



+ 1554

**Southwest Hills Residential League**  
Post Office Box 1033                      Portland, Oregon 97207

October 5, 1997

City Council  
1120 SW 5th Avenue  
Portland, Oregon 97204

Dear Mayor and Commissioners:

In regard to requested amendments to Accessory Unit/Duplex Code proposals, the board of Southwest Hills Residential League (SWHRL) submits the following points for your consideration:

1) Notify, at minimum, the official neighborhood association for the neighborhood in which an applicant has applied for an accessory rental unit, either in an existing house or in housing under construction.

Such notification would assure the neighborhood association, which would contact owners of abutting property if they were not also notified, that the owner of a house with a rental unit under construction had received a City permit, and that the rental unit would comply with City standards as determined by the building inspector.

It would reduce the number of neighborhood inquiries about remodeling. It would also bring to the attention of the City those accessory rental units whose owners had not received permits.

2) Establish fines for creating accessory rental units without the proper permits, and publicize well the fact that such fines would be imposed.

This system would reduce the number of illegal units, and would have the potential of providing funds to the City that could be applied to continuing enforcement.

3) Require owner occupancy of the primary housing unit, whether existing or created through new construction.

Removing the requirement of owner-occupancy in the case of new construction (see amendment #30) could essentially turn a single-family neighborhood into a multi-family neighborhood despite being in a single-family zone.

4) Maintain all setbacks required by the underlying zone, modified only by typical adjustments in the immediate neighborhood.

This would ensure that new construction with accessory rental units would bear a similar relationship to their building sites as did nearby housing.

5) Review amendments to the Code, and the results of their application, within five years of their adoption.

This is sound policy, which gives the City and Portland residents the opportunity to change aspects of the Code that have proven to be at odds with the City's expressed goals, as presented in the Planning Bureau introduction in the proposed draft:

"Recognizing the importance of design quality, the proposed code changes include design standards to ensure that accessory dwelling units are compatible with the desired character and livability of Portland's residential zones."

Thank you for taking into consideration the recommendations SWHRL's board has developed since first learning of the City's plans this past May.

Sincerely,

*Nan Koerner*

Nan Koerner  
Director, SWHRL

# 1554

Jane and Eric Norberg  
 1837 S.E. Harold Street  
 Portland, OR 97202-4932  
 Phone/Fax: (503) 232-9787  
 October 7, 1997

RECEIVED  
 OCT 8 11 39 AM '97  
 BARBARA CLARK, AUDITOR  
 CITY OF PORTLAND, OR.  
 BY \_\_\_\_\_

City Council  
 CITY OF PORTLAND

FAX TO: 823-4571

**Re: Portland City Council Public Hearing on the Recommended  
 Sellwood-Moreland Neighborhood Plan**

We have already written in support of the plan, but since we have now received the notice of this public hearing, and inasmuch as the notice did not specify whether previously submitted comments would be entered at this public hearing, we are writing once again.

We have reviewed the entire plan, have voted for it at the SMILE public meetings on it, and have since become involved in SMILE to further support the plan.

The plan reflects many months of cooperative, meticulous work, and has been supported by the entire neighborhood by majority vote. We believe it meets or exceeds the density goals of the city, and are aware that the Bureau of Planning generally supports it.

The Bureau of Planning apparently has misgivings about the elements of the plan which downzone sections of the residential areas of the Sellwood-Moreland neighborhood to R-5, we understand, and has suggested R-2.5 zoning instead. The R-5 proposal reflects the residential area of this historic neighborhood, however, and since the plan meets the density goals without compromising this residential zoning proposal, we urge the city to adopt this element of the plan as well.

We might add that we take this position in favor of the R-5 downzoning even though it would affect our own property, and could reduce its potential value. This is not an issue to us since we bought our house to live in, and to enjoy in a livable neighborhood, not as a piece of property to develop. Higher density zoning around the north-end transit nodes, and as appropriate elsewhere, is part of the plan. We call on the City Council to adopt the plan drawn up and voted for in public meeting by the Sellwood-Moreland neighborhood, including the portion which would downzone certain residential areas to R-5.

Thank you for allowing us this opportunity to testify in writing in favor of the Sellwood-Moreland Neighborhood Plan.

*Eric Norberg + Jane A. Kenney Norberg*

HEARING ON ACCESSORY DWELLING UNITS  
CITY COUNCIL  
THE PORTLAND BUILDING  
1120 SW 5<sup>th</sup> AVE  
PORTLAND OR

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BARBARA CLAR AUDITOR  
CITY OF PORTLAND, OR.  
BY \_\_\_\_\_  
10/8/97

OUR FAMILY IS OPPOSED TO ANY  
CHANGE TO THE SINGLE FAMILY ZONING  
REGULATIONS IN OUR NEIGHBORHOOD -  
LAURELHURST.

PLEASE DO NOT ADD "ACCESSORY  
DWELLING UNITS" TO OUR ZONING CODE.

WE LOVE PORTLAND'S SINGLE FAMILY  
RESIDENTIAL NEIGHBORHOODS, (ESPECIALLY  
OURS) - PLEASE DO NOT DO ANY  
THING THAT MIGHT DESTROY THESE  
TREASURES.

Thank you —

Ann Williamson  
Eric Cain  
4334 NE Davis  
Portland 97213

Renee Claborn  
4320 SE Pine Street  
Portland, Oregon 97215

RECEIVED  
OCT 8 11 38 AM '97  
BARBARA CLAR, AUDITOR  
CITY OF PORTLAND, OR.  
BY \_\_\_\_\_

October 8, 1997

City Council  
1220 SW 5th  
Portland, Oregon 97204

RE: Accessory Dwelling Units in Laurelhurst Area

Dear Council Member(s):

I am writing in regard to the council hearing on allowing accessory dwelling units in the Laurelhurst area. I do not support this proposal for a number of reasons:

- Impact of additional rental units on resources: May increase the number of children attending local schools. Classrooms are already very crowded, and there are insufficient resources for adequate student:teacher ratios. An increase of rentals may result in increasing the number of children requiring school support systems, i.e., counseling, Federal lunch program. My husband is an elementary teacher in Portland Public Schools Systems. Socio-economic factors have a direct impact on learning. The greater the needs of the children, the more time that the classroom teachers have to spend on addressing social issues versus education. Unfortunately, funding for school counselors and aids is very limited.
- Parking: Our street has become one lane due to the number of cars parked on the street. Children can not ride their bikes. Visitors have trouble finding a place to park.
- Laurelhurst Neighborhood Association, representing the people who live in Laurelhurst, have advised the Portland Planning Commission that we are opposed to this change. We pay the high taxes for living in the community. Shouldn't the residents have a strong voice in what happens in their community? I believe that the residents of Laurelhurst are responsible members of the community and their voice should be heard.
- Increased density may result in additional crime. We have seen an increase in vagrants over the last 2 years. It is concerning already.

I would recommend that the process be slowed down. In addition, I believe that if accessory units are allowed there should be an owner occupancy requirement.

I will be very interested in the vote, and will certainly consider this when we re-elect council members.

Thank you.

Sincerely,



Renee Claborn

3355 N.E. DAVIS  
PORTLAND, OR 97232  
TELEPHONE (503) 232-7110  
FAX (503) 234-4076



**SCHROEDER  
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HERMISTON, OR 97134  
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**Laura A. Schroeder**

Admitted in Oregon, Idaho, Nevada, & Washington



Portland Direct Line (503) 232-4033  
Hermiston Direct Line (541) 564-9290

October 7, 1997

Portland City Council  
1220 S.W. Fifth Room 401  
Portland, Oregon 97204

**Re: City Council Hearing Accessory Dwelling Units**

Dear Council Members:

I am a resident in the Laurelhurst neighborhood and am writing in support of the Portland Planning Commission's recommendation to change the meaning of single-family residential zoning to include accessory dwelling units (ie. Rentals).

This change will increase the density of the population and save land, including valuable agriculture land and open spaces currently existing in Metro's outlying areas. Each year, more acreage is taken out of agriculture production in the Hillsboro, Clackamas, and Gresham areas to construct apartment communities. Allowing more rentals in the Portland metropolitan area will slow development of these large apartment communities as their need declines. Simultaneously, allowing Portland area residents to continue to enjoy the benefits of nearby open spaces and food production.

In addition, a change to allow accessory dwelling units will help to make close-in living affordable. As I am sure you are aware, recent surveys indicate that Portland ranks as the second-highest city in the nation for the cost of housing falling just shortly behind San Francisco. Because of this high cost, many commuters are forced to live in outlying areas thereby increasing the amount of traffic in the Portland metropolitan area and contributing to "urban sprawl." A denser population will lessen these problems and will also bring revenue into the Portland metropolitan area as more commuters live close-in to the downtown area.

Finally, allowing accessory dwelling units provides a way to efficiently use a larger home when smaller families have become the norm in recent decades. The rate of population growth has slowed as many couples are opting to have only one or two children, if any at all. Many of the couples who own the larger houses in single family residential neighborhoods could provide rental space. This will allow both younger couples and senior citizens to enjoy the benefits of living in these homes.

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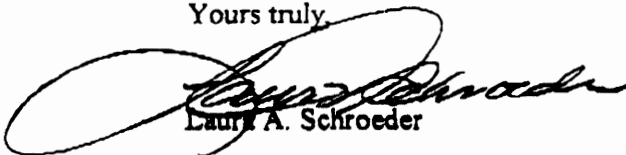
BARBARA CLARK, CLERK  
CITY OF PORTLAND, OR.

BY \_\_\_\_\_

Portland City Council  
October 7, 1997  
Page 2

I hope you will consider my comments helpful when making your decision.

