

## SMILE LAND USE COMMITTEE

### Meeting Notes

**February 6, 2018**

Land Use Committee members present: David Schoellhamer, Miriam Erb, Vikki DeGaa, Francisco Delgado and Shari Gilevich.

The meeting was attended by 12 area residents and staff from the City of Portland.

Chair Schoellhamer called the meeting to order at 6:00 PM.

#### **Presentation about final steps in the Map Refinement Project *Recommended Draft***

Marty Stockton, Project Manager for the Map Refinement Project, presented an overview of the project which has identified areas for re-zoning subsequent to the 2016 adoption of the "2035 Comprehensive Plan." The Planning & Sustainability Commission (PSC) has approved a *Recommended Draft* for this project. The public record is now open for comments on the proposals. The City Council hearing will be March 14th (2:00 PM); the vote is set for May 24th. The City is taking the extra step to notify tenants of development in the subject areas of these proposals, in addition to notifying property owners. (*Link to City documents for the MRP: <https://www.portlandoregon.gov/bps/76101>*)

For the SMILE neighborhood, the zoning issue identified was that land use applications and building permits already in process (Jan. 2013-Nov. 2017) might create nonconforming uses within the area downzoned in 2016. Marty described the area around SE 18th and Insley. It had been zoned RH (multi-family, high density) in anticipation of a light rail station being built at Harold Street. However, that station was cut from the Orange Line design, and there are no plans to re-introduce it. The 2016 zoning downzoned the properties from RH to R2.5 (single family, 2,500 sq. ft. site area per dwelling). With R2.5 zoning, multi-family developments would be nonconforming to the single family zone. This map refinement is to change zoning on these parcels to R1, a multi-family zone that is more consistent with the pattern of development. An area resident who has property in the SE18th/Insley area described the development pattern and said that he has not found any opposition to the proposed R1 zone from area property owners.

Another refinement would remove the "d" overlay from open space parcels; removing the "d" overlay should have happened in the 2016 Comprehensive Plan update.

Marty noted that the properties being changed to multi-family zones in the Map Refinement process soon will be impacted by the "Better Housing by Design" project, which will make significant changes to the multifamily zones. The Better Housing by Design code changes will be implemented in May 2018.

A clarification was made about commenting on the *Recommended Draft*. If anyone intends to request a rezoning to something other than zone in the *Recommended Draft*, such comments need to be directed to a City Council member who will decide whether or not to propose a change to the *Recommended Draft* maps.

David polled members of the Land Use Committee and all agreed to support the Map Refinement amendments in the *Recommended Draft*.

### **Better Housing by Design project.**

David showed a new map of the Comprehensive Plan designations that will be implemented in May 2018, and described the online documents available for review. (*Link to City documents on the Better Housing by Design project: <https://www.portlandoregon.gov/bps/71903>*) He reviewed the concepts that apply only to the multifamily residential zones, R1, R2, R3 and RH.

SMILE previously submitted comments, but they did not appear to impact the proposed code changes. The City is proposing to change the multi-family zones from a density standard (number of dwelling units per acre) to a Floor Area Ratio (FAR) standard. The number of units within a building that meets the FAR is based solely on fire and building codes. The rationale for FAR is that the building meeting the height, landscaping and setback standards will fit in with existing development.

David described the proposal not to require parking for multi-family development on parcels that are less than 7,500 square feet in size, which would be most of the lots in Sellwood-Moreland. There are concerns that the cumulative impact of no off-street parking for all the multi-family is overlooked by the City. David thought that the parking standard related to proximity to transit at least had the rationale that residents could easily access transit. Francisco thought that finding parking for area businesses will be impacted.

Another proposed change is to allow an exception to the 5-foot, side yard setback: for a detached house on an individual lot, the side yard setback could be reduced to 3 feet. David recommended that if this reduced setback is approved, it should apply only to "skinny" lots, those no more than 25 feet in width.

The proposed code still has a minimum density, stated as a minimum number of dwellings per square foot of the site. David noted this could easily defeat the premise that more units are needed. For example, the minimum density in RM1 is one dwelling per 2,500 square feet of site area, so a 5,000 square foot lot would need only two dwellings, such as a single family home and an ADU.

The group discussed how different housing needs could be met by a variety of small units, popular in large cities like New York City. Other residents said that they want a stable neighborhood, not having so many people needing to move in and out, and did not want to live in New York style neighborhood. The main impact would be on immediate neighbors of new development, but traffic and parking problems will go far beyond the immediate neighbors. Other comments were that it's not the size of building itself, but the quality and material used, and that it's important to have some parameters and limits about the developments instead of giving developers too much.

David described the "Transportation Demand Management" (TDM) requirements if a development has more than 10 units, except the requirements would not apply to development in RM1 (currently R2 or R3). The rationale for exempting the development in RM1 in the *Recommended Draft* is that "some TDM approaches are not suited to the small-scale housing types common in

that zone”. Developments greater than 10 units would be allowed in RM1, so the committee thought the requirements should apply to RM1 also.

David thought that congestion will cause more stress to all areas and especially along the corridors. The City is naïve in illustrating only a 4-plex in these zones when so many more units are possible; Miriam noted the problem of not being informed by the code about the rules for a dwelling unit.

David polled the land use committee members.. The committee agreed to re-submit the previous comments. The committee had said that a limit in the number of units per development should be stated, while allowing a doubling of that number with affordable units. This statement may not be pertinent, though, if there's not a density standard in the code.

The other comments are: The basis for not requiring on-site parking should be based on proximity to transit service, not an arbitrary lot size; need to add the TDM requirement (code section 33.266.410) to the RM1 zone for projects with 10 or more units, just as required in RM2, RM3 and RM4; and, the 3-ft. side yard setback should apply only to a detached house on a skinny lot no wider than 25 feet.

The comments from the Land Use Committee will be given to the SMILE Board for review and approval. Comments are due to the City by March 19, 2018.

Meeting adjourned at 7:20 PM.