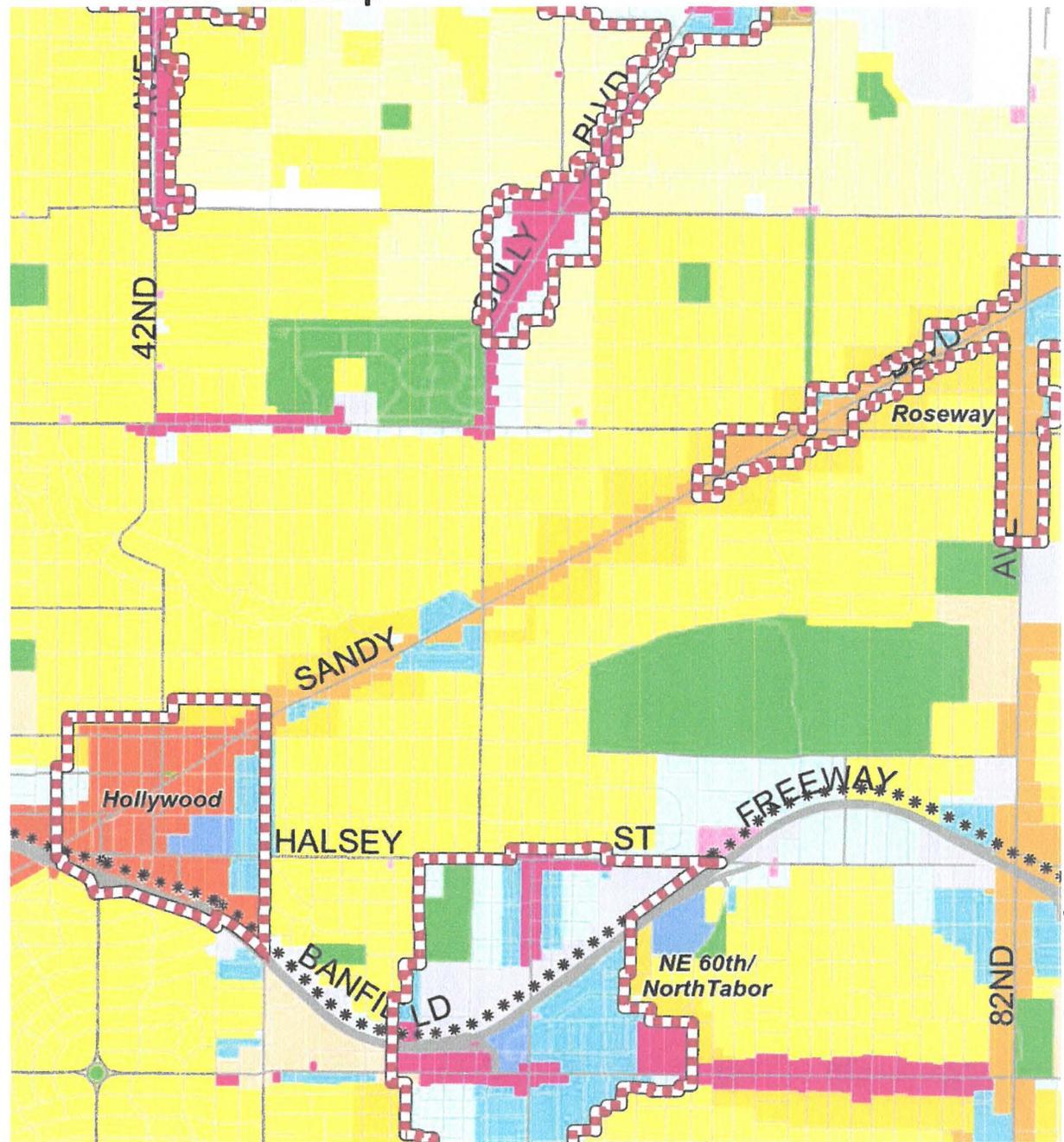
189805
Exhibit 19
TDR 11/6/19

Rose City Park Neighborhood Area Land Use Map

LEGEND (condensed)

- Single-Dwelling 5,000
- Single-Dwelling 2,500
- Manufactured Dwelling Park
- Multi-Dwelling 3,000
- Multi-Dwelling 2,000
- Multi-Dwelling 1,000
- High Density Multi-Dwelling
- Mixed Use – Dispersed
- Mixed Use – Neighborhood
- Mixed Use – Civic Corridor
- Mixed Use – Urban Center

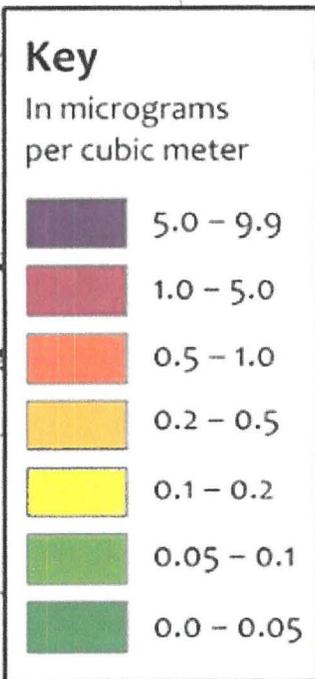
2035 Comprehensive Plan Map, Dec. 12,
2018 edition



189805
 Exhibit B
 11/16/19

Portland Diesel Particulate

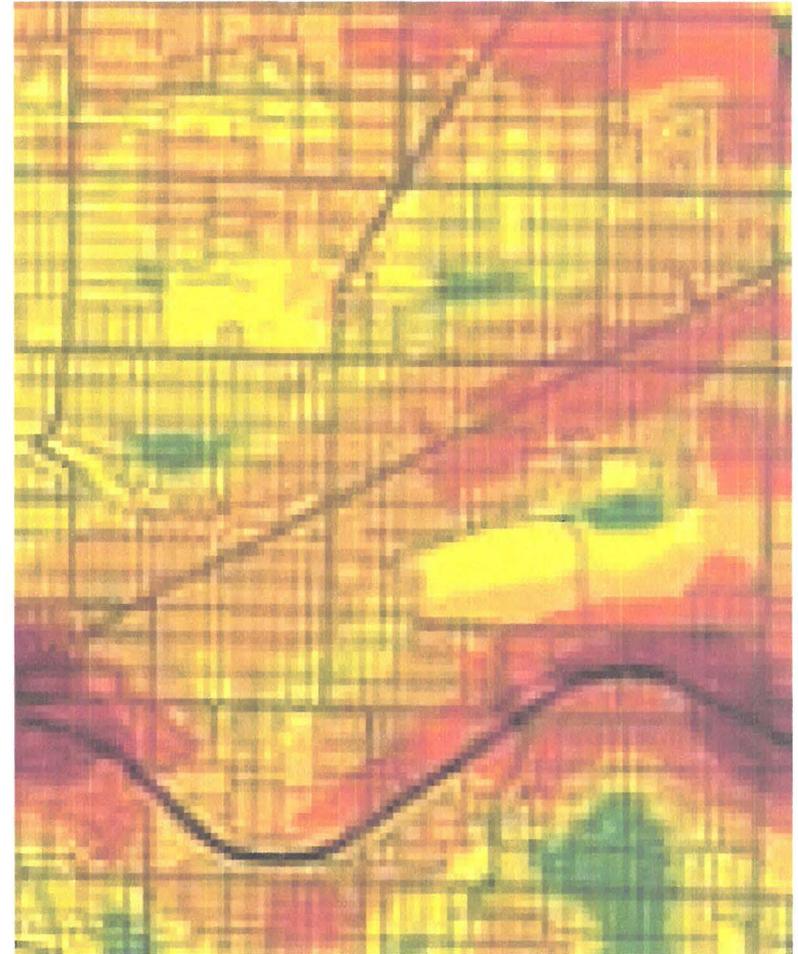
Unfiltered Industrial Diesel Truck Pollution



The 2014 National Air Toxics Assessment (NATA) released to public by the EPA August 2018 ranks Multnomah in the worst 1.2% of counties for airborne diesel particulate, the worst airborne carcinogen according to State of California risk assessments. This GIS map of EPA NATA on-road diesel particulate is modeled by Portland Clean Air over roads using ODOT 24 hour truck counts.

GIS Map by Michael Egge, PhD Student Portland State University: megge@pdx.edu & Andrea Richards, Graduate Student Portland State University: anr2@pdx.edu. Data compilation by Greg Bourget: greg@portlandcleanair.org & Alissa Leavitt. All Data online at portlandcleanair.org in Data under Pollution Reports

Rose City Park Neighborhood Area 24-hr Diesel Count, August 2018



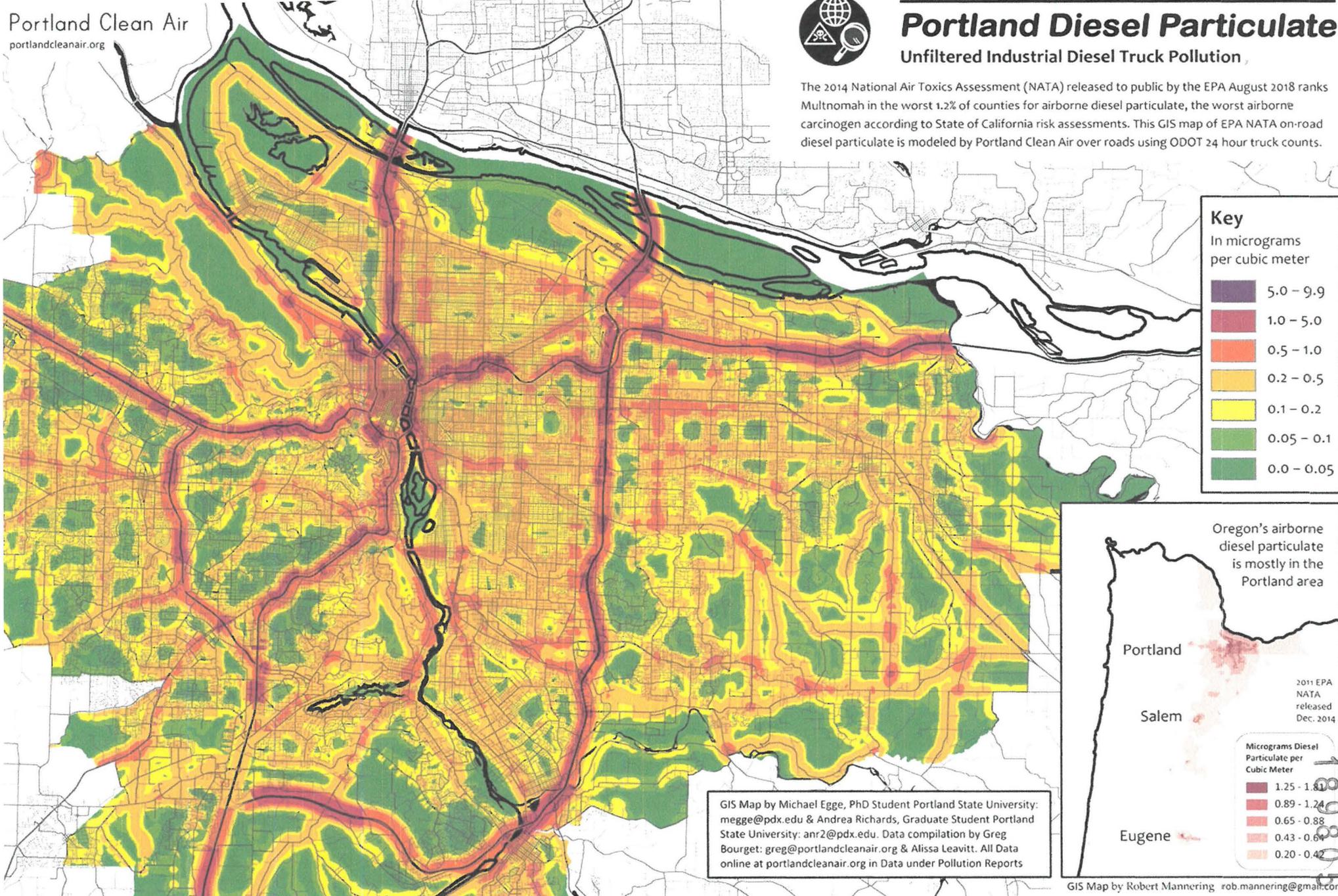
189805 Exhibit C
TDR 11/6/19



Portland Diesel Particulate

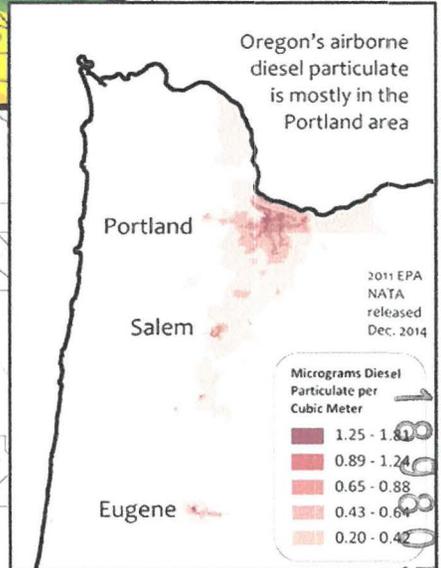
Unfiltered Industrial Diesel Truck Pollution

The 2014 National Air Toxics Assessment (NATA) released to public by the EPA August 2018 ranks Multnomah in the worst 1.2% of counties for airborne diesel particulate, the worst airborne carcinogen according to State of California risk assessments. This GIS map of EPA NATA on-road diesel particulate is modeled by Portland Clean Air over roads using ODOT 24 hour truck counts.



Key
In micrograms per cubic meter

Dark Purple	5.0 - 9.9
Red	1.0 - 5.0
Orange	0.5 - 1.0
Yellow	0.2 - 0.5
Light Green	0.1 - 0.2
Green	0.05 - 0.1
Dark Green	0.0 - 0.05



GIS Map by Michael Egge, PhD Student Portland State University: megge@pdx.edu & Andrea Richards, Graduate Student Portland State University: anr2@pdx.edu. Data compilation by Greg Bourget: greg@portlandcleanair.org & Alissa Leavitt. All Data online at portlandcleanair.org in Data under Pollution Reports

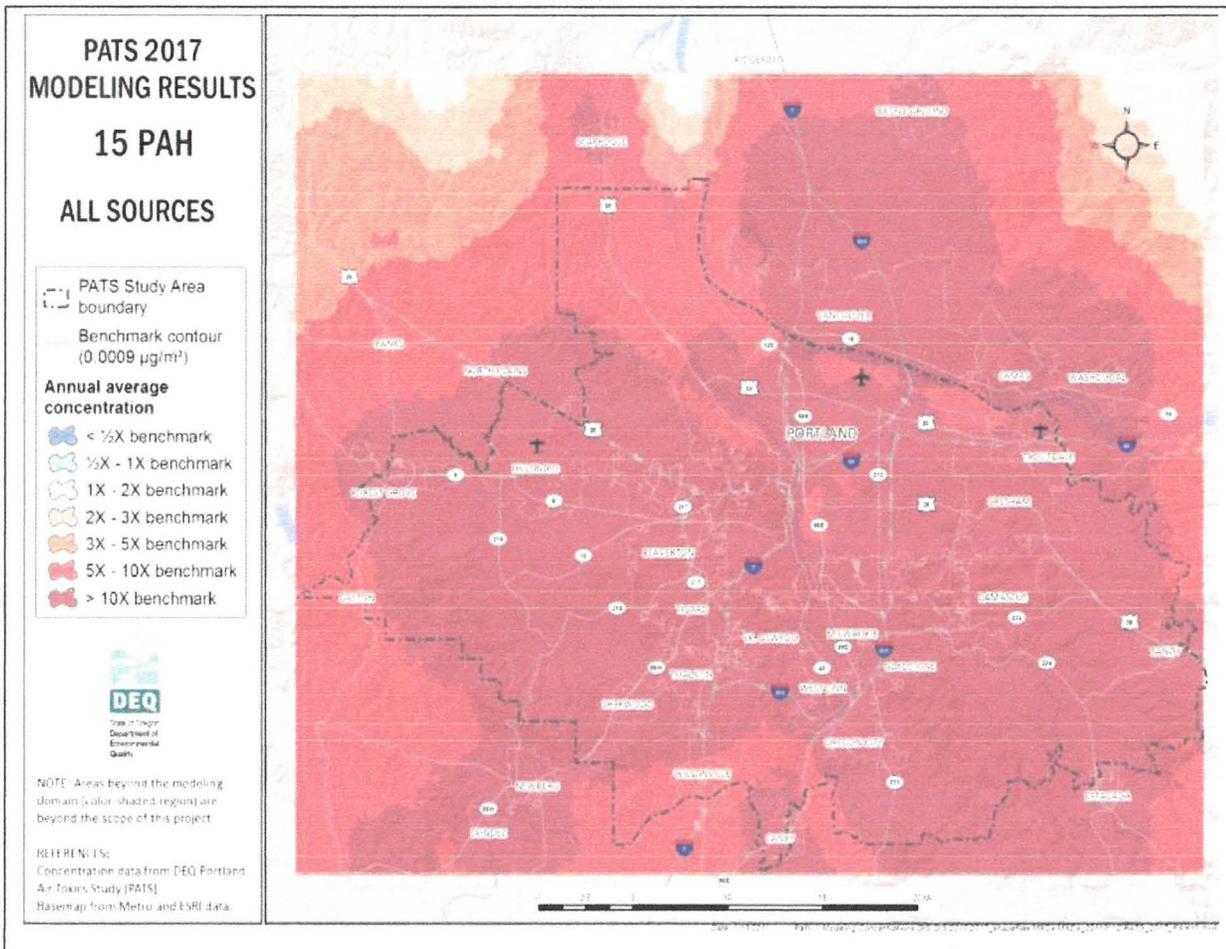
GIS Map by Robert Mannering rob.mannering@gmail.com

189801
Exhibit D
TDR
1/6/19

Exhibit E

PATS 2017 Pollutant Modeling Summary

1/25/11 Draft Page 15



Better Housing by Design

Testimony by Tamara DeRidder, AICP

Enhanced Air quality Filtering and other Pollution Mitigation needed for Multi-family units in the Multi-dwelling zones.

November 6, 2019

Fails to consider Chapter 4 – Design Development of 2035 Comp. Plan, including:

Policy 4.33 Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.

Policy 4.35 Noise impacts. Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.

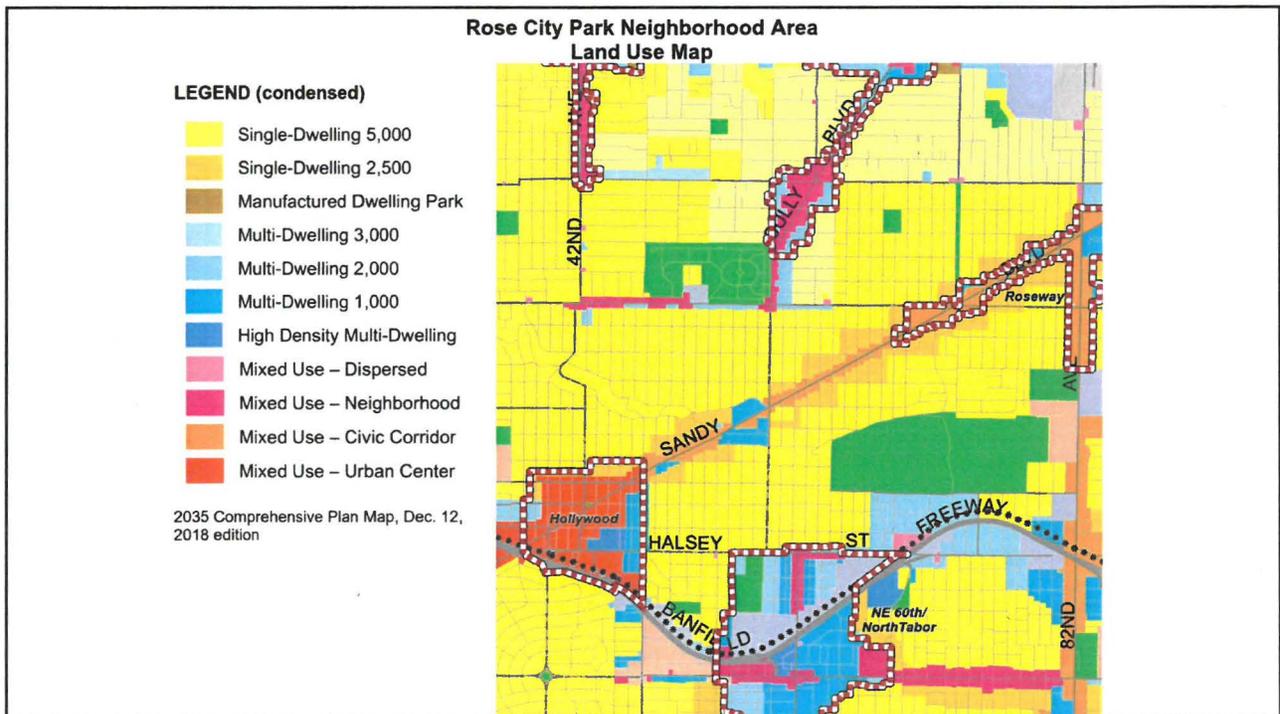
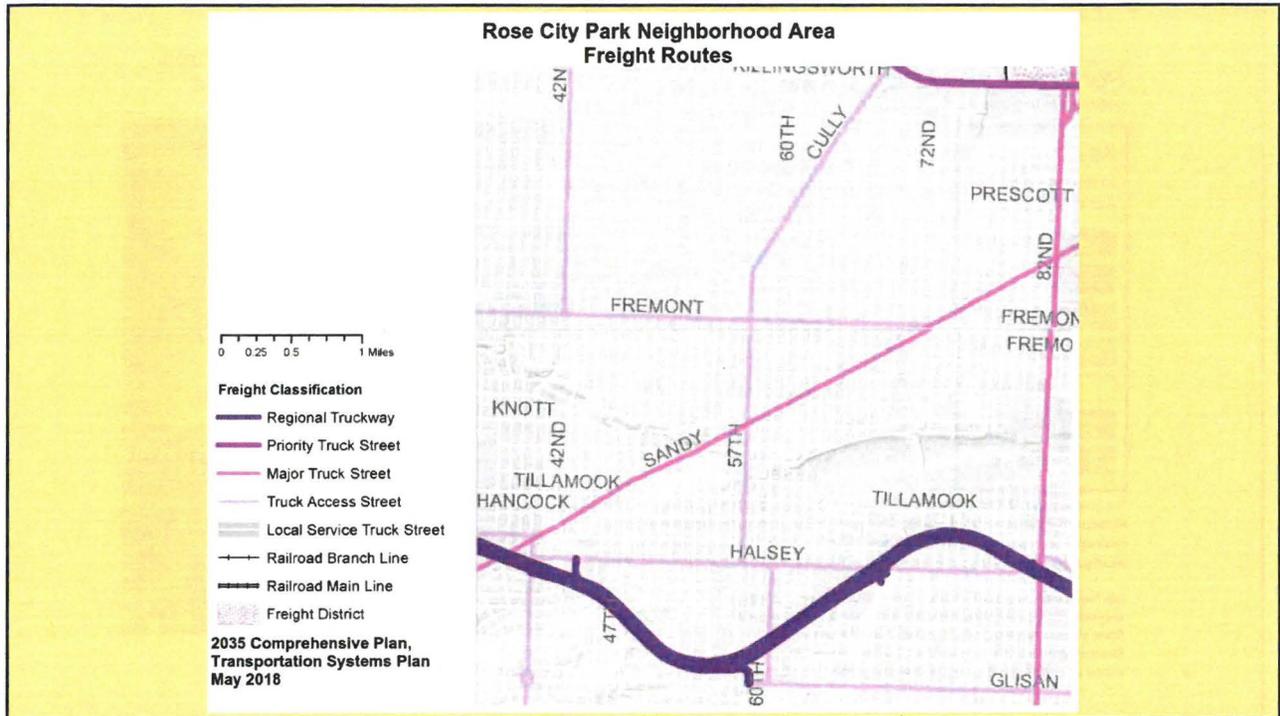
Chapter 4 of Comp. Plan continued

Policy 4.36 **Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.

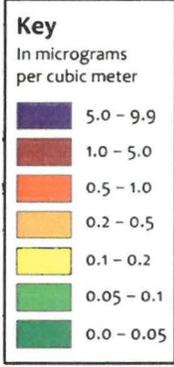
Policy 4.37 **Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.

Chapter 4 of Comp. Plan continued

Policy 4.83 **Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.



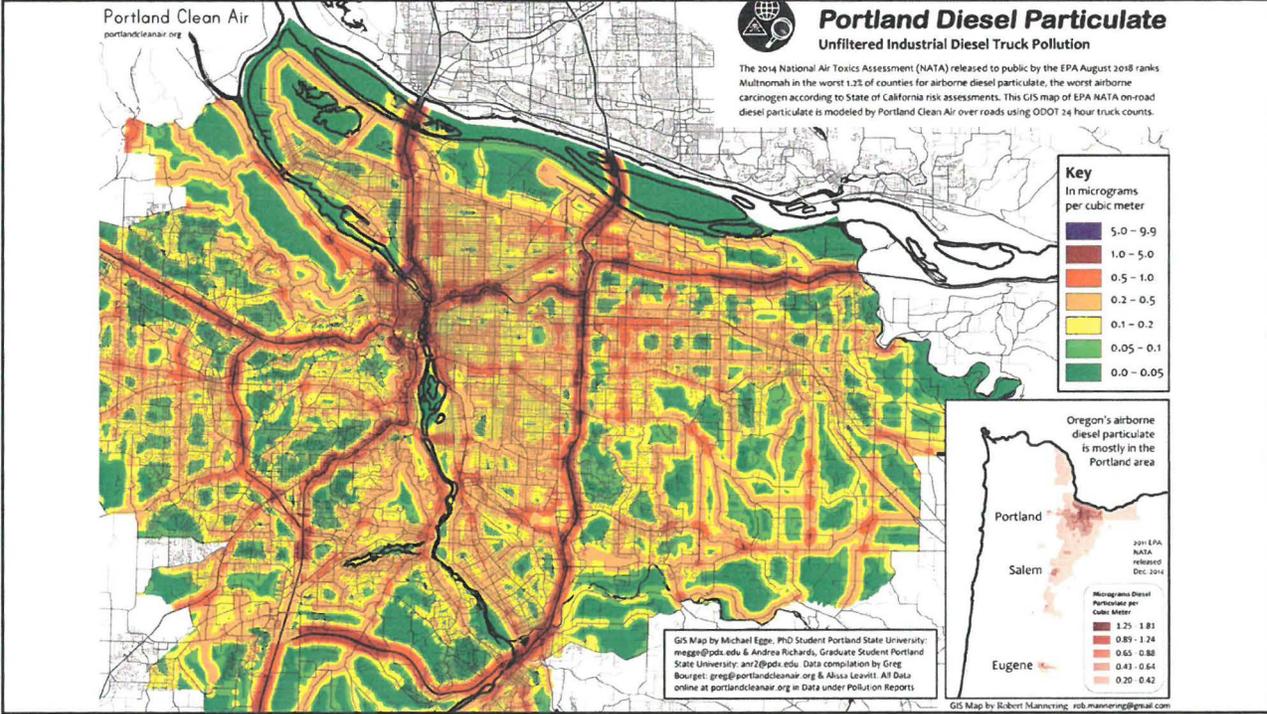
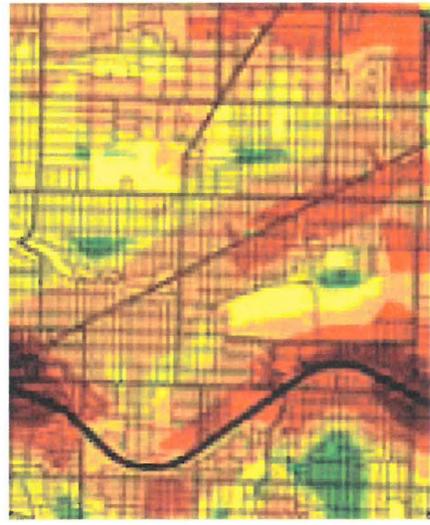
Portland Diesel Particulate Unfiltered Industrial Diesel Truck Pollution

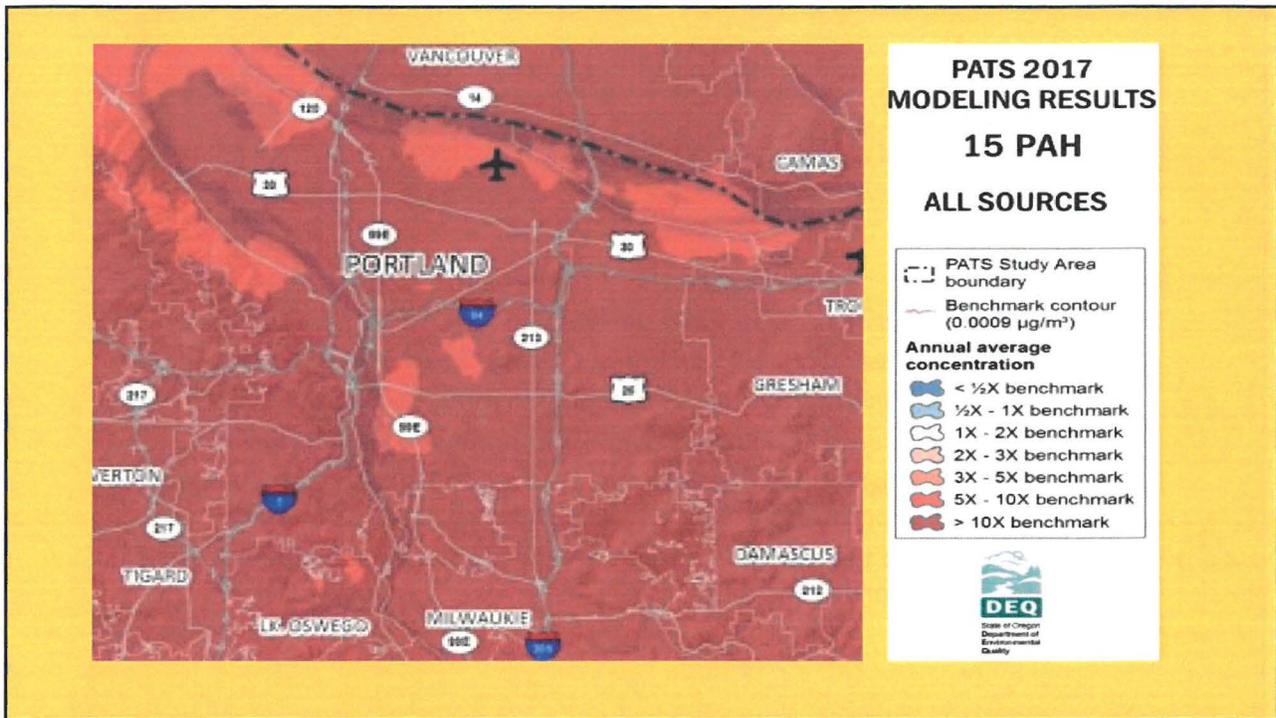


The 2014 National Air Toxics Assessment (NATA) released to public by the EPA August 2018 ranks Multnomah in the worst 1.2% of counties for airborne diesel particulate, the worst airborne carcinogen according to State of California risk assessments. This GIS map of EPA NATA on-road diesel particulate is modeled by Portland Clean Air over roads using ODOT 24 hour truck counts.

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Rose City Park Neighborhood Area 24-hr Diesel Count, August 2018





Comparison of Current and Proposed Development Standards

Standard	R3	R2	RM1	R1	RM2	RH	RM3	RM4	RX	
Maximum Building Coverage	45%	50%	50%	60%	60%	70% ⁴	85%	85%	85%	100%
Minimum Landscaped Area	35%	30%	30%	20%	20%	15%	15%	15%	none	

⁴70% building coverage applies to properties that abut Civic or Neighborhood corridors.

Recommend Remand back to the Planning and Sustainability Commission

- Why?

Failure to:

- To include & consider Key Health Policies from Chapter 4 of Comp. Plan
- Failure to consider DEQ's PATS 2017 (Air Quality) Pollutant Modeling Summary
- Maintain or increase Minimum landscaping to mitigate Health Impacts
- Maintain or decrease Maximum Coverage to mitigate Health Impacts
- To Limit and mitigate diesel emissions from Freight Transportation Corridors in support of Public Health.
- To consider all of the above as a requirement of Housing Equity for diverse populations in Portland.

EXAMPLE OF POSSIBLE "GOOD" DEMOLITION IN A HISTORIC DISTRICT

- Demolishes a non-historic building (not listed as contributing to a historic district)
- Replacement new construction is compatible with historic context



Tri-plex built in 1979 planned to be demolished
Not listed as contributing to Alhabet Historic District



Planned replacement new construction:
Two 3-story buildings containing 13 units
Intended tenants: single mothers with children



EXAMPLE OF POSSIBLE "BAD" DEMOLITION IN A HISTORIC DISTRICT

- Demolishes a historic building listed as contributing to a historic district
- Replacement new construction is out-of-scale with historic context



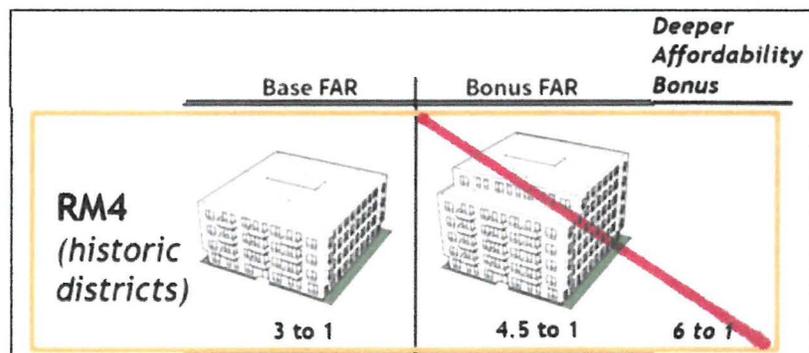
Located in area assigned to RM4 zone

Leffert, Herman House 1908
 Listed as contributing to Alphabet Historic District
 Currently a tri-plex

Undeveloped (parking) lot

DEVELOPMENT ALLOWANCES IN RECOMMENDED DRAFT

(Illustration 10,000 SF site)



By right

Make ineligible for additional size if historic building is demolished



Northwest District Association

November 6, 2019

TESTIMONY: Better Housing by Design

Removing 100-foot tall building allowance in support of amendment 5

NWDA appreciates Recommended Draft's recognition that historic preservation should be reflected in the scale of development allowances in historic districts, particularly by

- Rearranging the zoning map in the Alphet Historic District
- Reducing the base FAR in the largest-scale RM4 zone

Request removal of the allowance in historic districts for 100-foot tall buildings within 1,000 feet of a transit station

Small Area: Applies to equivalent of 5-6 blocks near the Providence Park station at the edge of the Alphet Historic District (A partial block near the Kings Hill/SW Salmon St. station is only other affected area, but is completely built out and that station may be closed.)