Yours truly,



Lauri A. Schroeder

cc: Scott Borison  
Laurelhurst Neighborhood Association

Township  
Properties

4122 n. e. broadway  
portland, oregon 97232



(503) 281-8891  
fax 288-9955

10 - 2

Jim -

I've included this list of daylight basement ranch style homes because:

1. They are plentiful
2. Many are well suited to conversion often with existing separate entrances to the basement.
3. I suspect they were not given much consideration in earlier testimony.

None of these are my listings. By the way, as a Realtor, I expect to see fewer sales with the more liberal "accessory unit" provisions as more "empty-nesters" will be able to stay in their current homes.

Best regards,  
Ken

Multiple Listing Service



Daylight Ranch style Homes currently for  
 Sale in North, Northeast & Southeast Portland.

Original search criteria:

STAT:ACT,CON AREA:141,142,143 TYPE:RESID STYLE:DAYRNCH NUMBD:2+

TOWNSHIP PROPERTIES

503-281-8891

10/01/97 J. KENNETH SWAN

\*\*\* ACT \*\*\*

Full Bath  
 Partial Bath

ML#	Type	Address	A#	Bed	Bth	TSF	YrBlt	L/Price
294062	RESID	* 10015*N *IVANHOE ST	141	6	2.0	2848	*1958	132000*
12309	RESID	2726 NE 92ND AVE	142	3	1.2	2260	1957	135000*
18547	RESID	* 2954*NE*88 PL	142	* 3	1.0*	1512	*1954	137500
16081	RESID	3524 NE 118TH AVE	142	4	2.1	1791	1959	149950
277766	RESID	4325 NE BRAZEE ST	142	3	2.0	1612	1966	157900*
17054	RESID	* 4135*NE*81 AV	142	* 3	2.0*	2216	*1953	159500
294522	RESID	2804 NE 92ND	142	3	3.0	1934	1997	164500
14043	RESID	8626 NE BEECH ST	142	3	2.1	1940	1997	167500
286520	RESID	* 17830*NE*DAVIS ST	142	4	2.0*	2544	*1960	169000*
13707	RESID	120 NE 202ND	142	3	2.0	2840	1953	169950
18762	RESID	4630 NE 80TH AVE	142	3	1.1	2308	1943	174500
18555	RESID	7014 NE 23 RD	142	3	2.0	2174	1954	179751
17706	RESID	2146 NE 95TH PL	142	5	3.0	2808	1960	189900*
13064	RESID	* 13027*NE*MORRIS ST	142	5	2.1	2850	*1968	192500
295189	RESID	* 7712*NE*KLICKITAT ST	142	4	2.0*	3448	*1967	199900*
17495	RESID	5007 NE AINSWORTH	142	3	2.0	2300	1954	199950
13587	RESID	* 5704*NE*CHURCH ST	142	4	2.0	2176	1962	204000
21681	RESID	* 3347*NE*127 AV	142	* 4	3.0*	2847	*1959	205000
13164	RESID	* 3615*NE 124TH AVE	142	3	3.0	2484	*1960	210000
17650	RESID	* 7206*NE*SACRAMENTO ST	142	* 2	1.1*	2440	*1952	214900
20636	RESID	* 14235*NE*FREMONT CT	142	* 4	3.0	3240	*1967	224900
19144	RESID	14029 NE FREMONT CT*VRM*	142	5	3.0	3112	1967	230000
12493	RESID	3410 NE 124TH PLACE	142	4	3.0	3593	1961	245000
21782	RESID	* 12545*NE*MARINE DR	142	3	3.0	2464	*1964	260000
16538	RESID	12227 SE SALMON	143	2	1.1	1558	1952	119950
21093	RESID	* 3941*SE*116 AV	143	* 3	1.0	1430	*1950	129950
14490	RESID	12715 SE WASHINGTON COURT	143	5	2.0	2100	1963	134500*
17822	RESID	3531 SE 158TH	143	4	2.0	1940	1961	147500
13614	RESID	216 SE 55TH AVE	143	2	2.0	1749	1925	149900*
18595	RESID	* 11717*SE*YAMHILL ST	143	4	2.1	2238	*1957	149921*
16792	RESID	5054 SE FLAVEL DR	143	3	2.0	1824	1987	150000
19118	RESID	2249 SE 98TH AVE	143	4	2.0	2600	1957	157900
19614	RESID	15125 SE GLADSTONE STREET	143	4	2.1	2498	1967	159950
289734	RESID	* 310*SE*154 AV	143	* 3	2.0*	2208	*1957	159950*
13559	RESID	* 7108*SE*LINCOLN ST	143	4	1.1*	1815	*1957	169500*
16429	RESID	13032 SE COOPER STREET	143	3	2.1	1995	1986	169900
276024	RESID	9670 SE IDLEMAN	143	4	2.0	2292	1956	219000
294755	RESID	4426 SE ANDEREGG LP.	143	4	2.1	2247	1997	249950
18832	RESID	2126 SE UMATILLA	143	5	3.1	3270	1960	275000
18439	RESID	1730 SE 72ND AVE.	143	4	2.0	2298	1951	299000
296811	RESID	* 3674*SE*GLADSTONE ST	143	3	2.1	4186	*1951	299500

\*\*\* CON \*\*\*

ML#	Type	Address	A#	Bed	Bth	TSF	YrBlt	L/Price
10159	RESID	1538 SE 71 AV	143	6	3.5	3888	1960	320000

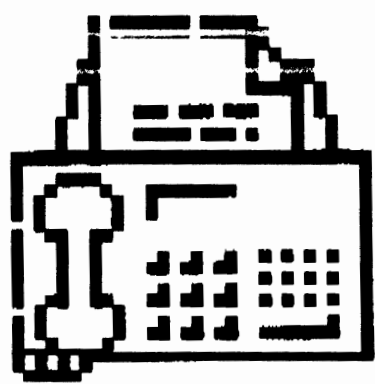
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Macintosh

503 493 8015

P. 001

*Claypool*  
*2 pages*  
*from Susan G.*



# Fax

**From**

**GRONER AVIVA**  
**33 NE MONROE STREET**

**To**

**KNOWLES DAVID**  
**1120 SW FIFTH AVENUE**  
**PORTLAND OR 97204**

**Fax Number**

**503 493 8015**

**Subject**

**ACCESSORY DWELLING**  
**UNITS**

**Voice Number**

**503 281 6957**

**Date**

**10/2/97 7:01 PM**

**Number of Pages**

**2**

**Note**

**PLEASE DELIVER TO ADRESSEE OR PERSON CC'D.**  
**THANK YOU.**

10/2/97 7:01 PM

Macintosh

503 488 8015

P. 002

## **ELIOT NEIGHBORHOOD ASSOCIATION**

October 2, 1997

Mayor Katz & Commissioners  
1400 SW Fifth Avenue  
Portland, OR 97204

**Re: Proposed Accessory Dwelling Units to be Considered by Council  
on October 8, 1997.**

Dear Mayor and Commissioners:

The Eliot neighborhood is in favor of accessory dwelling units (ADU's) as a means of increasing density while maintaining the look and feel of single family neighborhoods. We are particularly pleased by the retention of the owner ~~occupancy requirement for existing houses~~ and are encouraged by the design standards proposed for the ADU's. We believe that it is important for all neighborhoods to meet density needs. In Eliot's recently adopted Housing and Development Policy, ADU's are specifically encouraged. We fear that if density is not carried by all in an equitable manner, there will be pressure to shift the density burden onto poorer neighborhoods such as those in inner northeast which have already absorbed their fair share of density with the adoption of the Albina Community Plan.

In spite of our overall support for the proposed regulations, we think there needs to be a mechanism for monitoring how many ADU's are built and where they are built. If the creation of ADU's are not tracked, there will be no way to know whether all areas are meeting their fair share of the density burden or whether some areas are unfairly or disproportionately impacted by ADU's.

Sincerely,

Aviva Groner (the lady with the baby)  
Land Use Chair  
Eliot Neighborhood Association

cc: Portland Planning Commission  
David Knowles

10/7 rec'd -

cc: Jim Claypool

3609 N.E. Flanders  
Portland, OR 97232  
October 3, 1997

Vera Katz  
1220 SW 5th Ave.  
Portland, OR 97204

Dear Mayor Katz:

This letter is to urge you to reject proposals regarding new statutes on Accessory Dwelling Units for Portland neighborhoods. Please keep the regulation that an owner must occupy one of the units if he develops an accessory dwelling on his property. Please maintain regulations on design control for such remodels. Please do not allow duplexes to be built on corner lots.

I wrote to you on June 19 of this year expressing concerns about increasing density in my neighborhood (Laurelhurst.) My primary concern is that if more people were to live in this already densely populated neighborhood there would be inevitable traffic and parking problems on our narrow, early 1900's developed streets. In order to maintain the residential atmosphere of such neighborhoods, owner occupancy in the houses is crucial. I am concerned about maintaining the high quality of life in all of Portland's wonderful older neighborhoods.

Please do not let the youthful Erik Sten rush Portland into an experimental situation. Study other cities. What happens when population density is increased in older neighborhoods. He has sent me a few articles praising turning single family dwellings into multiple so older people can stay in their homes and younger people can afford to buy into a home. This appears to be a well meaning goal, but can not Portland residents already do this under current statutes? Does Eric Sten really have the well being of this population group in mind when he pushes proposals that allow for speculative building of such sites with a non-resident owner?

Please work to save Portland old neighborhoods. Whenever relatives visit from out of state they admire with envy our wonderful neighborhoods. They are the jewels of the city. Let them keep their sparkle.

