

SMILE Land Use Committee Meeting Minutes

November 1, 2017

SMILE Station

LU committee members present – David Schoellhamer, Miriam Erb, Vikki DeGaa, Shari Gilevich, Francisco Salgado, and Krista Jones

Six other people attended

500-505PM: Introductions

505- 715PM: Residential Infill Project: We will draft recommended testimony on the Residential Infill Project Discussion Draft Report for the SMILE Board of Directors to consider approving at their November 15 meeting. Comments on the report are due November 20. The report proposes limiting the size of buildings in single-dwelling zones and allowing more density. This proposal is a significant change to residential zoning in much of Sellwood-Moreland. A draft report is at <https://www.portlandoregon.gov/bps/article/657754> and the Project summary sheet is at <https://www.portlandoregon.gov/bps/article/657675> . Please read the Project documents beforehand, the proposals are complex.

Drafting SMILE response to RIP draft proposal

Below the 12 RIP proposals as stated in the project summary sheet distributed at our meeting are listed in normal font. Synopses of discussion at the meeting are in italics and items to be included in comments to be considered by the SMILE Board are highlighted.

Topic #1 - Scale of houses

1. Limit the size of houses while maintaining flexibility

- Establish a limit on house size by zone that is proportional to lot size using a floor area ratio (FAR) calculation.
- Exclude attics with low ceilings and basements from house size limits.
- Allow an additional 0.15 FAR for detached accessory structures (such as garages, sheds and accessory dwelling units).

Consideration for the SMILE Board - We think the FARs outlined in RIP are reasonable for SMILE based on prior surveys in SMILE.

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

- Continue to allow 2½ story houses on standard lots (30 feet high).
- Measure height from the lowest point near the house, not the highest point.
- Clarify that small dormers are excluded from the height measurement.

Consideration for the SMILE Board - We agree with measuring height from the lowest point near the house. Houses should be 30 ft except for those with tuck under garages where height can be 35 ft (e.g., 5 ft height bonus for tuck under garages). We agree with small dormers being

excluded from height measurements. We would be skeptical of modifications discussed at Southeast Uplift Land Use meeting that include projections above the height limits.

3. Improve front setbacks to better reflect those of adjacent houses (R7, R5 and R2.5 zones)
 - Increase front setbacks in R5 and R2.5 from 10 feet to 15 feet.
 - Allow a front setback reduction to align with the house next door.

Considerations for the SMILE Board - Most front yards are setback 15 ft. This seems consistent with existing conditions in SMILE. House setback alignment makes sense.

4. Improve building design (R10, R7, R5 and R2.5 zones).
 - Limit the number of exterior, above-grade stairs that lead to the main entrance (6 stairs).
 - Allow eaves to project up to 2 feet into setbacks (vs. 1 ft currently).
 - Require large, street-facing facades to be divided into smaller planes

****Consideration for the SMILE Board - Add design standards for duplexes to the process so that standards are in place to help influence the growth and density so that they are in character with the neighborhood and built well. No bad 1960s designs!*

These seem to make sense.

Topic #2 - Housing Opportunity

5. Create a new Additional Housing Opportunity overlay zone – the new ‘a’ overlay zone
 - Allow additional housing types in the new ‘a’ overlay if one of the units is “visitable”:
 - Require the following visitability features for one unit: a low - or no -step entry, wider halls and doors, and living space and bathroom on the ground floor.
 - Allow an additional 0.15 FAR for triplexes on corner lots.

This change would apply to nearly all of SMILE.

We discussed taking a position that the City should not add more density when the City is not managing the current zoning adequately. Examples include Sellwood bridge traffic, failure to implement proposed parking regulations, and allowing the driveway for the former B&G Club to be on 16th. The group opted not to go into the other issues, and staying focus on the proposal at hand.

***Consideration for the SMILE Board - Allow a third unit if it contributes to affordable housing and home ownership. Revisit the affordability theme that the SMILE Board has adopted previously: any increase in zoned density should be dedicated to affordable housing.*

6. Apply the new ‘a’ overlay zone in select areas.
 - Apply the new ‘a’ overlay to properties zoned R7, R5 and R2.5 as shown.
 - Reduce the new ‘a’ overlay based on infrastructure and environmental constraints and in areas with vulnerable populations at risk of displacement.
 - Expand the new ‘a’ overlay based on proximity to amenities, such as community centers, parks, schools and multiple bus lines.

- Remove the existing ‘a’ overlay (Alternative Design Density overlay zone) from all properties. Delete the current ‘a’ overlay zoning code provisions.

Discussion – Morgan Tracy, chief planner for RIP, told a delegation from the Land Use Committee earlier this afternoon that PBOT is studying how the RIP would affect regional transportation corridors but the study was not completed in time to be part of this report. (post meeting note: McLoughlin is a ‘regional trafficway’, Sellwood Bridge and Tacoma, are ‘District collectors’, so we do not know the scope of the PBOT study) The projected RIP density increase of 3000-5000 units citywide is unlikely to result in many areas being removed from the a-overlay as a result of this study. Rates of adding extra duplex units on R5 corner lots from 2012-16 = 8 units/year in SMILE. This similar to the report’s citywide projection of 3.5-5.5% of lots using the additional density over the next 20 years.