Inconsistent

- Original planning bureau staff proposal excluded historic districts from 100-foot allowance "to prevent heights that are not compatible with historic context"
- Recommended Draft excludes historic districts from a parallel 100-foot height allowance within 500 feet of streets with frequent bus service
- Allowing 100-foot tall buildings does not reflect the Recommended Draft's intention to "calibrate development allowances to the scale of historic districts." Since none of the landmark or contributing historic buildings in the area affected are more than five stories tall, 10-story buildings would be unlikely to be approved by the Historic Landmarks Commission using compatibility guidelines adopted by City Council.
- Incompatible with increasing affordable housing: 10-story buildings are allowed "by right" with no or minimal affordable housing (if containing at least 20 units, the citywide inclusionary housing requirement applies), while the default RM4 zone would require a 7-story building to have at least half of units affordable to those earning 60 percent of median family income.

Small request: A minor change in context of entire Recommended Draft and citywide zoning impact, but would have a huge effect on a few architecturally significant blocks of historic churches and apartment buildings (visual aid?)

A few facts about our neighborhood: Remind Commissioners that

- Alphet Historic District is already very dense, with a population density almost five times higher than the City overall
- Alphet Historic District is not an affluent enclave, having a median household income 23.5% lower than the City overall
- The Northwest District (of which the Alphet district is a part) has added over 3,000 new units between 2010 and 2018 (considerably more than any other Portland neighborhood), with hundreds more currently under construction

TEN-STORY BUILDINGS ARE INCOMPATIBLE IN THE ALPHABET HISTORIC DISTRICT

Disallow 100-Foot Building Height in Historic Districts Within 1,000 Feet of a MAX Station

Legend

-  Alphabet Historic District
-  Residential Multi-Dwelling 4 (RM4)
-  Vacant "underutilized" lots
-  MAX station buffer (100' building height)



AFFORDABLE UNITS REQUIRED: 100-FT. TALL BUILDINGS ALLOWED WITHIN 1,000 FT. OF A MAX STATION VERSUS RM4 ZONE IN HISTORIC DISTRICTS

Under Recommended Draft, 100-ft. tall building may have

- ◆ **No** affordable units if less than 20 units or affordable units built off-site or designated off-site or fee paid in-lieu *OR*
Currently *Beginning 2021*
- ◆ **15%** of units affordable at 80% of median family income **20%** of units affordable at 80% of MFI *OR*
- ◆ **8%** of units affordable at 60% of median family income **10%** of units affordable at 60% of MFI

Under Default RM4 Zone, 75-ft. tall building must have

- ◆ **50%** of units *on site* affordable at 60% of median family income



Inclusionary Housing

Regulatory Options

Option 1:

Build On-Site at 80% MFI

In buildings with 20 or more units, 15% of the units must be affordable at **80% MFI**, except within the Central City and Gateway Plan Districts, where 20% of the units must be affordable.

Option 2:

Build On-Site at 60% MFI

Applicants can elect to make 10% of units affordable at **60% MFI** in buildings within the Central City and Gateway Plan Districts, or 8% of units for buildings in all other areas.





TO: Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Jo Ann Hardesty
Mayor Ted Wheeler

FROM: Restore Oregon

SUBJECT: Testimony on Better Housing by Design – updated re amendments
(City Council Hearing, continued November 6, 2019)

Restore Oregon supports the overarching goals of Better Housing by Design and the broader quest for housing affordability. We believe that historic districts and individual historic buildings have an important role to play in that effort, through conversion of old buildings into housing, sensitive new infill development, ADUs, and the internal conversion of large homes into multiple units.

What we get concerned about is the compatibility of new development inside historic districts, and policies that incentivize even more demolition of historic structures.

Demolition wipes out forever the cultural heritage and character of a place; wastes vast quantities of materials and embodied energy; releases toxins, adds to climate change; and what replaces it is more expensive.

Therefore Restore Oregon would like to call out our support for the following HD provisions:

- **Special definition of the RM4 zone in historic districts.** The 3:1 FAR recommended for historic districts, which is more compatible with the scale of the largest historic apartment buildings. This is consistent with the 2035 Comprehensive Plan Policy 4.49 “Refine base zoning in historic districts to take into account the character of historic resources in the district.”
- **Additional FAR transfer allowance for seismic upgrades to historic buildings.** This additional allowance will provide urgently needed help to defray the high cost of seismic retrofits. However, its important to note that this allowance alone will not make seismic upgrades affordable. Its imperative that the City seek *additional* financial tools such as a state tax credit to avoid the loss of hundreds of buildings that create Portland’s distinctive character and provide thousands of units of housing.

-
-
- **Revised zoning of the Alphabet Historic District.** We strongly support this alignment of heights with the scale of nearby homes and buildings, and it is consistent with 2035 Comp Plan Policy 4.48: “Continuity with established patterns.”

The recent decision by the Land Use Court of Appeals regarding the CC2035 Plan reinforces the importance of considering context when establishing heights and the wisdom of this revision.

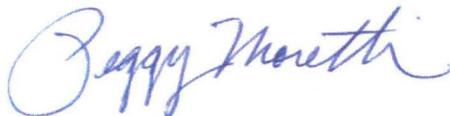
Of the proposed amendments, we’d like to register our support for:

- **The map amendments M1 and M2** – for the property at 5631 SE Belmont, and for the Anna Mann House – an excellent example of a how a historic property can be repurposed as affordable housing with the full support of the historic district in which it stands.
- **Amendments 5 and M3**, which strive for compatible scale of new construction within historic and conservation districts – a stated goal of City planning.
- And we support **amendment 3** because **the City should not provide an incentive to demolish a culturally significant, historic building.** With the high cost of seismic and code upgrades, they have enough weighing against them without the City putting a thumb on the scale.

There’s a pernicious idea circulating – that we have to choose between retaining the historic fabric of our communities and developing affordable housing. It’s based on false assumptions. We can do both – and we must.

Some of the most vulnerable historic homes and buildings are in underserved communities. Restore Oregon just announced our 2020 list of Oregon’s Most Endangered Places. Two of the three additions to our list are centers of African American heritage in Albina: the Mayo House, and the Billy Webb Elks Lodge. Historic designation is being sought for them and resources are being rallied to help them carve out an economically viable and vibrant future. If City further stacks the deck against them, and other historic places like them, that future could be lost.

Thank you.



Peggy Moretti
Executive Director

November 6, 2019

Portland City Council,

Thank you for your work to keep Portland a great place to live and work for many people. We appreciated how the council presided over the October 6 council meeting on the subject of the Better Housing by Design draft proposal (BHD) – especially your concern for whether new construction will actually be affordably priced, and of possible negative impacts of zoning changes.

We have also appreciated the work of Bill Cunningham and the planning team in defining goals and building guidelines that will increase and improve multifamily housing options throughout Portland.

However, we believe the scale of the accompanying zoning changes to be significant, and in some cases can negatively impact the goals of adding more affordable housing and improving neighborhoods.

This is the case for the current and future residents of the 2600 and 2700 blocks of NW Upshur St. These impressively-tree-lined blocks are populated by three complexes of affordable apartments (Elysian Garden Apts., Upshur House, and Forestry Court Apts.), narrow row houses, and a duplex. They are also heavily used by bicyclists and pedestrians from all over Portland and visitors to Portland – many arrive via Tri-met bus to visit Forest Park or Wallace Park (especially during Swift Watch).

Somehow, these blocks have been segregated out from the rest of the surrounding area and zoned RH, which defines a significantly higher level density than is currently in place on the 2600 and 2700 blocks of NW Upshur – which is very well aligned with the RM-2 zoning in the Better Housing by Design. Residents of these blocks have been surprised to learn they are such a prime target for developers and are justifiably afraid that RH and/or BHD's recommended RM-3 zoning strongly encourages redevelopment that will displace residents of lower and moderate income with little assurance that what replaces their apartments will be something they can possibly afford to live in.

In an informal discussion around the park benches at the main intersection of these blocks a Forestry Court resident said "if it stays that way our building won't be around much longer, say goodbye to my under \$1000 a month rent."

So, on behalf of current and future residents, we would like to request that the Better Housing by Design proposal be amended to zone the 2600 and 2700 blocks of NW Upshur to RM-2, as is proposed for the 2800 and 2900 blocks of NW Upshur St.

We would also like to request that the proposed BHD plan preserves and promotes street trees and does not negatively impact local businesses by oversubscribing the already scarce street parking.

Thank you for your time, consideration, and assistance,

Karrie and Thomas Metzger
2720 NW Upshur St.
Portland, OR 97210

Higher density levels put affordable, lower-cost housing in 2600 – 2700 NW Upshur area at risk of replacement with higher priced housing. Please zone to RM-2 as defined by Better Housing by Design to be consistent with existing apartments, rowhouses, and duplexes. Thank you.



189805

Vicki Stryha
NWDA
11/6/2019

DEMOGRAPHIC CONTEXT

- HISTORIC DISTRICTS ARE ALREADY DENSELY POPULATED**

Population Density

Area	People per Square Mile ¹	Percent Difference from Portland City
Alphabet Historic District ²	27.55k	492% above
King's Hill Historic District ³	36.83k	692% above
Irvington ⁴	10.37k	123% above
Pearl ⁵	15.35k	230% above
Portland City	4.65k	--

- HISTORIC DISTRICTS ARE NOT ALL "AFFLUENT ENCLAVES"**

Household Income and Type

Area	Median Household Income ⁶	Percent Difference from Portland City	Percent One-Person Households ⁷
Alphabet Historic District	\$44.7k	23.5% below	67.8%
King's Hill Historic District	\$53.1k	9.1% below	62.8%
Irvington	\$86.9k ⁸	48.8% above	37.9%
Pearl	\$76.8k	31.5% above	65.1%
Portland City	\$58.4k	--	34.2%

1 Population divided by total land area (excluding water areas) From the 2012-2016 American Community Survey (StatisticalAtlas.com)

2 Alphabet Historic District based on unweighted average of values for 6 Census Tabulation Blocks: BG 004700-3, 004800-1, 004800-2, 004800-3, 004900-2, 004900-3

3 King's Hill Historic District based on unweighted average of values for 2 Census Tabulation Blocks: BG 05200-3 and 05200-4

4 Irvington: a collection of Census Tabulation Blocks corresponding to a commonly known but informally defined neighborhood.

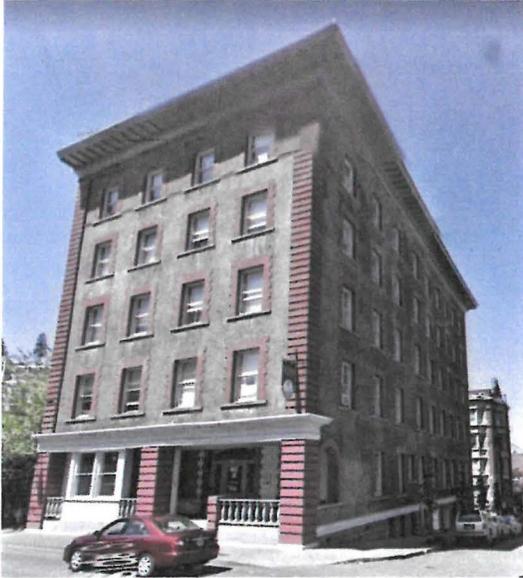
5 Pearl: a collection of Census Tabulation Blocks corresponding to a commonly known but informally defined neighborhood

6 Income for which 50% of households have a lower income, and 50% have a higher income. From the 2010 U.S. Census (StatisticalAtlas.com)

7 Household consists of all people who occupy a housing unit. One person: householder living alone. From the 2010 U.S. Census (StatisticalAtlas.com)

8 Note: Income statistics for the southern section of Irvington are markedly lower than for the entire neighborhood

EXAMPLES OF LOW-RENT AND HISTORIC APARTMENT BUILDINGS IN THE ALPHABET HISTORIC DISTRICT



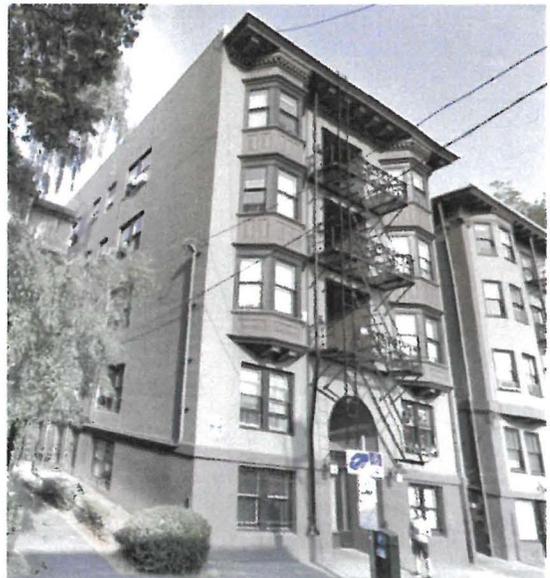
2255 W. Burnside St.
Victorian Apartments (Hill Hotel), built 1904
Landmark listed in the National Register
Accepts Section 8 vouchers



2155 NW Everett St.
Wilshire Apartments (Caroline Horn House), built 1910
Designated as non-contributing to Historic District*
Accepts Section 8 vouchers *Due to alteration (re-siding)



424 NW 21st. Ave.
Roselyn Apartments, built 1912
Designated as contributing to Historic District
Senior low-income, HUD subsidized



325 NW 18th Ave.
Converse Court Apartments, built 1911
Designated as contributing to Historic District
Accepts Section 8 vouchers





City of

PORTLAND, OREGON

Development Review Advisory Committee

1900 SW 4th Avenue, Suite 5000
Portland, Oregon 97201
503-823-7308
FAX: 503-823-7250
TTY 503-823-6868
www.portlandonline.com/bds

5 November 2019

FROM: Alex Boetzel (DRAC) alex@greenhammer.com 503-804-1746
Sean Green (DRAC) green@aforma.co 971-9987376
TO: Rebecca Esau, Elshad Hajiyev
CC: Mayor Wheeler, DRAC Members

RE: Serious concerns with the Demolition Inspection Program and the Demolition Subcommittee

As members of Development Review Advisory Committee (DRAC) for the Bureau of Development Services (BDS) who participated in the November 4th Demolition Subcommittee meeting, we have serious concerns with not only the Demolition Inspection Program, but also the process to make improvements to it.

- A DRAC member asked that program data be made available in advance of the meeting. The data provided by staff to members of the committee was not current, extremely limited in scope, and presented and discussed in a way that **misled members of the committee and the public on the efficiency and effectiveness of the program.**
- DRAC voted to reconvene the Demolition Subcommittee after a proposal from a DRAC member to improve the program was considered. While it was clearly the intention of DRAC for this proposal to be discussed at the subcommittee meeting, **staff hindered consideration by falsely implying that consideration would violate Public Meeting Law.**
- When the members of the Subcommittee sought to immediately implement a minor, but effective measure (i.e. requiring photos) to help ensure compliance with city code, **staff showed resistance in the form of asking the committee to develop the administrative minutiae.**

We request the following actions be taken:

- **BDS take immediate action to improve the efficiency and effectiveness of the program within the bounds of the law and accepted government practices.**
- BDS fulfill all requests for information in a timely manner.
- BDS schedule a meeting of the Demolition Subcommittee no later than Tuesday, November 19th at a time when all three members of DRAC who participated in the first meeting are able to attend.
- Public health officials from the State of Oregon and Multnomah County be invited to join the committee as voting members (i.e Perry Cabot, Jordan Palmeri, and Ryan Barker)
- A member of DRAC who participated at the Demolition Subcommittee meeting be named interim chair of the committee immediately.

TESTIMONY: BETTER HOUSING BY DESIGN, November 5, 2019

Submitted by: Jim Gorter
8041 SW 8th Avenue
Portland, OR 97219
jcgort@msn.com

If you are really serious about displacement, do not approve Better Housing by Design or the Residential Infill project until the Anti-displacement Action Plan is completed and implemented. While BPS describes it as the “North Star” of the Housing Opportunity Initiative, it appears to have been pulled together at the last minute with a timeline for completion after BHD and RIP have moved out of Council. Rather than the North Star, it will be the horse behind the carts and we all know horses can’t push carts.

I am the owner of a small fourplex in inner Southeast Portland. The units are small, the building is older and the rents are low. Some of the occupants are elderly, some have very serious health issues, and all have lower incomes. The property is zoned RM-1 and the lot is large. It is ideal for redevelopment. The residents are the perfect potential victims of displacement. And I don’t know where they would go. When asked, a BHD staff person said, “Maybe they could find another apartment in the neighborhood.” I doubt it, certainly not one with the amenities of a yard, free laundry, off-street parking, and low rents.

I am very skeptical of the BHD displacement analysis. While the goal is to increase the number of available housing units, mostly through redevelopment, I fear it will actually continue Portland’s dismal history of displacement of minorities and those with lower incomes.

Please, do not approve BHD until the Anti-Displacement Action Plan is approved by Council, assigned to a bureau, fully funded, and embedded in the culture of the City and Council. Without it there will be no housing opportunity.

189805

Lyrin Murphy
11/6/2019



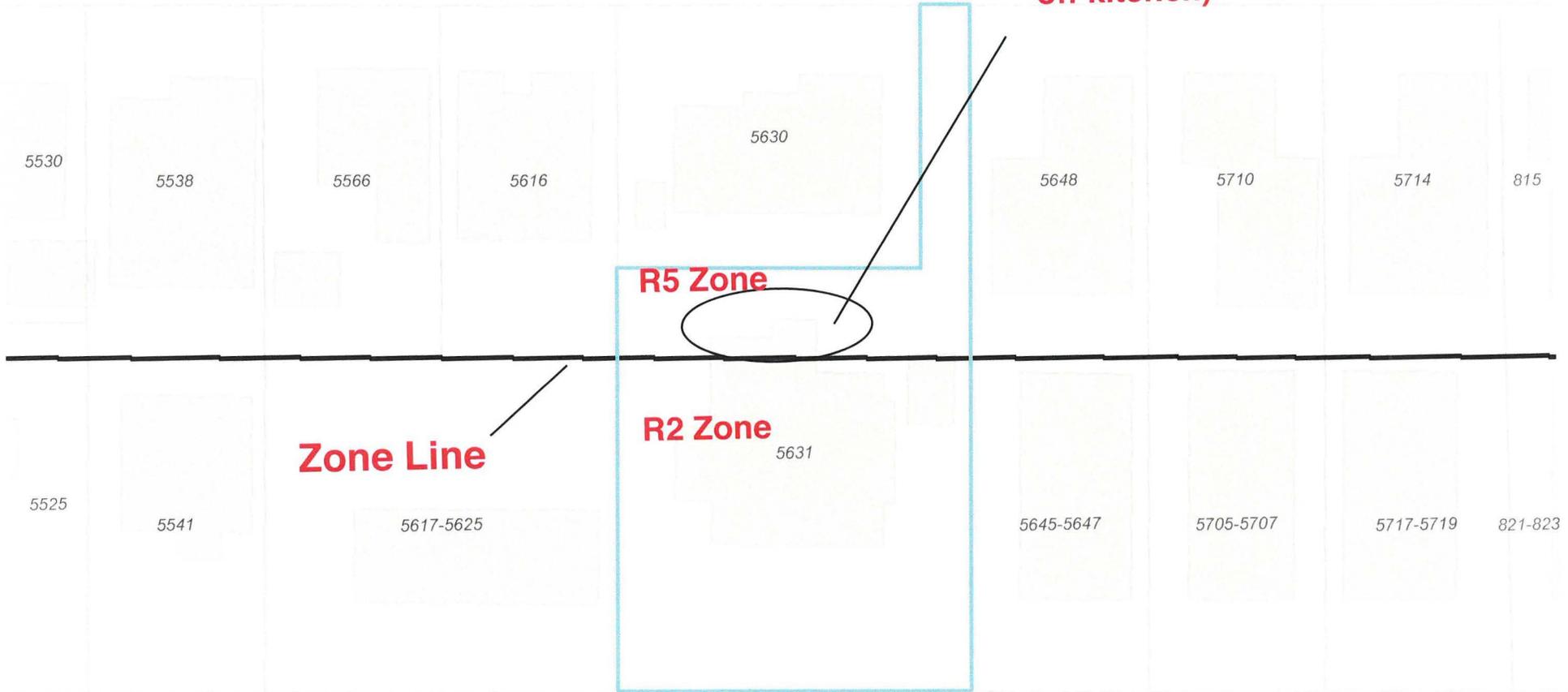
5631 SE Belmont St
Portland, Or 97215

189805

5529 5537 5603 5625 5625 5633 5645 5709 721

SE MORRISON ST

6 Feet of back of house is in R5 zone (includes enclosed back porch and portion of small room off kitchen)



Zone Line

R5 Zone

R2 Zone

SE BELMONT ST

Site Address:
5631 SE Belmont St
Portland, OR 97215

Contact: Lyrin Murphy
email: bearcat214@gmail.com
Cell: 503-333-0412

5528 5538 5602 5612 5622 5632 5644 5702-5704 5712-5722

Northeast Coalition of Neighborhoods

Portland, Oregon

4815 NE 7th Ave. / 503.388.5004 / necoalition.org

October 15, 2019

Mayor Wheeler, Commissioners
City Council

CC: Andrea Durbin and Bill Cunningham, Bureau of Planning and Sustainability

RE: Expand Affordable Housing Options - Better Housing by Design Recommended Draft

Mayor and Commissioners,

Thank you for the opportunity to comment on the Better Housing by Design Recommended Draft. We appreciate the efforts by the Bureau of Planning & Sustainability (BPS) to *increase housing options in our centers and corridors* in support of the 2035 Comprehensive Plan.

We continue to support the form-based approach to provide the flexibility needed to increase housing, while respecting our neighborhoods' unique charms. We commend BPS's responsiveness to our comments on the proposed draft in June 2018, enclosed. Specifically, we believe changes to increase the building coverage in RM1-4 and allow affordability bonus and floor area ratio (FAR) transfers in historic and conservation districts will provide needed housing opportunities.

NECN is concerned that parking requirements will prevent the recommended draft from providing housing needed to accommodate the growth of 100,000 households in Portland over the next 20 years.

Analysis provided by BPS projects parking requirements leading to the creation of luxury townhomes instead of mixed-income developments with affordable housing. For example, parking requirements would incentivize construction of 10 townhomes selling at \$700,000 on a 100'x100' lot. However, without parking requirements and with the affordable housing bonus developers would be incentivized to build 28 units selling at \$300,000 plus 4 affordable units.

As affordability is our top land use priority, we repeat our request to **remove parking minimums for all sites**. We believe this change is essential to provide short and long-term affordability in our neighborhoods.

Regards,



Mariah Dula, Chair

Northeast Coalition of Neighborhoods

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



AFORMA

Sean Green
Founder & COO

aforma.co

sean@aforma.co
971 998 7376

CCB #207890

Aforma is a modern design+build studio creating custom homes, renovations & ADUs. Work with one company from design through engineering, expedited permitting & skilled construction. Aforma is detailed simplicity, clean lines, natural materials & light-filled spaces.

S·M·I·L·E

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

September 23, 2019

Dear Commissioners:

The Sellwood-Moreland Improvement League (SMILE) submits the following testimony on the Better Housing by Design Project (BHD). We first discuss our motivating principles for this testimony, followed by 1) a proposal to increase the incentive for affordable housing based on observations of the rapid development in our popular neighborhood and BHD economic studies, 2) a request to limit construction of over-sized single-family homes (McMansions) with minimal ADUs in multi-family zones, and 3) endorsements of many of the specific BHD proposals and other comments. Specific recommendations are stated in **bold** so you can find them.

Motivating Principles

Principles that motivate our testimony include:

- **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.
- **Our neighborhood needs housing for working class people.** We have produced and continue to produce a tremendous amount of expensive market rate housing; since 2015, developments completed and in the permitting pipeline increase housing units by 25%. The market is producing housing for wealthy people because our neighborhood is popular¹. We want to improve housing equity by retaining affordable housing generated in our neighborhood and not transferring it elsewhere.
- **We seek to preserve the wonderful characteristics of our neighborhood while accommodating growth.** Growth is necessary and inevitable given the housing shortage in the City.

¹ New York Times, May 24, 2019, Five Places to Visit in Portland, Ore. Note that all five places are in Sellwood-Moreland.

Increase Incentive for Affordable Housing

BHD does not utilize the greatest lever available to incentivize construction of affordable housing², the number of units that can be built on a lot.

Our proposal to strengthen the incentive to build affordable housing is:

- 1) Double the current maximum unit density for market rate development.**
- 2) Allow projects that provide affordable housing to have the FAR bonus and unlimited units as now proposed by BHD.**

Why the number of units matters

Data available from two economic studies conducted by EPS for BHD show that the feasibility of development in the multi-dwelling zones is more closely related to number of units built, not floor:area ratio (FAR). BHD allows all development to have an unlimited number of units and incentivizes construction of affordable housing with a FAR bonus. Including number of units as an incentive would be more effective.

To demonstrate this, we focus on prototype 2 in the economic reports in BHD Appendix C, stacked flats in inner Southeast on a 5,000 square foot (sf) lot with no on-site parking³. Other prototypes appear to produce similar conclusions. The three scenarios for prototype 2 are summarized in table 1. Each was evaluated as a ‘for sale’ and ‘for rental’ project.

Number of units	Floor area (sf)	RLV for sale (\$/sf)	RLV for rent (\$/sf)	EPS report
4	5,000	52.58	46.97	May 2018
6	7,500	86.85	78.03	May 2018
9	5,000	127.28	90.20	October 2018 ⁴

Table 1. Three scenarios for prototype 2.

² We define affordable housing as housing that satisfies Inclusionary Zoning requirements: 20% of units affordable at 80% Median Family Income (MFI) or 15% of units affordable at 60% MFI.

³ The May 2018 scenarios included parking and the October 2018 scenario did not. Parking costs were removed from the May 2018 scenarios by reducing construction costs \$30,000 per parking space, reducing other soft costs (25% of hard costs) by \$7,500 per parking space and recalculating RLV. SDCs and interest were not adjusted. Scenarios with IZ (Inclusionary zoning, no effect because number of units are less than 20) and CET (new construction excise tax) were used.

⁴ The October 2018 report mislabeled tables and figures according to Tom Armstrong, BPS. The report text is correct.

As the number of units increases, the residual land value (RLV, the value of the land that remains after subtracting development costs, per square foot) increases for both for sale and for rent buildings (figure 1).

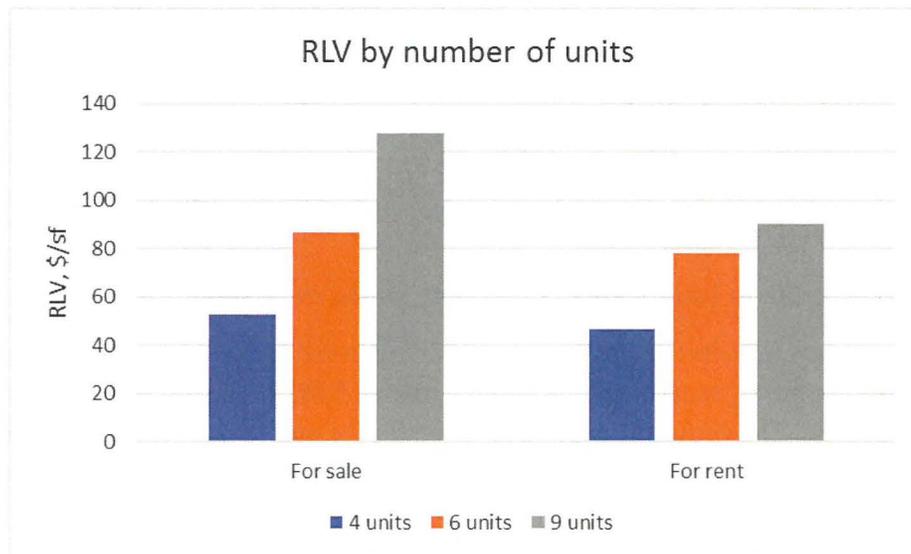


Figure 1. Residual land value (RLV) for 4 units (5,000 sf), 6 units (7,500 sf), and 9 units (5,000 sf) for sale and for rent scenarios.

As FAR increases, the RLV varies depending on the number of units (figure 2).

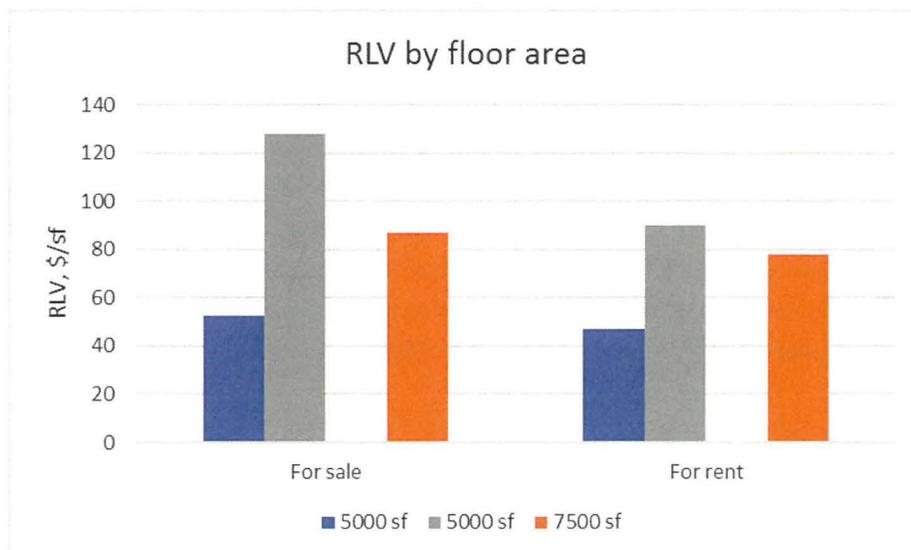


Figure 2. Residual land value (RLV) for 5,000 sf (blue is 4 units, gray is 9 units) and 7,500 sf (6 units) buildings, for sale and for rent scenarios.

Thus, the number of units is the more important than FAR for determining feasibility of development. A 5,000-sf building with 9 units (gray bars) is more feasible than a 7,500-sf building with 6 units (orange bars). By allowing all projects to have unlimited units, BHD loses its greatest incentive for construction of affordable housing. **The City should evaluate using number of units to incentivize affordable housing with thorough economic modeling.**

Benefits

The benefits of our proposal are:

- *Increased incentive to build affordable housing for the average Portlander.*
- *Consistency with Residential Infill Project (RIP) housing options:* The maximum size and unit density for purely market rate development on a RM1 lot would be greater than allowed by RIP. Our proposed maximum densities for purely market rate development are 1 unit per 1,000 sf of lot size in RM1 and 1 unit per 500 sf in RM2. In RM1 on a standard 5,000 sf lot, a 5,000-sf building with 5 market rate units could be built, larger and with one more unit allowed than on a 5,000-sf lot by RIP.
- *Consistency with RIP proposed 6-unit option:* The RIP 6-unit proposal and our BHD proposal both allow additional units if affordable housing is provided.
- *No effect on large RM2 lots:* In RM2 on a 10,000-sf lot, a 15,000-sf building with 19 market rate units could be built under our proposal, identical to BHD. The unit limit would only matter on lots smaller than 9,500 sf in RM2.
- *Prevent saturation of standard RM1 lots with tiny market rate units:* Based upon ongoing development, two-story, 5,000 sf buildings with 15 market rate units are feasible on standard RM1 lots in our neighborhood⁵, a 7½-fold increase in the number of units presently allowed. Such development would be allowed by BHD and violate our principle that increased density should be dedicated, or at least include, affordable housing. We are also concerned about increased 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

⁵5603 SE Milwaukie, a 4-story building with 30 market rate units under construction on a 3,080-sf lot zoned RHd. It has footprint of about 2,200 sf which can fit on multifamily-zoned lots 5000 sf or larger, about 950 or 73% of multifamily-zoned lots in our neighborhood. Each unit is 250-350 sf. Using this as a template for a building on a 5,000-sf lot, a two story 15-unit building in the proposed RM1 zone is feasible on 5,000 sf lots with the base FAR. Present zoning would allow a maximum of 2 units, our proposal would allow 5 market rate units or this building if it included affordable housing.

safety (especially along narrow streets). 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 (RM1) with some R1 (RM2), and with an existing traffic volume of 1,188 cars per day⁶, many of which are getting to or from the Sellwood Bridge by cutting through the neighborhood to avoid traffic jams on parallel Tacoma Street. If many units are going to be crammed into a standard lot and diminish some of the wonderful characteristics of our neighborhood, our proposal would at least make some of them affordable.

- *No change in BHD example development:* The BHD summary and volume 1 show several examples of what could be built and all of the examples shown could be identically built under our proposal. The number of market rate units that could be built would remain unlimited if affordable housing is included. This proposal may reduce the number of expensive tiny market rate units built if developers stop building at the maximum market rate unit threshold, but it would increase the number of affordable units built and thus better accomplish our motivating principles.

Remove incentive to build McMansions in RM1

The BHD 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 accessory dwelling unit (ADU) could continue to be built on 5,000 sf lots in RM1. In our popular 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. A small minimal internal ADU could easily be incorporated into the living space of the primary dwelling. A McMansion zone would contribute to economic segregation in the City. In addition, the smaller FAR limits proposed by the Residential Infill Project for single family zones incentivize McMansion construction in RM1 zones where FAR is greater. The Residential Infill Project includes a 0.8:1 FAR limit for detached homes with and ADU on R2.5 lots. To solve this problem, **add a 0.8:1 FAR limit for detached homes in multi-dwelling zones.**

Endorsements and other comments

The recommended BHD proposal does not limit the number of units but does convey how many units could actually be built. To make BHD a transparent process, **the maximum number of units that could be built should be provided and shown using fire and building standards.**

⁶ Jamie Jeffrey, PBOT, Tacoma Traffic Analysis, August 2017

Many of the BHD proposals will improve multi-dwelling housing in our neighborhood. **We endorse the 35-foot height limit for the RM1 zone in proposal 1. We would oppose increasing the FAR limits in proposal 1. We endorse proposal 5 that allows limited commercial uses along corridors.** North Westmoreland lacks retail businesses and thus is not a walkable neighborhood; this proposal would help correct this problem. **We endorse the overall concept of proposal 8, alternatives to conventional landscaping, 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. **We endorse proposals 7 (shared outdoor space), 9 (limit impervious areas), 10 (parking), 11 (limits on garages and no parking in front of buildings), 12 (entrance orientation), 13 (front setback), 14 (side setback), 15 (height transitions), 16 (division of large building facades), and the Transportation and Parking Demand Management requirements.**

Confidence in City planning is eroded by regularly changing zoned density in North Westmoreland. Many properties in north Westmoreland were upzoned in the 1980s in anticipation of a light rail station at Harold Street. The Orange Line was built without that station so in 2018 the new Comprehensive Plan map downzoned much of this area yet many properties retained multi-dwelling zoning. Now BHD is effectively upzoning these properties. This yo-yo zoning erodes confidence in the City planning process. **In the future, broad brushed city planning processes should consider and be consistent with past planning decisions at the neighborhood scale.**

This testimony was discussed at public meetings of the SMILE Land Use Committee on September 4, 2019 and the SMILE Board of Directors on September 18, 2019. The SMILE Board of Directors unanimously approved this testimony on September 18, 2019. If you have any questions, please contact David Schoellhamer, Chair of the SMILE Land Use Committee, at land-use-chair@sellwood.org. Thank you for the opportunity to testify.

Sincerely,



Tyler Janzen
President, Sellwood-Moreland Improvement League

Sources of statistics given in SMILE oral testimony, Better Housing by Design hearing,
November 6, 2019.