Sincerely,

*Colleen Jill Buss*

Colleen Jill Buss

# Township Properties

4122 n. e. broadway  
portland, oregon 97232

(503) 281-8891  
fax 288-9955



October 2, 1997

Jim Claypool  
Portland Bureau of Planning  
1220 SW 5th, Room 401  
Portland, OR 97204

97-10-06 PC2:09 IN

RE: Accessory Dwelling Units

Dear Jim,

I have enthusiastically followed the City's efforts and your work in revising the rules and guidelines for allowing "accessory dwelling units" in limited circumstances. I strongly support the intent of providing greater flexibility, thereby accommodating more efficient use of our existing housing stock. I believe it is the single best way to encourage increased density, serving needs of many "empty nesters" and providing relatively low-cost housing to many citizens. As a Realtor for 6 years, and a Portland homeowner for more than 22 years, I find a wealth of housing stock suitable for accessory dwelling units.

In reading the Planning Commission Report and Recommendations (Sept. 26), I would like clarification on one point regarding size of unit. Table 1 on page 3 of the report indicates that the size of the accessory unit is limited to "no more than 33% of the house or 800 s.f., whichever is less". The conclusion statement (page 6) says "the maximum size of the accessory unit shall not exceed 33% of the primary unit's living area or 800 square feet, whichever is less".

The first interpretation seems to me more reasonable, and more functional. In fact, allocating 40% of the house to the accessory unit in the case of a daylight ranch style home would not alter the exterior characteristics of the home or the functional living area of the primary unit in most circumstances.

Thank you for considering my comments. Please feel free to call me anytime.

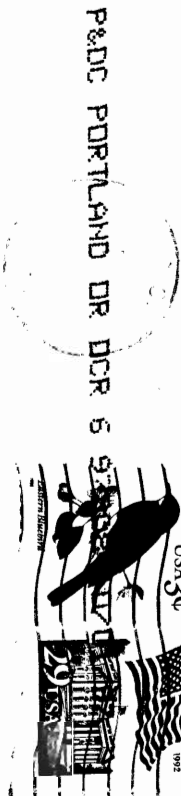
Ken Swan, Realtor (cell & vm) 709-3307

p.s. I have included a list of dayranch style homes currently for sale in N, NE, & SE Portland

Woodstock NA Land Use Committee  
c/o 4128 SE Reedway  
Portland, OR. 97202

Re: Oct. 8 Hearing  
on Accessory Dwelling Units.

CITY CLERK  
1120 SW Fifth,  
Portland, OR.  
97204



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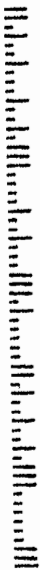
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DANIEL NA CLERK  
CITY OF PORTLAND, OR.

171879

97204/191A



Oct 7, 1997

#1554

City Council hearing on  
Accessory Dwelling Units.

Lois Bergstrom  
3312 NE Flinders  
Portland, OR 97232

I have owned my home  
in Laurelhurst for 40  
years and been a member  
of the Laurelhurst Neighbor-  
hood Ass'n since it first  
started.

Laurelhurst residents are  
alarmed that the city Council  
may not understand the  
importance of our residence.  
We have done all possible  
to oppose accessory units rentals  
and it has fallen on deaf  
ears.

Please consider thoughtfully  
your decision on this matter.  
Love Laurelhurst. Sincerely,  
Lois Bergstrom

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BAKER RA CLAR AUDITOR  
CITY OF PORTLAND, OR.

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BARBARA CLARK, AUDITOR  
CITY OF PORTLAND, OR.  
BY \_\_\_\_\_

October 6, 1997

Madam Mayor and City Commissioners  
1220 SW 5th  
Room 401  
Portland, OR 97204

We are writing to express our feelings about changing the meaning of a single-family residential zoning to include "accessory dwelling units". We reside in the Laurelhurt neighborhood and are opposed to room rentals, duplexes and other accessory dwelling units. We have lived in the same house for 38 years and know firsthand what it is like to live next door to a house that rents out rooms. The house next door to the south of us at this time rents out two rooms. We always feel questioning about who is moving in. These older homes are just not constructed to handle more than one family living in them, no matter how much room may be in them -- a family is always a family, and strangers are just that, and I wouldn't want a stranger living with me.

I would also like to call to your attention the driveways in this neighborhood. They are very narrow, many not even allowing room to get in and out of a parked car, and most one family dwellings have at least two cars. For this reason, many cars are parked on the street, making it difficult to get out of a driveway -- even if one were able to drive into the driveway.

The sewers in this neighborhood are old, and many have caved in during the last five years.

Also, the sidewalks are in deplorable condition, broken and raised up where tree roots have grown to the surface. The city seems to have no concern about that.

I would like to know if other neighborhoods such as Alameda, Eastmoreland, Portland Heights, Mt. Tabor, Irvington and Ladd's Addition are being rezoned to allow "accessory dwelling units".

Also, please send me a list of those serving on the Portland Development Commission and Metro. I would like to be familiar with their names when they run for office so we may cast our votes against them.

*Dolores M Potts*  
*Harold Potts*

Dolores and Harold Potts  
536 N.E. Hazelfern Pl.  
Portland, OR 97232-2620  
(503) 234-4055



10. 08. 97 11:24 AM \* BLDG 65-105 RECEIVED  
OCT 8 1 46 PM '97  
BARBARA CLARK DIRECTOR  
CITY OF PORTLAND, OR.  
BY \_\_\_\_\_

8 October, 1997

To: City Council

Subject: Accessory Dwelling Units.

As the Land use Coordinator for Beaumont-Wilshire Neighborhood Association I have been the focal for the discussion regarding proposed changes to the Accessory Dwelling unit Code. Never before Have I witnessed any topic generate as much interest as this. Specifically, the proposal to eliminate or relax owner occupancy requires for Accessory Dwelling Units. Both the Board and the General Membership have voted to oppose any change to owner occupancy.

We have listened carefully to the arguments for the change from commissioner Sten's Office and "The Coalition for a Livable Future". The opposition to the change remains after careful study. The decision is an informed one!

The burden of proof is on the shoulders of those who propose the change. The proponents arguments are weak at best.

Owner occupancy is a fundamental ingredient to healthy neighborhoods and a livable city. Neighbors wish to encourage home ownership. The proposed change discourages it.

Commissioner Sten's office declared that the change was a mandate of the commissioner's election. My investigation has found that there is a basic difference between Commissioner Sten's understanding of the phrase "affordable housing" and the public in general. The public supports affordable housing, affordable home ownership. Neighbors are concerned people, especially young families, are being closed out of the market because of high prices. To most people "affordable housing" means home ownership. To Commissioner Sten's office it means "low rent".

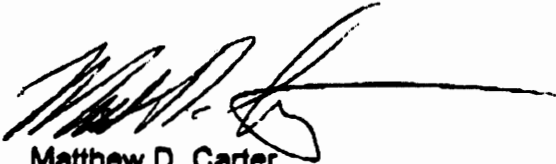
Many Portland neighborhoods consist primarily of old high maintenance housing stock. Owner Occupants are typically willing to spend the extra money required to keep the housing in excellent repair. The continued physical viability of the neighborhoods is dependent on owner occupancy. As owner occupancy declines under the proposal so would the housing stock. The decline of the quality of housing would put pressure on development of raw land at the urban growth boundary. The pressure would come primarily from people with the demonstrated ability to buy a house.

The proposed changes risks degrading neighborhoods. As the neighborhoods decline, density would also decline.

Reducing the livability of Portland Neighborhoods will reduce density and put pressure on development of raw land. The tax base in the city would decline with the neighborhoods. Funds for many worthwhile programs would dry up. The proposed change is bad for Portland, and bad for the region. It is for this reason the voters have such a strong opposition to the change.

I encourage you to strike any change in owner occupancy requirements for accessory dwelling units.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew D. Carter', with a long horizontal flourish extending to the right.

Matthew D. Carter  
Beaumont - Wilshire Neighborhood Association  
2922 N.E. 44th Avenue  
Portland, OR 97213-1111  
281-3845

17187

171879

The Oregonian 1621 S. TAYLOR PORTLAND, OREGON 97201	
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OR	Dennis Russell
PHONE	221-4310
REMARKS	

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Joni Claypool  
10/13/97

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PHONE	221-4310
REMARKS	



# Laurelhurst

Neighborhood Association

**ATTENTION: YOUR VOICE IS URGENTLY NEEDED!  
NOW IS THE TIME TO STOP THE INVASION OF  
ACCESSORY UNITS  
(otherwise known as granny flats, duplexes and detached  
units) INTO OUR NEIGHBORHOOD**

**WHAT:** City Council Hearing on Accessory Dwelling Units

**WHEN:** Wednesday, October 8, 1997 at 2:00pm

**WHERE:** The Portland Building, 2<sup>nd</sup> Floor Auditorium  
1120 SW Fifth Avenue  
Portland, Oregon

**WHY:** The Laurelhurst neighborhood has voiced a strong and consistent opposition to threats to our single-family residential zoning. You have voiced your opposition to accessory units/rentals in surveys and in meetings. The Laurelhurst Neighborhood Association Board and Laurelhurst Planning Committee have done all that is possible to accurately reflect this viewpoint. Despite meetings and a letter writing campaign, our concerns about the future of our neighborhood have fallen on the deaf ears of the Portland Planning Commission. The Portland Planning Commission has recommended to the City Council to change the meaning of a single-family residential zoning to include "accessory dwelling units" (rentals). If the City Council adopts this proposal it will be the end of single family residential neighborhoods within the city of Portland.

While the Portland Planning Commission does not seem to care what the citizens think, the Portland City Council is sensitive to what we think. After all, their job depends on our vote. They are far more likely to respond to a huge public outcry about this issue. We need as many people as possible to show up and let their feelings be known. The time is now. We must act.

If you are unable to attend, the City Council welcomes and encourages written testimony. It is preferable to file all testimony with the City Clerk prior to or at the hearing on October 8<sup>th</sup>. However, written testimony will be accepted until 2:00pm on October 14<sup>th</sup>.

**WRITTEN ADDRESS:** 1220 SW 5<sup>th</sup> Room 401, Portland 97204

**DROP OFF ADDRESS:** 1400SW5th, Room 401, Portland 97204

**FAX NUMBER:** 823-4571

Call Dick Bogue 234-2349 or Scott O. Pratt 241-5464 or 231-1319 for more information.

