

S·M·I·L·E

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

April 30, 2018

Portland Planning and Sustainability Commission
Residential Infill Project Testimony
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Dear Commissioners:

The Sellwood-Moreland Improvement League (SMILE) is pleased to offer the following testimony on the Residential Infill Project Proposed Draft Report. Our testimony is organized by the 11 main proposals in the Proposed Draft Report. These are followed by some comments on the proposed zoning code in volume 2 of the report:

The Sellwood-Moreland neighborhood is experiencing phenomenal growth with about 1,600 residential units in the development pipeline or completed since 2015, a 27% increase. We have 2.8 miles of mixed use corridor that has the zoned capacity to add thousands of additional housing units. A recent City report said that our neighborhood has 3 of the City's 12 privately financed developments that have triggered the new inclusionary zoning rules and 39 of the 89 (44%) resulting affordable units.

The high cost of housing and home ownership in our neighborhood concerns us as does the cumulative effect of development in all zones which will increase traffic and parking congestion near our corridors which would reduce the viability of small businesses, increase crowding in our neighborhood schools, hinder emergency vehicle access, and reduce vehicular, pedestrian, and bicycle safety (especially along narrow streets). Our testimony considers the phenomenal growth we are experiencing now, expected future growth, and the concerns of our members.

Topic #1 - Scale of houses

1. Limit the size of houses while maintaining flexibility

We have reviewed the square footage limits and estimate that about one-quarter of the homes built in our neighborhood 2012-2016 exceed the proposed FAR limits, so the proposed limits appear to preserve existing building scale and continue to allow most construction to take place. We would oppose an increase to the proposed FAR limits.

We are pleased that staff has reduced FAR for detached homes on R2.5 lots to 0.5:1. Our neighborhood has about 868 R2.5 lots, 720 of which are 5000 square feet (sf) or larger. A 0.7:1 FAR for detached houses on R2.5 lots would allow a 3,500 square foot house that would be oversized for our neighborhood to be built on 5,000 sf R2.5 lots. Thus, the R2.5 zone would become the McMansion zone with 3,500 sf houses and, if the lot is 5,000 sf or larger, one Accessory Dwelling Unit (ADU, which could be internal and minimal). This limits detached homes from being no larger than allowed in R5 and better utilizes the R2.5 zone.

Please improve the presentation of FAR standards, it is causing a lot of confusion especially for people new to this concept. The FAR standards for a R5 lot are presented for a 5000 square feet (sf) lot and for R2.5 lots they are presented for a 2500 sf lot. Several people have been assuming R5 rules apply to 5000 sf lots and R2.5 rules apply to 2500 sf lots. Our neighborhood has about 868 R2.5 lots, 720 of which are 5000 sf or larger. In the table about FAR standards on page 2 of the summary, we recommend that a column be added under the R2.5 zone to illustrate how the FAR standards apply on a 5,000 square foot lot that is zoned R2.5.

2. Revise how height is measured (all zones).

We support these proposals.

3. Improve front setbacks to better reflect those of adjacent houses

In our neighborhood, most front yards setbacks are 15 feet or more so this proposal is consistent with existing conditions in our neighborhood and we support it. The proposal includes reasonable flexibility for cases where the existing front setback is less.

4. Improve building design (R10, R7, R5 and R2.5 zones).

We support these proposals. Buildings should be sensitive to the character of the neighborhood.

Topic #2 - Housing Opportunity

5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone

We support these proposals. The parking rules should be stated more clearly. Construction activity 2012-2016 indicates that application of the new ‘a’ overlay to our single dwelling zones would result in about 8 additional units per year. This is based on applying the 2012-2016 rate of corner duplex construction to all lots and the minimum density proposed on 5000 sf and larger R2.5 lots.

6. Apply the new ‘a’ overlay zone in select areas.

We thank staff for removing the proposed ‘a’ overlay from properties along the Oaks Bottom Bluff that are susceptible to landslides.

The City and Project should not increase density where the cumulative impact of increased density in all zones degrades schools, transportation, and other infrastructure beyond acceptable service levels. Since 2015 our neighborhood has built or is adding about 1,600 units, a 27% increase, that planners should consider. SMILE strongly feels that the city needs to complete an infrastructure impact analysis of the increased population density fostered by continued infill and all proposed zoning code changes. Our neighborhood will need improved schools, streets, traffic flow/safety, public transit, park and open space maintenance, and pedestrian walkways in order to prevent significant adverse impacts to the environment, public safety, service access, and the creation of major nuisances in our neighborhood. We believe that infrastructure planning is essential to the successful implementation of major zoning changes proposed by the Residential Infill and Better Housing by Design Projects.

