



# HOUSING ADJUSTMENTS COMPLIANCE PROJECT

Senate Bill 1537

Planning Commission work session 9/10/24

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# Housing Adjustments Project Agenda

## Presentation

- Review of Project and Proposal
- Presentation of Potential Amendments and Discussion Topics

## Commission Discussion

**Consider and vote on amendments**

**Consider and vote on the project**



# Staff Proposal

Staff proposes that Planning Commission recommend that City Council:

- **Adopt this report**
- **Amend Title 33, Planning and Zoning as shown in the Proposed Draft.** The amendments bring Portland's zoning code into alignment with Senate Bill 1537.





## Project Goal & Approach

Comply with SB 1537 by requesting an exemption from applying the bill directly and instead using Portland's existing adjustment process and approval criteria.

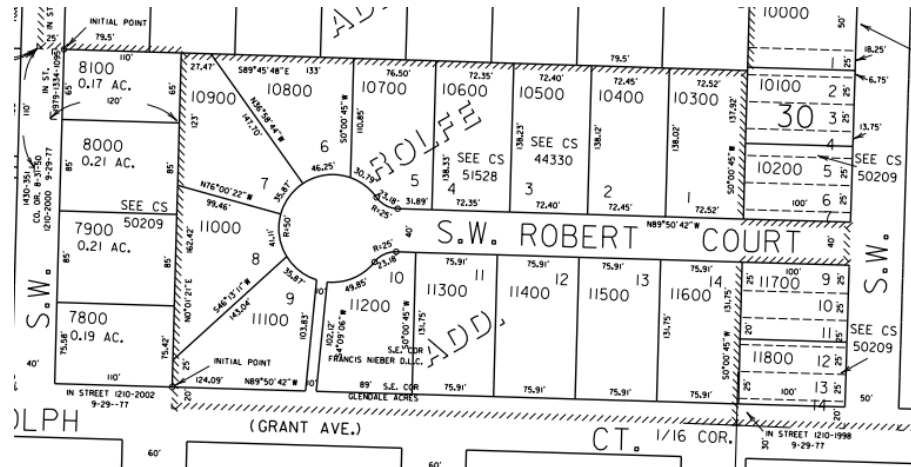
- Amend the zoning code where current regulations prohibit adjustments to standards
- Match the bill's maximum variance allowance
- Match the bill's temporary duration
- Match the bill by applying the new rules to housing projects
- Monitor local process for continued compliance



# Proposed Code Amendments

## Lot Sizes

- Minimum lot size/dimension up to 10% for new and existing lots
- Specific to residential zones
- Also applies to lot size requirements for middle housing options



# Proposed Code Amendments Height

- Maximum height and bonus height up to 20% or 1 story (mostly applicable in plan districts such as Central City, Gateway and Hollywood)
- 20% height adjustment applies to development with at least 75% residential floor area
- Maximum height of detached duplex





# Proposed Code Amendments

## Middle Housing – Cottage Clusters

- Density and lot size standards
- Development standards including
  - Outdoor area,
  - Building orientation,
  - Windows



# 1. Bike Parking Amendment (staff amendment request)

Allow adjustments to the maximum % of required long-term bike parking within dwelling units.

- Current code allows adjustments to the overall number of required bike parking
- Current code allows up to 50% of bicycle parking spaces to be “in-unit.” It prohibits adjustments to that percentage.
- This is considered a locational standard.
- Amendment will temporarily allow the in-unit percentage to be adjusted including for development without an elevator





## 2. Central City Height Adjustment Amendment (Commissioner request)

Based on received testimony, consider allowing height adjustments in excess of 20% of the base zone within the Central City plan district.

- Further removal of housing barriers in Central City to encourage recovery
- Design review could consider merits of adjustment or modification
- Keep as temporary measure
- Keep 20% limit in other code sections
- Staff presentation to follow



# Central City 2035 Height Analysis and Preview of Upcoming Project

The CC2035 Plan increased the amount of height that could be used when projects earned bonus FAR.

- New maximum heights were established in areas where increased height would not impact protected resources, such as public view corridors and historic districts.
- New FAR transfer provisions allowing more floor area to be used on project sites.