DENNIS RUSSELL  
4812 S.E. OAK  
PORTLAND, OR 97215

OCTOBER 7, 1997

LADIES & GENTLEMEN OF THE PORTLAND CITY COUNCIL:

FOR THE LAST 86 YEARS I HAVE LIVED IN THE LAURELHURST NEIGHBORHOOD. I HAVE RAISED AND EDUCATED A FAMILY OF 6, USING THE FINE SCHOOLS AND SAFE NEIGHBORHOOD OF LAURELHURST. WE HAVE ENJOYED AN EXTREMELY BEAUTIFUL AND WELL KEPT NEIGHBORHOOD THAT, WITH THE HARD WORK OF THE PEOPLE WHO LIVE HERE, HAS BEEN SAFE AND PROTECTED SINCE THE TURN OF THE CENTURY.

LAURELHURST PARK IS A WELL KEPT, LOVELY AREA WHERE CHILDREN CAN PLAY WITH THE KNOWLEDGE THAT THEY WILL BE SAFE AND WATCHED AFTER BY OUR CLOSE BY LAW-ENFORCEMENT PATROLS.

WE HAVE ALL THIS BECAUSE THIS NEIGHBORHOOD IS MADE UP OF HARD WORKING, PROUD, MIDDLE-CLASS PEOPLE WHO CARE.

MANY ADULTS WHO GREW UP HERE ARE NOW MARRIED AND ARE MOVING BACK TO THEIR OLD NEIGHBORHOOD TO RAISE THEIR FAMILY.

NOW I FIND THAT THE PORTLAND PLANNING COMMISSION SEEMS TO FEEL THAT LAURELHURST SHOULD BE CHANGED FROM SINGLE FAMILY ZONING AND ALLOW DEVELOPERS TO BUILD APARTMENTS AND ACCESSORY UNITS.

THE FACT THAT THE CENSUS COUNT OF LAURELHURST IS ONE OF THE HIGHEST IN PORTLAND SEEMS TO BE DISREGARDED.

MY QUESTION TO YOU IS WHY ?

WILL APARTMENTS AND SPOT LOTS IMPROVE LIVING CONDITIONS OR LIFE STYLES OF A PROVEN 80 + YEAR OLD NEIGHBORHOOD?

WILL THE GROWING TRAFFIC BECOME LESS OR MORE OF A PROBLEM?

WILL RELATIVELY LOW COST APARTMENT LIVING BRING IN BETTER CITIZENS?

WILL OUR ALREADY LOW CRIME RATE IMPROVE OR WORSEN?

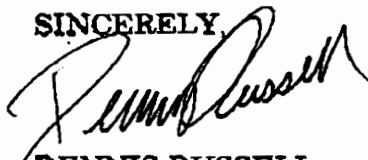
DO THE CITY FATHERS WANT TO PUSH OUT PEOPLE IN CLOSE-IN NEIGHBORHOODS OUT TO GRESHAM, VANCOUVER, PARKROSE, OREGON CITY?

WE HAVE A BEAUTIFUL JEWEL IN THIS CITY OF PORTLAND; ONE TO POINT TO WITH PRIDE.

PLEASE DON'T TURN YOUR BACKS AND GIVE IN TO DEVELOPERS AND MAKE THIS MISTAKE WITH LAURELHURST.

LIKE THE OLD MAN SAID "IF IT AIN'T BROKE, DON'T FIX IT".

SINCERELY



DENNIS RUSSELL

Plan

NORMAN L. LINDSTEDT  
DAVID J. BUONO  
CURTIS A. WELCH\*  
PATRICK L. BLOCK  
\*ALSO ADMITTED IN WASHINGTON

LINDSTEDT, BUONO & WELCH, P.C.  
ATTORNEYS AT LAW

200 MARKET BUILDING  
200 S.W. MARKET STREET  
SUITE 1600  
PORTLAND, OREGON 97201  
TELEPHONE (503) 222-6881  
FAX NO. (503) 248-0138

STEVEN L. DALTON  
LEGAL ASSISTANT  
STUDIED 10/10/97 8:50

October 2, 1997

Mayor Vera Katz  
City Hall  
1220 SW Fifth Avenue  
Portland, OR 97204

Dear Mayor Katz:

As a long-time resident of the Overlook neighborhood, I am very concerned about the City's apparent current determination and plans, to change the city planning code in our area. The democratic process worked in relation to the Albina Plan. The Council heard arguments and considered neighborhood opinion. You will recall that the neighborhood was almost unanimously against zone changes which would have allowed every house to become a duplex. We are trying to preserve our homes and schools in our city, against your apparent determination that density must overwhelm residential districts of long standing.

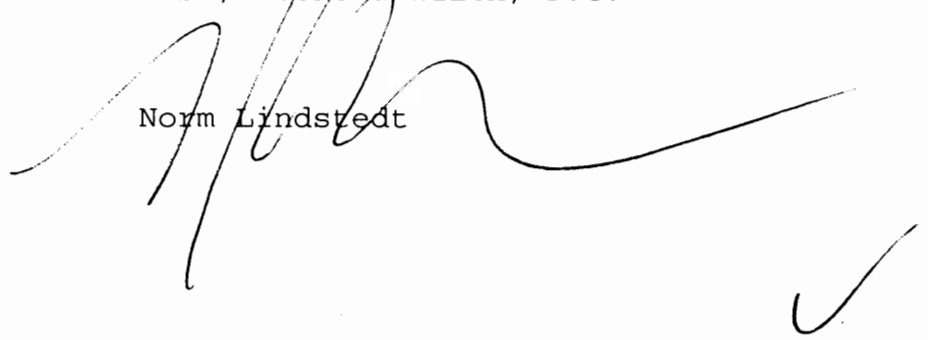
Again, this matter was resolved in the democratic process. We appreciated the courtesies you extended to citizens at that time. This could not have been more than two to three years ago. The City's persistence in pushing this matter at City expense, upon residents of a neighborhood, is inappropriate and unfair.

Thank you for considering this letter. I am hopeful that you will not take action that will require that citizens of Overlook to again marshal opinion and spend time and energy to oppose the planners' apparent intentions to allow A-overlay duplexes.

Very truly yours,

LINDSTEDT, BUONO & WELCH, P.C.

Norm Lindstedt



NLL/jn

October 7, 1997

This letter sent via fax

Mayor Vera Katz  
1220 SW Fifth Avenue, Rm. 501  
Portland, OR 97204

Dear Mayor Katz,

The City Council should not amend the City Wide Accessory Rental Code without further study of the effects of these changes on neighborhood livability. Many neighborhoods feel that these amendments will destroy and destabilize them and have opposed the removal of the homeownership provision and also opposed both the detached rental unit in backyards and the conversion of existing corner houses to duplexes.

These changes are a direct challenge to established single family neighborhoods turning them into multi-family zones without any requirement for a zone change.

Single family neighborhoods will be sacrificed on the throne of density at any cost and by any means. This code rewrite provides incentives to abolish homeownership. Homeownership creates healthy, viable neighborhoods.

A greatly liberalized accessory rental unit code will allow a new living unit in any size house, in any part of the house or backyard. It allows basements and garages to be converted; and 2 houses on one lot. Design standards in Outer Southeast where they exist have not created attractive buildings.

Due to summer vacations, inadequate public input and notification has occurred. Many neighborhoods in Albina & OSE believed the City Wide Code would not effect them because the "a" overlay provision on accessory rentals prohibits accessory units without homeownership & prohibits detached units (except in a few places). They may not know the "a" accessory rental code is to be repealed and that the new city wide code changes will then apply to them also. The reason for repeal of, The "a" Accessory Rental Code is to have one code. By this rationale the entire "a" Overlay Code should be repealed if the goal of the City is really uniformity & simplicity of code.

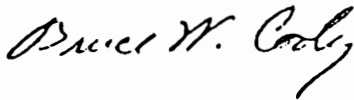


The Bureau of Planning reassured Albina & OSE that the homeownership requirement was legal & workable so that they would accept The "a" Overlay Accessory Rental option. Now we are told the opposite, that homeownership requirement may be illegal and unenforceable. The Planning Bureau's lack of short or long range accessory rental unit policy consistency or the inability to honor the Albina & OSE Community Plan "a" overlay accessory rental unit commitments makes these new amendments highly questionable. Many neighborhoods have already been forcibly rezoned extensively. When is enough enough?

The city policy for neighborhoods to feel comfortable with new density planned in their area, has been abandoned.

The few neighborhoods who feel these amendments are suitable, should try them. The rest of us should not have them imposed upon us against our will.

Sincerely,



Bruce Cody, Chair  
Centennial Neighborhood Association  
1515 SE 151st Avenue  
Portland, OR 97233  
252-4302

# Community Development Network of Multnomah County

NON-PROFITS DEVELOPING AFFORDABLE HOUSING AND REVITALIZING NEIGHBORHOODS

2627 NE Marlin Luther King Jr. Blvd rm 202, Portland, OR 97212 • Ph 503-335-9884 • Fx 503-335-9862

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October 7th, 1997

To: Mayor Vera Katz  
Commissioner Jim Francesconi  
Commissioner Charlie Hales  
Commissioner Gretchen Kafoury  
Commissioner Eric Sten

From: The Community Development Network

The Community Development Network would like to express our strong support for the proposed accessory dwelling unit policy. Accessory dwelling units are an important tool to make available as we attempt to meet 2040 goals for density and housing affordability. They can make a strong contribution to enhancing the diversity of our neighborhoods, provide a way for older people to age in place, create more small housing units, and add to the rental housing stock in a way that enhances existing communities.

We would like to urge the Council to remove from the accessory dwelling unit policy the requirement that the residence be owner occupied at the time of conversion (or construction). Such a requirement would preclude nonprofit developers from making use of this important tool.