Statistic	Source
Since 2015, developments completed and in the permitting pipeline increase housing units by 28%.	SMILE Land Use Committee spreadsheet at http://www.sellwood.org/land-use/ developed from BDS reports
Since 2000, neighborhood median income has increased 20% compared to only 3% for the City.	PHB, 2018 State of Housing Report, page 84, Sellwood Moreland and Brooklyn neighborhoods, 2000-2016. City data from page 65. Adjusted for inflation using 2016 dollars.
As a percentage of City median income, neighborhood median income increased from 95% to 110%.	
renting the average newly constructed unit costs the average white household 33% of their income while the cost to the average black household is an unattainable 74% of income	PHB, Dory Van Bockel and Matthew Tschabold, https://www.portlandoregon.gov/phb/article/738693 . Also presented to Southeast Uplift by Jessica Conner, PHB, September 16, 2019.
Since 2000, Black population in our neighborhood has decreased 68%.	PHB, 2018 State of Housing Report, page 84, Sellwood Moreland and Brooklyn neighborhoods, 2000-2016.
second least diverse neighborhood in the City.	PHB, 2018 State of Housing Report, page 16, Sellwood Moreland and Brooklyn neighborhoods, 2016

McClymont, Keelan

From: TERESA MCGRATH <bone1953@msn.com>
Sent: Wednesday, November 6, 2019 12:27 PM
To: Council Clerk – Testimony; Wheeler, Mayor; Commissioner Fritz; Commissioner Hardesty; Commissioner Fish; Commissioner Eudaly
Subject: tree code

hi,

https://static1.squarespace.com/static/5caff9167eb88c5e8d677a35/t/5db0b56b877545574c54f750/1571861868314/BetterHousingByDesignTestimonyBN_10_2_2019.pdf

we support a stronger tree code, that pairs well with portland's climate concerns

too many trees are lost to development and must be changed to protect them

thx

teresa mcgrath and nat kim

ne portland

BETTER HOUSING BY DESIGN DRAFT TESTIMONY
 Bruce Nelson, 4922 NE Going Street, Portland, Oregon 97218
 October 2, 2019

Our Mission: Is to ensure that large-form long-lived trees in every part of the city reach their full maturity, enabling them to provide the greatest benefits to Portlanders. We do this by inspiring action to protect trees.

What We Believe

All Portlanders have the right to enjoy the significant health, social, and environmental benefits that come from living near trees that, if properly cared for, grow large and live long. These trees are under serious threat from development pressures. To steward such trees, we believe in collaborating with residents across the city and partnering with a variety of public, nonprofit and corporate entities.

My name is Bruce Nelson. I am testifying today on behalf of Trees for Life, a local tree advocacy group. We support:

- a. Transfer of FAR (Floor to Area ratio) for preserving trees at least 12” dbh;
- b. 33.120.240 requiring outdoor areas for RH development, previously not required so that is a plus as children may actually have a safe outdoor area to play;
- c. 25% set-back area for East Portland standards that may allow some large Douglas fir tree groves to be preserved;

IN WRITTEN TESTIMONY EARLIER

Floor Area Ratio Standard- confusing language subject to litigation
33.120.210.B 4 b. 2 need to have same words “dead, dying or dangerous” first sentence. Second sentence use “dead, diseased or dangerous” and should change “diseased” to “dying”. The word “diseased” does not mean the same as “dying”. A tree with powdery mildew on the foliage has a disease but it is not dying! (Volume 2, p. 61)

33.120.213 b. 2 Again inappropriate use of the word “diseased” (Volume 2, p. 73)

Concern

Many of the main streets in the East Portland Standard (like Sandy, Halsey, Glisan, Stark, and others) will see more high density housing. Yet there is insufficient guidance in this document regarding provision of adequate space for trees to grow in a healthy manner.

These main streets occur in neighborhoods that have a tree canopy average of 23%, well below the city goal of 30%. For reference sake canopy cover in Eastmoreland is 42% and in Laurelhurst 38%. Nothing in **Better Housing by Design** offers a means to improve the canopy cover in this large East Portland area.

The result will be

- a. more housing units,
- b. more people,
- c. more cars, and
- d. fewer trees to mitigate the increased air pollution and increased heat island effects in these underserved East Portland neighborhoods.

CONCLUSION.

Better Housing by Design inadequately addresses two guiding principles of the 2035 Comprehensive Plan - Environmental Health and Equity, particularly in regards to East Portland.

We must develop a coordinated and comprehensive long term plan to improve the canopy cover in east Portland to reverse these shortcomings in our planning.

Thank you

<u>*Neighborhood</u>	<u>*Canopy cover cited by Urban Forestry</u>
Argay	12.8%
Centennial	22.5%
Cully	19.2%
Glenfair	25.7%
Hazelwood	20.2%
Lents	22.2%
Mill Park	21.4%
Parkrose	16.7%
Parkrose Heights	21.9%
Pleasant Valley	53.9%
Powellhurst-Gilbert	25.4%
Russell	20.2%
Sumner	18.5%
Wilkes	23.3%

Average canopy cover = 23.1%

Average canopy cover if exclude Pleasant Valley & Argay = 21.4%

**GOAL FOR CITY IS 30%, EXISTING CANOPY COVER IN
LAURELHURST = 38.2%, IN EASTMORELAND = 41.9%**

*Tree Canopy and Potential in Portland, Oregon; February 2018 Portland
Parks and Recreation

McClymont, Keelan

From: Linda Nettekoven <linda@lnettekoven.com>
Sent: Wednesday, November 6, 2019 12:12 PM
To: Council Clerk – Testimony
Subject: BHD Amendments
Attachments: BHD Amendments Testimony.docx

Dear Mayor Wheeler and Council Members:

Please see attached testimony regarding the proposed amendments to the Better Housing by Design Proposal.

Thank you.

Linda Nettekoven

RE: Better Housing by Design Amendments
November 6, 2019

Dear Mayor Wheeler and Council Members:

I am in support of the proposed amendments to the Better Housing by Design (BHD) proposal, but will focus on only 3 of them in this testimony. In addition I would urge evaluation be done to determine what impact the BHD is having on what is being built, retained, and maintained, the quality of units, cost to consumers, and overall livability of units. As you know, we often do not look back as carefully as we should when instituting new policies and programs.

Amendment #3 — Development Bonuses & Demolition of Historic Resources. I wish to express my strong support for Amendment 3 — It is not designed to limit the construction of new buildings within historic districts or to stop demolition of historic structures, but rather to make certain that incentives such as FAR transfers or other bonuses do not “lead to” or “cause” the demolition of historic resources. If such incentives allow a demolition to now “pencil out” where otherwise it might not, then we are heading in the wrong direction.

Given the embodied energy and history within these structures and their continuing use, or potential adaptive reuse, as sound housing, they have a useful role to play in the future of our community. The Hosford-Abernethy Neighborhood District Association (HAND), like some of its near neighbors, includes a number of multi-family apartment buildings that provide some of our most affordable housing. Some of them are located within the Ladd’s Addition Historic District; others are not. We do not wish to see the loss of a historic resource only to have it be replaced by a building with greater FAR but much more expensive rents, leading to further economic segregation in our neighborhood. The HAND Board has already sent a letter expressing these concerns.

As the staff comments indicate, locally designated historic resources such as those in Conservation Districts are covered only by a demolition delay procedure, which makes them especially vulnerable to demolition. At a minimum, utilize this amendment until BPS staff can complete the long overdue work it is doing to update the Historic Resources Code, including the future management of Conservation Districts and other local historic resource designations.

Amendment 4 — Development Bonuses & Transit Access. HAND has in past discussions on other zoning proposals cautioned that careful mapping be done in determining bonuses based on access to transit. Our neighbors have called attention to places where the transit station looks quite close on the map, but heavy rail tracks, lack of through streets or other obstacles make actual access a very different proposition. And we are assuming this is true in some other neighborhoods as well.

Amendment 6 - Require Indoor Common Areas for Large Projects. The outdoor areas already proposed are an important addition to our code. However, as I listen to today’s headlines asking that a climate emergency be declared, I also think about hotter summers to come which will perhaps further limit the use of these outdoor areas. Indoor common areas are vitally important and can’t be left as optional. As we rethink the best ways to help Portland’s built environment meet future needs, we need to remember the role of thoughtfully designed spaces in creating opportunities for human connectivity, the avoidance of isolation, and the creation of greater understanding. Thank you.

Sincerely,

189805

Linda Nettekoven
2018 SE Ladd Ave, Portland, OR, 97214

Portland City Council
Council Clerk Testimony: cctestimony@portlandoregon.gov
1221 SW Fourth Avenue, Room 130
Portland, Oregon 97204

Re: Better Housing by Design

The Multnomah Neighborhood Association filed objections to the 2035 Comprehensive Plan. The MNA Appealed LCDC decision of the Middle Housing Policy 5.6 to the Oregon Court of Appeals. Oral Arguments are scheduled for January 9, 2020. The 2035 Comprehensive Plan acknowledgement by DLCD is pending the MNA Appeal at the Oregon Court of Appeals.

The 2035 Comprehensive Plan at the time of adoption is required by ORS 197.296 to have a 20 year housing supply of all housing types in order for it to be acknowledged by the state.

Thus there is no need to need to incentivize the redevelopment of the existing multifamily housing that will be exacerbated by the Better Housing by Design Project. The Metro UGB has zoned capacity for approximately 1.3 million total homes; far more than are likely to be built in coming decades. Better Housing by Design Project increases the redevelopment potential of the existing Multifamily Housing properties and will lead to displacement and gentrification of the existing affordable rental units.

There is little vacant land in the Multifamily zones. It would be a better option if the 2035 Comprehensive Plan failed to provide an adequate supply of Multifamily units as required by Goal 10 would be to rezone some single family zoned properties to Multifamily. The Albina Plan is good example poor planning that resulted in the loss of affordable housing units, displacement and gentrification. The same thing will occur if Better Housing and Design is passed in its current form.

The citizen involvement plan or public involvement plan of the Better Housing by Design is inconsistent with provisions of Goal 1.

OR 660-015-0000(1)

3. Citizen Influence -- To provide the opportunity for citizens to be involved in all phases of the planning process. Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

The Better Housing by Design Staff are acting as filter between the citizens and the decision makers which is inconsistent with OAR 660-015-0000(1) 3 . **It unclear what happens to the verbal concerns and comments of citizens at the public forums.** It appears from what is posted online the staff is only concerned with the body count at the public meetings not what the citizens are communicating.

Please add this to the record.

James Peterson
Multnomah Land Use Chair
2502 SW Multnomah Blvd
Portland, OR 97219

cc: Mayor Ted Wheeler, mayorwheeler@portlandoregon.gov
Commissioner Amanda Fritz, Amanda@portlandoregon.gov
Commissioner Nick Fish, Nick@portlandoregon.gov
Commissioner Chole Eudaly, chloe@portlandoregon.gov
Commissioner Jo Ann Hardesty, joann@portlandoregon.gov
Director DCLD Jim Rue, jim.rue@state.or.us

Moore-Love, Karla

From: Amy Ruiz <amyr@strategies360.com>
Sent: Monday, November 4, 2019 5:07 PM
To: Council Clerk – Testimony
Subject: Oregon Smart Growth testimony on Better Housing by Design Amendments
Attachments: Oregon Smart Growth written testimony on BHD Recommended Draft FINAL 11-4-19.pdf

Attached, please find Oregon Smart Growth’s testimony regarding proposed amendments to the Better Housing by Design project, for Wednesday’s council hearing.

Best,
 Amy Ruiz

On Oct 2, 2019, at 11:59 AM, Amy Ruiz <amyr@strategies360.com> wrote:

On behalf of Oregon Smart Growth (OSG) and Executive Director Gwenn Baldwin, please find written testimony for today’s Better Housing by Design hearing.

OSG 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.

Much of Portland’s anticipated—and much-needed—housing growth will be multi-dwelling units in mixed-use corridors. The proposal in front of you is an opportunity for the Council to go even further toward providing additional flexibility and density in these key zones, to encourage the development of housing that meet the needs of our growing population.

I’m available for any questions, and plan to attend today’s hearing.

Best,
 Amy Ruiz



AMY RUIZ

Senior Vice President, Oregon

☎ 503.929.1036 ○ 503.595.1998

240 N BROADWAY, SUITE 215

PORTLAND, OR 97227

STRATEGIES360.COM

<Oregon Smart Growth written testimony on BHD Recommended Draft 10-2-19.pdf>

November 4, 2019

Mayor Ted Wheeler and City Commissioners Eudaly, Fish, Fritz, and Hardesty
1220 SW Fourth Ave.
Portland, OR 97201

Dear Mayor Wheeler and Commissioners,

Oregon Smart Growth (OSG) appreciates the opportunity to provide testimony on proposed amendments to the Better Housing by Design Recommended Draft. OSG supports policies that encourage walkable, compact development that is economically, environmentally and socially sustainable. As we noted in our October 2 written testimony, adapting Portland's multi-dwelling zones to expand the feasibility and diversity of Portland's housing options and provide new incentives for affordable housing are goals that we share.

At the same time, we are deeply concerned with several of the proposed Better Housing by Design amendments that seek to reduce bonuses and FAR transfers, limit height, and complicate larger developments by requiring both outdoor and private indoor common space.

OSG urges the council to reject these four proposed amendments:

Proposed Amendment 3, which would reverse provisions of the recently adopted 2018 code amendments and prohibit FAR bonuses or FAR transfers, including the Inclusionary Housing, Affordable Housing Fund and Seismic Upgrades bonuses from being used on sites where a historic building has been demolished in the past 10 years.

- This proposed amendment runs directly afoul of state law (ORS 227.175, Chapter 745, 2017 Laws) that prevents such a density reduction for residential housing developments in cities. Further, such demolitions would have already been subject to Council approval or demolition delay, which are significant safeguards against excessive demolition of historic buildings. Moreover, Portland needs additional multifamily housing at all levels of affordability and in all areas of the City—including areas with historic buildings. Lastly, all of these projects are subject to a design or historic review process to ensure appropriate architectural treatments within the area context.

Proposed Amendment 4, which would reverse provisions of the recently adopted 2018 code amendments and prohibit FAR bonuses and FAR transfers from being used in locations that are more than a 1,500- foot walking distance from frequent-service transit.

- In addition to again running afoul of the law mentioned above, City staff note that on properties beyond this distance, new buildings with 20 or more units would remain subject to inclusionary housing requirements, but would not be eligible to receive bonus FAR, removing one of the central offsets to the IH program. Multi-family housing developers are already finding it difficult to produce housing units under the IH program, and OSG has encouraged the City to look broadly at recalibration of the IH program to catalyze more affordable units coming to market. Adding yet another new restriction on certain multi-family properties subject to inclusionary housing requirements risks a reduction in housing production at a time when we cannot afford to get further behind.

Proposed Amendment 5, which would remove the allowance for 100-foot building height within 1,000 feet of light rail stations in the RM4 zone in historic districts.

- The Better Housing by Design proposed draft is not recommending increased height for buildings within 1,000 feet of light rail stations in the RM4 zone in historic districts; the 100-foot building height is an existing height allowance for properties near frequent transit in the RH zone areas mapped for a 4:1 FAR to leverage the significant investment made in fixed rail transit with housing. These areas are already planned for high-density and occur in centers and major corridors (for example, near Providence Park and Lloyd Center); the current 100-foot building height near frequent transit is entirely appropriate, and should be retained throughout RM4 zones—especially on properties that are also in a historic district, which are already subject to a reduced base FAR.



President
Sam Rodriguez
Mill Creek Development

Vice President
Sarah Zahn
Urban Development Partners

Secretary/Treasurer
Tim O'Brien
Urban Asset Advisors

Board Members

Dennis Allen
Urban One

Doug Burges
Greystar Real Estate Development

Brenner Daniels
Holland Partner Group

Brian Fleener
OTAK

Kurtis Fusaro
Gerding Edlen Development

Matthew Goodman
Downtown Development Group

Jeremiah Jolicoeur
Alliance Residential Company

Noel Johnson
Cairn Pacific

Elia Popovich
Oregon Law Group

Mike Kingsella
Up for Growth Action

Dana Krawczuk
Stoel Rives

Michael Nagy
Wood Partners

Damian Uecker
Banner Bank

Christe White
Rodler White Parks & Alexander LLP

Executive Director
Gwenn A. Baldwin
gbaldwin@oregonsmartgrowth.org

Proposed Amendment 6, which would require that large sites (more than 20,000 square feet) include an indoor common area, such as a community or recreation room, in addition to the proposed requirements for outdoor common areas.

- In previous testimony, OSG has argued for making the outdoor common area requirement *more flexible*, specifically by reducing or eliminating the requirement for multifamily projects within close walking distance of existing public park space to further leverage those public investments. This amendment would not only make the common area requirement more difficult to achieve, it reduces the space for housing or common area flexibility for bike parking and other purposes. It also fully privatizes the space, reducing opportunities for residents to interact with community members who may not have access to the building.

OSG also strongly disagrees with several points raised by the Historic Landmarks Commission (HLC) in their September 26 letter and October 2 testimony at Council. HLC's pushback on "by right" and "base" entitlements for height and FAR, as well as concerns over FAR transfers into historic districts, are troubling. HLC argues that they may not be able to approve a taller or denser building under subjective design guidelines, but this statement runs contrary to (ORS 227.175, Chapter 745, 2017 Laws) which clearly prohibits reductions to entitled height or FAR for this very reason. It is bad policy to reduce entitled height and FAR in a manner that reduces housing and for that matter employment opportunities in the central city. It is also bad policy to create uncertainty around height and FAR by making either entitlement vulnerable to the discretionary Historic Resource Review process.

Council recently adopted the 2018 code amendments that fundamentally restructured the FAR bonus and transfer system into a 3-legged stool: (1) new, but reduced FAR bonus options; (2) balanced with new allowances for FAR transfers within the same transfer sector; and (3) bonus height earned through obtaining at least 1:1 FAR bonus on a site under the City's new FAR bonus priorities. The new FAR bonuses are targeted at housing affordability and preservation of historic buildings through seismic upgrades. Because these FAR bonuses are far harder to achieve than the previous list of bonuses, Council also adopted a transfer system that allows one to transfer FAR onto a site only after the site earns its first 3:1 in FAR bonuses supporting housing affordability and historic resources. The central idea is that the transfer sector FAR can help a site afford the new bonus system and realize the fully entitled height allowance where the Council wants to see the density.

Before Council adopted this policy change, the City undertook a density bonus study to identify best practices, explore how to maximize public benefits, and ensure the cost of providing the public benefit was calibrated to the value of the density bonus earned.

The new program was carefully considered, following study and months of stakeholder input, and should not be haphazardly amended, cutting out one or two legs of a 3-legged synergy, which is designed to deliver on the City's highest priorities. In order for this new system to work and produce the desired outcomes, FAR needs to retain its value. Modifying the new system to subject entitled FAR bonuses and transfers to a discretionary review process would reduce certainty, decrease the value of FAR, and threaten the housing the Council and OSG supports.

As OSG noted in our earlier testimony, much of Portland's anticipated—and much-needed—housing growth will be multi-dwelling units in mixed-use corridors. The Better Housing by Design proposal in front of you is an opportunity for the Council to provide additional flexibility and density in these key zones and encourage the development of housing that meet the needs of our growing population.

These four amendments and the Historic Landmarks Committee's suggestions are a step backward and will further restrict opportunities for critically needed housing units at all levels of affordability.

Oregon Smart Growth strongly urges the council to reject Amendments 3, 4, 5, and 6 and retain the current FAR bonus and transfer program.

Sincerely,



Gwenn A. Baldwin
Executive Director

Louise Pender
1514 NE 76th Ave.
Portland, Oregon 97213
Email: magenta.portland@gmail.com

Sent Registered, Express Mail

AUDITOR 10/30/19 AM11:24

October 23, 2019

City Council
Better Housing by Design Testimony
1221 SW Fourth Avenue, Room 130
Portland, Oregon 97204

Re: City's new zoning plan: Predictably dangerous, potentially fatal circumstance created due to certain neighborhood's parking entrapment

Dear City Council,

Below please find the sections: Summary of situation, Critical question for the City to answer, Clarification of problem, and Conclusion. Your soonest possible response to the "critical question" is enthusiastically anticipated. If possible, please respond to magenta.portland@gmail.com.

Summary of situation:

My house is located on NE 76th Avenue north of Halsey Street in the neighborhood from NE 71st Avenue to NE 77th Avenue. With few exceptions, it is almost entirely single-family houses - roughly over one hundred houses. All of the neighbors I know are living in their own houses. The area is 100% entrapped on 3 sides by Highway 84 and to the south by NE Halsey Street. There is ZERO option for parking expansion due to that entrapment. NE Halsey Street is a 4-lane road with heavily speeding cars since there is only one traffic light from beyond NE 68th Avenue to beyond NE 84th Avenue - a distance of over 13 blocks.

Critical question for the City to answer:

We seriously question the City's analysis failure in rezoning the neighborhood RM1 which would predictably seriously increase parking demands resulting in a predictably dangerous, potentially fatal circumstance. Please answer this question: Considering the City's stated criteria for RM1 zoning and comparing the situation NORTH of Halsey Street between NE 71st Avenue to NE 77th Avenue and the area SOUTH of Halsey Street (which was not rezoned), what logical analysis was used to determine that the area north - with already ZERO parking expansion ability - should be rezoned RM1? - same question even if the area south of Halsey had been rezoned. I look forward to your answer. With all due respect, it is a clear analysis failure, and the residents living in the northern area call on the City to correct their oversight/analysis failure and to return our neighborhood to its original zoning.

Clarification of problem:

Some houses are nearly 100 years old (e.g. 1927) - built well in advance of modern cars. Many driveways are not practicable for cars. Some driveways are too narrow to open car doors if entered. Due to their narrowness, most of the driveways need to be entered at an almost 90 degree angle off mostly narrow streets which means that any cars parked close to the driveways block driveway access.

Since virtually all of the houses are occupied by families, or multiple individuals, almost all dwellings require 2 or more cars, thereby critically necessitating street parking. Additionally, due to discoveries (by me and neighbors) of kicked in shed doors and discarded drugs in our yards, etc., when the groups of periodic out-of-town vagrants stay along 84, we must sometimes logically avoid parking too close toward that area of the streets, especially at night.

The City is creating an extremely dangerous, potentially fatal situation. Occasionally, I have had to park south of Halsey Street because of no reasonable parking spaces north of Halsey. It is extremely

Page 2 of 2
October 23, 2019

dangerous dashing across 4 lanes of speeding traffic on Halsey Street. Please imagine mothers with children and/or carrying groceries or parcels being forced to park south of Halsey Street due to your zoning change. Or imagine anyone dangerously dashing across Halsey Street on a dark, rainy night - of which Portland has plenty.

Conclusion:

Critically the neighborhood needs to continue as R2 housing or be grandfathered into any new zoning with the prior R2 zoning.

I asked a friend who is a lawyer about the situation. He said it's outside his field of law, but that he was aware that if an entity, either a business or the government, creates a situation the entity knew - or should have known - created a dangerous situation, and if the dangerous situation even indirectly results in harm to people (in this case very possibly fatal), then that entity could be held legally liable. As relevant: how would the City Council feel to know that they were responsible for serious injuries or deaths?

However we trust that the City Council wants to help rather than harm its long-term Portland citizens and that our neighborhood will not be rezoned as RM1, especially in the central neighborhood area.

Sincerely yours,



Louise Pender

LP/fw

Moore-Love, Karla

From: First Immanuel Lutheran Church <office@firstimmanuelluth.org>
Sent: Monday, October 21, 2019 1:37 PM
To: Council Clerk – Testimony
Cc: Couch Aaron
Subject: Better Housing by Design Testimony Letter
Attachments: Better Housing by Design Testimony Oct. 14, 2019.pdf

To Whom It May Concern:

Please find attached our letter of testimony regarding Better Housing by Design. The original was mailed on October 14, but was returned as undeliverable by the Post Office today. We spoke with the City Clerk's office by phone and were advised to email it for proper routing (they also said that the letter was correctly addressed and should not have been returned by the Post Office).

Please confirm receipt of this email and attachment, and see to it that our testimony is forwarded to the appropriate office immediately. Thank you for your help.

Sincerely,

Debbie Rehn, for Pastor Aaron Couch and Marja Selmann on behalf of First Immanuel Lutheran Church

Debbie Rehn, Office Manager
First Immanuel Lutheran Church
1816 NW Irving St., Portland OR 97209
503-226-3659



FIRST IMMANUEL LUTHERAN CHURCH

1816 N.W. Irving Street • Portland, Oregon 97209 • Office: (503) 226-3659 • Fax: (503) 226-9973

14 October 2019

Portland City Council
 Better Housing by Design Testimony
 1900 SW 4th Avenue, Room 130
 Portland, Oregon 97204

To whom it may concern:

We are writing to address the proposed zoning code change that would reduce the maximum floor area ration in properties in the north part of the Alphabet District from 4:1 to 2:1 and lower the maximum building height. On behalf of the Church Council of First Immanuel Lutheran Church (1816 NW Irving Street), we want to express our opposition to this change. We believe the proposed changes are a terrible idea.

First Immanuel has been located in the Alphabet District of Northwest Portland since 1906. Over the years, the congregation has worked with many partners to serve neighbors in need. We currently host a neighborhood food pantry with LIFT Urban Portland, and host a day shelter for women and children with Rose Haven. We care about those who live with the challenges of poverty and homelessness.

Several years ago, First Immanuel began to explore whether we might be able to develop our property in a way that would create more usable space for non-profit ministry partners, together with space for affordable housing. We have begun conversations with neighbors and neighborhood non-profits about how a development on First Immanuel's property can serve a wide variety of needs, and how it can contribute to improving our neighborhood. If the city adopts the proposed changes to the Zoning Code, it will make it more difficult, if not impossible, to develop our property in such a way as to include affordable housing. We will face additional challenges based on the lower height and FAR allowances, and our reduced property value.

The City Council has declared a housing emergency. As part of addressing that emergency, the Better Housing by Design plan purportedly aims to update the code to "better meet the needs of a growing Portland" through code changes around higher-density housing that encourage development of "more housing options for households of all ages, income and sizes" in ways that are "healthier, more livable and better connected to streets and neighborhood amenities." And indeed, most of the zoning changes proposed in the Better Housing by Design plan do appear to encourage additional multi-family housing at a variety of income levels. However, the proposed down-zoning of the north part of the Alphabet Blocks does just the opposite.

The Alphabet District is a walkable, close-in neighborhood with easy access to transportation, amenities and employment. It should be embraced as an ideal area for additional housing to meet the needs of a growing Portland. Instead, these zoning changes make it harder to develop affordable housing in this neighborhood, even with the potential built-in bonuses for certain types of affordable housing. We understand that this relatively late and localized change to the proposed zoning for this area was prompted by concerns about the scale of development in comparison to the neighborhood's historic buildings. The neighborhood is made up of a rich variety of housing stocks of widely varying sizes and styles, and the neighborhood's historic feel is already well protected by its Historic District designation and the lengthy historic and design review process that applies to any new development. Down-zoning this highly desirable area of town in the face of a housing crisis doesn't make sense.

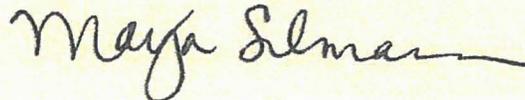
We would also like to comment on a proposed change pushed by the Historic Landmark Commission, among others, regarding a penalty for demolition of a historic contributing structure in a Historic District such as the Alphabet District. One of the possibilities for a potential affordable housing project on our property would be to include the adjacent property owned by Blanchet House. However, that site contains a house labeled a historic contributing structure to the Historic District. Whether or not that structure could be removed at some future date is a decision already subject to extensive city review and ultimately requiring city council approval on strict criteria. Should the city council ultimately agree that the best use on balance is to allow the demolition of that house, a project to build affordable housing including that site should not be threatened by not allowing the affordable housing bonus of additional FAR.

On behalf of First Immanuel Lutheran Church, we urge the council not to change the zoning code in ways that create barriers or impose additional costs on the development of the family housing that Portland so desperately needs.

Sincerely,



Pastor Aaron J. Couch



Marja Selmann

On behalf of First Immanuel Lutheran Church
as directed by the First Immanuel Lutheran Church Council

Moore-Love, Karla

From: Terry Parker <parkert2012@gmail.com>
Sent: Friday, October 4, 2019 2:26 PM
To: Council Clerk – Testimony
Subject: Agenda Item 945: Better Housing by Design follow up testimony

Subject: Housing by Design follow up testimony to my testimony of October 2, 2019 related to requiring adequate parking.

Dear City Council Members,

Remember the fuel shortage in the 1980's? That was a manipulation by the big oil companies. How about Enron and how they manipulated the power grid to increase electricity rates? Now we have PBOT and the City of Portland artificially creating congestion with road diets along with instigating a parking shortage by not requiring adequate off-street parking with new development. Converting on-street parking to bike lanes expands the shortage. **The ploy is the same with all these instances: artificially create a shortage to increase the price the public pays!**

Part of PBOT's proposed agenda is to charge residents for on-street parking permits on the same streets drivers already pay for curb to curb with motorist paid taxes and fees. At the same time, bicyclists and transit passengers use those same streets and the specialized infrastructure on those streets free from any road use charges. This is dictatorially inspired social engineering and a double standard. In that approximately 89 percent of households in the Portland-Metro area have one or more cars, requiring a parking permit at any ongoing dollar amount increases the costs of housing for the majority of Portland households. Likewise, with transit fares that only cover approximately 25% of the operational costs and do not include paying for the damage the buses do to the roads (one bus does as much damage as 1200 cars), adding more heavily subsidized transit by way of additional taxes and/or a bond measure significantly increases both the costs of housing and the costs of living in Portland.

Residential streets were never intended to be car storage lots. The city has a 24 hour rule that a vehicle can not be parked in the same place on the street for more than 24 hours. Cars stored on narrow residential streets to the degree that two vehicles can't pass each other give rise to a safety issue for everything from emergency vehicles to Lift services to garbage trucks to bicyclists.

Additionally, some of the negative impacts to residential neighborhoods by not providing adequate off-street parking with new development includes but are not limited to: the streets full of parked cars 24/7, residents circling to find a parking place, residents having to park blocks away from their home, no place for visitors to park, no place to set out trash and recycle containers on pick up days, limited charging availability for electric cars, vehicles parked on the street are more susceptible to break ins and vandalism, etc.. The absence of adequate off-street parking is one of the primary reasons existing residents and homeowners oppose new development in their neighborhoods.

Finally, Portland must not become another Chicago. It unjustifiable and inequitable to allow the camels nose under the tent which could then possibly end up as a full blown Chicago style parking fee and permit policy. Planning for additional housing and density needs to avert the same parking mess and chaos the city has created around lower SE Division and in parts of Northwest Portland near NW 23rd. **Adequate off-street**

parking needs to be required with ALL new residential development, be it is close to transit or not.

Respectfully submitted,

Terry Parker
Northeast Portland

Moore-Love, Karla

From: dnewberry@jeffnet.org
Sent: Thursday, October 3, 2019 5:42 PM
To: Moore-Love, Karla
Subject: Urban Forestry Commission testimony given at yesterday's City Council hearing (Better Housing By Design)
Attachments: 20191002 Testimony to City Council BHBD.pdf

Dear Ms. Moore-Love,

As requested by City Council members at yesterday's hearing on Better Housing By Design, attached is the testimony I gave on behalf of the City's Urban Forestry Commission.

Best,

Daniel Newberry

Policy Committee Chair,

Urban Forestry Commission

189805

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 1	FERRY PARKER	PERLAND	parkert201@gmail.com
✓ 2	FRED LEESON	2226 NE Hancock St 97212	fredleeson@hotmail.com
✓ 3	Lawrence Kojaku	2448 NW Westover Rd. 97210	lkojaku@outlook.com
✓ 4	Doug Klotz	1908 SE 35th Pl. 97214	dougurb@gmail.com
✓ 5	Michael Andersen ^{PPT Slide}	921 ^{NE} 65th APT B	Michael@sightline.org
✓ 6	Tony Jordan	4540 SE Yamhill St	tjordana@gmail.com
✓ 7	Lynne Murphy	2336 SW Osage St, Unit 303	Bearcat214@gmail.com
✓ 8	Ron Chandler	12415 NE Wilson St 97230	ronchandler@yahw.com
9	Charles Bridger Ave J. Simen	1212 SW 4th	opdx@Live.com
10	Alan Kessler	2725 SE 38th Ave	

20
11

189805

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
11	Donna Hayes	_____	_____
✓ 12	BRUCE NELSON	4922 NE Going Street, Port 97218	nelson-matthews@comcast.net
✓ 13	John Gibben	9822 SW. Quail Post Rd.	jtgorygun@aol.com
✓ 14	Tracy Prince	2181 SW Market	
stopped 10/2 ✓ 15	Daniel Saloman	SW Clay	
✓ 16	Brookie Best	2100 SE Larch Ave	bybseattle@comcast.net
✓ 17	Zoe Powers	111 SW Columbia, Suite 700	zpowers@radlerwhite.com
invited 18	Daniel Newberry	15338 SE CURA, Portland 97236	dnewberry@jeffnet.org
✓ 19	Dave Schuellhauer	9210 SE 13th Portland 97202	land-use-chair@sellwood.org
✓ 20	Leon Porter	1822 NE Wasco St, Portland 97232	leonporter@yahoo.com

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 21	Harold Carlston	14621 NE Everett 97230	hcarlston@juno.com
22	Nicole Johnson		Nicole@friends.org
✓ 23	Peggy Moretti		peggy@RestauOregon.org
✓ 24	Emma Kallaway		emma.kallaway@pcc.edu
25	Cory Poole	222 SE 47th Ave 97215	robosushi@robosushi.com
invited 26	Tom Marks Kem Marks		
27	Mary Vogel	1220 SW 12th Ave #709 97205	mary@plantgreen.net
invited 28	Joanna Holman	309 NW 25th St Portland Seaside OR 97201 97130	joanna@rosawoodinitiative.org
✓ 29	Jo Zell Greg Theisen	1946 B NW Agan Ave	greg.theisen@gmail.com
✓ 30	Jo Zell Johnson	533 NW 18th	jozell.johnson@gmail.com

189805

Amend the Comprehensive Plan, Map, Zoning Map, Planning and Zoning, Noise Control, Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones

If you wish to speak to Council, please print your name, address and email

	Name (PRINT)	Address and Zip Code (Optional)	Email (Optional)
✓ 31	Hye Beraka	2601 NE Glisan St	hberaka@gmail.com
✓ 32	Jordan Winter Jordan Winter		
33	Tim Ramis	2 Centerpointe Dr. Floor G, Lake Oswego 97035	Tim.ramis@ Jordanramis.com
34	MARK RODON	One Center Ln 97035	MARK@ODLF.NET
35	Curtis Rystadt	5454-132nd Pkx 97229	curtis.rystadt@gmail.com
36	Steven Fang		Stevenfang85@gmail.com
✓ 37	TAMARA DEKIDDER (PPT)	17071 NE 52nd Ave Pkx, OR 97213	TDR@tdrddr.usors. panix.com
38			
39			
40			

October 2, 2019

Testimony to the Portland City Council at the hearing on Better Housing By Design

Thank you, members of the Portland City Council. My name is Daniel Newberry, Policy Committee Chair of the City's Urban Forestry Commission. I live in East Portland, which will likely be the area most affected by this plan.

First, we would like to thank the Bureau of Planning and Sustainability, and planner Bill Cunningham in particular, for including many of our requests for changes into the current draft.