7. Provide incentives for affordable housing and historic preservation (new ‘a’ overlay zone).

The SMILE membership is composed of people who not only value preserving quality of life, walkability, and character of their charming neighborhood but also are concerned with costs and availability of housing in their popular neighborhood. There is general agreement on the principle that any increase in zoned density should be dedicated to affordable housing and the SMILE Board of Directors has supported this position. The Project should try to dedicate any increase in zoned density to affordable housing.

We request that a description of affordable housing standards, such as rent level, duration that a unit is affordable, administration, and enforcement, be added to the summary document so people can readily understand the requirements to meet affordable standards. With the newness of affordable housing requirements and the large influx of top-end market rate units in our neighborhood, many residents are skeptical that any units would be truly affordable.

While we favor the concept of historical preservation, we are concerned that the historical preservation incentives could be used as a loophole to avoid other regulations and thus the incentives should be written to avoid this. Could an owner cite historical status based on age alone and use the incentives to remodel in a way that would otherwise not be allowed? A building that is historical in one neighborhood may not be in another.

We would like to see an incentive for duplex owners to occupy one of the units, perhaps for a first-time buyer where the other unit is an affordable rental unit. Property owners in owner occupied dwellings are more likely to contribute to the neighborhood than absentee owners. We are concerned that duplexes will be investment properties owned from afar and detached from the neighborhood.

8. Encourage more cottage cluster development (all single-dwelling zones)

We support encouraging more cottage cluster development.

Topic #3: Narrow lots

9. Rezone some historically narrow lots from R5 to R2.5

No comment.

10. Revise rules for all narrow lots (less than 32 feet wide)

We support the proposed rules for all narrow lots.

11. Revise rules for the R2.5 zone

We support the proposed rules for the R2.5 zone.

Other comments on the proposed zoning code

The proposed zoning code require entrances for corner duplexes on separate streets or a single entrance with two doors to give the building the appearance of a single family house. For corner triplexes apply standards similar to 33.110.270.E.4.a and 33.405.040.C for duplexes. One triplex entrance should face a different street than the others. If there is a reason for not requiring a separate street entrance for a corner triplex when it is required for a corner duplex, please state it.

Maximum ADU size is 800 sf according to 33.205.040.C.3 but is 0.15 FAR elsewhere. We think it is supposed to be the smaller of 800 sf or 0.15 FAR. Clarify this in the code.

“ADUs are not part of minimum or maximum density in SF zones (32.205.050, “In the single-dwelling zones, accessory dwelling units are not included in the minimum or maximum density calculations for a site”, but this is incorrect for the R2.5 minimum density on 5000 sf and larger lots and within the a overlay. Correct this contradiction.

Section 33.110.215.B "Maximum FAR standard" states that the maximum FARs are in Table 110-4 and that additional floor area is allowed for covered accessory structures (see 33.110.251.C.1). To inform readers that there is also additional floor area for a triplex, add a sentence: "Further, additional floor area is allowed for a triplex on corner lots in R7, R5 and R2.5. See 33.405.050.C."

New Section 33.405.050 Triplexes on Comer Lots in the R7, R5 and R2.5 Zones. Subsection C. "Maximum FAR Standards" states that the maximum FAR for the site is in Table 405-3 and that

the maximum FAR applies to the combined floor area of the primary structure and all accessory structures. To inform readers that there is actually additional floor area allowed for a detached ADU, add a sentence: "Additional floor area for a detached accessory dwelling unit is allowed by the Additional Housing Options Overlay Zone. See 33.405.070 Bonus FAR and Bonus Accessory Dwelling Units in the R7, R5 and R2.5 Zones."

Please insure that the proposed changes are consistent with those proposed by the Better Housing by Design Project for multi-family zones. Items to consider for consistency include but are not limited to FAR, height, setbacks, lot coverage, and parking.

This testimony was approved by the SMILE Board of Directors April 18, 2018. If you have any questions, please contact David Schoellhamer, Chair of the SMILE Land Use Committee, at chair.landuse.smile@gmail.com. Thank you for the opportunity to testify on the report.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Leib". The signature is written in a cursive, slightly slanted style.

Joel Leib
President, Sellwood-Moreland Improvement League