Consideration for the SMILE Board - the new a zone would apply to lots with only 1 environmental hazard (e.g., only landslides). It takes two hazard issues to be excluded. The neighborhood would like these areas with 1 hazard to be excluded from the new a overlay. Use the example of the bluff house with landslides and moving the house (1433 SE Reedway). This lot and all lots along the bluff are in the new a overlay zone.

Consideration for the SMILE Board - please ask RIP to take existing school crowding into account when applying the a overlay as well as the cumulative effects of increased density in all zones when including the schools in determining the a overlay.

Consideration for the SMILE Board - Reductions for infrastructure (bullet #2) are limited to health and safety of residents in the units. It does not consider the additional load on existing infrastructure from the increased density associated with multi-family units. Ask RIP to please consider the full suite of cumulative impacts on school, roads, and other infrastructure from density being added to all the different types of zoning.

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

- Allow one bonus unit if all units are affordable (up to 80 percent of median family income).
- Promote preservation of historic resources when adding units through incentives such as waived parking requirements, additional FAR and flexibility in housing types.

Discussion - this effort has two constituencies - developers and historical preservation. RIP is giving bonuses to historical preservation - e.g., if the house is on the historical resources inventory, then RIP may give the owners additional flexibility and incentives to maintain historical homes. This would be offset by adding units to the historical home lot.

Consideration for the SMILE Board - tighten up the language, definitions, and age of historical homes to minimize loopholes re: remodeling and alterations that would otherwise not be allowed.

Consideration for the SMILE Board - revisit the affordability theme that the SMILE Board has adopted previously: any increase in zoned density should be dedicated to affordable housing.

8. Encourage more cottage cluster development (all single-dwelling zones).
 - Continue allowing multiple houses to be built on a site through a Planned Development Review, but allow an ADU to be built with each house.
 - Require at least half of the units in a cottage cluster development to be oriented around a common open space.
 - Reduce the procedure type for some Planned Developments from Type III to Type IIx.

Consideration for the SMILE Board - SMILE supports this.

Topic #3: Narrow lots

9. Rezone some historically narrow lots from R5 to R2.5. (*none in SMILE, bullets not shown*)
10. Revise rules for all narrow lots (less than 36 feet wide)
 - Require attached houses on lots 25 feet wide or narrower.
 - Allow attached and detached houses on lots wider than 25 feet.
 - Limit height of a detached house to 1½ times its width.

Consideration for the SMILE Board - SMILE supports this.

11. Revise rules for parking and garages on all narrow lots (less than 36 feet wide)
 - Revise rules for parking and garages on all narrow lots (less than 36 feet wide).
 - Allow, but don't require, parking on narrow lots.
 - Continue disallowing at-grade garages on attached and detached houses less than 22 feet wide, but allow tuck-under garages on all attached houses.
 - On a lot abutting an alley, require access from the alley when parking is proposed.

Consideration for the SMILE Board - SMILE would ask for a 30 ft height limit in R2.5 (the proposal is 30 for detached houses and 35 for attached houses) and a 5 ft height bonus for tuck under garages in R2.5. Tuck is defined as 2 ft lower than the street grade with a 3 ft overhang.

12. Make improvements to the R2.5 zone.
 - Require at least two units when new development is proposed on a 5,000-square-foot lot or larger.
 - For land divisions, reduce the minimum lot width from 36 to 25 feet.
 - Allow property lines to be adjusted to create a small flag lot (less than 3,000 square feet) when a house is retained.
 - Create rules for small flag lots that restrict the size of the new house to 1,000 square feet and the height to 20 feet, and require exterior design elements.

Consideration for the SMILE Board - Resubmit prior testimony on this topic:

The new proposal to set the Floor Area Ratio (FAR) of R2.5 properties to 0.7:1 concerns us because it would allow a 3,500 square foot house that would be oversized for our neighborhood to be built on R2.5 lots of about 5,000 sf which are common. Thus, the R2.5 zone would become the McMansion zone with 3,500 sf houses and, if 5,000 sf or

larger, one Accessory Dwelling Unit (ADU). To prevent oversized houses on R2.5 lots, we urge you to add that the maximum FAR per unit should be 0.5:1.

Consideration for the SMILE Board - Bullet #1 may add 1 unit/year to SMILE. Adding units to R2.5 seems to make sense and is in line with prior SMILE testimony.

Other comments on the zoning code

Consideration for the SMILE Board - Zoning code requires entrances for corner duplexes on separate streets OR a single entrance with two doors. Nothing like that for triplexes. We suggest include similar zoning guidance for triplexes in the code.

Consideration for the SMILE Board - Ask for clarification on the maximum ADU size (stated as 0.15 FAR and specific area (800 sf) in different places).

Consideration for the SMILE Board - ADUs stated as part AND not a part of the min or max density. Please clarify.