As the providers of much of the new affordable housing stock in the City, nonprofit developers would like to be able to use this tool to help meet our goals of creating additional affordable housing stock and preserving affordable housing options in gentrifying communities. Many of the families we serve have elderly adults or newly adult children as part of their extended family. Accessory units could make it possible for residents to live in extended families, making it easier to pool resources and help each other with childcare, transportation, etc.

We understand that there are concerns in the neighborhoods about problems occurring if homes with accessory dwelling units are absentee owned. Portland's nonprofit developers have demonstrated that we are good landlords and that we are in touch with the neighborhoods in which we work and put great effort into addressing the concerns of neighbors. In this time of growing need, increasing land prices and shrinking resources we need all the tools we can get as we try to meet the needs of a growing number of people for whom the market does not provide decent and affordable housing. Being able to include accessory units in our projects would also aid us in contributing to the density goals in the 2040 Growth Concept.

Thanks you for your efforts to address the important density and affordable housing issues facing the City and the region. If you have questions about our position, please contact our Executive Director, Tasha Harmon, at 335-9884.

## THE COMMUNITY DEVELOPMENT NETWORK OF MULTNOMAH COUNTY

The Community Development Network is a private, nonprofit association of nonprofit developers working in the City of Portland and Multnomah County to promote affordable housing, community development and economic revitalization that benefits incumbent low and moderate income residents.

The CDN works to promote and assist nonprofit community-based development, technical assistance, and service organizations in their efforts to create affordable housing, create jobs, eliminate blight and blighting influences, prevent displacement, secure adequate community facilities and services, and otherwise address the needs of the low and moderate income residents of communities and neighborhoods in the City of Portland and Multnomah County. To meet these objectives, the CDN:

- Acts as a forum for information sharing and peer interaction;
- Researches and shares information on state of the art community development practices;
- Researches and analyzes local community-based development programs and issues;
- Disseminates information about community-based development through meetings, conferences, and workshops;
- Works with state and local government, and with national, state and regional organizations to produce affordable housing and advance other community-based development activities;
- Spreads the news about the accomplishments of our members; and,
- Advocates for the interests of members and their communities in public arenas.

Community Development Network voting members provide transitional housing, permanent rental housing, special needs housing, and new homeownership opportunities for low-income individuals and families. Most of the households we serve have incomes below 50% of the area median income and many are between 0% and 30% of median income. Some Network members are involved in neighborhood improvement and economic self-sufficiency projects in addition to low income housing. Affiliate members include financial institutions, government agencies, social service providers, advocacy groups, educational institutions, for-profit businesses, and interested individuals.

The Community Development Network holds open monthly meetings in Portland on the third Thursday of the month at noon. For more information about the monthly meetings or the Community Development Network contact CDN Coordinator Tasha Harmon at the address below.

## Community Development Network Funding and Membership

Funding to support the work of the Community Development Network is currently provided by direct grants from the City of Portland, Bureau of Housing and Community Development and the Neighborhood Partnership Fund of the Oregon Community Foundation, indirect grants through the Coalition for a Livable Future from the Ford Foundation, the Northwest Area Foundation, the Surdna Foundation, membership fees, and corporate and individual donations.

### 1997 Voting Members

Central City Concern  
Downtown Community Housing Inc.  
Franciscan Enterprise  
Habitat for Humanity  
HOST Development, Inc  
Housing Development Center  
Housing Our Families  
Human Solutions, Inc.  
Inner Westside CDC  
Innovative Housing  
Jubilee Fellowship Ministries

LIHNAPO  
Northeast CDC  
Neighborhood Pride Team  
Northwest Housing Alternatives  
Portland Community Design  
Portland Community Reinvestment Initiative  
Portland Housing Center  
Portsmouth Community Redevelopment Corp.  
REACH CDI  
ROSE CDC  
Sabin CDC

### 1997 Affiliate Members

Albina Community Bank  
The Association of Oregon Community  
Based Development Organizations  
Bruce Sternberg, Architect  
Brian McCarl & Co.  
Cascade AIDS Project  
City Housing Development, Inc.  
The Enterprise Foundation  
Fannie Mae Portland Partnership Office  
Geller and Associates  
Guardian Management  
The Housing Authority of Portland  
Housing Partners Inc.  
J.D. Steffey Co.  
Key Bank  
The Neighborhood Partnership Fund  
Network Behavioral Healthcare  
Network for Oregon Affordable Housing  
Oregon Housing and Community Services  
Oregon Housing NOW  
Oregon Title Insurance Company  
Portland Bureau of Housing and  
Community Development  
Portland Bureau of Buildings  
PSU School of Extended Studies

Soderstrom Architects  
State Farm Insurance  
US Bancorp.  
The Vancouver Housing Authority  
Walsh Construction Co.  
Washington Mutual  
Wells Fargo Bank  
William Wilson Architects  
Youth Services Consortium  
Margaret Bax  
Sam Chase  
Howard Cutler  
Paul Finlay  
Janice Frater  
Martha Gies  
Sheila Greenlaw-Fink  
Mary Hanlon  
Saj Jivanjee  
Anthony Jones  
Peter Keyes  
Jeff Merkley  
Rose Mary Ojeda  
Jan Savidge  
Doreen Warner  
Ramsay Weit

Mr. Jim Bennett  
Chair - Overlook Neighborhood Association  
1560 N. Shaver  
Portland, OR 97227

11-11-97  
970-557-7192

July 4, 1997

Ms. Elizabeth Normund  
Bureau of Planning  
1120 SW 5<sup>th</sup>  
Room 1017  
Portland, OR 97204

Dear Ms. Normund,

The Board of the Overlook Neighborhood Association voted on Tuesday, July 1, to (A) request an extension of the comment period for the accessory rental units proposal, and (B) oppose efforts by the City of Portland Planning Commission to allow more accessory rental units.

There has not been enough time to consider the full proposition. The official proposal was dated 6/27/97, only eleven days prior to the planning commission hearing. The proposed changes are complex. Any subsequent proposal also should be allowed to have a significant comment period. The proposed changes are not something that needs to be urgently addressed; delaying the closure of the comment period until October 1997 should not cause a negative impact for the city.

This issue was divisive for our neighborhood during the formation of the Albina Community Plan. The proposed changes are similar to parts of the "A Overlay" in the Albina Community Plan (ACP). The "A Overlay" was supported by the OKNA board at that time. However, there was significant opposition to the "A Overlay" within the neighborhood. After numerous and acrimonious meetings, the entire OKNA board resigned and new elections were held. The new board members' platform was based on wanting to remove the "A Overlay" from our neighborhood in the ACP. A large number of written and oral comments were given to the city council when they considered adopting the ACP. As a result, the "A Overlay" was removed from our neighborhood in the ACP.

If the comment period cannot be extended to allow for review of the final document, the OKNA opposes the proposed zoning code changes for the following reasons:

1. There was an insufficient period of time for comments between issuance of the official proposal and the date of hearing.

*Need to hold  
for council*  
BA

2. There is no requirement for off-street parking when an accessory unit is created. Some of our streets are very narrow and difficult to negotiate with two-way traffic and parked cars lining both sides. There needs to be adequate clearance for emergency vehicles to respond to neighborhood problems.
3. There is no requirement for owner-occupancy. This requirement would help preserve stable neighborhoods by promoting long-term investment in the maintenance of the property. There would be less noise and nuisances since the owner would be affected and more willing to deal with it in a timely manner, unlike an absentee landlord.
4. There are no standards and requirements for architectural consistency and solid construction of the new addition. What we have seen in other neighborhoods is boxy T-111 siding slapped together onto once beautiful older homes.
5. There are still areas to develop within Portland. OKNA is concerned that this is another attempt to institute higher density into an areas that already have R5 density. This is smaller than the average new lots being built on in the Metro area today. Instead of looking at accessory units for more housing, there is significant potential for a few hundred more housing units to be built in the light rail corridor through North Portland. Also, in-fill projects are occurring in North Portland. These methods should handle a large part of the increased density foreseen under the ACP.

OKNA wants a stable neighborhood that is livable for families. We are not convinced that the proposed changes to the zoning codes will improve or even maintain the viability of our neighborhood. We cannot support the proposed changes. Please make our comments known at the July 8 hearing.

Sincerely,



Jim Bennett  
OKNA Chair

cc: Mayor Vera Katz

Letters forwarded from  
Mayor's Office for record

3656 NE Wasco Street  
Portland, OR 97232  
1 August 1997

City Planning Commission  
Richard Michaelson, President  
1120 SW Fifth Avenue  
Portland, OR 97204

Dear Planning Commission:

In word of mouth reports about your recent meeting regarding add-on-rentals, I was told that the Commission gave the impression that they believed there was a general desire for add-on-rental units by the citizens of Portland. Let me go on record as being a Portland citizen who is strongly opposed to blanket zoning changes throughout the city allowing accessory units. Perhaps there are some mixed use neighborhoods and some mixed single family and apartment building neighborhoods where such units might be appropriate, but loosening zoning restrictions across the board to allow such units anywhere in Portland would be a very bad move and one to which I strongly object.

The Regional Urban Growth Goals and Objectives (RUGGO's) clearly state in Goal # 2 that the region's growth will be balanced by "...Preserving existing stable and distinct neighborhoods by focusing commercial and residential growth in mixed use centers and corridors at a pedestrian scale;...and maintaining a variety of housing choices..." (quoted from the East Portland Community Plan, Synopsis of Applicable Public Policies, Synopsis of RUGGO's, page 16).

Promoting add-on-rentals in existing single family home neighborhoods does not preserve existing stable and distinct neighborhoods, nor does it maintain single family home neighborhoods as a housing choice for those who wish to and choose to live in such neighborhoods. By failing to preserve neighborhoods of single family homes in the mix of Portland housing choices, you will be forcing city

residents to move to the suburbs. Once the single family neighborhoods of Portland are gone, you are never going to be able to get them back.