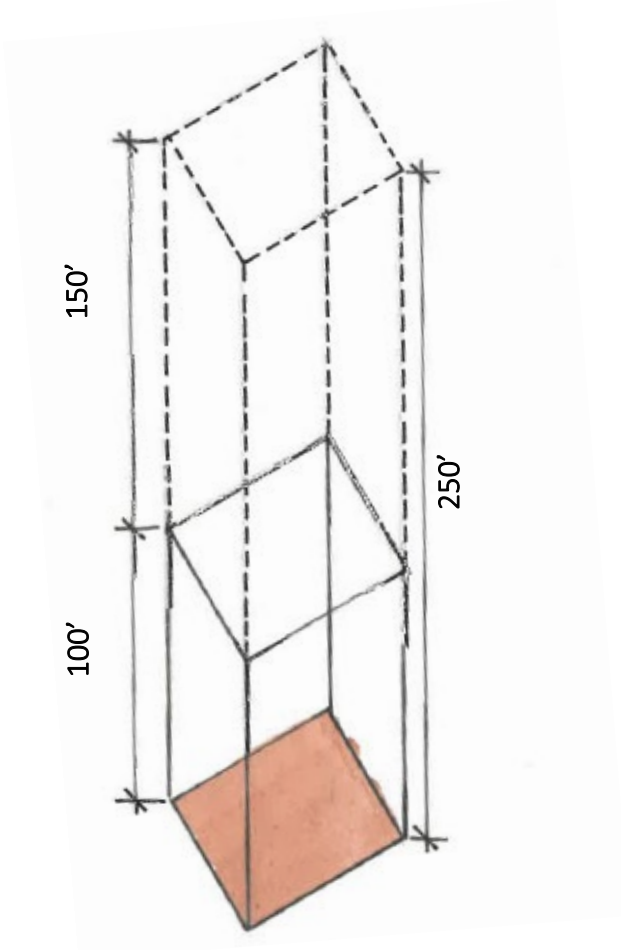


Figure 1

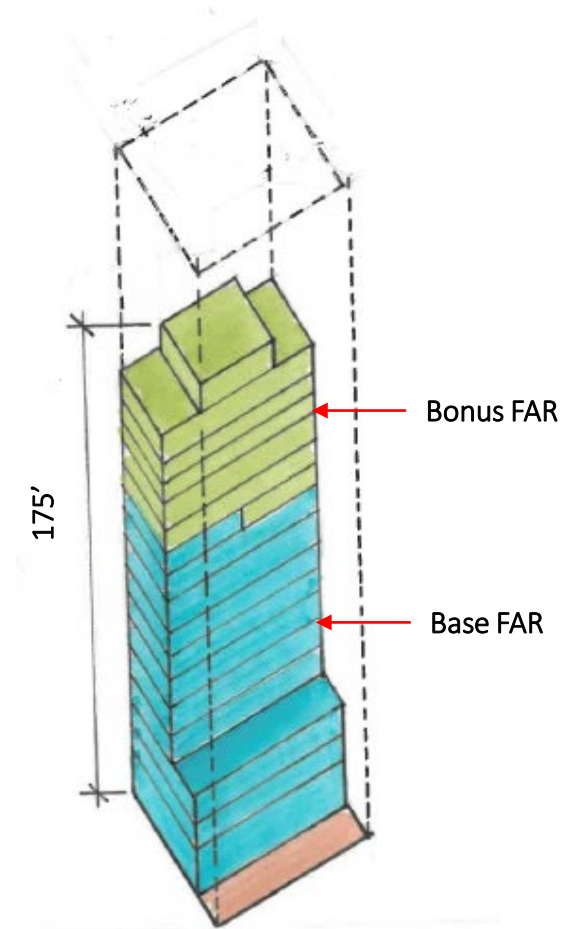


Figure 2

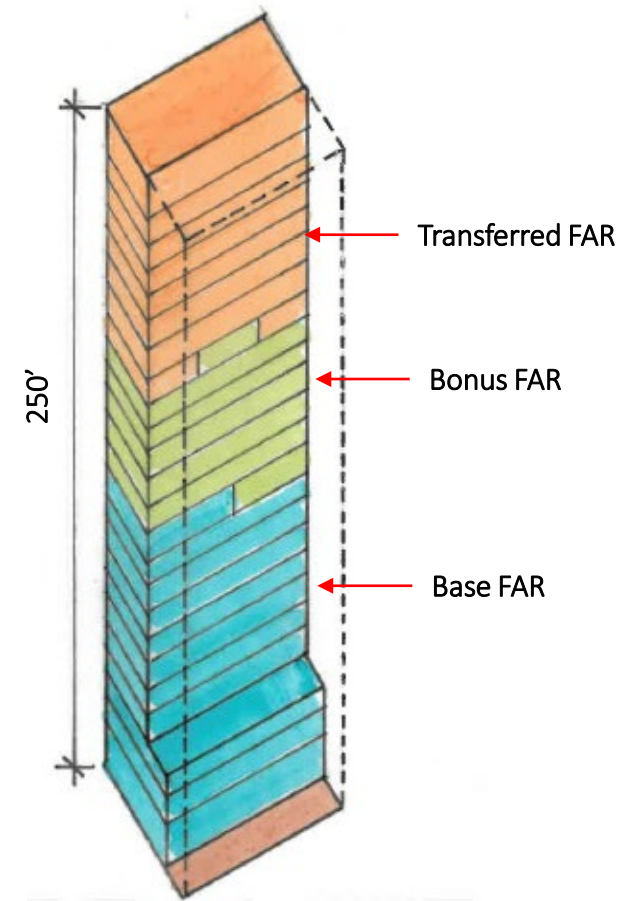