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 home as do the Portland's wealthier residents, many of whom live in tree-rich neighborhoods.

Yes, we can have both affordable housing and large trees.

Please do not approve additional exemptions from tree planting and preservation requirements for affordable housing reasons. 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. This is an issue of equity.

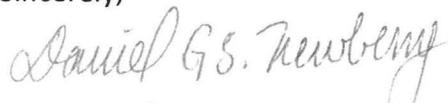
Limiting impervious area in development situations is important for preserving future space for large form trees and for protecting existing trees. We like the provision of limiting asphalted parking area to 15% of the site. We urge the City Council to enact impervious surface limitations that would apply to future development in all zones and plans.

We are 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 a fee in lieu of tree planting.

We support the proposal to allow Transfers of Development Rights to protect trees. 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.

Thank you for this opportunity to comment on BHBD and for adding elements to the plan to promote greenspace.

Sincerely,



Daniel Newberry, Policy Committee Chair
Urban Forestry Commission

October 2, 2019

Testimony to the Portland City Council at the hearing on Better Housing By Design

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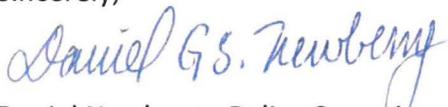
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Sincerely,



Daniel Newberry, Policy Committee Chair
Urban Forestry Commission

My name is Brooke Best and I'm also a member of the Architectural Heritage Center's Advocacy Committee. I'm here today as a resident of Ladd's Addition (by way of a 20+ year layover in Seattle). I'd like to present comments on the Better Housing proposal as it relates to historic districts.

First off, I support the City's need to address increasing affordability and housing needs – and developing appropriate land-use policies towards that end. My main concern is the **unnuanced** treatment of historic districts in the current draft.

This policy, along with RIP, has been turned into a polarizing issue. Seattleites have gone through a similar scenario with their Mandatory Affordable Housing (MHA) legislation, creating a divisive split between pro-density and preservation advocates – YIMBYs vs NIMBYs.

What can we learn from our neighbors to the north? I believe Portland can do better.

My comments are directed to the joint position handout – signed on by the AHC, along with Goose Hollow Foothills League, Irvington Community Association, Northwest District Association, and Portland Coalition of Historic Resources – that outlines specific recommendations for three of Portland's historic districts (Alphabet, King's Hill, and Irvington).

Ladd's Addition is not included; however, it's my understanding that the Hosford-Abernethy Neighborhood Association (HAND) will be weighing in with written comments.

Of the handout's 6 bullets, there are two that pertain to Ladd's:

1. **The first is in support of the provision in the draft re: additional FAR transfer allowance for seismic upgrades to historic buildings.** This includes any landmark or contributing building in a historic district; seismic retrofits on these buildings could "transfer" additional floor area (beyond any underutilized amount) to help costs.
2. **The second is a request to modify the draft to include a *disallowance of development incentives if a historic building is demolished*.** We can look to Seattle for an example with their Demolition Disincentive (codified in SMC 23.49) which states: "*Development on a site that results in the destruction of a designated landmark is not allowed to acquire additional development rights through a floor area bonus.*"

It is critical to address the loss of existing, naturally-occurring affordable housing! This disincentive is one tool. For context from Seattle, statistics showed that from 2016-2018 demolitions alone led to a *net loss of over 400 low-income units* (renters earning less than 50% median income). **See Herbold article for additional stats**

We can strike a better balance in *how we grow* within these multi-dwelling zones. Thank you.

BETTER HOUSING BY DESIGN DRAFT TESTIMONY

Bruce Nelson, 4922 NE Going Street, Portland, Oregon 97218

October 2, 2019

Our Mission: Is to ensure that large-form long-lived trees in every part of the city reach their full maturity, enabling them to provide the greatest benefits to Portlanders. We do this by inspiring action to protect trees.

What We Believe

All Portlanders have the right to enjoy the significant health, social, and environmental benefits that come from living near trees that, if properly cared for, grow large and live long. These trees are under serious threat from development pressures. To steward such trees, we believe in collaborating with residents across the city and partnering with a variety of public, nonprofit and corporate entities.

My name is Bruce Nelson. I live at 4922 NE Going Street in Portland. I am testifying today on behalf of Trees for Life, a local tree advocacy group. We support:

- a. Transfer of FAR (Floor to Area ratio) for preserving trees at least 12” dbh;
- b. 33.120.240 requiring outdoor areas for RH development, previously not required so that is a plus as children may actually have a safe outdoor area to play;
- c. 25% set-back area for East Portland standards that may allow some large Douglas fir tree groves to be preserved;

IN WRITTEN TESTIMONY EARLIER

Floor Area Ratio Standard- confusing language subject to litigation

33.120.210.B 4 b. 2 need to have same words “dead, dying or dangerous” first sentence. Second sentence use “dead, diseased or dangerous” and should change “diseased” to “dying”. The word “diseased” does not mean the same as “dying”. A tree with powdery mildew on the foliage has a disease but it is not dying! (Volume 2, p. 61)

33.120.213 b. 2 Again inappropriate use of the word “diseased” (Volume 2, p. 73)

Our Concern

Many of the main streets in the East Portland Standard (like Sandy, Halsey, Glisan, Stark, and others) will see more high density housing. Yet there is insufficient guidance in this document regarding provision of adequate space for trees to grow in a healthy manner.

These main streets occur in neighborhoods that have a tree canopy average of 23%, well below the city goal of 30%. For reference sake canopy cover in Eastmoreland is 42% and in Laurelhurst 38%. Nothing in **Better Housing by Design** offers a means to improve the canopy cover in this large East Portland area.

The result will be

- a. more housing units,
- b. more people,
- c. more cars, and
- d. fewer trees to mitigate the increased air pollution and increased heat island effects in these underserved East Portland neighborhoods.

CONCLUSION.

Better Housing by Design inadequately addresses two guiding principles of the 2035 Comprehensive Plan - Environmental Health and Equity, particularly in regards to East Portland.

We must develop a coordinated and comprehensive long term plan to improve the canopy cover in east Portland to reverse these shortcomings in our planning.

Thank you

<u>*Neighborhood</u>	<u>*Canopy cover cited by Urban Forestry</u>
Argay	12.8%
Centennial	22.5%
Cully	19.2%
Glenfair	25.7%
Hazelwood	20.2%
Lents	22.2%
Mill Park	21.4%
Parkrose	16.7%
Parkrose Heights	21.9%
Pleasant Valley	53.9%
Powellhurst-Gilbert	25.4%
Russell	20.2%
Sumner	18.5%
Wilkes	23.3%

Average canopy cover = 23.1%

Average canopy cover if exclude Pleasant Valley & Argay = 21.4%

**GOAL FOR CITY IS 30%, EXISTING CANOPY COVER IN
LAURELHURST = 38.2%, IN EASTMORELAND = 41.9%**

*Tree Canopy and Potential in Portland, Oregon; February 2018 Portland
Parks and Recreation

189805

Submitted by
Ron Chandler
10-2-2019

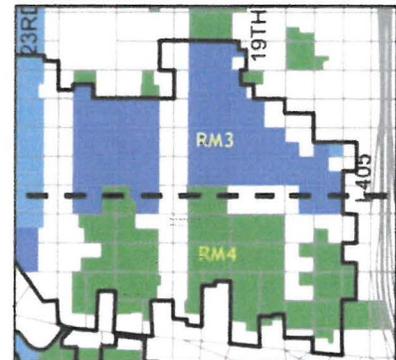
- **Geographically easier to manage school districts.** Sprawling school districts are costlier to manage because of the difficulties in managing transportation and infrastructure across wide areas. Compact developments are more efficient and cost-effective.
- **Lower cost to maintain infrastructure for governments.** Public roads, services, and utilities are much more expensive to maintain when homes and business are spread apart. Greater distances require more material to build and more crews to maintain than more compact footprints. Similarly, public services like effective police and fire departments are less costly when service areas are smaller.
- **Sprawl doesn't pay the bills.** Low density developments often do not provide a large enough tax base to cover the costs of public services. Mixed use developments with retail and apartments tend to pay a higher commercial tax rate and provide more services privately than communities made up of single family homes.
- **Higher density development helps attract new employers.** Employers want to be where their workforce is, rather than try to attract workers to come to them. Communities that are convenient to work and lifestyle are thus more attractive for both employers and their workforce.
- **Higher-density development can increase property values.** Although location and school district are the two most obvious determining factors of value, the lifestyle benefits of high density communities can drive up their market value when done well. When there is a strong sense of community, or lots of amenities within a neighborhood, density and diversity can add a value of their own. Indeed, some experts believe that having multifamily housing nearby may increase the pool of potential future homebuyers, creating more possible buyers for existing owners when they decide to sell their houses.
- **Believe it or not, higher-density development generates less traffic than low-density development per unit.** While residents of low-density single-family communities often have two or more cars per household, residents of high-density apartments and condominiums tend to have only one car per household. When public transportation is readily available, people in walkable communities will often opt to use it.
- **Gets rid of urban blight.** Infill development to repurposes unused or abandoned lots and buildings into vibrant, tax-paying and revenue-generating parts of the community.

TESTIMONY ON BETTER HOUSING BY DESIGN

Support 3 Recommended Draft Provisions

- **Revised zoning map of the *Alphabet* Historic District**

The rearrangement of larger- and smaller-scale zones is more closely aligned with the pattern of scale of historic buildings. This “right”-zoning is consistent with 2035 Comprehensive Plan Policy 4.48 “Continuity with established patterns.”



- **Special definition of the RM4 zone in historic districts**

Within historic districts the largest scale zone allows a base FAR of 3:1 (instead of 4:1 outside historic districts), which will allow new development similar to the scale of the largest historic apartment buildings. This “right”-zoning is consistent with 2035 Comprehensive Plan Policy 4.49 “...Refine base zoning in historic districts to take into account the character of the historic resources in the district.”



- **Additional FAR transfer allowance for seismic upgrades to historic buildings**

A Central City provision is extended to all multi-dwelling zones allowing sites with designated historic buildings to transfer an additional amount of FAR in conjunction with verified seismic upgrades. This additional transfer allowance will help defray the high cost of seismic retrofits, and encourage preservation rather than demolition of historic buildings.



TESTIMONY ON BETTER HOUSING BY DESIGN

Request 3 Changes to the Recommended Draft

- **Further change the revised zoning map of the *King's Hill* Historic District**

Apply to the King's Hill Historic District the same pattern of scale of historic buildings rationale as was applied to the Alphet Historic District, which should change the equivalent of 3 blocks from the larger-scale RM4 to the RM3 zone. "Right"-zoning these few blocks containing mostly historic houses is consistent with 2035 Comprehensive Plan Policy 4.48 "Continuity with established patterns." *See attached map.*



- **Exclude historic districts from the 100-foot height allowance within 1,000 feet of a MAX station**

Historic districts should be excluded from the 10-story height allowance within 1,000 feet of a MAX station. This exclusion was in the original proposal draft and would be consistent with the Recommended Draft's exclusion of historic districts from 100-foot heights near streets with frequent bus service.



While this allowance by right requires no affordable housing units beyond the citywide minimum, the default RM4 zone requires increasing proportions of affordable units to gain additional size and height.

- **Add a *disallowance* of development incentives if a historic building is demolished**

Since historic districts are mostly built out, the Recommended Draft's increased development incentives will inevitably increase pressure to demolish historic buildings. A provision should be added that denies bonuses and transfers for additional building size and height to sites where a designated historic building is demolished, which would be consistent with 2035 Comprehensive Plan Policy 4.50 "Protect historic resources from demolition."



ATTACHMENT

FURTHER CHANGE REVISED ZONING MAP OF KING'S HILL HISTORIC DISTRICT

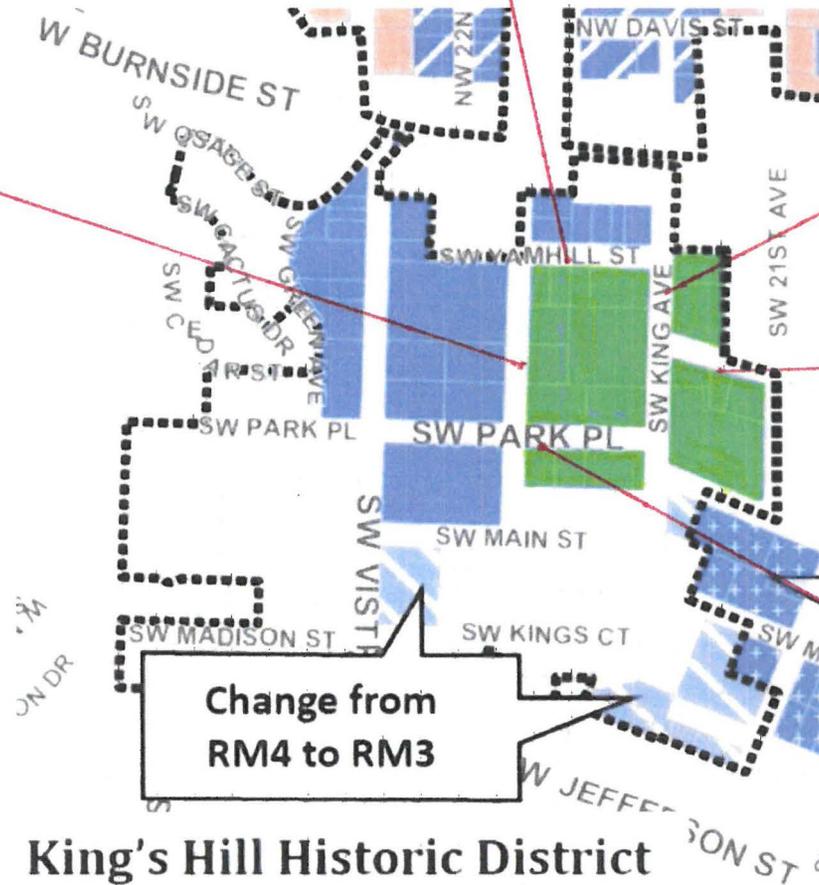


ATTACHMENT



Legend

-  Historic Districts
- Zone**
-  Proposed RM3 zoning
-  Change from RM4 to RM3 zoning
-  RM4 with 3.1 FAR
-  Change from RM3 to RM4 with 3.1 FAR
-  **Further change from RM4 to RM3 zoning**



King's Hill Historic District

Subject: Testimony to the Portland City Council related to Better Housing by Design, October 2, 2019

Close to 89 percent of households in the Portland-Metro area have one or more cars. 72 percent of households living in apartment complexes with no off-street parking have one or more cars. Between 2010 and 2035, Portland's growth rate is projected include 260,000 more people which equates to 123,000 more households.

Included with the majority of these new households is approximately 100,000 more cars. Car trips are expected to increase by 49 percent regardless of how much mass transit is added. **Adequate off-street parking needs to be required with ALL new residential development, be it is close to transit or not.**

For people with electric cars, adequate means onsite overnight charging access with no need to run long extension cords across sidewalks or down the block. While 59 percent of low income people drive to their place of employment; for people who use alternative modes to commute, adequate off-street parking means a safe place to store their cars possibly for days at a time. Moreover, adequate parking requires no less than three spaces for every four units with one space per unit preferred.

Per both TriMet and Metro surveys, congestion, road maintenance and the need to increase motor vehicle capacity and infrastructure were among the top transportation related priorities.

Instead of engaging in failed social engineering car hater policies that include a lack of parking and creating more congestion with road diets, the will of the survey respondents needs to be applied. No democratic city or government should be denying residents the freedom of mobility a car provides, either by dictatorial deterrent taxation or a lack of infrastructure.

A reality check is needed. Requiring off-street parking is both an equity and livability issue that needs to be one of the design components of better housing. The streets should not be utilized for 24/7 car storage which in turn generates negative impacts for residential neighborhoods. Such impacts include drivers circling to find a parking place. A PBOT employee recently told me the expectation is that people moving to Portland will not have cars. That is a sheer fantasy!

Respectfully submitted,

Terry Parker
Northeast Portland



10/02/2019

Portland City Council
1221 SW 4th Ave
Portland OR 97204

Dear Mayor Wheeler and Commissioners Fish, Fritz, Eudaly, and Hardesty,

Thank you for the opportunity to share thoughts on the Recommended Draft of Better Housing by Design.

The proposed revisions to the development standards of Portland's multi-dwelling zones will foster compact urban development and increase housing density in locations where increased density is appropriate, exactly as envisioned in Chapters 3, 4, and 5 of the 2035 Comprehensive Plan. The multi-dwelling zones are well connected to schools, parks, job centers, commercial centers, and multi-modal transit, and are great locations for households of all sizes, incomes, and phases of life.

Better Housing by Design is a game changer for affordable housing developers. To illustrate the significance of the impacts, I analyzed the "before and after" capacity of a five acre parcel Home Forward owns in Northeast Portland. The site is currently zoned R2 but will transition to RM1 when BHD is adopted. If the site were to be redeveloped:

- The base zone density calculation would change. The existing R2 allows a maximum of 115 housing units, the proposed RM1 raises that number to 220. And because the new calculation methodology is flexible, this number can be finessed by changing assumptions about unit sizes.
- A density bonus for Inclusionary Housing would be available, and Home Forward would certainly provide housing units for households at or below 80% of median family income. The existing R2 bonus allows a boost to 144 housing units (a 25% increase), the proposed RM1 bonus takes that number to approximately 330 units (a 50% increase).
- RM1 offers an additional bonus for "deep affordability" that isn't available in the R2. "Deeply affordable" units serve households at or below 60% of Median Family Income and are the bread and butter of Portland's affordable housing development community. Home Forward would be able to increase density by a further 50%, to approximately 440 units.

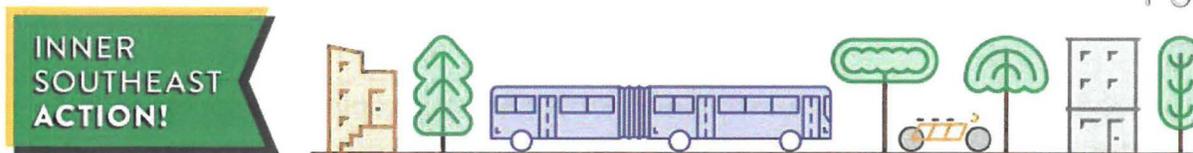
I've represented Home Forward on the Technical Advisory Committee for the past three years and am excited that BHD is about to go live. Bill Cunningham and other planners in the Bureau of Planning & Sustainability working on this project have done an excellent job of soliciting and responding to feedback from a great variety of stakeholders. Cultivating affordability and livability have been front and center in their work, and they've been thoughtful and thorough in their evaluation of the galaxy of standards that impact housing development. In addition to density, standards for parking, building height, setbacks, and outdoor and community spaces have been simplified and right-sized.

Better Housing by Design is a milestone in the development of the prosperous, healthy, equitable, and resilient Portland we all want—a city truly designed for people—and I thank you for supporting it.

Sincerely,

Julie Livingston, AIA

[A new name for the Housing Authority of Portland](#)



September 10, 2019

Inner Southeast Action!

InnerSouthEastAction.org

Mayor Wheeler and Commissioners:

Inner Southeast Action is a community group embracing change to promote livability, inclusivity, sustainability and climate protection. We strongly support housing affordability and availability.

The Better Housing by Design Recommended Draft promotes many of Portland's goals. It will increase the number of units that can be built in places near jobs, transit and shopping, that will result in less driving and less GHG emissions. It will promote more livable multifamily development, especially on the larger lots of East Portland, and will help reduce urban heat islands and preserve tree cover.

We support all of the 20 points in the "Recommended Draft Summary" brochure, with a few suggested friendly modifications:

- 1) The key change is in #1, to regulate by Floor Area Ratio (FAR) rather than unit count, so builders can choose to do different size units without penalty, and will we hope result in an increase in units on these transit-served sites. We support this, as well as the base/bonus scenario (#2), which will incentivize Affordable Housing inclusion. We also welcome the Deep Affordability bonus in CM2.
- 2) We support Visitability for some units (#3), and the FAR transfers to preserve affordable housing and big trees (#4). We support density transfers from these sites, even into Historic Districts, with limitations, as the plan proposes. We support the provision of small commercial on corridors in these RM zones (#5), as well as required outdoor areas, shared

common areas, and counting eco roofs and raised planted courtyards toward landscape requirements. (#6,7,8).

- 3) We support limits on surface parking and limits on the use of asphalt (#9), as well as reducing parking requirements (#10): none on sites less than 10,000 s.f. or less than 500' from frequent transit. We suggest that parking requirements be eliminated on buildings further away as well, letting builders provide it if they choose.
- 4) We support better facades by limiting garage frontage and orienting entry doors to the street (#11, 12).
- 5) Instead of adding front setbacks, we would eliminate all required front setbacks in the RM2 and RM3 zones. We note that the proposed 10' setback can be reduced in some cases (#13).
- 6) We also support the simplification of side setbacks to 5' everywhere (#14). We support the "Intensely urban" options in #17, to allow continuous buildings on major corridors (as well as the related changes to the CM zones on these same corridors), to increase flexibility in site layout of new buildings. We support increased height in RM4 close to transit.
- 7) We support #18, 19, and 20, to address specific site and street grid issues in East Portland, and are supportive of the PBOT Connected Centers project that is also addressing those issues.

We note the Displacement Risk work staff has done, and believe many elements of the proposal, such as the encouragement of Inclusionary Housing with substantial FAR bonuses will help provide mitigation for this risk.

We do have concerns that the intensity of these zones, as currently applied along inner corridors like Belmont, Hawthorne, and Division, is too low to take full advantage of those "high-opportunity" locations. We hear that BPS plans to look at zone mapping in the future. We envision that the RM1 along corridors could be rezoned to RM2; and the RM2, especially when occurring adjacent to commercial

areas, could be rezoned to RM3, to allow more residents to enjoy amenity-rich areas including good transit and biking access.

We urge you to adopt this Recommended Draft as soon as possible, and we hope the mapping project can be undertaken soon after.

Thank you,

A handwritten signature in black ink, appearing to read "Doug Klotz". The signature is fluid and cursive, with the first name "Doug" and the last name "Klotz" clearly distinguishable.

Doug Klotz, Land Use & Transportation Chair
Inner Southeast Action!

189805

Submitted by
Lyrin Murphy
10-2-2019



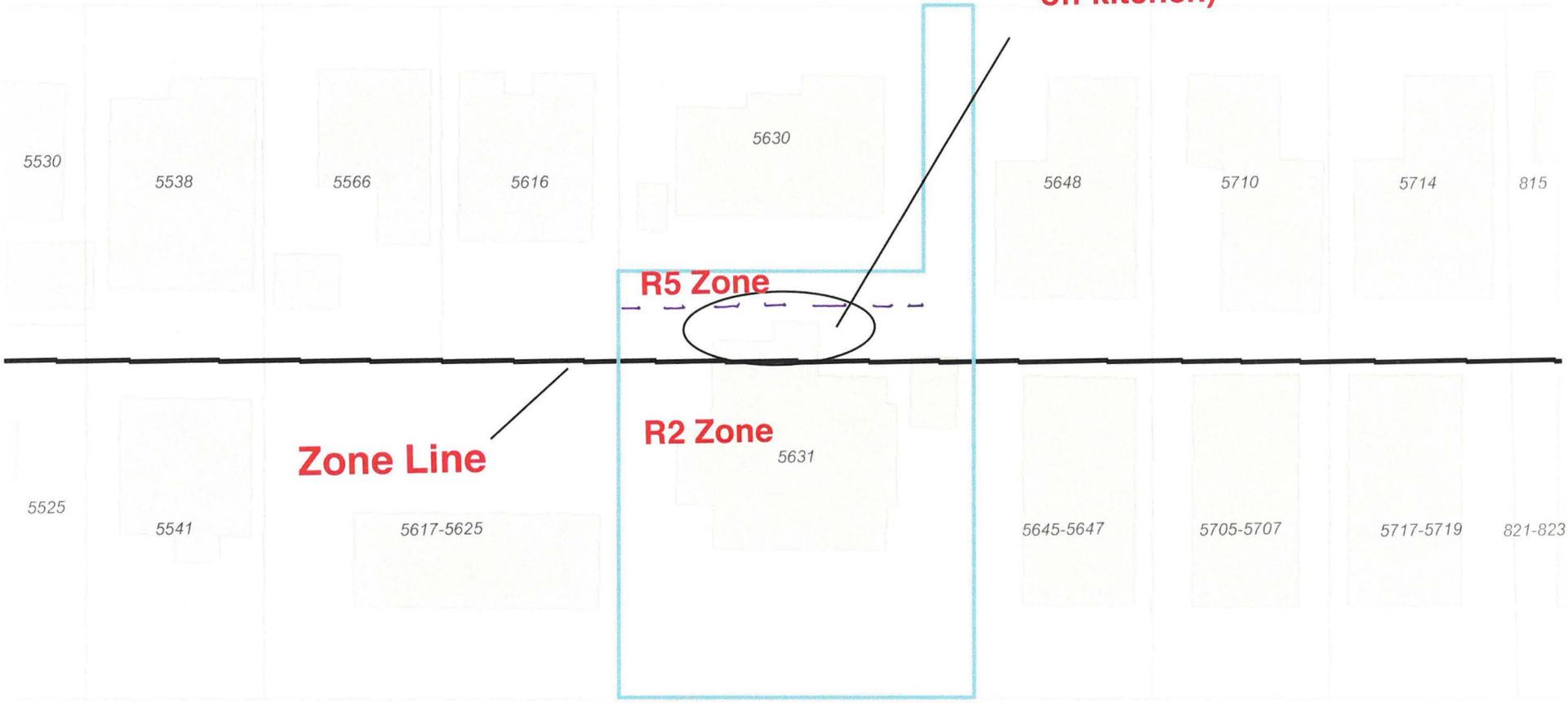
5631 SE Belmont St
Portland, Or 97215

189805

5529 5537 5603 5625 5625 5633 5645 5709 721

SE MORRISON ST

6 Feet of back of house is in R5 zone (includes enclosed back porch and portion of small room off kitchen)



R5 Zone

R2 Zone

Zone Line

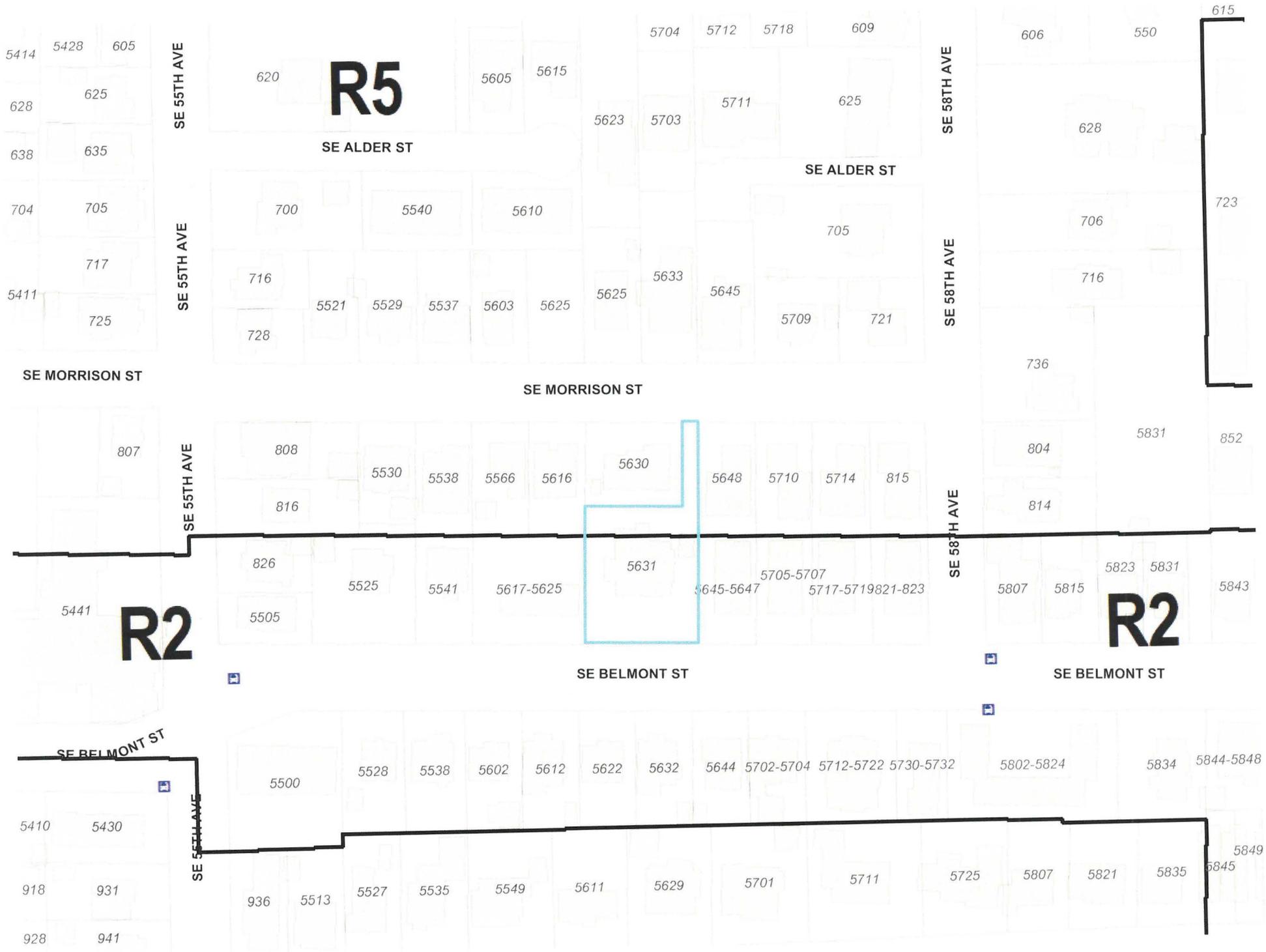
**Site Address:
5631 SE Belmont St
Portland, OR 97215**

SE BELMONT ST

**Contact: Lyrin Murphy
email: bearcat214@gmail.com
Cell: 503-333-0412**

5528 5538 5602 5612 5622 5632 5644 5702-5704 5712-5722

189805





East Portland Action Plan

Testimony to City Council on Better Housing By Design
October 2, 2019

Good afternoon. I'm Doug Armstrong and I am testifying on behalf of the East Portland Action Plan.

As you know, the East Portland Action Plan represents a comprehensive, community-driven effort to promote livability, improve the built environment and stabilize low-income communities in East Portland.

Staff from the BPS have met with EPAP and its committees at every stage of development of Better Housing By Design to ensure that the proposal you're now considering supports your goals and ours for East Portland.

Better Housing By Design requires new affordable homes for low-income and incentives for very low-income families, incentivizes the preservation of existing affordable homes, and encourages the creation of more intentionally affordable for-sale housing than is typically available in our City.

The proposal measures new buildings by FAR, which is something EPAP supports because it encourages development of housing units appropriate to larger families, which is an area of significant unmet need in East Portland.

The proposal also supports East Portland families by retaining the current outdoor space requirements. We would like to see a requirement for common areas in all zones in new multi-unit developments. Under BHBD, new apartment projects will include rear setbacks. We would ask that 25% of the rear-setback not be allowed to be paved and that 50% of the rear-setback should not be allowed to be used as a vehicle area. The proposal would also support our struggling families by allowing daycares in all multi-dwelling zones.

The proposal incentivizes accessibility for residents and visitors, helping seniors and people with disabilities to live independently within the community they call home.

BHBD includes a number of new design standards that recognize the unique built environment in East Portland, another key piece of the mandate that underlies the East Portland Action Plan.

Every element I've just mentioned is specifically called out in the East Portland Action Plan, approved by this Council more than a decade ago. I've provided you with a matrix that shows the relevant sections of the EPAP Plan, and it's great to see that goals identified by our community a decade ago will be given life in the form of new code language.

Better Housing By Design is not a panacea, and we all know that zoning and design standards can't do everything we want for our community. They won't solve our affordability crisis. Still, these code changes move the needle substantially for East Portland, and we urge your support.

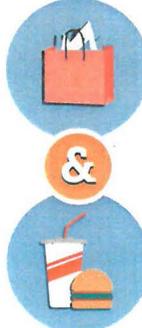
Better Housing By Design	East Portland Action Plan
BHBD requires new affordable homes for low-income and incentives housing for very low-income families.	Supports EPAP Goal HD.5.6, "Provide community amenities and improve design to encourage housing that is attractive to households with a range of incomes."
BHBD uses FAR transfers to incentivize the preservation of existing affordable homes	Supports EPAP Goal SN.1, "Assist in stabilizing low income residents/families," and EPAP Goal HD.2, "Improve the appearance, quality and safety of existing housing stock."
BHBD encourages the creation of more intentionally affordable for-sale housing and measures building size by FAR .	Supports EPAP Goal SN.2.1, "Increase sustainable homeownership for moderate income households" and EPAP Goal SN2.2, "Increase opportunities for minority homeownership."
BHBD updates density standards to limit the size of new multi-family structures and recalibrates FAR bonuses.	Supports EPAP Goal HD.5.4, "Review relationship of zoning density and lot size to address East Portland infill context," and EPAP Goal HD.6.2, "Evaluate location and intensity of current residential zoning including density bonuses."
BHBD creates new driveway standards and setbacks in East Portland's multi-dwelling zones.	Supports EPAP Goal HD.5.2, "Amend zoning code to improve flag lot development and privacy issues."
BHBD requires that new apartment projects include current outdoor space and limits on the area that can be paved over for parking.	Supports EPAP Goal HD.5.1, "Explore mechanisms to provide on-site play areas and open space in multifamily housing developments."
BHBD would permit daycares in all multi-dwelling zone locations.	Supports EPAP Goal SN.1.6, "Support safe, convenient, and cost-effective childcare throughout East Portland."
BHBD incentivizes accessibility for residents and their visitors with disabilities.	Supports EPAP Goal SN.3, "Increase support for independent elderly and disabled people."
BHBD includes new design standards that recognize the unique built environment in East Portland.	Supports EPAP Goal HD.1.1, "Explore design tools and update Community Design standards tailored to East Portland development styles and neighborhoods."
BHBD gives a transferable FAR bonus for tree preservation.	Supports EPAP Goal HD.5.3, "Improve/institute a tree preservation and replacement code."
For sites more than 160' deep, BHBD requires a minimum street frontage of 90' for new development. (Specific to four East Portland areas: 122nd/Hazelwood, Rosewood/Glenfair, the Jade District and Division/Midway)	Supports EPAP Goal HD.5.5, "Develop better guidelines and regulations for transitions between relatively high and moderate intensity zones to mitigate decreased sunlight access and privacy impacts."