Therefore, I urge you to restrict the zoning for add-on-rentals to areas which are not primarily single family homes.

Sincerely,

JS

Jeffrey Stookey

cc:

Metro

Tanya Collier, County Commissioner, District 3

Mayor Vera Katz

City Commissioners

Jim Francesconi

Charlie Hales

Gretchen Kafoury

Erik Sten

Susan Hartnett, Project Manager, East Portland  
Community Plan

Philip Wong, Southeast Up Lift

Dick Bogue, Laurelhurst Neighborhood Association  
President

Scott Pratt, Laurelhurst Neighborhood Plan Committee  
Chairman



3656 NE Wasco Street  
Portland, OR 97232  
2 August 1997

City Planning Commission  
Richard Michaelson, President  
1120 SW Fifth Avenue  
Portland, OR 97204

Dear Planning Commission:

If you succeed in forcing accessory units down the throats of all Portland's neighborhoods, then it is absolutely necessary to leave the existing standards (Title 33, Chapter 33.205.030) as they are, and strengthen enforcement of the owner occupancy rule.

Let me add that there should also be provision for additional off street parking for accessory units because parking will become one of the largest impacts from changing these zoning rules.

Parking is already a major issue in Northwest Portland, in Hawthorne, and in the area around Lloyd Center, Irvington and Sullivan's Gulch. The city continues to ignore this issue as if by ignoring it, the problem will go away. By allowing accessory units all over the city, without off-street parking, the on-street parking will be increased, and traffic and congestion will be exacerbated. Just yesterday between 7:00 and 8:00 AM in my single family neighborhood, I saw a garbage collection truck idling in the street with cars parked on both sides of the street and a car, on its way to work, no doubt, waiting behind the truck. That's only the beginning of what we can expect in the future--with add-on-rentals throughout all our neighborhoods.

City planners seem to think that the solution to getting people to stop driving consists of limiting parking space. This is just not realistic. We live in America where every person feels that owning a car is a bithright. Besides that, this is the Pacific Northwest where people choose to live so that they can DRIVE to the mountains, DRIVE to the beaches, DRIVE to the gorge.

Therefore, I urge you to keep existing standards for add-on-rentals and to require off-street parking where they are allowed.

Sincerely,



Jeffrey Stookey

cc:

Metro

Tanya Collier, County Commissioner, District 3

Mayor Vera Katz

City Commissioners

Jim Francesconi

Charlie Hales

Gretchen Kafoury

Erik Sten

Susan Hartnett, Project Manager, East Portland

Community Plan

Philip Wong, Southeast Up Lift

Dick Bogue, Laurelhurst Neighborhood Association

President

Scott Pratt, Laurelhurst Neighborhood Plan Committee

Chairman

**From:** Erik Sten <esten@ci.portland.or.us>  
**To:** internet.AOL(DonBain)  
**Date:** 7/16/97 9:19am  
**Subject:** Ltr re Detached Rental Units -Reply

Thanks for your note. You make a strong case and I need to review your thinking in more detail.

In general, I am open on the treatment of detached units. I believe that accessory units need to be a very important part of our housing strategy. They offer a way of creating units without gobbling up more land, and if done correctly, without changing the face of the neighborhoods.

I also agree that units inside the existing structure will be the most affordable and most desirable. So our focus should be there.

I am not ready to support abolishing the detached unit, but I will consider your points in detail. Your argument includes some compelling points, and detached units are not the focus of my advocacy effort for this tool. So, you've got me thinking.

Thanks for the note.

**CC:** Portland.SMTP1("gkafoury@ci.portland.or.us","jfran...

**From:** <DonBain@aol.com>  
**To:** Portland.SMTP1("esten@ci.portland.or.us")  
**Date:** 7/15/97 12:46pm  
**Subject:** Ltr re Detached Rental Units

Below is my letter to the Planning Commission. I'm sending it to you due to your interest in creating affordable housing opportunities. Please note point 5 in my letter. It says \_detached\_ accessory rental units in our single family residential neighborhoods will not be affordable housing. I recommend deleting detached units from the code amendment for this and many other (given) reasons.

-----  
Don Bain  
6935 SW 45th Ave.  
Portland, OR 97219-1506

7/8/97

Subject: Accessory Unit/Duplex Code Amendment

Portland Planning Commission  
1120 SW 5th, Rm 1002  
Portland, OR 97204-1966

Dear Commissioners:

This letter is my response to a 6/27/97 memo from Jim Claypool, Bureau of Planning (BOP) to the Planning Commission regarding the proposed code amendments to both 33.205 Accessory Units and 33.110.240.F. Corner Duplexes. The memo includes commentary and specific code language changes for these sections. The memo says "The code language shown in the document is conceptual only: we request your approval of the concepts and permission to continue to refine the language before consideration by City Council." The proposal is on today's Planning Commission's agenda as an Action Item at 2:45 pm. My comments are as follows:

Process

On one hand the June 27 memo says BOP wants approval of concepts but on the other they present actual code language changes with explanatory commentary for the new sections. The memo says "staff presented concepts" to the Commission on June 10 and listed them. The memo does not link the list of prior-presented concepts to the new version of specific code language or provide the code language details organized by concept - this takes a lot of flipping back & forth and note taking. The rationale for the proposed language is not presented and should be; as is the logic is invisible. The rationale is important since many options were discussed, i.e., why did they choose the given language?

The June 27 memo says BOP wants "to refine the language before consideration by City Council." This strongly suggests, along with the amendment being in Action Items portion of today's agenda instead of the Discussion Items portion of the agenda, and specific language being presented at this time, that the BOP is not intending to bring the final draft version of the language back before the Planning Commission before it goes to the City Council. The process will be flawed if the BOP does not submit the final draft for Planning Commission review and comment before it goes to City Council. The Commission should request a later hearing to evaluate the final draft. Before the City Council immediately prior to final adoption is too late for effective public review and flexibility to effect changes as a result.

The actual focus has been shifted away from concepts by the provision of specific language, e.g., from the BOP's perspective the question is no longer whether or not to allow detached units. Contrary to the memo's stated intent, the focus now is on implementation specifics. The Commission's attention should not be limited to the specifics and should include questioning the concepts too. If a concept is not sound, there is no point in discussing or refining its code implementation. For example, note that detached units were not included in the original citizen proposal and this concept was introduced by BOP. Accordingly, it

needs to be examined.

## The Proposed Code

### Detached Units

Detached units are wholly incompatible and inconsistent with the stated purposes. Accordingly, they should be deleted. Rather than enhancing character and livability, they detract from it. Their use degrades the surrounding environment. Various passages of the proposed code amendment go to considerable length in unsuccessful attempts to mitigate the impacts of detached units. The code could be greatly simplified by removal of detached units.

The memo says one purpose of the amendment is to "preserve the look and scale of existing neighborhoods" as does 33.205.010. Further, the purposes of the Development Standards, 33.205.020 A. include:

"\* Ensure that the accessory dwelling unit enhances the character and livability of Portland's existing neighborhoods;

\*Ensure that construction of the accessory dwelling unit is compatible with surrounding environment;"

Other purposes and code provisions are proposed which attempt to mitigate the impacts of accessory units, particularly detached units. There is little to distinguish the two purposes sections, there is much overlap and they should be combined at .010.

There are many supporting arguments for my recommendation to excise detached units from the accessory unit code. Detached units:

1. Are de facto upzoning. From a population density point of view, accessory units regardless of how done can be called de facto upzoning. Adding more occupants to existing structures is quite acceptable. However, the impacts of detached units are the clearly analogous to upzoning. For example, if R5 lots were upzoned to R2.5 another dwelling unit would be allowed on the original land area and it would be built as a another structure within the new lot's setbacks and other base zone requirements - same as the proposed amendment. Even though the new dwelling's size and bulk could be larger than the amendment would allow, it still would double the number of (occupied) buildings in the same former land area, increase the total impermeable surface area, decrease viewshed distance and quality, decrease open space between buildings, decrease the vegetation per acre, and decrease collective privacy. These are neighborhood character and livability impacts that are identical between detached units and upzoning.

2. Cause loss of privacy in back yards. In most subdivisions, if a unit is in the lot's rear corner it can look into as many as 4 back yards! If two or more units are there, they would also be looking into each other. Ultimately, they can double the number of people who can peer into your back yard. Being seen by a few people who I know and have an on-going relationship with is significantly different than doubling their number with added strangers who also get commanding views of my rear yard. Privacy loss is aggravated when the detached unit is on the second story because they allow sight over fences/hedges and longer viewsheds. (Note that one can do a 2 story in 18 feet with a flat roof.)

Sight distances between separate buildings will be less because buildings would be closer together, spoiling viewsheds. Shorter building-to-building distance also reduces privacy in your own home, e.g., we are used to managing the views into our homes differently depending on whether they are from the street or our private back yards, and by how far away others would be. Shorter building-to-yard sight distance also reduces exterior privacy, i.e., when you are in your back yard.

As the city's ratio of open space to population declines and density increases, outdoor privacy will become even more important. If you can not get and keep it in your own back yard, where??? Are we to be driven into our basements?

3. Significantly increase the number of built structures on the same land

area. A detached unit added to a lot with a house doubles the number of significant structures per acre. A detached unit added to a lot with a preexisting house and detached garage increases the number of structures per acre by 50 percent. Even if there is a preexisting detached garage or outbuilding, the amendment does not prohibit a third structure from being built on the lot. There is no way such increases in the density of structures can be construed as "preserving the look and scale of existing neighborhoods" (33.205.010 A.) or that it "enhances the character and livability of Portland's existing neighborhoods." (33.205.020 A.) This is a fundamental and irreconcilable conflict.