Figure 3

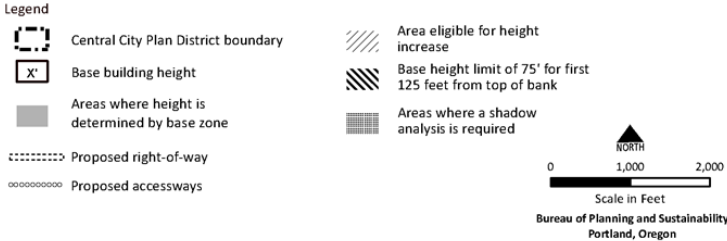
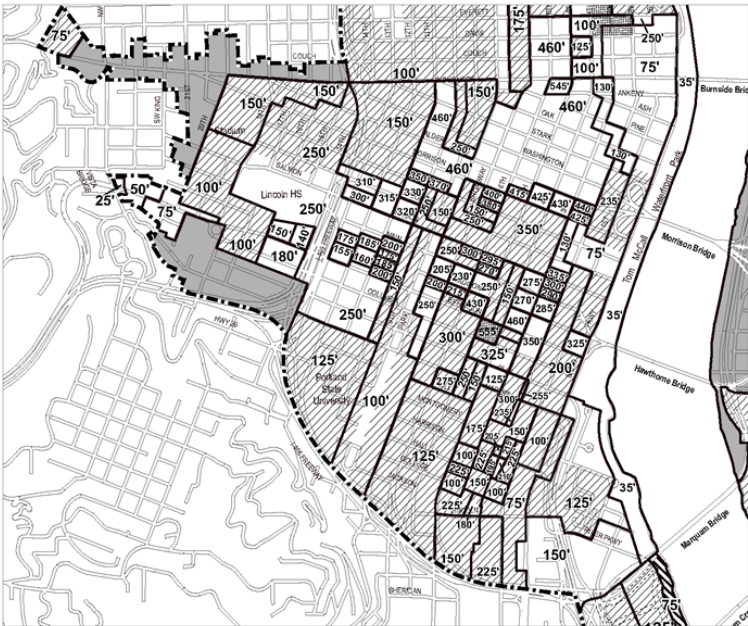
# CCPD height map is finely nuanced