Income Level by Occupations and Household Size, Portland Metro Area, 2019 | Using Area Mean Income (AMI)

▶ One wage earner living alone

30% of AMI	60% of AMI	80% of AMI	100% of AMI	120% of AMI
 <p>\$18K Example: Minimum wager worker (30 hrs/week)</p>	 <p>\$37K Example: Landscape worker</p>	 <p>\$49K Example: Semi truck driver</p>	 <p>\$61K Example: Paralegal</p>	 <p>\$74K Example: Elementary school teacher</p>

▶ Two wage earners in a household of four

30% of AMI	60% of AMI	80% of AMI	100% of AMI	120% of AMI
 <p>\$26K (2 x \$13K) Example: Two people on Social Security</p>	 <p>\$52K (2 x \$26K) Example: Retail salesperson & food prep worker (30 hrs/wk)</p>	 <p>\$70K (2 x \$35K) Example: Manufacturing fabricator & nurse assistant</p>	 <p>\$88K (2 x \$44K) Example: Administrative assistant & construction laborer</p>	 <p>\$105K (2 x \$53K) Example: Carpenter & social worker</p>

Source: HUD income limits (2019), Occupational Employment Statistics (2018), and American Community Survey Census data (2017, one year) in 2019 dollars

McClymont, Keelan

From: Steve B <coffeeisnice@gmail.com>
Sent: Thursday, October 3, 2019 1:05 PM
To: Council Clerk – Testimony
Subject: Full support for Better Housing by Design

Dear City Council--

I am writing in full support of the Better Housing by Design project. I especially support the aspect of removing parking minimums. The removal of parking minimums is aligned with our city's housing affordability and carbon reduction goals.

I support the proposed BHD project as a whole and find the changes to zoning and allowed density to be laudable. I encourage you to support BHD and vote in the affirmative to make BHD city policy.

Sincerely,
Steve Bozzone
NE Portland

McClymont, Keelan

From: Brad Baker <bradmbak@gmail.com>
Sent: Thursday, October 3, 2019 12:54 PM
To: Council Clerk – Testimony
Subject: Support Message for Better Housing by Design

Hello city council,

I'm writing to let you know my overall support of BHD. I think the more we can do to encourage density in our city, the better our city will become. We'll be able to support higher frequency transit, our neighborhoods will become more walkable, and we'll have more neighbors to meet.

I'm asking that you please remove all parking requirements from zones that BHD impacts. Requiring off-street parking will result in higher housing costs and more cars, both of which go against making our city better.

Thanks again for all your work and thanks for listening.

Brad Baker
2301 NE Rodney Ave, Portland, OR 97212

McClymont, Keelan

From: DANIEL SALOMON <danielsalomon@comcast.net>
Sent: Thursday, October 3, 2019 12:44 PM
To: Council Clerk – Testimony
Subject: Testimony on Better Housing by Design (Oct 2 City Council pm session) (please confirm)

My name is Daniel Salomon, and I am a disabled Section 8 renter in Goose Hollow. I'm very lucky to live in a neighborhood where the neighborhood association fights so hard to protect its low-income renters.

People seem to have the wrong idea about the King's Hill Historic District which is in the Goose Hollow neighborhood. In fact, King's Hill is not a high-income area. The median household income for King's Hill is more than 9% lower than in the rest of Portland. The Alphabet Historic District also has a lower median household income than the rest of the city. So, it's incorrect to assume that historic districts are about high income people. In King's Hill, the Alphabet District, and Oldtown/Chinatown, historic districts are about preserving the naturally occurring affordable housing where most of our low-income people live in 3 of the densest neighborhoods in all of Oregon.

Many people also seem to have the wrong idea about Goose Hollow. In fact, Goose Hollow residents are 80% renters and half of those are low income. 21% of our neighbors are on food stamps. 15% of Goose Hollow rentals are subsidized housing. Our neighborhood association has worked diligently to make sure that our board members represent our diverse demographics. More than half of our neighborhood association board members are low-income. All of our low-income board members live in King's Hill, in the naturally occurring affordable housing of mid-rise apartment buildings and big old houses that have been converted into apartments.

We join the Architectural Heritage Center and the Northwest District Association in asking you to right size the zoning to RM3 for King's Hill and to lower heights within 1,000 feet of the Goose Hollow MAX station, which touches part of King's Hill and would cause demolitions.

When we ask for these things, we are asking you to protect the most affordable housing in our neighborhood.

McClymont, Keelan

From: Tracy J. Prince, Ph.D. <tprince@pdx.edu>
Sent: Thursday, October 3, 2019 11:38 AM
To: Council Clerk – Testimony
Subject: testimony for Better Housing by Design (City Council pm session Oct 2)

I'm the president of Goose Hollow Foothills League (neighborhood association) where King's Hill Historic District is located. Goose Hollow is one of the densest neighborhoods in all of Oregon. Goose Hollow residents are 80% renters and half of those are low income. 21% of our neighbors are on food stamps. 15% of Goose Hollow rentals are subsidized housing. The **median household income for the King's Hill Historic District is more than 9% lower than in the rest of Portland**. When we ask to lower the zoning to RM3 on a very small section of King's Hill and to restrict upzoning on historic districts within 1000' feet of a MAX station, we are asking to protect some of our most affordable apartments and office spaces.

King's Hill Historic District is predominantly mid-rise apartments that contain our most affordable housing in Goose Hollow. We've studied rental rates to see how rents compare in different parts of Goose Hollow. We've found that **King's Hill's oldest mid-rise (3-8 story) apartment buildings have rents that are ½ the cost per square foot** than in other parts of the neighborhood (especially when compared to newer apartments). All of our low-income board members live on King's Hill. We know of many families who are raising children in one-bedroom apartments in this area, because of the cheaper rents and good access to public transportation.

Goose Hollow supports sub-dividing King's Hill's big historic homes and putting 2 historically appropriate ADU's in the back yard. So, we support, and already have, incredibly high density. We just don't want the big old houses and apartment buildings demolished. **The proposed RM4 zone within the King's Hill District and the proposed 100' allowance within 1000' of a MAX station incentivizes the demolition of approximately 8 King's Hill buildings. If these buildings were demolished it would cause the delisting of the entire district from the National Register.**

When King's Hill Historic District was created in 1991, the zoning was never changed to match the district. So, we are asking to right size the zoning. **We want to set achievable expectations for developers**. It is very confusing for developers when the RM4 zone indicates that they can build to 100', but the fact that the building is in an historic district means that they won't be able to achieve that. We'd like to set clear expectations so that everyone understands, up front, what is achievable. This will save developers time and money. With a zone that isn't "right-sized," developers come to the Goose Hollow Planning Committee and we have to explain that it isn't achievable in an historic district. Developers go to the Historic Landmarks Commission and they have to explain that it isn't achievable in an historic district. Then City Council must explain the same thing. We are asking to right size a very small 3 block section of King's Hill to RM3, so that achievable expectations are set for everyone involved.

Goose Hollow is booming with development. We have 1,600 units of recently built or soon to be built apartments, within and near the King's Hill Historic District. These new developments more than off-set the very small reduction in zoning that we are asking for.

Thanks you for listening,

Dr. Tracy Prince, President, Goose Hollow Foothills League

Tracy J. Prince, Ph.D.
Research Professor
American Indian Teacher Program
Curriculum & Instruction
Portland State University
[https:// works.bepress.com/tracy-prince/](https://works.bepress.com/tracy-prince/)

Scotia Western States Housing, LLC
5716 Highway 290 W., Suite 211
Austin, TX 78735

AUDITOR 10/03/19 AM 10:11

Portland City Council
Better Housing by Design Testimony
1221 SW Fourth Avenue, Room 130
Portland, Oregon 97204

Dear Council Members:

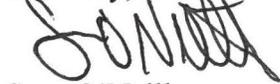
Our Company focuses on infill, residential development within the City of Portland. We have numerous developments under construction as well as in the planning phases. We would like to advocate for the Better Housing by Design proposal and the changes it will bring.

In order for a project to maximize its financial potential, with the goal being to maximize revenues generated from that project (as long as the marginal cost to maximize the "next dollar" of revenues is not excessive relative to the previous dollars generated), one must efficiently maximize the developable square footage of a project. Under the current zoning regulations, which is based on allowance of the number of units per property area, this can only be via larger units since there is a unit count maximum, or cap. As such, under the current regulations, many developments are incentivized to provide larger units which translates to higher prices and rental cost (e.g. rents in excess of \$2,000 and sales prices in excess of \$500,000 are not uncommon).

Better Housing by Design will allow developers to take the same piece of land and rather than maximize square footage of improvements by constructing larger units with higher rents per unit, it will allow developers to provide of building of similar size and square footage and divide that square footage into a greater number of units. The decision of the size and design of the units being developed would then be made more purely on the market demand than before. The results of the change being that more units would come to market, though smaller in size, also at a lower per unit cost and more affordable housing would be created than the current regulations incentivize. In addition to providing more affordable, market rate housing, Better Housing by Design will also likely provide a higher number of Inclusionary Housing units (currently, larger townhome-style developments can avoid Inclusionary Housing due to being less than 20 units per building) while also providing more revenue to the City of Portland (via a larger number of System Development Charges which are calculated on a per unit basis) for public improvements.

Thank you for your time and consideration.

Sincerely,



Sean O'Neill

McClymont, Keelan

From: Thomas Karwaki <karwaki@yahoo.com>
Sent: Thursday, October 3, 2019 5:46 AM
To: Council Clerk – Testimony
Subject: Better Housing By Design -request record remain open

The UPNA Land Use Committee supports most of the BPS recommended report.

In order to review other comments, the University Park Neighborhood Association Land Use Committee requests that the record remain open until Friday October 4, 5 pm for additional comments that the public might have. We have had residents tell us that they had trouble with the Map App.

Tom Karwaki
UPNA Land Use Committee Chair

From: Allan Rudwick <arudwick@gmail.com>
Sent: Wednesday, October 2, 2019 4:18 PM
To: Council Clerk – Testimony
Subject: Housing is more important than cars

To Whom it may concern:

<https://www.sightline.org/2019/10/02/in-mid-density-zones-portland-has-a-choice-garages-or-low-prices/>

I saw this article this morning and I want to make it clear that requiring parking anywhere in our fair city is a garbage rule that should be thrown out. If people want to spend money storing cars off-street that is fine, but we shouldn't require it ANYWHERE in the city

Housing affordability is what i care about for my current and future neighbors. Cars make our city worse, people make it better. Don't scare them off with high prices

Allan Rudwick
228 NE Morris St
Portland OR 97212

--
Allan Rudwick
(503) 703-3910

McClymont, Keelan

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Wednesday, October 2, 2019 3:01 PM
To: Council Clerk – Testimony
Cc: Cunningham, Bill
Subject: Better Housing By Design Testimony
Attachments: BetterHsgByDesignCCTestimony10022019.docx

Dear Karla,

Please forward the attached document to the Mayor and City Commissioners as testimony on Better Housing By Design as testimony taken today Oct. 2, 2019.

I am in hope that I can still make it in time to present the material at the hearing.

Thank you for your consideration.

Tamara DeRidder, AICP

--

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." Margaret Mead



October 2, 2019

City of Portland
Attn: Mayor Wheeler and City Commissioners
1221 SW Fourth Ave, Room 110
Portland, OR 97204

Subject: Enhanced Air Quality Filtering and Other Pollution Mitigation needed for Multi-family Units developed in Multi-dwelling zones – Better Housing by Design Testimony

Honorable Mayor and City Commissioners,

Thank you for the opportunity to testify on Better Housing by Design. I am thankful to Planner Bill Cunningham who has done an outstanding job conducting this process with the neighborhoods other public meeting events. I believe that the new multi-dwelling zoning classifications allow more flexibility in the size and design of these units as they will be based on Floor Area Ratio rather than a prescribed number of units.

But I am concerned that the proposal fails to address the air quality and other health related impacts for these units as required in the 2035 Comprehensive Plan. Chapter 4- Design Development states the following policies:

- Policy 4.33 Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.
- Policy 4.35 Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
- Policy 4.36 Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
- Policy 4.37 Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.
- Policy 4.83 Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.

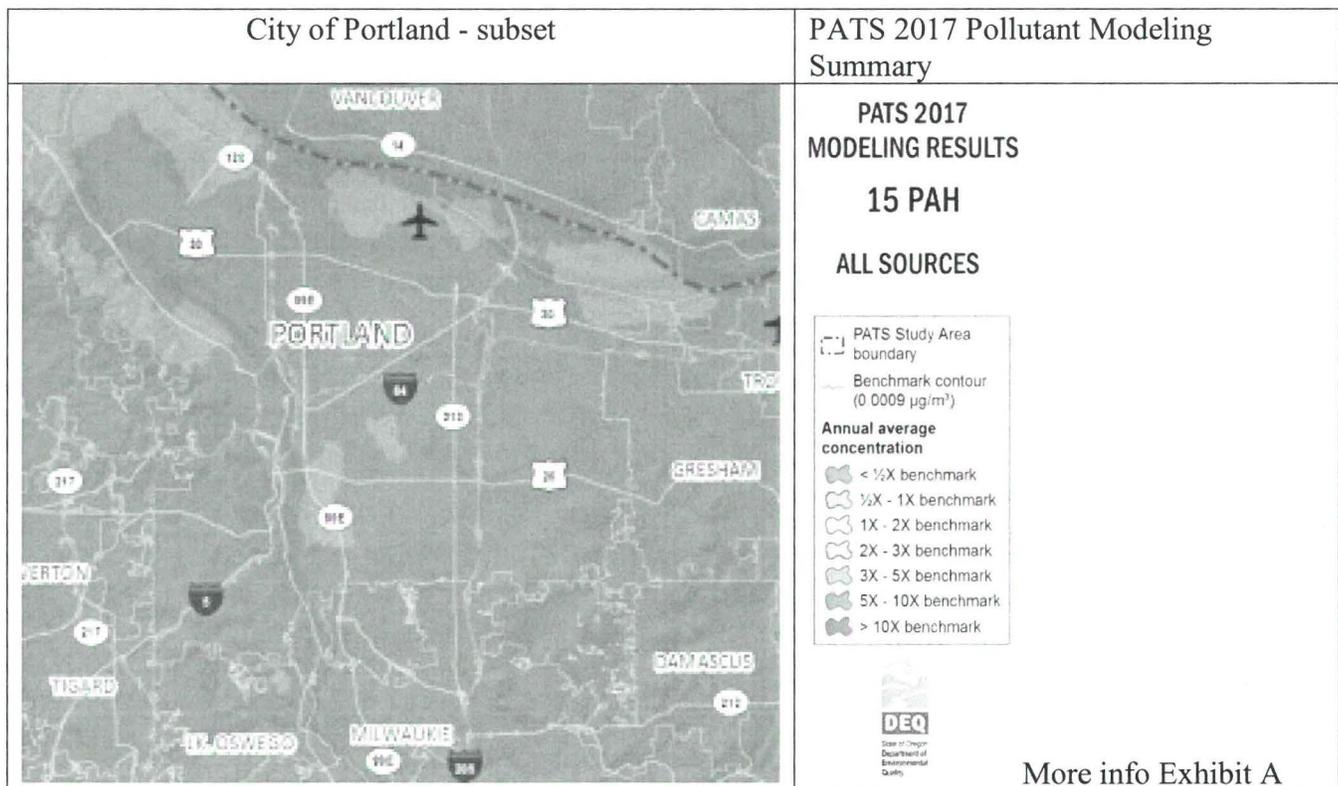
The vast majority of renters in Portland’s multi-family developments tend to be poorer, of greater ethnic diversity, and those with weak or fragile immune systems, such as the elderly and children. Policy 4.33 states “Limit and mitigate public health impacts”. This is a directive to staff to take the needed precautions that make sure the proposed design meets or exceeds healthy levels for humans.

Oregon Public Broadcasting updated a 2012 article on July 10, 2018 titled “Mapping Everyday Air Toxics” that takes a look whether DEQ’s proposed air quality improvements by 2017 had occurred. It states: “Working with the Air Toxics Solutions Advisory Committee, the agency put out a report last month illustrating which toxics are expected to exceed a set of agreed-upon health benchmarks. The DEQ report concluded that 15 air pollutants will exceed healthy levels – throughout the metropolitan area, in most cases – by 2017. (Air toxics can raise the risk of cancer and other diseases at higher concentrations, though they’re not regulated like other air pollutants under the Clean Air Act) It found higher levels of air toxics near low-income and minority communities.

It concluded the eight riskiest pollutants are 1,3-Butadiene, benzene, diesel particulate, 15 polycyclic aromatic hydrocarbons (PAHs), naphthalene, cadmium, acrolein and formaldehyde.

And the culprits? Mostly cars, trucks, and wood stoves.

“So much of the pollution is from everyday activities,” said Marcia Danab, communications and outreach coordinator for the Oregon Department of Environmental Quality. “When you look at the maps, you see areas that have higher concentrations are along the major roadways: It’s cars and trucks, diesel trucks, construction equipment powered by diesel or gas, and it’s wood smoke.””



Further the article states: “The advisory committee recommended five areas where these toxic pollutants can be reduced: residential wood stoves, light-duty and heavy-duty vehicles, construction and non-road equipment and industrial metals facilities.”¹

The one area that this committee failed to consider is in the City of Portland Municipal and State-wide Building Codes. Through conditions of approval on new construction property owners can be required to install enhanced air-quality air systems/filters in their multi-family structures. Building Code or Fire Codes can then require regular inspections to assure that this air quality mitigation is implemented into the future.

At the end of August last year, Portland was identified as having the second worst air quality in the major cities **worldwide**.² You may recall that at that time the Eagle Creek fire in the Columbia River Gorge was causing smoke-filled skies throughout the Portland Metro area. With Climate Change wildfire smoke events will only increase. This only intensifies the need to call to action for enhanced air quality filters to be in place in people’s homes as well as public facilities throughout the city.

In addition, on July 3, 2019, EPA issued documentation titled, “Air Quality and Climate Change Research”³. It states, “Air quality can impact climate change and, conversely, climate change can impact air quality. For example black carbon emissions will continue to warm the earth”. “Atmospheric warming associated with climate change has the potential to increase ground-level ozone in many regions, which may present challenges for compliance with the ozone standards in the future. The impact of climate change on other air pollutants, such as particulate matter, is less certain, but research is underway to address these uncertainties.”

How does this information impact the current Better Housing By Design Recommended Draft dated Aug. 2019?

Finding 1: “Section 1: Introduction” of this Draft identifies the project’s objective to revise City regulations to better implement the Comprehensive Plan policies that call for:

- “Housing opportunities in and around centers and corridors.
- Housing diversity, including affordable and accessible housing.
- Design that supports residents’ health and active living.”

But fails to include relevant Comprehensive Plan policies from Chapter 4- Design Development, including, but not limited to:

¹ OPB Ecotrope “Mapping Portland’s Everyday Air Toxics”, May 25 2012 Updated July 10, 2018, by Cassandra Profita. See: <https://www.opb.org/news/blog/ecotrope/mapping-portlands-everyday-air-toxics/>

² KGW8 news, “Portland’s Air Quality Ranks 2nd worst in Major Cities Worldwide”, published Aug. 21, 2018. See: <https://www.kgw.com/article/weather/air-quality/portlands-air-quality-ranks-second-worst-in-major-cities-worldwide/283-586223379>

³ EPA, “Air Quality and Climate Change Research”, July 3, 2019. See: <https://www.epa.gov/air-research/air-quality-and-climate-change-research>

Policy 4.33 Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.

Further, this chapter states Key Comprehensive Plan Objectives stated on page 3 fails to include measures to limit and mitigate public health impacts for the inhabitants of these developments. The only Objective relating to health states:

- Outdoor spaces and green elements to support human and environmental health.

Therefore, the Better Housing By Design Recommended Draft dated Aug. 2019 Section 1 fails to include Policies 4.33, 4.35, 4.36, 4.37, 4.83 of the 2035 Comprehensive Plan and and considering them in the Key Comprehensive Plan Objectives resulting in a failure to satisfy the 2035 Comprehensive Plan.

Finding 2. “Section 2: Direction from the Comprehensive Plan” is to provide direction regarding development in the multi-dwelling zones. Guiding Principles identifies:

“2. Human Health

Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.

This project furthers this principle by increasing opportunities for the housing people need to live secure and healthy lives. The proposals also contribute to human health by ensuring new housing includes residential outdoor spaces that support healthy living and social interaction, through limiting large paved areas that contribute to urban heat island impacts, by facilitating active mobility by allowing more people to live close to services, and by supporting the development of a wide range of housing that can meet the diverse needs, abilities, and economic conditions of Portlanders.”

This Guiding Principle fails to include the Comprehensive Plan policy 4.33 language that states “Limit **and mitigate public health impacts**, ...”, as identified in Finding 1.

Therefore, Section 2 Direction from the Comprehensive Plan Guiding Principles Subsection 2. Human Health fails to include Plan policy 4.33 that includes actionable language “limit and mitigate public health impacts” and fails to satisfy Chapter 4 of the 2025 Comprehensive Plan.

Finding 3. “Section 2: Direction from the Comprehensive Plan” identifies Guiding Principles:

“4. Equity

Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address, and prevent repetition of the injustices suffered by communities of color throughout Portland’s history.

This project advances this principle by providing incentives for the creation of new affordable housing

and for preserving existing affordable housing. The proposals also contribute to equity through development bonuses for “visitable” housing that is physically-accessible to people with a range of abilities, through provisions that address the need for street connections and outdoor spaces in East Portland, by increasing opportunities for home-based businesses and services along East Portland’s corridors, and through focused engagement with low-income renters and other historically under-represented populations to help shape the project’s proposals”

This language fails to consider the Oregon Department of Environmental Quality’s PATS 2017 Pollutant Modeling Summary⁴ on Portland’s air quality where it states it promotes equity and environmental justice. It fails to include policy direction provided by Chapter 4-Design Development in the 2035 Comprehensive Plan including:

Policy 4.33 Off-site impacts. Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.

Therefore, Section 2: Direction from the Comprehensive Plan, Guiding Principles, Subsection 4. Equity fails to satisfy the 2035 Comprehensive Plan.

Finding 4. Page 55 of the Recommended Draft provides a comparison of Current and Proposed Development Standards. The environmental mitigation has been **reduced** in the Draft for the current R3 zone and R1 zone where it abuts Civic Corridors. This is in conflict with the Guiding Principals for Human Health and fails to consider the Comprehensive Plan policies:

⁴ DEQ PATS 2017 Pollutant Modeling Summary, Portland Air Toxics Solutions Advisory Committee, January 25, 2011. See: <https://www.oregon.gov/deq/FilterDocs/15pollutantsAboveSummary.pdf>

- Policy 4.35** **Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.
- Policy 4.36** **Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.
- Policy 4.37** **Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.

Comparison of Current and Proposed Development Standards

This table provides a comparison of development standards that apply in the current zones (shaded) and those proposed for the new zones. This table is a summary and does not include all development standards and details (see Volume 2 for details on existing and proposed development standards). The table includes only one column for the RX zone and does not include the RMP zone, as these zones are retaining their current names and are not proposed for significant changes.

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 1 to 1	1 unit per 1,000 sq. ft. of site area	FAR of 1.5 to 1	FAR of 2 to 1 or 4 to 1	FAR of 2 to 1	FAR of 4 to 1 (3 to 1 in historic districts)	FAR of 4 to 1
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.	35 ft.	45 ft.	45 ft.	65 ft. or 75/100 ft.	65 ft.	75/100 ft. ⁶	100 ft.
Step-Down Height (25' from SFR zone)	--	--	35 ft.	--	35 ft.	--	35 ft.	35 ft.	35 ft.
Minimum Front Setback	10 ft.	10 ft.	10 ft.	3 ft.	5/10 ft. ¹	0 ft.	5/10 ft. ¹	0/5 ft. ¹	0 ft.
Minimum Side/Rear Setback ³	5-14 ft.	5-14 ft.	5 ft.	5-14 ft.	5 ft.	5-14 ft.	5/10 ft. ²	5/10 ft. ²	0 ft.
Maximum Building Coverage	45%	50%	50%	60%	60% 70% ⁴	85%	85%	85%	100%
Minimum Landscaped Area	35%	30%	30%	20%	20%	15%	15%	15%	none
Required outdoor area per unit	48 sq. ft.	none	36/48 sq. ft. ⁵	36/48 sq. ft. ⁵	none				

¹The 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.

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

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

⁴70% building coverage applies to properties that abut Civic or Neighborhood corridors.

Therefore, the proposed Minimum Landscaped Area of 30% for the current R3 zone and the Maximum Building Coverage of 70% in the current R1 zone does not satisfy Policies 4.33, 4.35, 4.36, 4.37, 4.83 of 2035 Comprehensive Plan and its own Guiding Principles.

In conclusion, as an AICP Land Use Planner I call on our Code of Ethics that requires me in overall responsibility to the public to speak up for those that are disadvantaged under article 1.f:

“f) We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.”

I find that the failure of the planning and appointed officials to consider relevant published DEQ the air quality reports and include vital policies of the Comprehensive Plan cannot go unchallenged.

Please join me in my recommendation to remand this Draft back to the Planning Commission in order for them to consider all the requirements of the 2035 Comprehensive Plan including Chapter 4-Design Development as it fails to address equity and health for all residents of Portland. In this consideration please include enhanced air quality systems and filtration for all Multi-Dwelling zoned developments.

Respectfully,



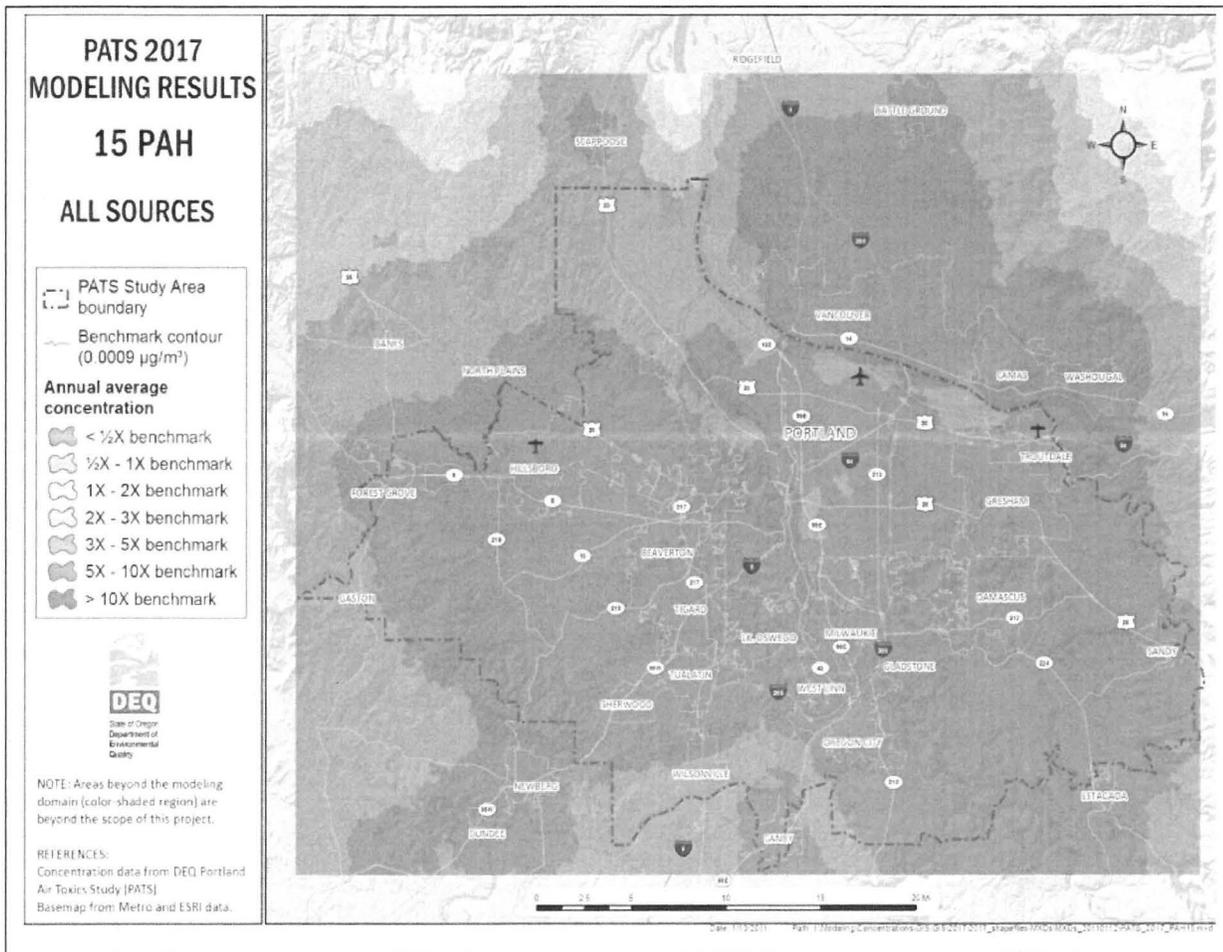
Tamara DeRidder, AICP
Principal, TDR & Associates
Land Use/ Public Engagement/Design
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804

Attachment: Exhibit A. PATS 2017 Pollutant Modeling Summary 1/25/11 Draft Page 15

Exhibit A

PATS 2017 Pollutant Modeling Summary

1/25/11 Draft Page 15



Better Housing by Design

Testimony by Tamara DeRidder, AICP

Enhanced Air quality Filtering and other Pollution Mitigation needed
for Multi-family units in the Multi-dwelling zones.

Fails to consider Chapter 4 – Design Development of 2035 Comp. Plan, including:

- Policy 4.33 Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.
- Policy 4.35 Noise impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative noise impacts to building users and residents, particularly in areas near freeways, regional truckways, major city traffic streets, and other sources of noise.

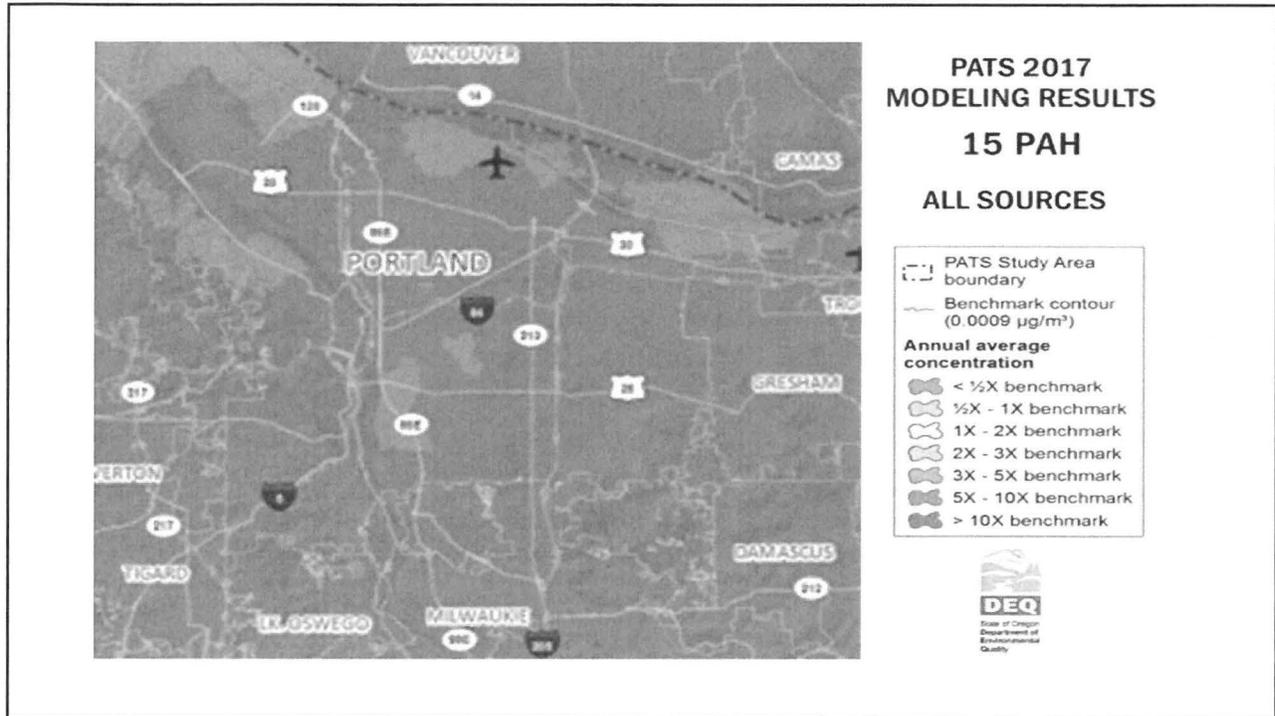
Chapter 4 of Comp. Plan continued

Policy 4.36 **Air quality impacts.** Encourage building and landscape design and land use patterns that limit and/or mitigate negative air quality impacts to building users and residents, particularly in areas near freeways, regional truckways, high traffic streets, and other sources of air pollution.

Policy 4.37 **Diesel emissions.** Encourage best practices to reduce diesel emissions and related impacts when considering land use and public facilities that will increase truck or train traffic. Advocate for state legislation to accelerate replacement of older diesel engines.

Chapter 4 of Comp. Plan continued

Policy 4.83 **Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.



Comparison of Current and Proposed Development Standards

Standard	R3	R2	RM1	R1	RM2	RH	RM3	RM4	RX
Maximum Building Coverage	45%	50%	50%	60%	60%	70% ⁴	85%	85%	100%
Minimum Landscaped Area	35%	30%	30%	20%	20%	15%	15%	15%	none

⁴70% building coverage applies to properties that abut Civic or Neighborhood corridors.

Recommend Remand back to the Planning and Sustainability Commission

- Why?

Failure to:

- To include & consider Key Health Policies from Chapter 4 of Comp. Plan
- Failure to consider DEQ's PATS 2017 (Air Quality) Pollutant Modeling Summary
- Maintain or increase Minimum landscaping to mitigate Health Impacts
- Maintain or decrease Maximum Coverage to mitigate Health Impacts
- To Limit and Mitigate Public Health Impacts
- To consider all of the above as a requirement of Housing Equity for diverse populations in Portland.

From: Ovid Boyd <ovid@metamorphica.net>
Sent: Wednesday, October 2, 2019 2:53 PM
To: Council Clerk – Testimony
Subject: Better Housing by Design Testimony

Dear city council,

Please completely eliminate parking requirements in the new Better Housing by Design.

The priority for our city should be affordable housing for people. We should not be making construction (and therefore rents) more expensive to encourage single occupancy driving. In fact, our city has a goal to reduce such driving. So, don't subsidize it by making housing more expensive?

Cheers,

Ovid Boyd

1104 SW Columbia St #105
Portland, OR 97201
ovid@metamorphica.net
+1 (541) 791-Ovid

Architectural HERITAGE CENTER

AUDITOR 10/02/19 PM 1:25

TO: Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Jo Ann Hardesty
Mayor Ted Wheeler

FROM: Bosco-Milligan Foundation/Architectural Heritage Center

SUBJECT: Testimony on Better Housing by Design
(City Council Hearing on October 2, 2019)

The Bosco-Milligan Foundation/Architectural Heritage Center supports some provisions of the Better Housing by Design Recommended Draft, and requests some changes to it. The Recommended Draft signals a change in the City's regulatory approach towards historic districts. Until now, the City's obligation to protect historic districts (under National Park Service guidelines, Oregon Statewide Planning Goal 5, and Portland's 2035 Comprehensive Plan) has been reflected in the exclusion of historic districts from most development incentives that would affect the scale of new construction in those districts. The Recommended Draft no longer excludes historic districts from any bonus or transfer allowances, which also have been greatly increased (primarily to encourage affordable housing) as a central feature of Better Housing by Design.

The Planning and Sustainability Commission recognized that applying increased development incentives citywide without excluding historic districts would result in greater difficulties with the required design review of new construction projects by the Historic Landmarks Commission, which is based on guidelines adopted by City Council. The Recommended Draft seeks to reduce such conflicts by rearranging the zones within the Alphabet Historic District to be more compatible with the patterns of scale of historic buildings and defining the largest-scale zone (RM4) differently in historic districts than elsewhere. We strongly support those measures, but request a few important extensions of and improvements to the Recommended Draft's general approach.