4. Will substantially alter the environment around and between dwellings. They decrease the distances between dwellings, can substantially increase the ratio of building/improvement footprint to land area, and can cause the loss of valuable vegetation which enhances the look and feel of the local environment. These impacts do not promote 'compatibility with surrounding development' (33.205.020 A.) unless one defines "compatibility" as building more structures and covering more land. There is no way such increases in the density of structures can be construed as "preserving the look and scale of existing neighborhoods" (33.205.010 A.) or that it "enhances the character and livability of Portland's existing neighborhoods." (33.205.020 A.) This is another fundamental and irreconcilable conflict.

5. Are not "affordable housing" so their deletion will not negatively affect this goal and purpose of the code. On a square footage basis detached units would be the most expensive way to create an accessory unit, destroying their usefulness as "affordable housing." Only attached accessory units as additions, alterations or conversions have the potential to be cheaper to build per sq ft than the cost of typical new residential construction. Only very rarely will a preexisting garage or outbuilding structurally accommodate an overhead unit without complete rebuilding, i.e., it will be too expensive relative to the benefit to be feasible and certainly will not create "affordable housing." If the goal is affordable housing, apartments are less costly to build (\$/sq ft) than single detached units. The size limitation on the accessory unit imposes diseconomies of scale relative to typical new home construction therefore, people will be motivated to build a detached accessory unit as large as possible to get the \$/sq ft cost down and make the rent as competitive as possible.

Relative to apartments and accessory units being incorporated into preexisting buildings, new detached units are quite expensive per sq ft to build. The high cost to create a detached unit directly translates into high necessary rent. They would require new foundations, extension of new utilities (electric, water, sewer, phone and gas), new separate heating systems, new roofs and all four new walls, and would be more expensive to heat per sq ft. Taxes on them would be unconstrained by the recent ballot measure. Units above garages also would require major structural upgrading (walls and foundation) of the garage, removal and disposal of the existing roof, (unsightly) exterior stairs, and likely some redoing of concrete when utilities are installed, i.e., this implementation will be the most expensive way to add an accessory unit and is more expensive than a stand-alone detached unit.

By far, the least-cost way to typically add an accessory unit will be to remodel an existing home, e.g., one with an unused daylight basement or empty attic. All the utilities will be close at hand and the central heating system can be tapped for heat. Ditto the hot water. Inexpensive partitions will comprise most of the walls. The low capital cost of such a conversion/alteration directly translates into low rent.

Middle in cost will be significant structural alterations or expansions of existing homes and including an accessory unit when a new home is built. However, in most instances, these units will be more expensive to develop per sq ft than apartments and consequently will require higher rents. However, the premium may be justified by the location and use of the yard.

6. Occupants' may be of a different character or habits than people you would allow to share the same building, your home, with. As a class, they are more likely to have shorter tenure and be people you don't get to know well. The code can not prevent this, but the code can foster circumstances where the tenants are more likely to be more integrated with preexisting residents and discourage the opposite. Resident

homeowners are likely to have different selection criteria for tenants who they would allow to occupy the same building, e.g., people who keep the same hours, are quieter, people they would share the laundry room or front/back porch with, etc. These sort of criteria relate to the expected relationship with the tenant and hence the characteristics of tenants, and are consistent with the purposes of "sharing common space" (33.205.020 A.) and for homeowners to "obtain extra income, security, companionship and services." (33.205.010 A.)

7. Will have a very negative impact on neighborhoods with larger lots. One may conclude a 500 sq ft detached unit in a R10 yard will be less noticeable and therefore larger lots are the best place for these units. Assuming an R10 subdivision on flat land without E zones, the potential for negative impact is actually worse because a much higher proportion of the (abutting) lots will accommodate a detached structure than lots zoned R7 or R5. In an R10 neighborhood, one 500 sq ft unit out back could become every yard with one, with 5 of them (excluding yours) all visible to/from your back yard.

Very few 5000 sq ft lots with existing houses will accommodate a detached unit within the code's restrictions unless it is above a garage and even fewer of those that will have owners willing to sacrifice what little yard they have to another building and other improvements. Most of the R5 lots have older homes and garages. Older garages on small lots often are located within current setbacks, i.e., on or next to the lot line, and would not be allowed to be converted by the code amendment. Older garages are more likely to need complete replacement and not to even have adequate electric service.

In Southwest Portland, Homestead, Bridlemile, Hillsdale, Marshal Park, Markham, Arnold Creek, and Far Southwest neighborhoods have significant amounts of R10 zoning (Comprehensive Plan). Coincidentally, these neighborhoods also include large portions of steep-slope land and environmental zones, more on average than other neighborhoods. The last thing we need is to aggravate the stormwater runoff situation or motivate more development in E zones! A number of SW neighborhood associations want to retain the low building density of R10 zoning for these very purposes and allowing detached units would undermine their objectives.

People living on R10 lots choose and paid for the privilege of living in an environment marked by more open space and greenery, and less buildings within their viewshed. They also receive the benefit of more rear yard privacy. When one's neighbors, up to 5 of them in a rectangular subdivision, put in detached units it takes no guesswork to say that the subject property will be negatively impacted and is likely to suffer a loss of value.

8. Can have equal or greater size-related impacts on the neighborhood. The proposed amendment goes to some length to unsuccessfully limit the relative scale of detached units. However, this fails in several respects, as first noted above. A second story can be added over a garage in some instances and still be within the 18 feet height limit, e.g., when the house and garage/accessory unit have flat roofs. (Note that garages' first floors are at grade level.) A one story house with a two story garage/unit is a clear violation of subordinate visual proportion.

Another way the amendment fails is where the new accessory unit is built on the side of a detached garage/outbuilding. In that case, the visual bulk and footprint of the supposedly subordinate structure can equal that of the original house, e.g., a lot with a two car garage of 400 sq ft and a home of 800 sq ft could, according to the amendment, have a detached unit of 400 sq ft added to the garage making two 800 sq ft footprint structures on the property! At maximum unit size, you could have a 1000 sq ft home and a 900 sq ft garage/accessory unit on the same lot. Obviously, the sliding scale of subordination does not achieve its objective.

Footprint or square footage is not the sole and may not be the primary determinant of visual bulk and impact, and there is no clear cutoff for what will be visually subordinate. Even with any reasonable square footage limitation, detached units can have an apparent exterior volume similar to that of the original home due to the geometry/footprint shape necessary to fit the structure on the lot. From various viewpoints and depending on both dwellings' shapes and whether the detached unit is

attached to a detached garage, the supposedly subordinate structure may have an equal or greater visual/aesthetic impact even when it is considerably smaller (footprint or sq ft) than the original residence.

As can be seen from the above, achieving detached structures' subordination is difficult and depends on many variables that would be very difficult to craft effective code language to achieve.

9. Are greater impact than adding a second story to the original house. Detached units are a different and higher impact case because additions on top of the house still maintains the distance between structures, relative scale between yard area and footprint area, and preexisting (mature) vegetation.

Detached units may require removal of yard trees in order to obtain space, sunlight or solar access. If they add footprint to the lot, they can decrease the yard area devoted to vegetation by more than one to one. (More than 1:1 via added walkways and other impermeable surfaces that may be added as accessory to the new dwelling unit.) This can have a profound effect on privacy, viewshed, neighborhood character, and use of rear yards. Removal of trees and their substitution with structures can not be construed as "preserving the look and scale of existing neighborhoods." (33.205.010 A.) Vegetation is a crucial element of our neighborhood's character and adds considerable value to our properties and neighborhoods.

A second story bedroom is not occupied much of the time whereas an entire dwelling unit is nearly always occupied when people are home, i.e., the percentage of time spent in a bedroom and a dwelling unit is much different. Second story addition bedrooms may be able to be oriented to face the rear yard, maintaining interior and exterior privacy whereas detached units will be facing back yards in all four directions.

10. Impose impacts are not mitigable via design review. Some impacts are not avoidable by design review, e.g., additional impermeable surface area, doubling the building density per acre, shorter viewsheds, and less open space between buildings. Design reviews are expensive (further decreasing affordability), do not necessarily include appropriate or sufficient criteria to avoid objectionable aspects (the suggested reviews are flawed when applied to accessory units), and do not even involve notice to or input from neighbors/neighborhood associations. I.e., they are not a cure all and should not be used as an ineffective bandaid.

11. Expected low rate of implementation across the city has nothing to do with whether to allow them. The impacts of detached units are very local, confined to the setting around the unit. If the impacts on surrounding properties of even one detached unit in each neighborhood are systematically undesirable, they should not be allowed.

The code deals with what could be done, not what is actually done. If the potential for accessory units is 40% of lots/structures in a city and only 1% of the total dwellings are accessory units that is a 2.5% penetration rate. Nobody knows how large the population of potential units is, much less attached versus detached segments. Apparently, nobody knows exactly why the penetration rates are what they are or what strategies are likely to significantly boost them, e.g., code amendments like this one, promotion, incentives, and joint remodeler-city-homeowner programs. Nobody knows what the city/Metro might try to increase their penetration. We do know that they are motivated to do things like densify via accessory units and that they probably are underutilized, hence one reason for the amendment.

It would be a distortion of reality to assume homogeneity of implementation of accessory units. In some neighborhoods the potential will be nil, others will have high potential for attached (e.g., new subdivisions) units, others have high potential for detached (e.g., large lots) units, and some will have a mixture of potentials depending on lot size and original houses' characteristics. Penetration rates will vary by neighborhood too, which is unrelated to potential. Just as there will be areas with no potential, there will be areas with the potential to be surrounded by detached units. Whether that potential is realized in specific instances is irrelevant to deciding whether to allow them.