## Base Heights

## Map 510-3

Map 3 of 3

Map Revised August 10, 2020

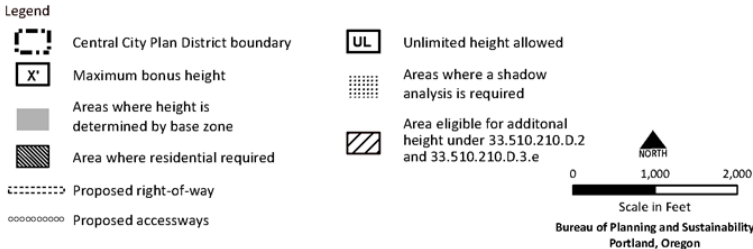
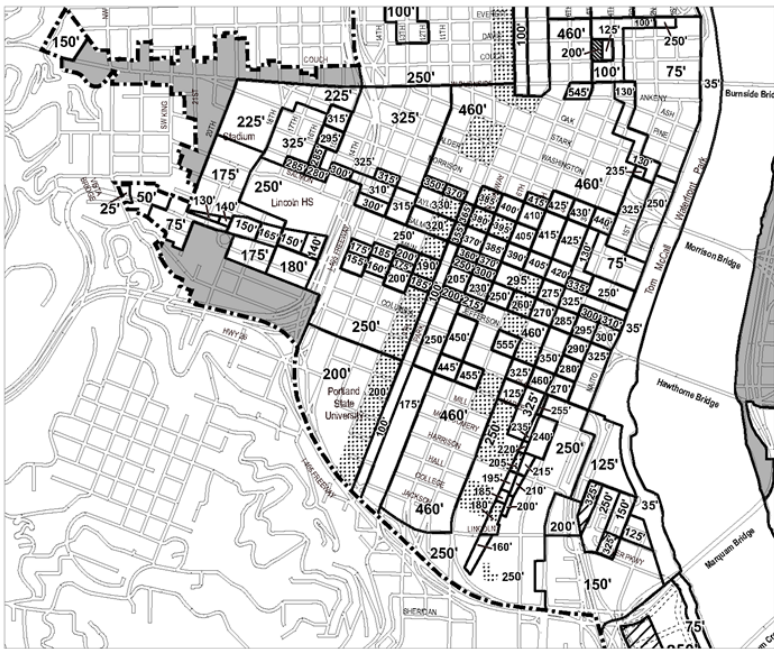


## Bonus Heights

## Map 510-4

Map 3 of 3

Map Revised August 10, 2020





# Why are FAR and Height allowances limited in certain areas?

- **Historic Districts.** Maximum height and FAR allowances for new development in these areas are set to ensure new buildings of a similar size and scale as the historic pattern of buildings in these special areas.
- **Neighborhood Transitions.** Development along the transition between the Central City and smaller scale residential neighborhoods is typically stepped down to not overwhelm those areas.
- **Public Open Space and the Willamette River.** Maximum height and FAR along the interface with public open space is frequently stepped down to allow access to light and air.
- **Designated Public Viewpoints and View Corridors.** The Maximum height within designated public view corridors are set to protect and maintain scenic resources.



NW 13<sup>TH</sup> Street Historic District.



Lloyd District & Neighborhood Interface.



Willamette Greenway Interface.



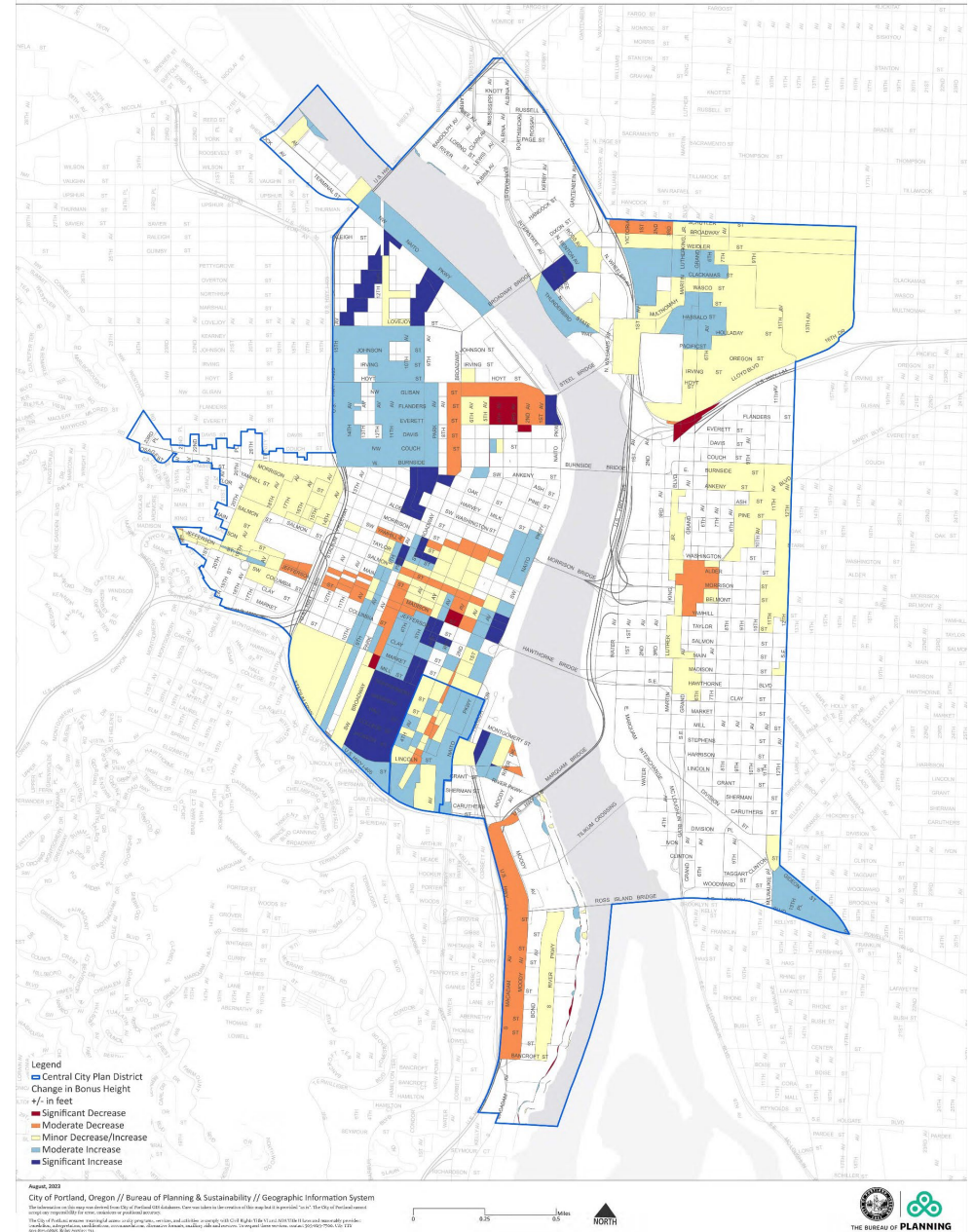
Public View Corridor.