Recommended Draft Provisions We Support

- **Revised zoning map of the Alphabet Historic District.** By shifting the smaller-scale RM3 zone to the northern section of the Alphabet Historic District and the larger-scale RM4 zone to the southern section, the revised zoning map is more closely aligned with the scale of predominantly historic houses in the northern section and historic apartment buildings in the southern section (nearer to W. Burnside St.). This rearrangement involves approximately the same zoned capacity being downzoned as upzoned, and is consistent with 2035 Comprehensive Plan Policy 4.48: "Continuity with established patterns."
- **Special definition of the RM4 zone in historic districts.** The largest-scale multi-dwelling zone citywide has a base FAR of 4:1, but in historic districts is 3:1, which is more compatible with the scale of the largest historic apartment buildings. This is consistent with 2035 Comprehensive Plan Policy 4.49 "Resolution of

conflicts in historic districts...Refine base zoning in historic districts to take into account the character of historic resources in the district.”

- **Additional FAR transfer allowance for seismic upgrades to historic buildings.** This provision extends to multi-dwelling zones citywide an allowance adopted as part of the Central City 2035 zoning code updates for designated historic buildings to transfer an additional increment of FAR to other sites in conjunction with verified seismic upgrades. Although this additional transfer allowance will help defray the high cost of seismic retrofits, additional financial assistance should also be made available to discourage the demolition of historic buildings in need of seismic upgrades, which are a major component of Portland’s naturally occurring affordable housing.

Requests for Changes to the Recommended Draft

- **Further change the revised zoning map of the King’s Hill Historic District.** We request that the smaller-scale RM3 zone be assigned to the equivalent of three blocks containing mostly historic houses in the King’s Hill Historic District, as shown on the attached annotated map. While the Recommended Draft assigns the RM3 zone (base FAR 2:1) to a few sites at the edges of the King’s Hill Historic District, other similar full/partial blocks containing mostly historic houses (having FARs lower than 1:1) were assigned the larger-scale RM4 zone (base FAR 3:1). Assigning the RM3 zone to these few blocks in King’s Hill would be consistent with the Recommended Draft’s correct approach to revising the Alphet Historic District’s zoning map, which sought compatibility with the pattern of scale only of historic buildings (designated as contributing to the historic district). In fact, the adjacent Alphet and King’s Hill Historic Districts should be mirror images of one another: the larger-scale RM4 zone containing historic apartment buildings nearest to W. Burnside St., and the smaller-scale RM3 zone containing mostly historic houses farther away from W. Burnside.

This requested zoning change would have little effect on housing capacity, since immediately outside the border of the King’s Hill Historic District, the Recommended Draft upzones from RM3 to RM4 the equivalent of over 3 blocks. (Moreover, these 3+ blocks would allow 100-foot tall buildings, since they are within 1,000 feet of the Goose Hollow MAX station.) The Metro requirement “to maintain or increase...housing capacity,” also stipulates that a city “may reduce its minimum zoned capacity...if it increases minimum zoned capacity by an equal or greater amount in other places” (Metro Code Section 3.07.120).

• **Remove the allowance in historic districts of 100-foot tall buildings within 1,000 feet of a MAX station.** We request that historic districts be excluded from the 100-foot height allowance within 1,000 feet of a transit station. The original Proposed Draft (May 2018) stated:

The 100-foot building height in the RM4 (RH) zone that generally applies within 1,000 feet of a transit station *will not be available* for properties within Historic or Conservation districts (such as the Alphabet Historic District in Northwest Portland) to *prevent heights that are not compatible with historic context*. This appropriate exclusion should be restored to be consistent with the Recommended Draft's exclusion of historic districts from the 100-foot height allowance within 500 feet of streets with frequent bus service. In the few blocks of the Alphabet Historic District near the Providence Park MAX station—the only historic district area affected defacto by this 100-foot height allowance, there are no historic buildings even half as tall, so the approval of such building projects by the Historic Landmarks Commission would be very unlikely. Indeed, it was precisely to avoid such problems with approval and transparency that other provisions concerning historic districts were included in the Recommended Draft.

The 100-foot height allowance by right would not require affordable units beyond the citywide minimum, if applicable. However, the default RM4 zone requires increasing proportions of affordable units to gain additional size and height. Thus, excluding historic districts from the special height allowance would better serve both the City's affordable housing priorities and its historic preservation obligation.

• **Add a *disallowance of development incentives if a historic building is demolished*.** We request that a provision be added that denies bonuses and transfers of development rights to sites in historic districts where a historic building is demolished. Demolitions of historic buildings in recent years have been rare partly because historic districts have been excluded from most development incentives. However, the Recommended Draft not only applies all bonuses and transfers to historic districts, but greatly increases those incentives, which will inevitably result in increased pressure for demolition. Since historic districts are largely built out, lot consolidation for larger apartment projects would usually involve some demolition. Demolition of non-contributing buildings (designated as not contributing to the historic district) is unconstrained, but demolition of designated historic buildings should not be rewarded with additional allowances.

Discouraging the demolition of historic buildings is consistent with the 2035 Comprehensive Plan Policy 4.50 protecting historic resources from demolition, and supports sustainability, maintains naturally occurring affordable housing, and prevents displacement of lower-income households.

The testimony above reflects the Bosco-Milligan Foundation/Architectural Heritage Center's mission to "advocate for the preservation of the...context of historic buildings and places to promote our cultural heritage as a vital element of livable, sustainable, communities." We have collaborated with the three most affected neighborhood associations (Goose Hollow Foothills League, Irvington Community Association, and Northwest District Association) and the Portland Coalition for Historic Resources to arrive at these positions. Our three requests for changes to the Recommended Draft may come before City Council as amendments sponsored by Commissioner Fritz. In any case, we respectfully request your serious consideration, keeping in mind that citywide zoning changes usually remain in place for decades.

Sincerely,



Steve Dotterer, President
Bosco-Milligan Foundation/Architectural Heritage Center

Attachment
(Requested King's Hill Zoning Map Changes)

ATTACHMENT

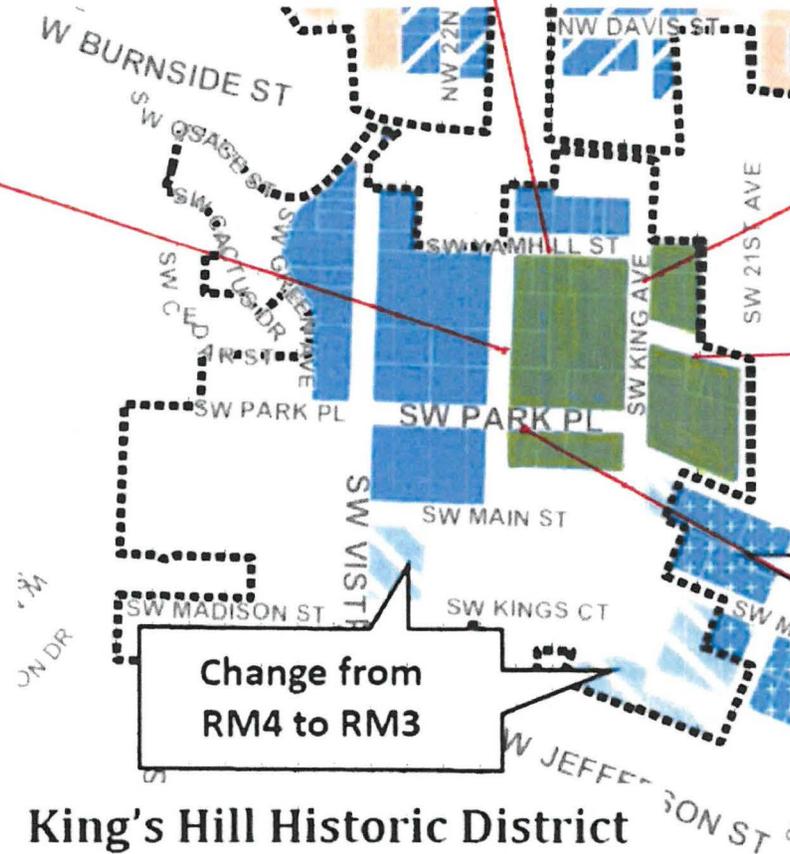
FURTHER CHANGE REVISED ZONING MAP OF KING'S HILL HISTORIC DISTRICT

ATTACHMENT



Legend

-  Historic Districts
- Zone**
-  Proposed RM3 zoning
-  Change from RM4 to RM3 zoning
-  RM4 with 3.1 FAR
-  Change from RM3 to RM4 with 3.1 FAR
-  **Further change from RM4 to RM3 zoning**



King's Hill Historic District

McClymont, Keelan

From: Amy Ruiz <amyr@strategies360.com>
Sent: Wednesday, October 2, 2019 11:59 AM
To: Council Clerk – Testimony
Cc: Diaz, Samuel; Williams, Tia; Dunphy, Jamie; Duhamel, Jamey; Adamsick, Claire; Bradley, Derek; Gwenn Baldwin
Subject: Oregon Smart Growth testimony on Better Housing by Design
Attachments: Oregon Smart Growth written testimony on BHD Recommended Draft 10-2-19.pdf

On behalf of Oregon Smart Growth (OSG) and Executive Director Gwenn Baldwin, please find written testimony for today's Better Housing by Design hearing.

OSG 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.

Much of Portland's anticipated—and much-needed—housing growth will be multi-dwelling units in mixed-use corridors. The proposal in front of you is an opportunity for the Council to go even further toward providing additional flexibility and density in these key zones, to encourage the development of housing that meet the needs of our growing population.

I'm available for any questions, and plan to attend today's hearing.

Best,
Amy Ruiz

**AMY RUIZ**

Senior Vice President, Oregon

☎ 503.929.1036 ○ 503.595.1998

240 N BROADWAY, SUITE 215

PORTLAND, OR 97227

STRATEGIES360.COM



President
Sam Rodriguez
Mill Creek Development

Vice President
Sarah Zahn
Urban Development Partners

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Brian Fleener
OTAK

Kurtis Fusaro
Gerding Edlen Development

Matthew Goodman
Downtown Development Group

Jeremiah Jolicoeur
Alliance Residential Company

Noel Johnson
Cairn Pacific

Elia Popovich
Oregon Law Group

Mike Kingsella
Up for Growth Action

Dana Krawczuk
Stoel Rives

Michael Nagy
Wood Partners

Damian Uecker
Banner Bank

Christe White
Radler White Parks & Alexander LLP

Executive Director
Gwenn A. Baldwin
gbaldwin@oregonsmartgrowth.org

October 2, 2019

Mayor Ted Wheeler and City Commissioners Eudaly, Fish, Fritz, and Hardesty
1220 SW Fourth Ave.
Portland, OR 97201

Dear Mayor Wheeler and Commissioners,

Oregon Smart Growth (OSG) appreciates the opportunity to provide testimony on the Better Housing by Design Recommended Draft. OSG supports policies that encourage walkable, compact development that is economically, environmentally and socially sustainable. Adapting Portland's multi-dwelling zones to expand the feasibility and diversity of Portland's housing options and provide new incentives for affordable housing are goals that we share.

In earlier comments on the Better Housing by Design project, OSG has urged the City to encourage new housing production and balance overall regulation 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.

OSG 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.

Much of Portland's anticipated—and much-needed—housing growth will be multi-dwelling units in mixed-use corridors. The proposal in front of you is an opportunity for the Council to go even further toward providing additional flexibility and density in these key zones, to encourage the development of housing that meet the needs of our growing population.

Therefore, we provide the following comments on the Recommended Draft and strongly urge the Portland City Council to consider the revisions outlined 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.**
 - 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.

- 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, while allowing the flexibility to provide additional units on sites near existing amenities.
 - 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.

Oregon Smart Growth believes the above revisions to the Recommended Draft are essential to meeting the goals of the multifamily dwelling zones to provide needed housing as Portland's population continues to grow.

Sincerely,



Gwenn A. Baldwin
Executive Director

McClymont, Keelan

From: Evan Ramsey <evanramsey0@gmail.com>
Sent: Wednesday, October 2, 2019 9:30 AM
To: Council Clerk – Testimony
Subject: Better Housing by Design Proposal

Dear City Council,

I have been a resident for 10 years in Portland and am concerned about any required parking as a part of this proposal.

Required parking exacerbates the housing affordability crisis and hurts our most vulnerable citizens.

Required parking locks in fossil fuel use for those vehicles, clogs our streets, and will increase bike and pedestrian collisions.

Required parking is our government subsidizing private vehicle ownership at the expense of those who can't afford a vehicle or a home to park it at.

Discouraging parking and traffic in our residential neighborhoods is a good thing for public health and safety.

There are solutions to manage street parking impacts through resident assigned permits.

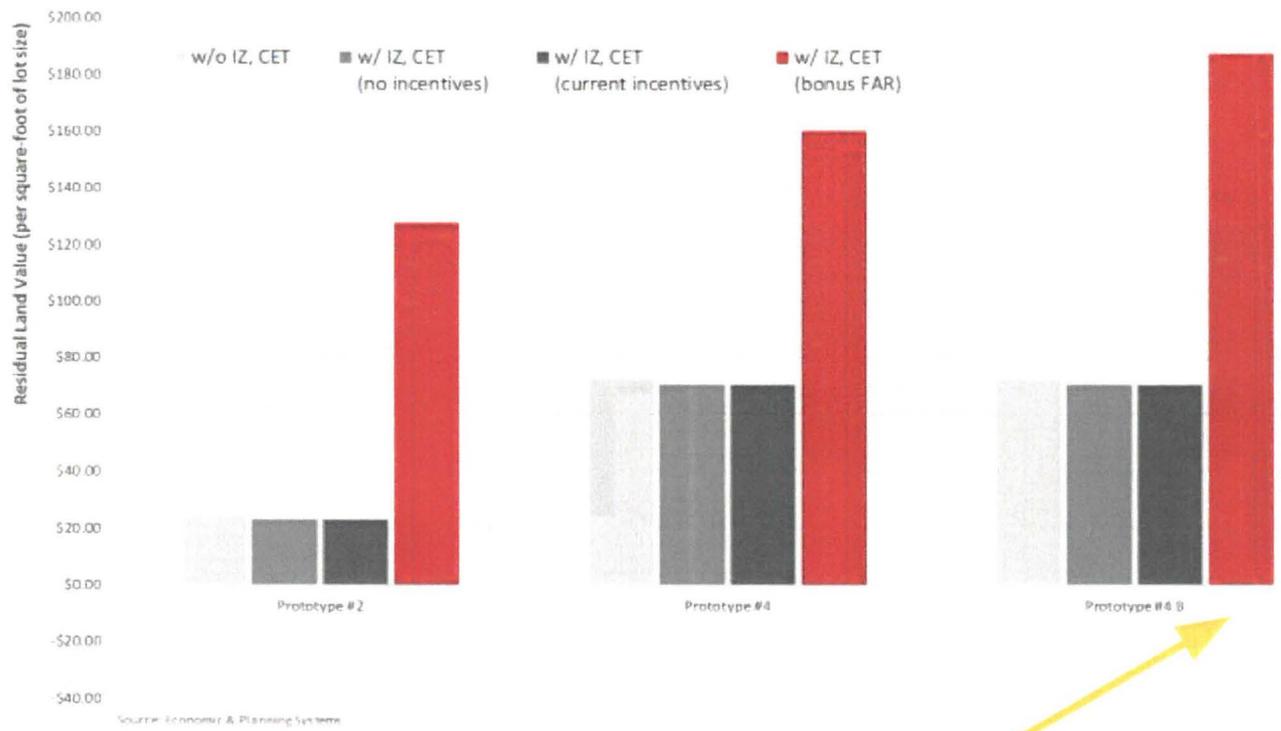
At this critical juncture in our world's history and the immensely looming climate crisis, all decisions need to be made in a way to maximize sustainable, liveable cities and reduce transportation emissions.

To achieve those goals the choice here is clear: Eliminate minimum requirements in new housing, manage the on street parking we have, and use parking revenues to subsidize and improve the safety of transit and other modes.

Thank you for your consideration.

Evan Ramsey

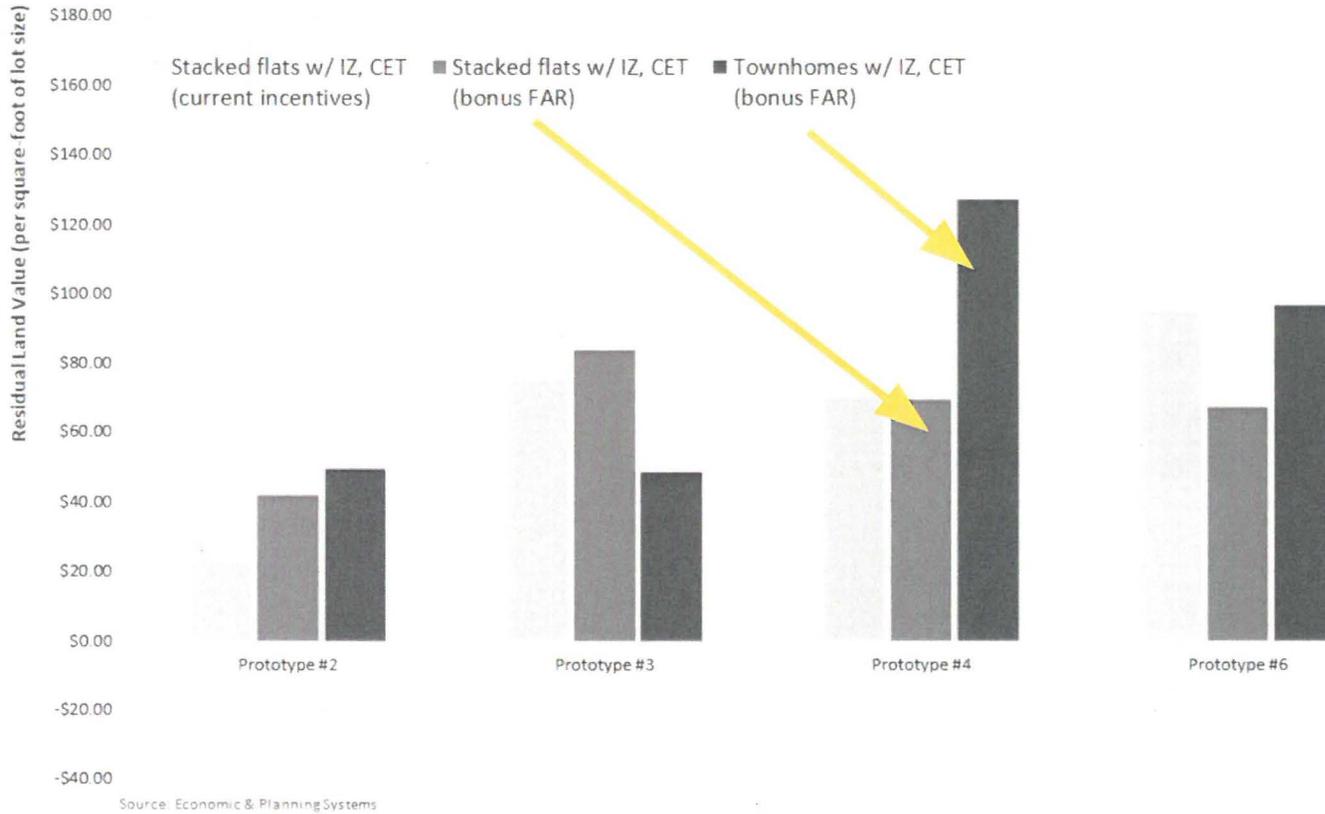
Figure 1
Residual Land Value Summary by Scenario (as for-sale projects)



Without parking: mixed-income stacked flats more likely
(market-rate homes: \$280,000; four homes at 60% MFI)

October 2, 2019

189805



**With parking: townhomes more likely
(10 market-rate homes at \$730,000)**

From: Paul Leitman <leitmanp@hotmail.com>
Sent: Tuesday, October 1, 2019 9:49 PM
To: Council Clerk – Testimony
Subject: Testimony for Better Housing by Design

Members of the Portland City Council,

I'd like to voice my general support for the Better Housing by Design recommendations. In particular, I support the elimination of parking requirements on lots less than 10,000 sq ft and the reduction to parking requirements for other lots from 1 space/home to 0.5 spaces/home. I also support the requirement for transportation and parking demand management for buildings with 10 or more units.

However, I'd like the BPS and the Council to also consider additional recommendations:

- (1) eliminating parking requirements altogether and allow the private market (i.e. developers) to determine how much parking they'd like to build into their buildings. Developers will naturally build as much parking as they need to still be marketable and profitable;
- (2) reducing or eliminating parking requirements for affordable housing units within the development (i.e. requiring 0.25 spaces / affordable home);
- (3) implementing parking *maximums* (especially for areas within 1,500 ft of MAX stations or 500 ft of frequent transit - i.e. locations where parking *minimums* are currently set to 0) to ensure new multi-family dwellings near transit are designed to support and enhance the transit investments our community has made;
- (4) consider granting PBOT greater authority to implement parking permit zones in areas of the city with existing parking constraints that are also in multi-dwelling zones (R3, R2, R1 and RH);
- (5) require developers who include parking in their building to unbundle the cost of parking from the units so that people who use the parking are the ones who pay for it. This requirement would be most effective in zones with on-street parking permit zones already in place.
- (6) consider requiring developers who provide more parking than is requiring by the code (and when a building's parking supply exceeds the demand from building tenants) to allow spaces to be leased to residents or employees in nearby buildings;
- (7) require developers of adjacent or nearby properties (not just residential, but commercial as well) whose buildings are going through the development review or approval process at the same time to consider bundling/sharing parking to reduce overall parking spaces provided and/or reduce the number of parking curb cuts and/or driveways. BPS could incentivize bundling/sharing parking by reducing parking requirements for these buildings.

Thank you,
Paul Leitman

From: Lucy Kennedy-Wong <lucykennedywong@gmail.com>
Sent: Tuesday, October 1, 2019 8:49 PM
To: Council Clerk – Testimony
Subject: Comment on Better Housing by Design

Dear City Commissioners,

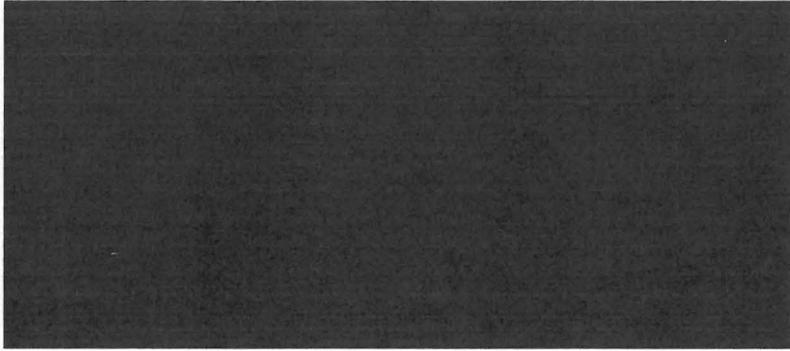
I'm writing to ask you to eliminate arbitrary parking requirements in Better Housing by Design. I live in the King neighborhood, where affordable housing is becoming more and more scarce, forcing even more people who have lived here for years, decades even, to leave. What we need is more affordable and mixed-income housing, not more concessions for cars. Affordable and mixed-income housing is only possible if we get rid of on-site parking requirements. And less space given to parking means that more people will be motivated to take public transit and people who can't afford cars will be able to stay closer to the city center, where public transit is more prevalent. Bold public transit plans will be undermined by the sprawl caused by larger, but fewer housing options with required parking and traffic caused by those living there.

Thank you for your time and for eliminating these parking requirements,
Lucy Kennedy-Wong
NE Portland

McClymont, Keelan

From: Ron Chandler <ronchandler@yahoo.com>
Sent: Tuesday, October 1, 2019 8:44 PM
To: Council Clerk – Testimony
Subject: Better Housing by Design

Reasons why high-density housing is a good idea. Taken from [Pros and cons of High density housing — MetroTex Blog](#)



Pros and cons of High density housing — MetroTex Blog

Imagine plunking a city the size of Paris or Los Angeles onto the map of North Texas. With our current infrastru...

Geographically easier to manage school districts. Sprawling school districts are costlier to manage because of the difficulties in managing transportation and infrastructure across wide areas. Compact developments are more efficient and cost-effective.

Lower cost to maintain infrastructure for governments. Public roads, services, and utilities are much more expensive to maintain when homes and businesses are spread apart. Greater distances require more material to build and more crews to maintain than more compact footprints. Similarly, public services like effective police and fire departments are less costly when service areas are smaller.

Sprawl doesn't pay the bills. Low-density developments often do not provide a large enough tax base to cover the costs of public services. Mixed-use developments with retail and apartments tend to pay a higher commercial tax rate and provide more services privately than communities made up of single-family homes.

Higher density development helps attract new employers. Employers want to be where their workforce is, rather than try to attract workers to come to them. Communities that are convenient to work and lifestyle are thus more attractive for both employers and their workforce.

Higher-density development can increase property values. Although location and school district are the two most obvious determining factors of value, the lifestyle benefits of high-density communities can drive up their market value when done well. When there is a strong sense of community or lots of amenities within a

neighborhood, density and diversity can add a value of their own. Indeed, some experts believe that having multifamily housing nearby may increase the pool of potential future homebuyers, creating more possible buyers for existing owners when they decide to sell their houses.

Believe it or not, higher-density development generates less traffic than low-density development per unit. While residents of low-density single-family communities often have two or more cars per household, residents of high-density apartments and condominiums tend to have only one car per household. When public transportation is readily available, people in walkable communities will often opt to use it.

Gets rid of urban blight. Infill development to repurposes unused or abandoned lots and buildings into vibrant, tax-paying and revenue-generating parts of the community.

McClymont, Keelan

From: bradleybondy@bradleybondy.com
Sent: Tuesday, October 1, 2019 6:02 PM
To: Council Clerk – Testimony
Subject: Better Housing By Design testimony

Hi! I'm generally supportive of BHD, if it's passed as is it'll be a big improvement over the status quo.

With that said, I'm concerned about the inclusion of parking minimums. BHD does loosen these, and if properties are super close to transit they are often eliminated. However that isn't going far enough, BHD should be eliminating parking requirements entirely, or at least within inner neighborhoods and within walking distance of frequent transit (say a 15 minute walk).

I also am a bit disappointed that building heights and FARs are set fairly low. Again this is an improvement over the status quo, but I'd like it to go further. This is especially important as new building techniques like mass timber start to make buildings taller than 6 floors competitive on a per square foot basis.

So please pass BHD, but please do it with reduced or eliminated parking minimums. And start thinking about increasing building heights and FARs as mass timber starts to gain traction.

Thanks,
Bradley Bondy

McClymont, Keelan

From: Angel York <aniola@gmail.com>
Sent: Tuesday, October 1, 2019 6:01 PM
To: Council Clerk – Testimony
Subject: BHD: On-street parking needs better management

Hi,

Let's increase the odds of more affordable housing by eliminating arbitrary parking requirements in Better Housing by Design.

Thanks,
Angel York
4846 N Vanderbilt Street, 97203

McClymont, Keelan

From: Matt Meskill <mtmportland62@gmail.com>
Sent: Tuesday, October 1, 2019 5:46 PM
To: Council Clerk – Testimony
Subject: Better Housing by Design

Hello,

Let's increase the odds of more affordable housing by eliminating arbitrary parking requirements in Better Housing by Design. If the city requires parking, more cars will be invited into our communities at a critical time when our climate goals necessitate reductions in driving and vehicle ownership. PBOT is pursuing bold plans to improve public transit, but those plans will be undermined by the sprawl and traffic that these additional cars will cause. Eliminate minimum requirements in new housing, manage the on street parking we have, and use parking revenues to subsidize and improve the safety of transit and other modes.

Matthew Meskill

Moore-Love, Karla

From: (null) (null) <ronchandler@yahoo.com>
Sent: Tuesday, October 1, 2019 2:54 PM
To: Council Clerk – Testimony
Subject: Better Housing by Design

We have lived at our house on Glisan for 32 years and wish to go on record in favor of the zoning change. The need for affordable housing is great and this change will help our community.

Thank you.

Ron Chandler

Sent from my iPad

Moore-Love, Karla

From: Jonathan Greenwood <jonathan.e.greenwood@gmail.com>
Sent: Tuesday, October 1, 2019 12:04 PM
To: Council Clerk – Testimony
Subject: Better housing by design

Mayor Wheeler and Commissioners:

The Better Housing by Design Recommended Draft advances many of the Comp Plan goals. It will increase the number of units that can be built in places near jobs, transit and shopping, It will result in less driving and less carbon emissions. It will promote more livable multifamily development, especially on the larger lots of East Portland, and will encourage saving tree groves, to reduce “heat islands”.

I support all of the 20 points in the “Recommended Draft Summary” brochure. Specifically:

I support the change, #1, to regulate by Floor Area Ratio (FAR) rather than unit count. This change will result in an increase in units where they are most needed. I also support the FARs and FAR bonus scenario (#2), which will encourage supplying Affordable Housing, The Deep Affordability bonus could be very useful.

I support the newly developed Visitability requirements for some units (#3), and FAR transfers to preserve affordable housing and big trees (#4). I support density transfers from these sites, and transfers to Historic Districts, with the limitations of amount that can be transferred. Small commercial on corridors in these RM zones (#5), as well as required outdoor areas, and shared common areas help livability. The flexibility in #6,7,8 will make landscaping easier to fit in.

Limits on surface parking and on use of asphalt (#9), as well as #10, “reducing parking requirements”, are welcomed. We should go further, and eliminate parking requirements on buildings further than 500’ as well, letting builders provide it at their option.

I support limiting garage frontage and orienting entry doors to the street (#11, 12).

I support the new side setbacks, which are now 5’ everywhere (#14) instead of a complicated formula. I support the options in #17, to allow continuous buildings (no side setbacks) on major corridors, which also increases flexibility in site layout of new buildings. Increase height near transit makes a lot of sense.

I support #18, 19, and 20, to address specific site and street grid issues in East Portland. The very large blocks and narrow but deep lots make it difficult to develop livable apartment buildings. The proposal in #19 is an innovative approach, but needs to be monitored for any unintended side effects. PBOT has been attempting to connect the street grid for years, and I am supportive of the PBOT Connected Centers project that is addressing those issues.

I think staff’s Displacement Risk analysis is useful, and some elements, such as the larger numbers of units allowed, and the encouragement of Inclusionary Housing using substantial FAR bonuses, will help provide mitigation for this risk. BPS and Housing Bureau are proposing a project to refine and adopt anti-displacement measures for all the HOI projects.

As mentioned, BPS plans to re-examine the mapping of the Multifamily zones in the near future. I support such a project, which I hope will allow greater housing production especially in the High Opportunity Areas that the Housing Bureau has identified.

I urge you to adopt this Recommended Draft as soon as possible, and hope the mapping project can be undertaken soon after.

Thank you,
Jonathan Greenwood

Moore-Love, Karla

From: Peggy Moretti <peggym@restoreoregon.org>
Sent: Tuesday, October 1, 2019 10:45 AM
To: Council Clerk – Testimony
Subject: Testimony re Better Housing by Design
Attachments: Better Housing by Design_Restore Oregon Testimony.pdf

Please accept the attached letter of testimony and add it to the record.
Thank you -

Peggy Moretti
Executive Director



SAVING HISTORIC PLACES

1130 SW Morrison, Suite 318 | Portland, OR 97205
503 243-1923
503 946-6446 (direct)



189805

TO: Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Jo Ann Hardesty
Mayor Ted Wheeler

FROM: Restore Oregon

SUBJECT: Testimony on Better Housing by Design
(City Council Hearing on October 2, 2019)

Restore Oregon appreciates the intent of Better Housing by Design and we support many of its provisions. However, three important changes are needed to protect and steward Portland's historic districts and historic buildings from demolition and the loss of existing, naturally more affordable housing.

We Support the Following Provisions:

- **Special definition of the RM4 zone in historic districts.** The 3:1 FAR recommended for historic districts, which is more compatible with the scale of the largest historic apartment buildings. This is consistent with the 2035 Comprehensive Plan Policy 4.49 "Refine base zoning in historic districts to take into account the character of historic resources in the district."
- **Additional FAR transfer allowance for seismic upgrades to historic buildings.** This additional allowance will provide urgently needed help to defray the high cost of seismic retrofits. However, its important to note that this allowance alone will not make seismic upgrades affordable. Its imperative that the City seek *additional* financial tools such as a state tax credit to avoid the loss of hundreds of buildings that create Portland's distinctive character and provide thousands of units of housing.
- **Revised zoning of the Alphabet Historic District.** We strongly support this alignment of heights with the scale of nearby homes and buildings, and it is consistent with 2035 Comp Plan Policy 4.48: "Continuity with established patterns."

The recent decision by the Land Use Court of Appeals regarding the CC2035 Plan reinforces the importance of considering context when establishing heights and the wisdom of this revision.

To avoid demolition and the loss of irreplaceable heritage, we urge the following changes and additions:

- **The zoning for the King’s Hill Historic District needs further adjustment.** The adjacent Alphet and King’s Hill Districts should be mirror images of one another: the larger-scale RM4 zone containing historic apartment buildings should be nearest to W. Burnside St., and the smaller-scale RM3 zone containing mostly historic houses should be farther away from Burnside. We support the adjustments provided by the Architectural Heritage Center.
- **Clarify that zoned heights in historic districts are the maximum *allowed*, they are not an entitlement “by right,”** even when within 1000 ft of a transit station. This sets the right expectation of contextual compatibility for developers, and enables the Landmarks Commission to do their job.
- **MOST IMPORTANTLY, we strongly urge the City to disallow any incentives, bonuses or transfers of development rights to sites where a contributing building is demolished in either a *historic or conservation* district.** There are already enough forces working against our older neighborhoods and historic buildings without the City adding to them. In fact, the City needs to create better incentives to *retain* existing homes and buildings, and thus support our values of sustainability, affordability, and cultural heritage.

*Density without demolition.
The greenest building – and the most affordable home – is already standing.*

Thank you.



Peggy Moretti
Executive Director

Moore-Love, Karla

From: Steve Connolly <skcnerima@icloud.com>
Sent: Monday, September 30, 2019 1:09 PM
To: Council Clerk – Testimony
Subject: Testimony for October 2 City Council Hearing on Better Housing by Design

Steve Connolly
1917 NW Hoyt, Hoyt Square Condominiums
Owner of this property for 40 years

I support rezoning my property and other properties in the Alphabet Historic District to RM3. This will reduce conflicts between developers and neighbors; developers are currently misled by the base zoning that calls for buildings far out of scale with existing development. The rezoning to RM3 will provide better information for developers, and make it easier for us all to work together towards compatible, economically feasible development. It will also reduce redevelopment pressures on historic buildings.

I don't see any reason to sacrifice an enchanting neighborhood because developers want the money, or because the city/county wants increased revenues.

Portland has been famous for its enlightened urban planning. Don't throw it under the bus.

Steve Connolly
Portland

Moore-Love, Karla

From: Jill Warren <jillmwarren@comcast.net>
Sent: Monday, September 30, 2019 1:45 PM
To: Council Clerk – Testimony
Subject: Testimony for Oct 2 City Council Hearing on Better Housing by Design
Attachments: FAR reduction .docx

Jill Warren
607 NW 18th Ave.
1815 NW Hoyt Ave.
Portland, OR 97209

Sept. 30, 2019

City of Portland, Oregon
Portland City Council
1221 SW Fourth Ave.
Portland, OR 97204

Better Housing by Design Project

Dear Mayor and Council Members,

My family owns an old historic Church and Parish at NW 18th and Hoyt Aves. When we bought those buildings the Department of the Interior sent us Standards and Guidelines for Rehabilitating Historic Buildings. The mandates are very strict and your decision to reduce the FAR in certain neighborhoods reflect the spirit of that document and sensitivity to aesthetics regarding density.