12. Would increase pollution because their heating requirements will be higher than if integrated with the original heated structure and most



equipment used for small spaces is not efficient. To eliminate the capital costs of heating equipment and extending the gas line, electric space heating would often be used which overall causes about twice the CO2 (a greenhouse gas) output than direct high efficiency gas heating at the unit. Compared to obtaining space heating from a preexisting house central heating system and sharing a common heated envelope with the main unit, a detached structure will require significantly more fuel to heat.

For these reasons, I find detached units are incurably inconsistent and in direct conflict with the stated purposes and should not be included in the amendment. They clearly do not enhance "the character and livability of Portland's existing neighborhoods," preserve "the look and scale of existing neighborhoods" and are not "compatible with the surrounding environment." They impact these objectives very negatively.

#### Owner Occupancy

Requiring owner occupancy is not justified because it is unenforceable and discriminates against persons who would rent accessory units and who rent out entire houses. The latter is allowed and can not be limited by the city. By simple extension, an owner occupancy limitation may not be either legally or practically enforceable. Owner occupancy requirements should be deleted.

#### Four-Plexes

By allowing attached houses to add accessory dwelling units, the proposed amendment effectively allows creation of quad-plexes in residential neighborhoods. This outcome should not be allowed and can be achieved by striking all references to "attached house(s)" in the amendment. Four-plexes are little different than apartment buildings and plainly are out of place in residential neighborhoods with single family zoning. Keeping attached units in 33.205 would amount to de facto multifamily rezoning.

If you have any questions regarding my comments, please contact me at 246-1132.

Sincerely,

Don Bain  
-----

Don Bain  
Voice: 503-246-1132  
Fax: 503-768-4619  
Email: donbain@aol.com

CC: Portland.SMTP1("jfrancesconi@ci.portland.or.us","g...

# PIEDMONT

Neighborhood of the Year — 1991 Spirit of Portland Awards

September 1, 1997

PNA  
PO Box 5914  
Portland OR 97228

Board of Directors  
1996 - 1997

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Nuisances  
Sara Radelet  
289-6859

Newsletter Editor  
Dan Case  
285-9816

RE: ACCESSORY UNIT/DUPLEX CODE AMENDMENTS

To The Mayor and Council:

The Piedmont Neighborhood Association participated in the Albina Community Planning process to develop a clear-cut plan to increase housing density in our neighborhood in a way that did not jeopardize our efforts to stabilize our community.

We are seeing the results of our planning efforts today with the proposed re-development of the Rosemont site and the 75 unit Alberta Simmons Plaza. Both projects are proposed for sites in the Piedmont Neighborhood. We understand that two other large sites in our neighborhood are being evaluated for future residential development. *Piedmont is clearly accommodating our "fair share" of the density goals that the City of Portland set for the Albina Community.*

Liberalizing the Accessory Unit/Duplex codes - and applying those codes throughout this neighborhood - for the purpose of increased density are not justified in this neighborhood. Further, the amendments as proposed will not safeguard the safety and livability of any N/NE Portland neighborhood that is as impacted by crime as we are.

The A Overlay Zone which was discussed, developed and approved as part of the Albina Community Planning process addressed our concerns about accessory dwelling units. Our concerns remain unchanged.

**That is why we remain OPPOSED to two very critical changes to the accessory unit zoning code amendments:**

**\* limiting the owner-occupancy requirement to apply only at the time the accessory unit is created**

**\* allowing the conversion of existing detached garages**

BA

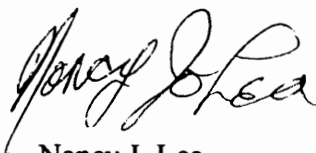
The Emerald Neighborhood — in N & NE Portland

PNA knows how strongly property ownership & public safety are intertwined in low income communities like ours. During the 80's, Piedmont was a neighborhood in decline falling prey to illegal drug & gang activity as a result of inattentive and non-responsive landlords.

We learned that far too many property owners are not knowledgeable about their rights & responsibilities as landlords; that far too many landlords conceal their identity and will not cooperate with police & city officials regarding serious problems associated with their rentals & renters. We know the limits of the city's code enforcement and law enforcement authority.

Our opposition to the proposed zoning amendments is based on this hard earned knowledge about our community's economics and how "the system" works. We cannot support zoning code amendments that will clearly compromise our public safety.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nancy J. Lea".

Nancy J. Lea  
PNA Chair

A handwritten signature in cursive script, appearing to read "Betsy Radigan".

Betsy Radigan  
PNA Land Use Chair

#1554

RECEIVED

OCT 7 10 22 AM '97

Oct. 5, 1997

Portland City Council

BARBARA CLARK, AUDITOR  
CITY OF PORTLAND, OR.

We are absolutely opposed to "accessory units". Laurelhurst is, has been and must continue to be a neighborhood of single-family dwellings. If the Portland planning commission has its way, it will destroy a lovely and stable neighborhood.

Member of the Portland City Council! you have your jobs because we voted for you. Please do not let us down now. We love Laurelhurst and want it to continue as it has, so that our neighbors and we can enjoy it as of old.

George Stern  
Eric Stern

4300 S.E. Pine  
Portland 97215

#1554

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OCT 7 10 22 AM '97  
DAVE K. CLARK DIRECTOR  
CITY OF PORTLAND, OR.

Oct. 5, 1997

Portland City Council

We are absolutely opposed to "accessory units". Laurelhurst is, has been and must continue to be a neighborhood of single-family dwellings. If the Portland planning commission has its way, it will destroy a lovely and stable neighborhood.

Member of the Portland City Council! you have your jobs because we voted for you. Please do not let us down now. We love Laurelhurst and want it to continue as it has, so that our neighbors and we can enjoy it as of old.

George Stern  
Eric Stern

4300 S.E. Pine  
Portland 97215

10-30-97

# 1554

City Council Hearing on Accessory Units  
Wednesday October 8, 1997

RE: Owner Occupancy (Amendments 30 & 31)

The deletion of Owner Occupancy changes the concept of Accessory Units or Granny flats entirely to simply a profit making duplex.

The Granny flat was just what it says, a place for a loved one to live or perhaps for the home owner to make a little extra money. As such it was never intended to be a permanent addition to the house.

Therefore duplexes should be treated entirely different from accessory units. Duplexes are already covered by zoning code.

Sincerely

Bill Chapman

Markham N.A. Land Use Chair

1731 SW Primrose

Portland, Oregon, 97219

503-244-8501

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OCT 6 10 32 AM '97  
BANK OF AMERICA  
COMMERCIAL BANK  
BY

# 1554

October 6, 1997

To: The Portland City Council

Re: City Council Hearing on Accesory Dwelling Units, October 8, 1997 at 2 PM.

I have been informed by the Laurelhurst Neighborhood Association that:

The Portland Planning Commission has recommended to the City Council to change the meaning of a single-family residential zoning to include "accessory dwelling units" (rentals).

I am writing to vehemently protest any such change. I moved into this area 3 years ago: the intimacy and quality of the neighborhood is a major part of what attracted me. All my neighbors value these same things. The proposed changes would clearly jeopardize them. The Laurelhurst neighborhood has voiced a strong and consistent opposition to threats to single-family residential zoning. Despite meetings and a letter writing campaign, our concerns about the future of our neighborhood have fallen on the deaf ears of the Portland Planning Commission.

I am now pleading for the City Council to repudiate the Planning Commission's recommendations. I would feel entirely betrayed if the Council, as my elected representatives, were to accept the ill-conceived and poorly supported recommendation of the Commission.

Jennifer D. Simpson  
424 N.E. Royal Court  
Portland, OR  
97232

(503)238-9853 home

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BANKS, PAUL  
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September 30 4 19 1997 PM '97  
OCT 2

BAILEY KA CLARK DIRECTOR  
CITY OF PORTLAND, OR.

City Clerk  
1220 SW Fifth Avenue, Room 401  
Portland, OR 97204

**Re: Proposed changes to Zoning Code for Accessory Dwelling Units**

The Woodstock Neighborhood Association Land Use Committee discussed the proposed changes to Portland's Zoning Code regulating accessory dwelling units during its monthly meeting on September 22. The committee supports the revision as proposed with one exception: **We would like to see the requirement for owner occupancy of one of the units retained in single family zones.** Because of numerous discussions that took place during the writing of our neighborhood plan and, more recently, in relation to the East Portland Plan, we are acutely aware that our neighborhood places a high priority on finding ways to encourage owner occupancy.

Woodstock Neighborhood Plan Objective 16.4 reads, "*Reinforce home ownership* by encouraging the development of affordable housing that is compatible with the character and design of neighboring homes" (emphasis added). We applaud the prospect of income from an accessory unit making home ownership an option for more households but we are not enthusiastic about providing additional incentives and opportunities for absentee landlords.

With the exception noted, we are in favor of the Planning Commission's proposals for accessory dwelling units. We believe these code changes will:

- Help to create affordable housing and offer options to homeowners that will enable them to keep their housing affordable.
- Provide a means to increase density without significantly changing the character of neighborhoods.
- Provide more flexible options to create housing for extended family units.
- Encourage more efficient use of larger older homes, given the current average household size of fewer than 2.5 people.

Thank you for considering our comments.

Sincerely,

Woodstock Neighborhood Association  
Land Use Committee

Janice Goo

Terry Griffiths

Tom Johnson

Mark Reynolds



6-21-97

Jim Claypool  
Planning Commission

RE: Accessory Units

The Southwest Neighborhood has met its density requirements and more with the current zoning. This means there is not any reason to use the accessory unit as anything more than a "Granny Flat".

The A.U. should be used as a place for the tenant to be a part of the family or community living in the main house. This is especially true if neighborhood livability is a primary concern.

The idea of creating duplexes or investor owned property is already addressed in the zoning codes.

The Markham neighborhood of SW Portland is supportive of the Granny flat concept with some strict guidelines.

See attached zoning proposal response.

Sincerely,

Bill Chapman

MARKHAM N.A.

LAND USE CHAIR

1231 SW Primrose

Portland Oregon 97219