# CC 2035 Height changes

- Blue colors indicate height increases
- Orange/red colors indicated height decreases
- Yellow are a mix of slight decreases to moderate increases
- Areas of decrease were focused on transitions and historic areas and some view corridors
- Height ranges are similar to Seattle downtown

Central City - Maximum Building Heights

Change in Maximum Bonus Height



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# Average Height Utilization

In reviewing the time frame just before and after the Central City 2035 Plan was adopted the analysis found that only 33% of residential projects were constructed above the maximum base allowance.

- The maximum heights allowed in much of the Central City were raised by CC2035 Plan.
- However, since 2017, only 31% of residential projects used bonus height.
- The building envelop created by increased height allowances allows for the use of base and bonus and FAR and provides room for the use of transferred FAR in most situations.

**\*Preliminary analysis of residential heights in the table above focuses on projects completed between 2017-2023. More analysis is underway, going back to 1990, to correspond to the FAR utilization.**

Residential Projects 2017-2023

Subdistrict	Projects	Below Base Height	Equal to Base Height	Above Base Height
Downtown	7	3	1	3
University District/South Downtown	2	2	0	0
West End	0	0	0	0
Goose Hollow	4	2	1	1
Pearl District	6	1	1	4
Old Town/Chinatown	2	2	0	0
South Waterfront	4	2	0	2
Lower Albina	0	0	0	0
Lloyd District	3	3	0	0
Central Eastside	17	9	4	4
<b>Total</b>	<b>45</b>	<b>24</b>	<b>7</b>	<b>14</b>
<b>Percentages</b>	<b>100%</b>	<b>53%</b>	<b>16%</b>	<b>31%</b>



# Potential Next Steps

**Research Potential Areas for FAR and Height Increases.** *Identify potential areas where FAR and height increases could be made without having an adverse impact on protected resources.*

**Analyze FAR and Height Relationship to Unit Density.** *Analyze impacts (positive and negative) of establishing minimum unit density requirements.*

**Review FAR Transfer Provisions and Utilization.** *Research the true costs of transfers, the ease of purchasing floor area to transfer, and other pros and cons of the system.*

**Hold Developer and Community Forums.** *Hold series of public forums with development and community interests regarding why additional height and FAR is desired, where maximums could be increased, and how to address potential impacts of increasing allowances.*





# Planning Commission Next Steps

## **Consider and vote on amendments:**

1. Bike Parking
2. Central City Height

## **Consider and vote to recommend the Housing Adjustments Compliance Project to City Council:**

- Adopt the report, as amended
- Amend Title 33, Planning and Zoning as shown in the Proposed Draft, as amended.



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