New construction currently resembles large boxes with no architectural integrity, often dwarfing surrounding buildings. Being a profit-based industry, developers will put profit ahead of aesthetics (bigger is more profitable) so the oversight your bureau provides can assist in mandates that will improve aesthetics much appreciated by the public. I frequently see tour groups in my neighborhood admiring the architecture.

I predict the outcome of reducing the FAR in certain neighborhoods will improve aesthetics thus resulting in more desirable neighborhoods rather than packing people in so developers can make more money.

Thank you for your spot-on insight to this issue reducing the FAR so construction will be more compatible in surrounding neighborhoods.

Sincerely,

Jill Warren

Peter Finley Fry AICP MUP Ph.D.

(503) 703-8033

September 25, 2019

City Council
Better Housing by Design Testimony
1221 SW Fourth Avenue, Room 130
Portland, OR 97204

AUDITOR 09/30/19 AM10:59

RE: Better Housing by Design

Please support this excellent project.

Your staff has worked very hard and well over several years to bring the multifamily zoning code an evolutionary step forward.

The new code will regulate density through floor to area ratio and height (the envelop (s)). The property can be developed at the density that is appropriate for the area it is located in.

Large multi room apartments near schools and small apartments near the urban center. A property owner can create mixes of sizes to produce a density of units consistent with the surrounding infrastructure and micro market characteristics.

The change may not affect, by itself, the overall density of the City's area zoned as multifamily. However, the provision of choice allows more diversity in the affordability and type of housing unit.

The City has, in place, mechanisms to ensure that these projects are built to certain community expectations.

Fundamentally, the developer must build an apartment unit that is attractive to the market and will invite stable long-term tenancy.

Thank you for working to improve the zoning code; an obscure document that guides every aspect of our activities.

Sincerely,



Peter Finley Fry

**303 NW Uptown Terrace #1B
Portland, Oregon USA 97210
peter@finleyfry.com**

Dennis M. Harper
221 NW 18th Avenue
Portland, Oregon 97209

September 26, 2019

AUDITOR 09/30/19 AM10:58

To: Mayor Wheeler and Commissioners Eudaly, Fish, Fritz, and Hardesty

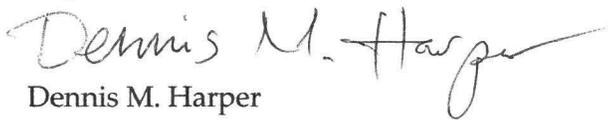
Subject: Testimony on Better Housing by Design (City Council Hearing Oct. 2)

As a home owner in a primary contributing building (Porter Brigham house) in the Historic Alphet District, I am aware that I live just within the 1000 foot distance from Providence Park MAX station that has been proposed to have a 100-foot height allowance for residential buildings under the Better Housing by Design draft. While I am in favor of such higher-density zoning near transit stations generally, I am strongly opposed to such gigantic buildings in any historic district. The thoughtful creation of historic districts has always implicitly involved an assurance that any new development in a historic district will be sensitively designed and compatibly scaled to the context. In the Historic Alphet District, that context is primarily wood-framed houses (2 to 3 stories) and masonry-clad apartment buildings (3 to 4 stories).

There are components of the Better Housing by Design draft that I do support. They are the zoning revisions in the Historic Alphet District, the modifications to the RM4 zoning in historic districts, and the FAR transfer allowance for seismic upgrades to historic buildings.

I urge City Council to modify the Better Housing by Design proposal to eliminate the 100-foot height allowance for residential buildings in historic districts within 1000 feet of MAX stations.

Regards,


Dennis M. Harper

Moore-Love, Karla

From: Daniel Valliere <DValliere@reachcdc.org>
Sent: Monday, September 30, 2019 7:29 AM
To: Council Clerk – Testimony
Subject: Better Housing by Design Testimony
Attachments: Better Housing by design support.pdf

Submitting the attached as written testimony for Wednesday 3pm hearing on Better Housing by Design.
Thank you!

Dan Valliere
CEO
REACH
503-519-2033



More Homes. More People. More Community.



September 30, 2019

City Council
Better Housing by Design Testimony
1221 SW Fourth Avenue, Room 130
Portland, Oregon 97204

Dear Commissioners:

REACH Community Development is a 37-year-old non-profit with a mission to create quality, affordable housing for individuals, families and communities to thrive. Today, REACH owns or manages over 2,300 rental apartment homes and houses. The average income among all REACH residents is less than 45% of median family income, reflecting that rents at all REACH properties are set below market rates.

REACH supports the proposed **Better Housing by Design** zoning code update. REACH owns or manages several affordable properties in the proposed multi-unit dwelling zones and also may be able to acquire similar properties in these zones. This proposed zoning code update will allow developers, like REACH, to create more affordable homes by switching to a Floor Area Ratio approach governing scale of development and creating bonuses related to affordability and larger unit size.

Like any policy that aims to have a long-term influence on development patterns, REACH encourages the city to invest time and resources in tracking outcomes of this code update and publishing evaluations of the policies over the coming years. Adjustments to some of the details of this policy may be advisable based on the outcomes that are observed.

REACH also encourages the City Council to consider additional ways that affordable and space efficient development may be incentivized across the city, even beyond Better Housing by Design. The REACH Advocacy Committee suggests that the City consider a new formula for System Development Charges (SDCs) which are currently charged per unit, but could instead be charged per square foot which we feel would be more equitable and progressive method.

Thank you for your courage in leading change to confront the challenges facing our communities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Valliere", is written over a horizontal line.

Dan Valliere, CEO

Moore-Love, Karla

From: Jessica Richman <jessicarbaking@gmail.com>
Sent: Sunday, September 29, 2019 9:05 PM
To: Council Clerk – Testimony
Cc: Cunningham, Bill
Subject: Testimony: Oct 2 Council Hrg on Better Housing by Design

To Portland City Council:

I have owned and lived in my current residence at 1911 NW Hoyt Street for more than 30 years, and was a Senior City Planner for the City of Portland for nearly 30 years. I am writing as a resident and property owner in the Alphabet Historic District and as a professional planner.

After reviewing the October 16 letter from the Northwest District Association (NWDA) and the Position Paper attached to their letter (from several groups), I am in complete agreement with both documents. In particular, I have been concerned for some time about the conflicts between base zones and historic districts; I raised this issue a number of times while I was working for the Bureau of Planning and Sustainability.

While I support all of the points raised in the NWDA letter and the Position Paper, I am particularly concerned with these elements:

I support the revisions in the Recommended Draft to the zoning in the Alphabet Historic District. They are a significant step towards "right-zoning" the historic area, and will reduce conflicts between developers and neighbors; developers are currently misled by the base zoning that calls for buildings far out of scale with existing development. The rezoning to RM3 will provide better information for developers, and make it easier for us all to work together towards compatible, economically feasible development.

I support the changes in the Recommended Draft to the RM4 zone in historic districts citywide. These changes will help us get closer to "right-zoning" in all historic districts, with a commensurate reduction in conflicts.

I support the deletion of the 100-foot height allowance in portions of historic districts near light rail stations. The 100-foot height allowance was applied citywide before we knew how successful light rail would be in leveraging high-intensity development, and before we knew what a large radius light rail stations would draw from and affect.

The intent of the height allowance was to leverage intense development to support light rail. In areas of Portland that are already intensely developed--such as our historic districts--we already have the development in place to support the stations, and do not need to apply such an extreme regulation. The boarding numbers at the stations closest to the King's Hill and Alphabet Historic Districts (the Goose Hollow Station, the King's Hill Station, and the Providence Park Station) support this. The recent proposal to eliminate the King's Hill station is not because of low numbers but to speed up the transit times.

Finally, as a former Portland planner myself, I commend Bill Cunningham. It is difficult to listen to many, many different and divergent comments, and still try to accomplish good planning; Bill has done that.

--Jessica Richman
1911 NW Hoyt St.
Portland, OR 97209

Moore-Love, Karla

From: Brooke Best <bvbseattle@comcast.net>
Sent: Sunday, September 29, 2019 12:03 PM
To: Council Clerk – Testimony
Subject: Testimony on Better Housing By Design

As a resident of Ladd's Addition, I'd like to submit the following written comments on the Recommended Draft of the Better Housing by Design proposal as it specifically relates to this historic district.

First off, I support the City's need to address increasing affordability and housing needs – and developing appropriate land-use policies towards that end. What concerns me is the **treatment of historic districts in the Better Housing Recommended Draft.**

My comments are based on a joint position handout – signed on by the AHC, along with Goose Hollow Foothills League, Irvington Community Association, Northwest District Association, and Portland Coalition of Historic Resources – that includes specific recommendations for these three historic districts (Alphabet, King's Hill, and Irvington).

The Hosford-Abernethy Neighborhood Association (HAND) did not weigh in on this joint handout; however, I understand HAND is planning to submit written comments related to BHD and its impact on Ladd's Addition.

Of the six bullets in the handout, there are two that pertain to the Ladd's Addition Historic District:

The first is in support of the provision in the recommended draft re: additional FAR transfer allowance for seismic upgrades to historic buildings. This includes any landmark or contributing building in a historic district in which seismic retrofits are installed could "transfer" additional FAR beyond any underutilized amount. This FAR transfer "bump" could help defray the high costs of seismic upgrades. Eligible seismic upgrades would include anchoring wood-frame houses to foundations, "soft-story" and unreinforced masonry bracing, etc.

The second is a request to modify the recommended draft to include a disallowance of development incentives if a historic building is demolished. Specifically, FAR bonuses and transfers should not be allowed on a site in a historic district where a landmark or contributing building is demolished. Historic building demolitions in historic districts have been rare, partly due to the fact that HD multi-dwelling zones have been excluded from most bonuses and transfers. The proposed draft no longer excludes them from any of the increased development incentives.

We can strike a better balance in *how we grow* within these multi-dwelling zones to *achieve density without increased demolition and sacrificing the character of historic districts.*

Thank you again for this opportunity to comment.

Brooke V. Best

2100 SE Larch Avenue
Portland, Oregon 97214

Moore-Love, Karla

From: Ciaran Connelly (NWDA President) <president@northwestdistrictassociation.org>
Sent: Friday, September 27, 2019 12:03 PM
To: Wheeler, Mayor; Commissioner Eudaly; Commissioner Fritz; Commissioner Hardesty; Commissioner Fish
Cc: Council Clerk – Testimony; City Auditor, Mary Hull Caballero
Subject: NWDA Testimony re: Better Housing By Design - Agenda Item 945
Attachments: nwda better housing by design letter.pdf; attachment to nwda better housing by design letter.pdf

Dear Mayor and Commissioners,

Please see the attached testimony from the Northwest District Association regarding Better Housing By Design (scheduled for consideration during the October 2 PM session as item no. 945).

Thank you.

Ciaran Connelly
NWDA President



Date: September 16, 2019
TO: Mayor Wheeler and Commissioners Eudaly, Fish, Fritz and Hardesty,
SUBJECT: Testimony on Better Housing By Design (City Council Hearing October 2, 2019)

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2019 - 2020

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The Northwest District Association (NWDA) supports much of the Better Housing by Design Recommended Draft, particularly three provisions that are consistent with historic preservation, but also requests three changes that would further protect historic districts.

We especially support the following three provisions in the Recommended Draft:

- The zoning revisions in the Alphabet Historic District;
- The modifications to the RM4 zoning in historic districts; and
- The FAR transfer allowance for seismic upgrades to historic buildings.

We request the following changes, which we understand will come before City Council as amendments sponsored by Commissioner Fritz:

- Further changes to the zoning in the King’s Hill Historic District;
- Removal of the 100-foot height allowance in historic districts within 1,000 feet of MAX stations;
- Disallowing development incentives (additional FAR and building height) on sites where a historic building has been demolished.

NWDA shares these positions on the Recommended Draft with the Bosco-Milligan Foundation/Architectural Heritage Center, Goose Hollow Foothills League, Irvington Community Association and the Portland Coalition for Historic Resources, and jointly authored a common position paper (attached) which was discussed with the staff of each City Commissioner.

Provisions we support

The Recommended Draft’s zoning map rearrangement in the Alphabet district and the special definition for the RM4 zone in historic districts will better align allowed building sizes to correspond to the existing scale of historic buildings. This is consistent with the 2035 Comprehensive Plan Policy 4.48 promoting continuity with established patterns and Policy 4.49 promoting the resolution of conflicts between base zoning and historic context in historic districts. It is important to note that the current RH zoning was assigned as part of the 1980 Comprehensive Plan, 20 years before the listing of the Alphabet Historic District on the National Register of Historic Places in 2000. Making modest adjustments to the scale of multi-unit housing in various areas of the Alphabet Historic District will be more transparent for developers and reduce conflicts when new development proposals undergo required review by the Historic Landmarks Commission.

Many historic buildings in the Alphabet Historic District could benefit from the Recommended Draft’s provision allowing additional FAR to be transferred for verified seismic upgrades. By defraying some of the retrofit costs, this provision will relieve some of the increasing pressure for demolition and resulting displacement.

Changes we request

Two of the three changes we support directly pertain to the Alphabet Historic District.

Instead of allowing 100-foot tall buildings by right near MAX stations in historic districts, we believe that the default RM4 zone would better serve the City's interests. Unlike the 10-story buildings that would not require affordable housing to gain height, the RM4 zone requires increasing proportions of affordable housing for greater height and size. Moreover, in the few blocks of the only historic district that are affected by the 100-foot height allowance, there are no historic buildings even half as tall, so the approval of such building projects by the Historic Landmarks Commission would be very unlikely. Indeed, such non-transparent approval problems are the rationale for historic district zoning changes in the Recommended Draft.

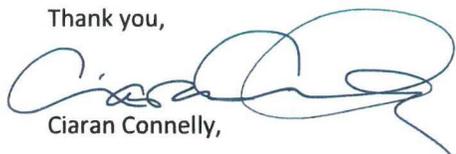
We are requesting that a provision be added to the Recommended Draft that would not allow sites in historic districts where a historic building is demolished to benefit from FAR bonuses and transfers. In recent years, demolition of designated historic buildings has not been much of a problem because historic districts have previously been excluded from most development incentives. The Recommended Draft greatly increases those incentives, from which historic districts would no longer be excluded. Discouraging the demolition of historic buildings is consistent with the 2035 Comprehensive Plan Policy 4.50 protecting historic resources from demolition, supports sustainability, maintains naturally occurring affordable housing, and prevents displacement of lower-income households.

Our neighborhood

Finally, we would like to point out a few relevant facts about the Alphabet Historic District and the Northwest District. The Alphabet Historic District has a high concentration of designated historic buildings that date from the late 1800s until World War II and is mostly built out, with very few sites available for development. It is one of Portland's most densely populated neighborhoods, with much economic diversity. While sometimes characterized as an affluent area, the Historic District in fact has a median household income 23.5% lower than that for the City as a whole. The Alphabet Historic District constitutes one-third of the larger Northwest District. The Alphabet District currently has 817 rent-subsidized units in seven buildings, one of the highest concentrations of deeply affordable units in a small area. Based on data in a 2018 Oregonian analysis, 3,035 new housing units were added in the Northwest District from 2010 to 2018, considerably more than any other Portland neighborhood. This does not include hundreds of additional units currently under construction.

Our neighborhood has demonstrated a commitment to historic preservation, quality affordable housing, and the creation of new housing to meet the City's growing need. Your approval of the existing provisions in the Recommended Draft and our request for changes outlined above will allow us to continue to preserve and grow a uniquely vibrant neighborhood that is attractive to visitors and livable for residents.

Thank you,



Ciaran Connelly,

President, Northwest District Association

Attachment: Position Paper on Better Housing By Design

POSITION ON BETTER HOUSING BY DESIGN OF

- ◆ **Bosco-Milligan Foundation/Architectural Heritage Center**
- ◆ **Goose Hollow Foothills League**
- ◆ **Irvington Community Association**
- ◆ **Northwest District Association and**
- ◆ **Portland Coalition for Historic Resources**

SUPPORT THE RECOMMENDED DRAFT

- Revised zoning map of *Alphabet* Historic District
- Special definition of the RM4 zone in historic districts
- Additional FAR transfer allowance for seismic upgrades to historic buildings

REQUEST CHANGES TO THE RECOMMENDED DRAFT

- Further change the revised zoning map of *King's Hill* Historic District
- Remove the allowance in historic districts of 100-foot tall buildings within 1,000 feet of a MAX station
- Add a *disallowance* of development incentives (additional FAR and building height) to sites where a historic building is demolished

CONTEXT

Most of the changes proposed in Better Housing by Design that affect historic preservation concern three National Register Historic Districts: primarily Alphabet and King's Hill, and Irvington to a lesser extent. The Portland Historic Landmarks Commission has indicated that development proposals out-of-scale with the historic context—particularly for the largest scale RM4 zone—are unlikely to gain their required approval (*Appendix A*). Analyses by Bureau of Planning & Sustainability staff of the scale of historic buildings resulted in the revised zoning map of the Alphabet and King's Hill historic districts and the special definition of the RM4 zone in historic districts, which we support (*Appendix B*).

BPS staff also analyzed impacts of the revised zoning changes proposed for the Alphabet and King's Hill historic districts on housing capacity. The impact of changes in base FARs (building volumes) on the capacity of vacant and underutilized sites showed a reduced capacity of about 200 units. However, an analysis of the effect of developing large vacant sites (including in mixed-use zones) found that the bonus FAR for inclusionary housing would result in additional capacity for around 300 units (more than compensating for the lost capacity due to changes in base FARs).

The Alphabet and King's Hill historic districts' broader neighborhoods—the Northwest District and Goosehollow Foothills—have a zoned capacity for over 12,000 additional housing units, mainly outside the historic districts (which are largely built out). Moreover, building permit data from the past 10 years (2008-2018) show the two neighborhoods were the location of over 4,000 new housing units. The two historic districts continue to be among the highest population density areas in Portland, and less affluent than the city as a whole (*Appendix C*).

SUPPORT 3 PROVISIONS IN THE RECOMMENDED DRAFT

- **SUPPORT COMPATIBLE ZONING: Revised zoning map of *Alphabet* Historic District**

The revised zoning map (*Appendix B*) changes the current east-west division between the larger- and smaller-scale RH zones to apply the larger-scale RM4 zone to areas south of NW Glisan/Hoyt and apply the smaller-scale RM3 zone to areas north of this. This mapping change reflects the pattern of scale of historic buildings in the Alphabet Historic District, with predominantly apartment buildings in the southern area versus houses in the northern area. Also, it is consistent with 2035 Comprehensive Plan Policy 4.48: “Continuity with established patterns.”

- **SUPPORT COMPATIBLE BUILDING SIZES: Special definition of the RM4 zone in historic districts**

Within historic districts, the new RM4 zone allows a base FAR of 3:1 (instead of 4:1 outside historic districts). This special definition would allow new development similar to the scale of larger historic buildings in the proposed zone areas. Also, it is consistent with 2035 Comprehensive Plan Policy 4.49 “Resolution of conflicts in historic districts...Refine base zoning in historic districts to take into account the character of the historic resources in the district.”



- **SUPPORT SEISMIC UPGRADES: Additional FAR transfer allowance for seismic upgrades to historic buildings**

This provision would extend to all sites with designated historic buildings a FAR transfer allowance adopted as part of the Central City 2035 zoning code updates. In addition to existing allowances for underutilized FAR, an additional amount of FAR (equivalent to 50 percent of the base FAR in multi-dwelling zones) could be transferred to other sites, in conjunction with verified seismic upgrades. This additional increment of transferable FAR would be an incentive for historic preservation by helping to defray costs of seismic retrofits, particularly to unreinforced masonry buildings. However, it must be recognized that any regulations requiring seismic upgrades must also entail significant additional financial assistance to counter an increased incentive to demolish such historic buildings, which comprise a large component of Portland’s naturally occurring affordable housing.



REQUEST 3 CHANGES TO THE RECOMMENDED DRAFT

- **EXTEND COMPATIBLE ZONING: Further change the revised zoning map of *King's Hill Historic District***

Although the revised zoning map of the King's Hill Historic District applied the smaller-scale RM3 zoning to a few sites at the edges of the historic district (*Appendix B*), other similar areas with mostly historic houses were assigned larger-scale RM4 zoning. The maintenance of RM4 zoning on blocks containing small historic buildings is not consistent with the application of revised zoning in the neighboring Alphabet Historic District, which was based on the pattern of historic building scale in the district.



In the King's Hill Historic District, four full/partial blocks where half or more of buildings are historic houses/small buildings should be rezoned RM3 (*Appendix D*). This would be consistent with 2035 Comprehensive Plan Policy 4.48: "Continuity with established patterns."

- **DISALLOW INCOMPATIBLE HIGH RISES: Remove the allowance in historic districts of 100-foot tall buildings within 1,000 feet of a MAX station**

The original proposed draft (May 2018) stated in 33.120.215 Height:

The 100-foot building height in the RM4 (RH) zone that generally applies within 1,000 feet of a transit station will not be available for properties within Historic or Conservation districts (such as the Alphabet Historic District in Northwest Portland) to prevent heights that are not compatible with historic context.

This appropriate exclusion of historic districts from the height allowance was removed in the recommended draft, despite the importance of compatibility with historic context (*Appendix E*).

The height allowance would defacto only affect an area at the edge of the Alphabet Historic District near the Providence Park MAX station (*Appendix F*). Inconsistently, the recommended draft does exclude historic districts from a parallel 100-foot height allowance within 1,000 feet of streets with frequent bus service. The recommended draft should be consistent: **historic districts should be excluded from the 100-foot height allowance within 1,000 feet of both MAX stations and streets with frequent bus service.**



It should be noted that the allowed 100-foot buildings would not be required to include affordable units beyond the current city-wide minimum, if applicable. Contrastingly, in the default RM4 zone, FAR and building height above what is allowed in the base zone would require increasing proportions of affordable units.

- **DISCOURAGE DEMOLITION: Add a *disallowance* of development incentives if a historic building is demolished**

The demolition of designated historic buildings has not been much of a problem in recent years because historic districts have been excluded from most development incentives. The Recommended Draft greatly increases those incentives, from which historic districts would no longer be excluded. Because historic districts are largely built out, there will be pressure in multi-dwelling zones to consolidate lots for larger apartment projects. Sites on which historic buildings (either landmarks or contributing structures in historic districts) are demolished should not be eligible for bonus allowances or the transfer of development rights. The recommended draft should add a provision denying development incentives (additional FAR and building height) to sites where a historic building is demolished (Appendix G).



Adding this provision would be consistent with 2035 Comprehensive Plan Policy 4.50: “Demolition. Protect historic resources from demolition.” Not only does preserving historic buildings maintain the unique neighborhood character that attracts tourism and film production, but it is the most sustainable



practice. Moreover, demolition of historic buildings inevitably results in the displacement of any residents, and usually less affordable replacement new housing (i.e., gentrification).

PORTLAND HISTORIC LANDMARKS COMMISSION AND BETTER HOUSING BY DESIGN

Compatible Scale in Historic Districts

“The BHBD project...has the potential to result in increased height allowances in three historic districts: Irvington, Alphabet and King’s Hill. This could exacerbate the PHLC’s challenges when reviewing and applying adopted compatibility guidelines on proposals in these areas.

State of the City Preservation Report 2018, p. 10 (September 2018)

“If the bonus development scale, or even base development allowances, do not meet context-related review criteria, Landmarks may not approve the proposal. Providing zoning code allowances for development scale that is too large for the context puts the commission into a difficult position.

In some cases, some historic districts are over-zoned to begin with, even without development bonuses.”

Comments from Historic Landmarks commissioners in Notes from 10/16/2018 joint meeting of the Landmarks-PSC Work Group

“The PHLC seeks maximum heights that are in closer alignment with the existing historic fabric of each (historic) district...This would give property owners more realistic expectations, reduce the threat to these districts, and safeguard the designation and right to (preservation tax) incentives for other contributing properties in the districts.”

State of the City Preservation Report 2017, p. 17 (November 2017)

“Our most pressing concern (about Better Housing by Design) was that certain new projects located in Historic or Conservation Districts were allowed to earn FAR (building volume) values which might be above the amount that could be approvable on that site, based on context.”

State of the City Preservation Report 2018 (Part B), p. 5 (May 2, 2019)

Discouraging Demolition

“Landmarks commissioners are concerned...that increased development allowances could lead to demolition of historic resources.”

Comments from Historic Landmarks commissioners in Notes from 10/16/2018 joint meeting of the Landmarks-PSC Work Group

“We...are concerned with the lack of meaningful incentives to create new units via construction without encouraging demolition.”

State of the City Preservation Report 2018, p. 10 (September 2018)

“We do have concerns; the current version (of the Residential Infill Project) has removed incentives for preserving historic structures. We cannot revert to developer-led demolitions...We must reuse and retrofit in order to limit carbon emissions.

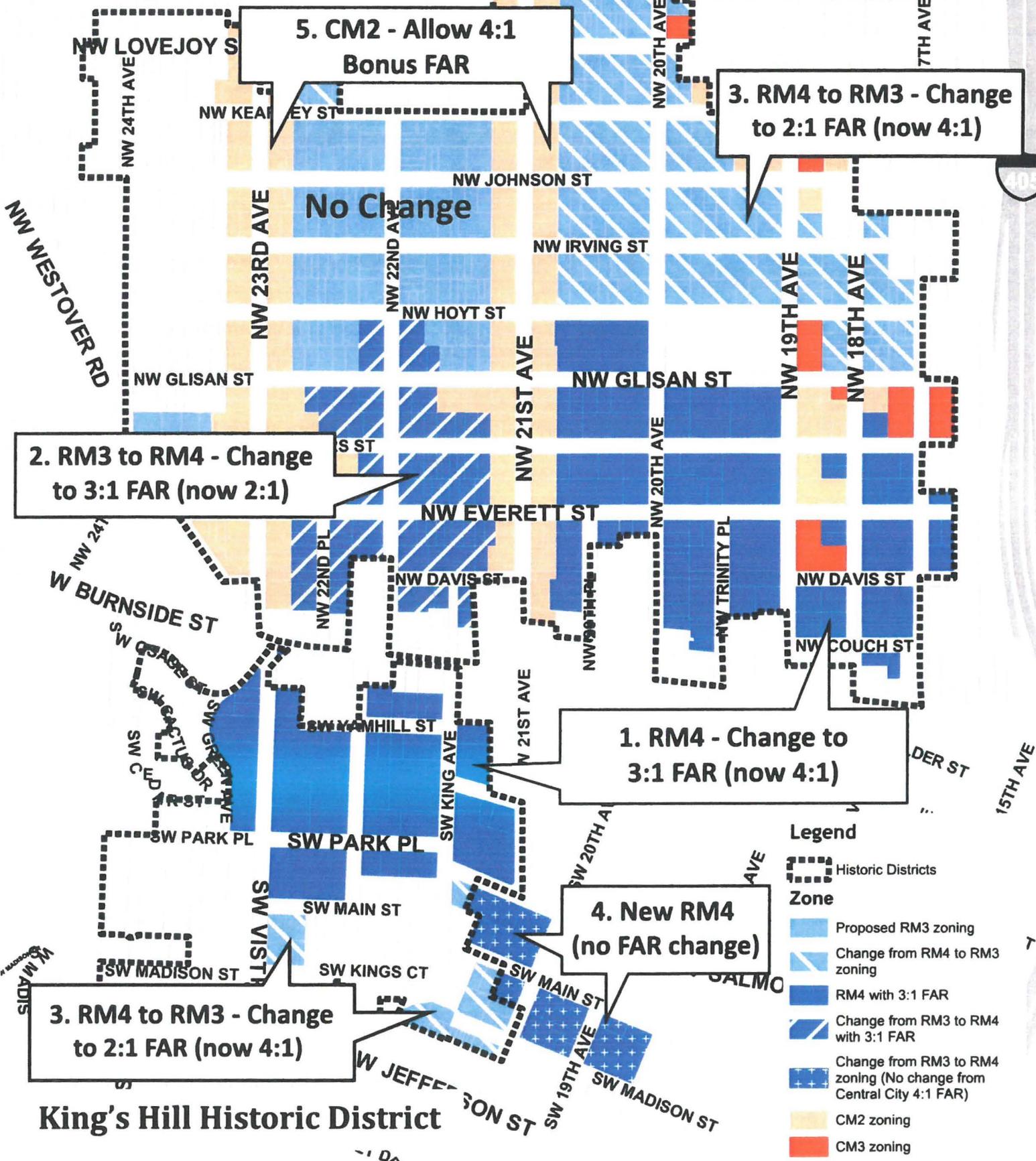
State of the City Preservation Report 2018 (Part B), p. 5 (May 2, 2019)

NW NORTH

Alphabet Historic District

NW MARSHALL ST

Potential Zoning Changes



King's Hill Historic District

405

15TH AVE

T

DEMOGRAPHIC CONTEXT

● HISTORIC DISTRICTS ARE ALREADY DENSELY POPULATED

Population Density

Area	People per Square Mile ¹	Percent Difference from Portland City
Alphabet Historic District ²	27.55k	492% above
King's Hill Historic District ³	36.83k	692% above
Irvington ⁴	10.37k	123% above
Pearl ⁵	15.35k	230% above
Portland City	4.65k	--

● HISTORIC DISTRICTS ARE NOT ALL "AFFLUENT ENCLAVES"

Household Income and Type

Area	Median Household Income ⁶	Percent Difference from Portland City	Percent One-Person Households ⁷
Alphabet Historic District	\$44.7k	23.5% below	67.8%
King's Hill Historic District	\$53.1k	9.1% below	62.8%
Irvington	\$86.9k ⁸	48.8% above	37.9%
Pearl	\$76.8k	31.5% above	65.1%
Portland City	\$58.4k	--	34.2%

1 Population divided by total land area (excluding water areas) From the 2012-2016 American Community Survey (StatisticalAtlas.com)

2 Alphabet Historic District based on unweighted average of values for 6 Census Tabulation Blocks: BG 004700-3, 004800-1, 004800-2, 004800-3, 004900-2, 004900-3

3 King's Hill Historic District based on unweighted average of values for 2 Census Tabulation Blocks: BG 05200-3 and 05200-4

4 Irvington: a collection of Census Tabulation Blocks corresponding to a commonly known but informally defined neighborhood.

5 Pearl: a collection of Census Tabulation Blocks corresponding to a commonly known but informally defined neighborhood

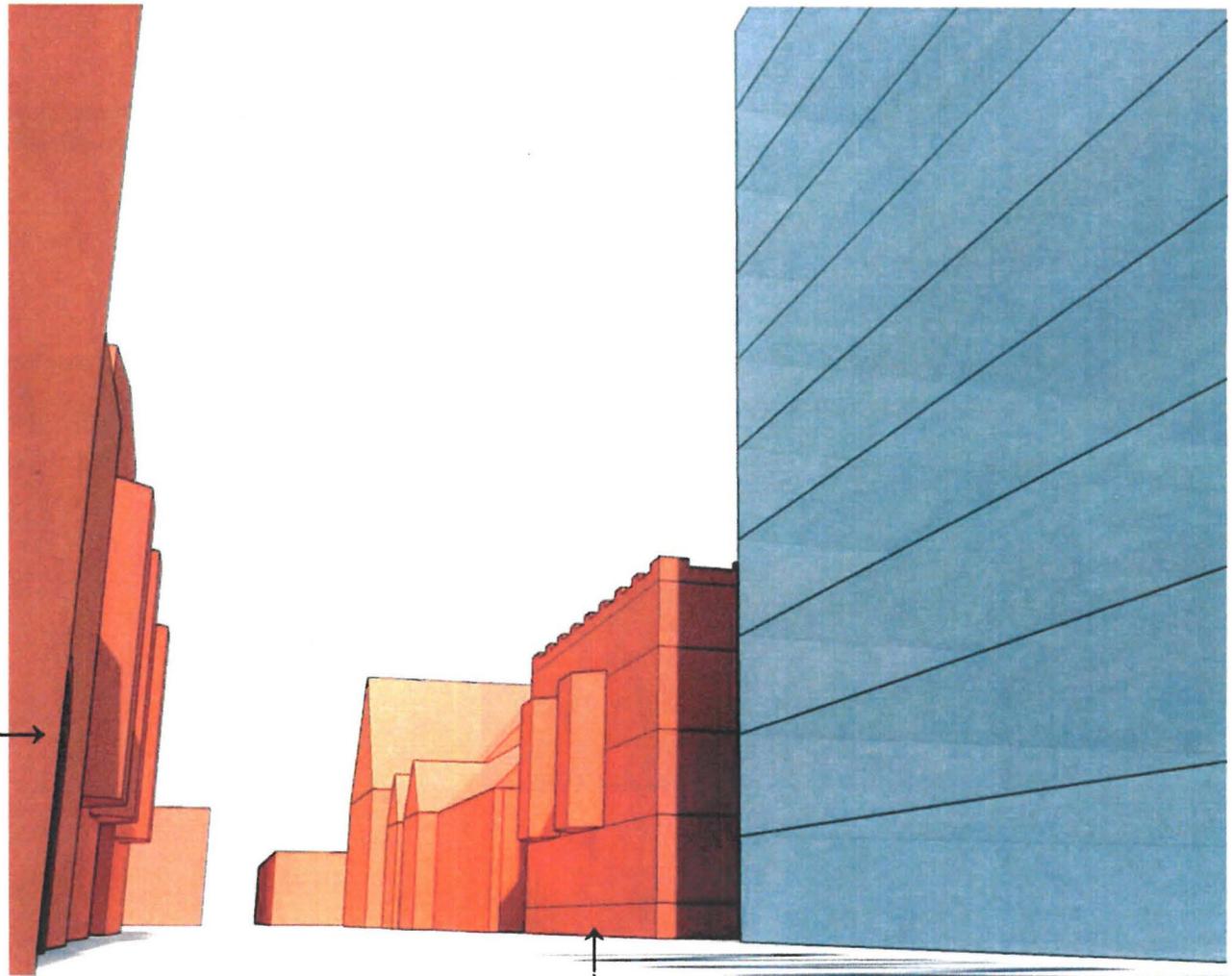
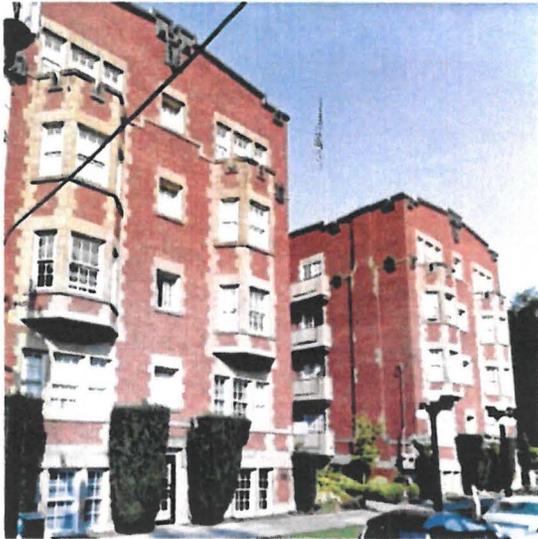
6 Income for which 50% of households have a lower income, and 50% have a higher income. From the 2010 U.S. Census (StatisticalAtlas.com)

7 Household consists of all people who occupy a housing unit. One person: householder living alone. From the 2010 U.S. Census (StatisticalAtlas.com)

8 Note: Income statistics for the southern section of Irvington are markedly lower than for the entire neighborhood

APPENDIX E (1)

117 NW Trinity Place
Trinity Place Apartments, 1911
National Register Landmark

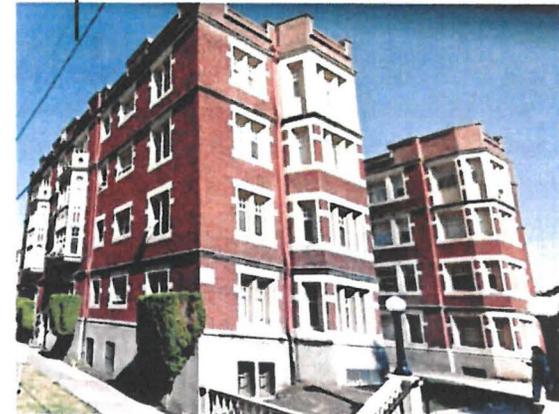


Looking north on NW Trinity Place

**In Historic Districts Allowing Buildings
100 Feet Tall Within 1,000 Feet of a
MAX Station**

Illustrative Example in the Alphabet Historic District:
Building 100-foot tall (10 stories) on an undeveloped
site located on NW Trinity Place near
W Burnside Street

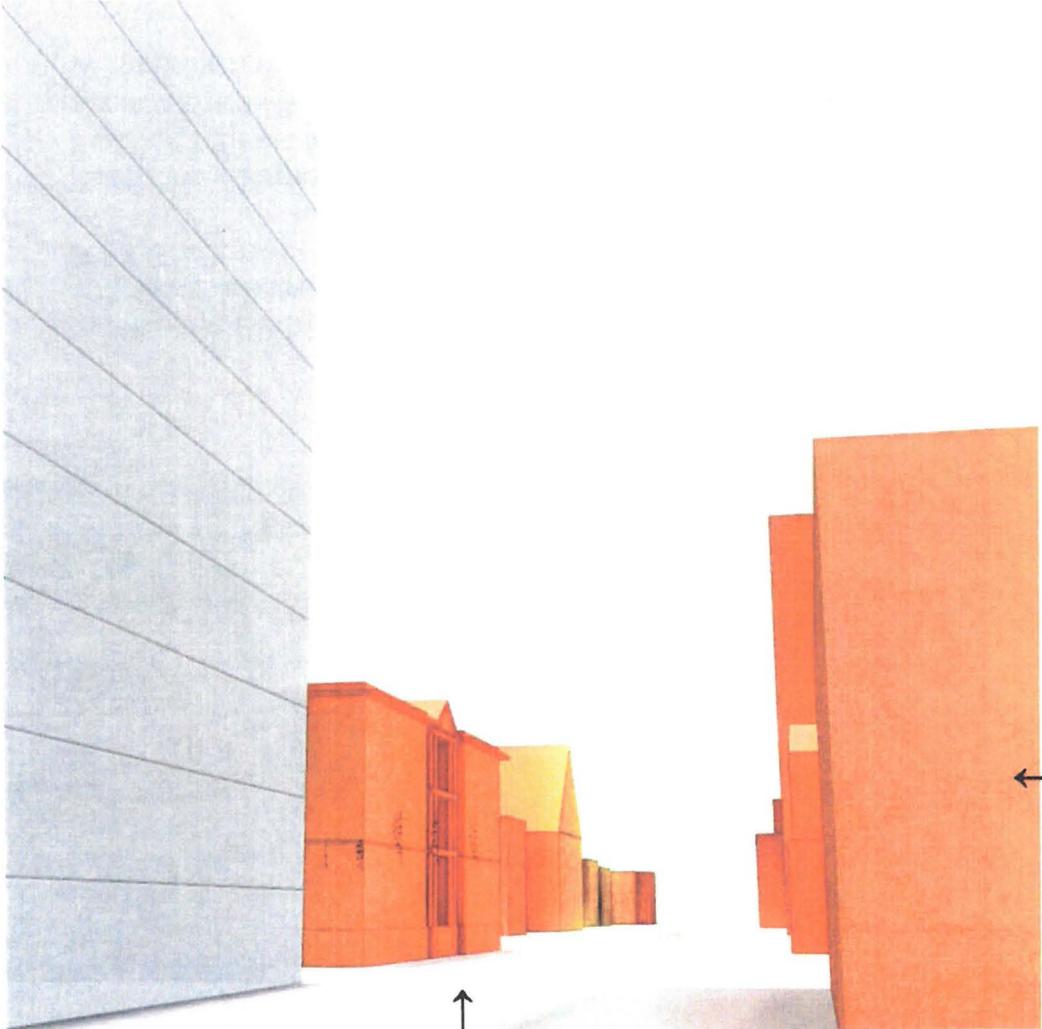
120 NW Trinity Place
Belle Court Apartments, 1912
National Register Landmark



APPENDIX E (2)

In Historic Districts Allowing Buildings 100 Feet Tall Within 1,000 Feet of a MAX Station

Illustrative Example in the Alphabet Historic District:
Building 100-foot tall (10 stories) on an undeveloped block located between NW 18th and 19th Avenues and NW Everett and Flanders Streets



Looking west on NW Everett St.

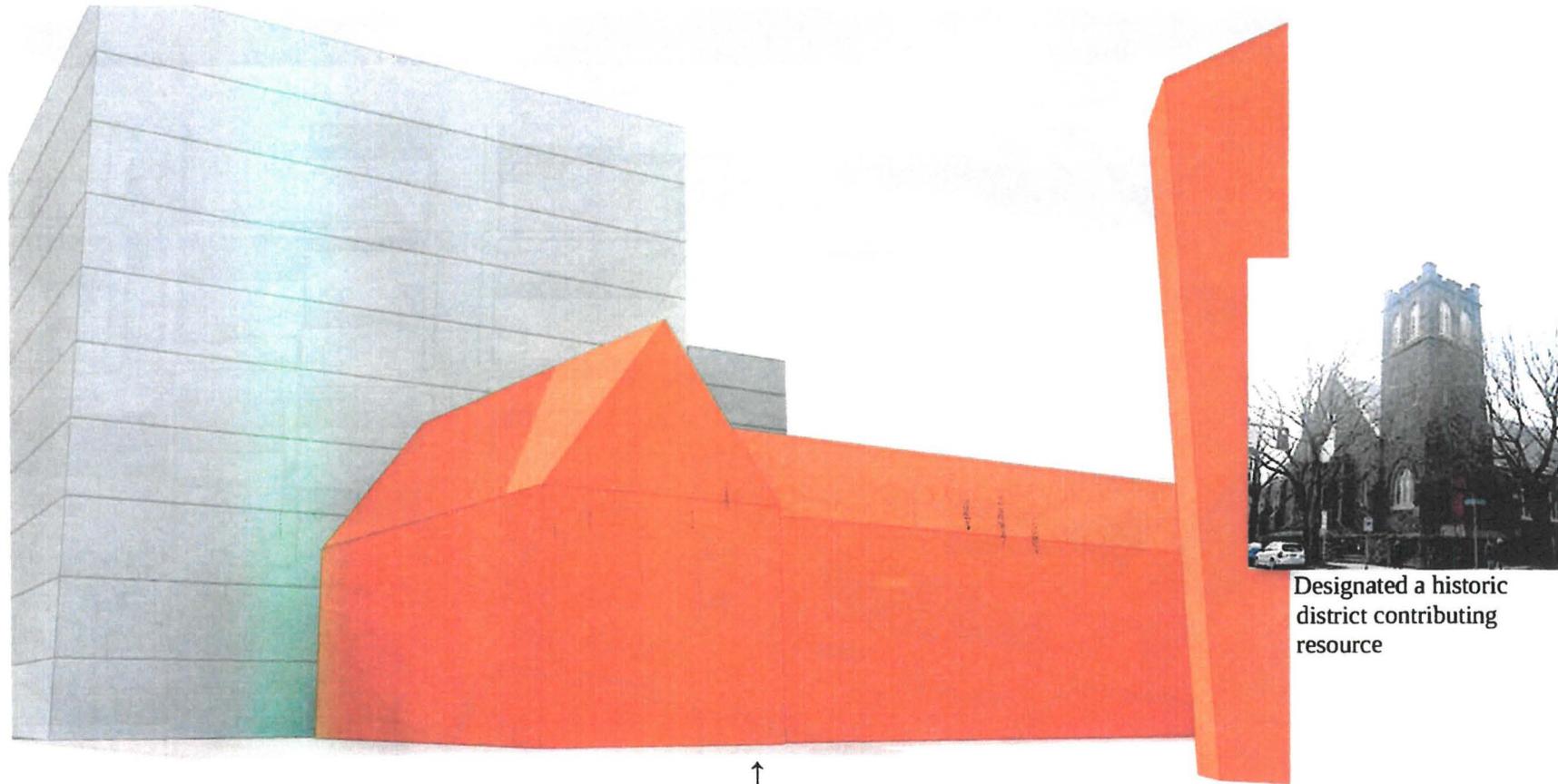


1731 NW Everett St., Ravenswood Apartments, 1924

Designated a historic district contributing structure



1810 NW Everett St., The Mordaunt Condominiums, 1910
Designated a historic district contributing structure



Designated a historic district contributing resource

Looking south on NW 19th Avenue

APPENDIX E (3)

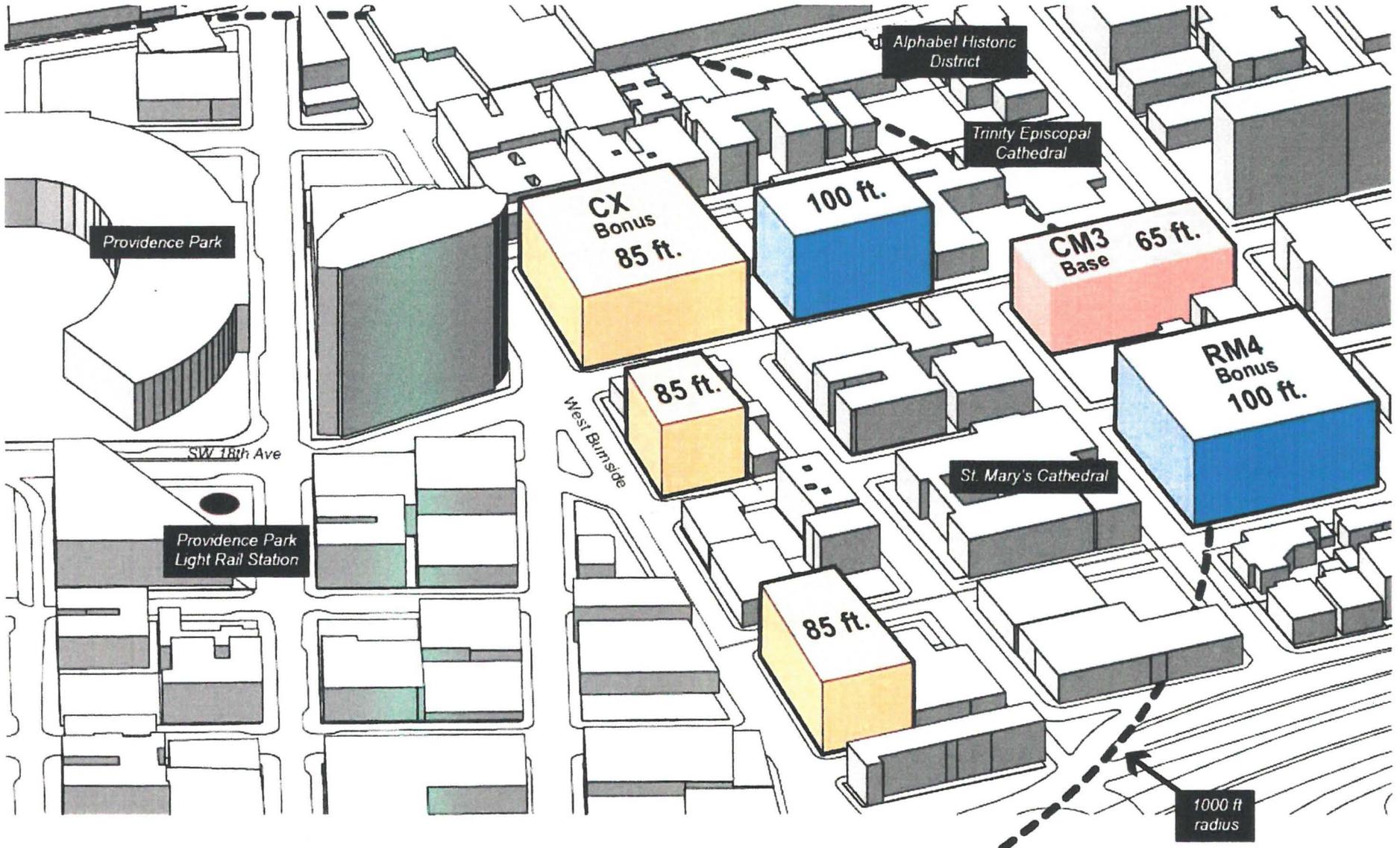
In Historic Districts Allowing Buildings 100 Feet Tall Within 1,000 Feet of a MAX Station

Illustrative Example in the Alphabet Historic District: Building 100-foot tall (10 stories) on an undeveloped site located on NW 19th Avenue near NW Couch Street



147 NW 19th Avenue, Trinity Episcopal Cathedral, 1904

TOPIC 2: RM4 Zone 100' Height in Historic Districts



**REQUESTED CHANGE:
DEMOLITION D/ISINCENTIVE FOR HISTORIC DISTRICTS**

189805

Need

- **An Increased Incentive for Demolition**

Better Housing by Design seeks to increase the density of development in multi-dwelling zones, especially through allowing bonuses and transfers of development rights (particularly for affordable housing), which would result in larger buildings. Multi-dwelling zones allow land to be consolidated into larger sites for large apartment projects.

There will be particular pressure on historic neighborhoods close to the Central City, which are largely built out, containing almost no undeveloped land and many historic houses on smaller lots. For example, in a historic district, a landmark or contributing house adjacent to either an undeveloped lot or a non-contributing building may be a prime candidate for demolition and land consolidation to allow development benefiting from zoning allowances.

- **Relationship to Demolition Review**

While existing regulations require demolition review for all landmarks and contributing buildings within historic districts (33.445.150 and 33.445.330), project proposals that are predicated on the use of development allowances and entail the demolition of historic resources should be discouraged. Such proposals can ultimately result in either the eventual demolition of the historic building due to its deterioration (possibly intentional) or its inappropriate incorporation into a larger building or complex. In either case, the integrity of the historic district would be compromised.

Suggested Provision

In the Better Housing by Design proposal a provision should be added that adapts the wording of the following provision(s) in the original Residential Infill Project proposal (April 2018).

“Sites with historic resources that are either landmarks or contributing structures in historic or conservation districts may not utilize the bonus (*or transfer of development rights*) provisions ... if the resource has been demolished.” (p. 28)

“Historic resources help define an area's character, they provide a link to our past and history, and provide visual examples of significant architectural lineage.” (p. 146)

“A site that had a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District on October 1, 2017 does not qualify to use the provisions of this Section when: a) Demolition review or the 120-day demolition delay process applied to the landmark or structure; and
b) The landmark or structure has been demolished.” (pp. 147, 151, 155)

Example from Another City

The Seattle Land Use and Zoning Code's Downtown Zoning Chapter addresses historic preservation through several mechanisms, including a demolition disincentive: “Development on a site that results in the destruction of a designated Seattle landmark is not allowed to acquire additional development rights through a floor-area bonus” (SMC 23.49)

“To discourage the demolition of Landmarks, projects that cause the destruction of any designated features of a Landmark structure, unless authorized by the Landmarks Preservation Board, are prohibited from gaining additional floor area through the use of zoning incentives such as floor area bonuses or transfers of development rights.” (SMC 23.49.070)

From: Adam, Hillary
Sent: Thursday, September 26, 2019 12:41 PM
To: Council Clerk – Testimony
Subject: October 2 - Better Housing by Design
Attachments: PHLC to CC_09.26.19_BHBD.pdf

I am submitting the attached letter on behalf of the Historic Landmarks Commission prior to their in-person testimony on October 2nd on Better Housing by Design.

Thank you!
~Hillary

Hillary Adam, Senior Planner
City of Portland, Bureau of Development Services
Design & Historic Resource Review Team
1900 SW 4th Ave, Suite 5000
Portland, OR 97201

hillary.adam@portlandoregon.gov
p: 503.823.3581
M-F 9:00-6:30



City of Portland
Historic Landmarks Commission

1900 SW Fourth Ave., Suite 5000 / 16
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.portlandonline.com/bds

September 26, 2019

To: Mayor Wheeler and Portland City Council
Re: Better Housing by Design "Recommended Draft"

The Portland Historic Landmarks Commission (PHLC) received a briefing from Bill Cunningham of the Bureau of Planning and Sustainability (BPS) on August 12, 2019, summarizing the Better Housing by Design (BHBD) "Recommended Draft." The PHLC has worked hard to stay up to date and to provide ongoing specific comments to BPS staff and the Planning and Sustainability Commission (PSC) as this code project has evolved.

Overall, the PHLC is supportive of this package of code changes. We commend the PSC for their work to find innovative ways to encourage density and the preservation of historic resources in Portland. Following are some highlights of the proposal that we believe will not only meet the goal of increasing the types of housing available in multi-dwelling zones, but also ensure that affordable historic buildings are part of that increased residential diversity.

- Altering residential density measurement from unit-based counts to floor area-based counts is important and very welcome. The PHLC believes this shift will help create more appropriate forms and sizes in development in Historic and Conservation districts, where Historic Resource Review ensures the compatibility of these forms with existing ones. Illustrations on pages 28 & 29 of Volume I show the inherent density of many existing historic forms and building types.
- Allowing for "unused" floor area to be transferrable from historic resources gives the owners of these buildings a financial incentive to keep them. Further, the provisions as proposed in 33.120.210.D will provide an additional tool to incentivize seismic retrofits of these older buildings. The PHLC applauds the additional FAR incentive that can be earned and monetized to help defray costs of undertaking seismic work; a thoughtful addition to the package of code amendments.
- Eliminating or drastically limiting on-site parking requirements for new small-lot projects or new units is simply good land use policy, prioritizing green space and housing for people over the warehousing of automobiles. As with the Residential Infill Project (RIP) single-family code change package which will result in no new parking space requirements in single-family dwelling zones, the BHBD parking changes will go a long way towards encouraging a more people-centered environment and changing the way we live to address climate change.
- Alphabet Historic District and Kings Hill Historic District map changes are positive for bringing code maximum FARs closer to the scale of existing older (contributing) buildings. The PHLC agrees that the shifts between RM3 and RM4 are generally closer in terms of the maximums these two zones allow to the historic district context in the areas in question. Absent a full-scale study of appropriate code maximums across historic districts, this change makes good sense in reducing some of the inherent conflicts.
- Allowing a reduction in required density for keeping the footprint of an existing house, and for tree preservation, are both good policies that will help preserve the character of neighborhoods (33.120.213). Recognizing the increased need for more shade and more walkability in all neighborhoods, the PHLC would like to see the tree preservation benefit be extended to street trees. Building owners are responsible for street trees already and they

contribute to neighborhood character and livability sometimes more than trees on private property. The PHLC hopes that the small reduction in required minimum density afforded by keeping a house on a lot is enough to encourage more adaptive reuse and ADUs.

The PHLC also has some criticisms and concerns with BHBD. While the PHLC believes that new construction is necessary and important, we cannot build our way to a greener and cooler planet. As a City, we need to get serious about policies which contribute to climate change and that means not just encouraging but requiring much more adaptive reuse. Construction methods and materials such as using heavy-carbon-footprint concrete should be limited to buildings that will last 100 years, not 20. Developers need incentives to help them change their business model. Now is the time to create relevant and impactful code changes (this should include the building code) which should be driven more by sustainability concerns. We believe that the Comprehensive Plan supports this.

- The BHBD includes a change to the way height is measured (33.930.050) from a “low point” rather than from a “high point.” The PHLC is supportive of this in general, but we have a serious concern that this could ultimately lead to erosion of the street-facing façade of a building and erosion of the shared streetscape and right-of-way by encouraging “tuck under” garages to proliferate because the applicant can now choose which basepoint to measure from. While a limited-width “tuck under” garage can be useful and sometimes better than an at-grade garage, the PHLC would still like to see garages not at the front of a structure, but developed (if at all) to the side and rear. Perhaps when tuck under garages are proposed, the height should be measured from the lower point. At minimum, we ask that the use of the “low point” measurement be limited across the front of a building so that the front of a building does not turn into a paved hole (see photo example at the end of this letter).
- Using terms like “by right” or “base” in discussions of height and FAR bonus and transfers is highly misleading to applicants in historic districts. (See 33.120.215 Height; Table 120-3; etc) This is because new development in historic districts is regulated by the compatibility of its scale, height, and other criteria with existing older buildings. Changing “maximum” to “base” throughout the code makes a bad situation worse. It creates more of an expectation that this amount of height or bulk is a “given.” But a project using code maximums for bulk and height is not necessarily going to meet the compatibility-based approval criteria on every site in historic districts. Ultimately, the PHLC would like to see a comprehensive project to assess appropriate height and bulk within historic districts, removing what is in some cases a large disparity between what is approvable under compatibility-based criteria and what the code “allows.” Until that time, we propose that the code do a better job of acknowledging that FAR and height in historic districts are not “by right” and that projects must meet the approval criteria.
- Related to this, giving developers of projects extra bulk or height in historic districts creates less predictability and more opportunity for contentious hearings for projects in these districts. Increasing a new development’s height or bulk (beyond code “maximums,” which are themselves not always approvable in every situation) will not always meet Historic Resource Review approval criteria. The PHLC strongly opposes opportunities to “earn” more bulk in these areas, even for deeply needed affordable housing. IF the proposed provisions stay in the code, then the PHLC strongly suggests that any “earned” FAR that cannot be used on a site due to compatibility criteria can at least be sold and transferred outside the historic district by the developer.
- Similarly, the PHLC is very concerned with allowing transfers of floor area or height into historic districts, which is a step backward from the BHBD recommended draft. The developer or contractor potentially will have wasted a good deal of time and money designing a building that is out of scale, and the potential for more appeals to City Council is high. If the feedback from development professionals was for “predictable regulations” (p.12, Vol 1), then this misses the mark by a long shot. The PHLC asks that transfers “in” to historic or conservation districts not be allowed. At a minimum, new code should communicate some warnings. 33.120.210.D.2 should have an added 2a: If the receiving site is in a historic or conservation district, the transfer must result in a project that meets the approval criteria for Historic Review if required.

- The PHLC continues to be dismayed at the lack of demolition deterrents in the code. Developers would like to take the easiest path, which is complete demolition and rebuilding, but there are huge red flags to this approach. One is simply climate change. During this world-wide climate emergency, we must do better to maintain, add on to, and reuse what we have and not continue the throw-away model that has given many construction materials a very short life span. This is our collective responsibility. Doing better to reduce our consumption includes using durable, long-lasting materials as well as re-use of buildings and building components. The other red flag is that a lack of housing affordability demands a more thoughtful approach to keeping older houses and apartment buildings. The PHLC seeks a penalty for demolishing a contributing building in historic or conservation district. This may be simply a period of time, say five years, during which the property may not take advantage of the full package of building incentives. Thoughtful structuring of this penalty will ensure that it does not inadvertently have a negative impact on the neighborhood or on the original owner of an older building.

With specific attention to those issues mentioned above, we therefore support the BHBD Project.

Sincerely,



Kristen Minor
Chair



Maya Foty
Vice Chair



Matthew Roman



Annie Mahoney



Ernestina Fuenmayor



Andrew Smith

cc

Bill Cunningham, BPS
Hillary Adam, BDS
Brandon Spencer-Hartle, BPS



Photo taken in 2018 on Fremont Street in Seattle:

(Note that Title 33 would require a front entry, which Seattle's code did not when the building on the right was constructed.)

McClymont, Keelan

From: bullera@aol.com
Sent: Thursday, September 26, 2019 11:43 AM
To: Council Clerk – Testimony
Subject: Testimony for October 2nd City Council meeting on "Better Housing By Design"

Portland City Council

We would like to indicate our support for the proposed RM3 zoning map changes for the area north of NW Glisan Street and east of NW 21st Avenue in the Historic Alphabet District. We believe this is a positive change as it impacts our property.

Sincerely,

Allen W Buller
Vicki L Skryha

Owner occupied residents @
1728 NW Hoyt St
Portland Oregon 97209

McClymont, Keelan

From: Thomas Miller <Thomas.Miller@ecpowerslife.com>
Sent: Wednesday, September 25, 2019 8:58 AM
To: Council Clerk – Testimony
Subject: Testimony for October 2 City Council Hearing on Better Housing by Design

Portland City Council,

I am a property owner in the Portland Historic Alphabet District which is affected by this proposed zoning change. I support this effort to maintain the historic character of our area by “right zoning”. I understand this zoning proposal to require future development to be more compatible with the existing historic scale of buildings. Thank you for your consideration for maintaining the density and livability of this area.

Respectfully,

Thomas Miller
1923 NW Hoyt Street
Portland, OR 97209

**Thomas Miller**

Project Manager, EC Electric

D: (503) 220-3561 | M: (503) 318-1933

E: Thomas.Miller@ecpowerslife.com | W: www.ecpowerslife.com

A: 2121 NW Thurman Street, Portland, Oregon 97210



♣ Consider the environment. Do you really need to print this email?

From: Brandi McClellan <mcbbrandi@gmail.com>
Sent: Tuesday, September 24, 2019 12:13 PM
To: Council Clerk – Testimony
Subject: Testimony for Oct. 2nd City Council Hearing on Better Housing by Design

To whom it may concern,

My name is Brandi McClellan, I rent a condo at Hoyt Square, and wanted to reach out to you today about my support for the proposal to limit building sizes in my area. I feel very strongly that the areas north of Glisan and east of 21st should be zoned RM3 to foster development that will reduce conflicts overall and keep this historic district looking and feeling the way it does now. I am unable to attend the City Council meeting where this will be discussed and hoped to share my concern with you now. Thank you for your time and dedication; I appreciate your hard work immensely!

Warm regards,
Brandi McClellan
1927 NW Hoyt St, Portland, OR 97209

--
Brandi Larie

Moore-Love, Karla

From: Michael Mehaffy <michael.mehaffy@gmail.com>
Sent: Monday, September 23, 2019 6:21 PM
To: Moore-Love, Karla; Wheeler, Mayor; Commissioner Eudaly; Fish, Nick; Commissioner Fritz; Commissioner Hardesty
Subject: Testimony RE Better Housing by Design
Attachments: Letter to Council RE Better Housing By Design - Mehaffy 23 September 2019.pdf



The City's email systems have identified this email as potentially suspicious. Please click responsibly and be cautious if asked to provide sensitive information.

Dear Mayor, Council and Clerk,

Please see attached a latter of testimony for the above-referenced matter.

Sincerely,

Michael W. Mehaffy, Ph.D.
Senior Researcher, Ax:son Johnson Foundation
Centre for the Future of Places, KTH University, Stockholm
Executive Director, Sustasis Foundation

742 SW Vista Ave., #42
Portland, OR 97205
(503) 250-4449

September 23, 2019

Portland City Council
1221 SW 4th Avenue
Portland, OR 97204

Dear Mayor Wheeler and Commissioners Eudaly, Fish, Fritz, and Hardesty,

RE: Better Housing by Design, Recommended Draft

I am writing to offer this testimony on the Better Housing by Design Recommended Draft for the City Council hearing on October 2, 2019 speaking as a resident and stakeholder of the King's Hill district. For the record, I am also vice-president of the Goose Hollow Foothills League, a business owner in a sustainable development consulting firm with an international practice, and president of a non-profit think tank in sustainable urban development called Sustasis Foundation (www.sustasis.net).

I am sorry I cannot testify in person, but I am currently in Stockholm working with UN-Habitat and a Swedish foundation on urban research toward implementation of the New Urban Agenda. As you may know, this seminal document – adopted by acclamation by all 193 member states of the United Nations – is very much aligned with Portland's goals of sustainability, livability, diversity, and "cities for all." My own research contribution, based at KTH University in Stockholm, applies an evidence-based approach to achieving our goals while seeking to avoid unintended consequences.

In that spirit, I must tell you, speaking with some expertise, that I do have concerns about unintended consequences in the current draft of Better Housing By Design. Specifically for my own neighborhood, they are:

1) I believe that much of the area zoned RM4 in the King's Hill historic district should be rezoned to RM3, parallel with the Recommended Draft's similar zoning in the Alphabet historic district.

As you may know, the King's Hill and Alphabet districts suffered a wave of destructive tear-downs and insensitive modern buildings in the 1960s, as did other neighborhoods in Portland. After extensive grass-roots activism (including within the neighborhood association system) this destruction was largely halted, and these neighborhoods have become national models of sustainability and livability. We should surely recognize and protect what we achieved.

Indeed, I have published books and lectured extensively about this area and its remarkable urban metrics. Its achievements are documented in my book *Cities Alive* and in the urban planning class I teach at Arizona State University, among others. (I have also taught at U of O and elsewhere.) Yet the destructive development practices of the 1950s and 1960s have left King's Hill as only a precious remnant of what was once a remarkably diverse mixture of relatively affordable heritage buildings. By assigning the largest-scale RM4 zone to most of King's Hill, the City could all too easily destroy what remains of a priceless urban asset. Surely we must learn from the mistakes of history – and not repeat them.

2) For similar reasons, I believe that 100-foot tall buildings should not be allowed in historic districts within 1,000 feet of a transit station, which would apply de facto only to the Providence Park station in the Alphabet historic district.

This regulation allows several blocks of incompatible 10-story high rises adjacent to National Landmark apartment buildings and churches over a century old, perhaps the most architecturally significant part of the Alphabet historic district. This allowance is also an example of what some have called the "Vancouver Model" -

Portland City Council
September 13, 2019
Page Two

encouraging transit-served development by upzoning, replacing older low/mid-rise buildings with high-rise buildings that add more units. However, there is a warning today emerging from Vancouver B.C., from which we must learn. The city 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, with significantly higher prices than Portland. Meanwhile, Vancouver has lost much of its irreplaceable historic neighborhood fabric, including older and more affordable buildings that once occupied the sites of expensive new condominiums. Again, we must be very wary of unintended consequences.

My current research, and that of many others, is showing that there is a more effective, evidence-based approach to providing affordability, diversity, equity and sustainability, than to embrace “hypertrophy in the core.” The latter is a plausible-seeming approach, and certainly profitable for some – but evidence shows that it causes many more long-term problems than it solves, and leaves the city with a greatly diminished public realm, and the loss of our shared urban heritage.

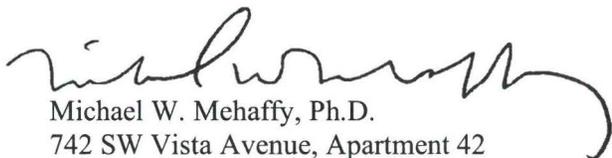
3) For a similar reason, I believe that a provision must be included that denies additional FAR bonus and transfer incentives to sites in historic districts where a historic building is demolished.

My own apartment building is an instructive example. The Fordham building was constructed in 1911 and designated as contributing to the King's Hill Historic District. My unit currently rents for \$1.60 per foot. Since this site will be zoned RM4, I might (from a pure business perspective) advise a developer to demolish this building and put up a much taller and more profitable building. Its rent would likely be closer to \$3.50 per foot, not counting the small amount of “inclusionary housing” that would be required – quite possibly in a remote and much less livable or equitable location. My client (and I as consultant) would make money doing this, and the City would earn considerable fees - but in the end, we would all be much the poorer for it. This might well happen to the next affordable historic building, and the next - and soon, inner historic neighborhoods would be transformed into a pale imitation of Vancouver, with perhaps fewer of its positive attributes.

Furthermore, dense neighborhoods that include many older buildings comprise the most sustainable urban areas. 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. As Jane Jacobs noted, they are also supportive of greater vitality and innovation in the end. Rewarding the demolition of historic buildings with additional allowances for new construction will only result in less sustainable - and less affordable - neighborhoods.

I do appreciate the limited special treatment of historic districts in the Recommended Draft. However, I strongly agree with the Bosco-Milligan Foundation/ Architectural Heritage Center, Goose Hollow Foothills League and the Northwest District Association, on the need to further protect the distinctive character of designated historic districts, which contribute so vitally to Portland's irreplaceable heritage, livability, sustainability, diversity – and yes, affordability.

Sincerely,



Michael W. Mehaffy, Ph.D.
742 SW Vista Avenue, Apartment 42
Portland, OR 97205

9-20-2019

AUDITOR 09/23/19 PM 4:38

City Council Hearing - City Hall
Housing Design Testimony - October 2, 2019
1221 SW Fourth Avenue Rm 130 5:00 PM

Re: Draft for multi dwelling zones fail to include adequate parking for 2-3 cars per unit.

Make **ON SITE** parking priority for all construction in South East Portland.

David Douglas School District travel 128th Avenue Foster to Holgate. Buses pick up and drop off students to Alice Ott Middle and Gilbert Park, Gilbert Heights Elementary schools.

Fire trucks frequently travel 128th Avenue, 128th Avenue is **TOO NARROW** for any parking.

Add NO PARKING signs and enforce **TOW AWAY ZONE** signs.

30-35 High School students enter their bus directly in front of my home **6140** on 128th, as well as dropped off after school.

I called the bureau receptionist 503 823-7700 to receive hard copies Volumes 1-3 and received nothing.

CAROLEE PAUGH
6140 SE 128th
Portland, OR 97236
503 761-6644

McClymont, Keelan

From: Emme Nye <emmeazing@gmail.com>
Sent: Sunday, September 22, 2019 11:24 PM
To: Council Clerk – Testimony
Subject: Testimony for October 2 City Council Hearing on Better Housing by Design

Hello,

My name is Emme Nye and I am an owner in the Alphabet Historic District. I want to voice my support the proposal to have the area north of Glisan and east of 21st be zoned RM3 as I believe it would foster development that is more in keeping with existing buildings.

Thank you,
Emme Nye

McClymont, Keelan

From: Richard U'Ren <drwatches@gmail.com>
Sent: Sunday, September 22, 2019 8:48 AM
To: Council Clerk – Testimony
Subject: Testimony for October 2 City Council Hearing on Better Housing by Design

The Honorable Council Clerk:

We live at and own the property at 1735 NW Irving Street. We strongly support the proposed change to RM3 zoning north of Glisan and east of 21st.

Sincerely,

Richard U'Ren
Annette Jolin

--

Richard U'Ren, MDCM
Professor Emeritus, Psychiatry
Oregon Health & Science University
Portland, OR 97239

McClymont, Keelan

From: Siri Shetty <sirialexandra@yahoo.com>
Sent: Friday, September 20, 2019 10:05 AM
To: Council Clerk – Testimony
Subject: RM3

Hello,

I support the change in zoning to RM3 in the Alphabet district. I own a Victorian on NW Glisan and NW 18th. Let's not take away the charm of this wonderful historical neighborhood and limit the scale of new building.

Thank you,
Siri Shetty

Sent from my iPhone