



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

MEMO

DATE: February 8, 2019

TO: Planning and Sustainability Commission

FROM: Morgan Tracy, Project Manager

CC: Joe Zehnder, Sandra Wood

SUBJECT: Residential Infill Project - Revised Proposed Draft

Deliverables

We look forward to continuing the Residential Infill Project work sessions at the Planning and Sustainability Commission (PSC) meeting on February 12, 2019.

Staff will present the *Revised Proposed Draft* which reflects the initial direction given by the Commission through a series of “straw polls” last year. The direction given reflected general agreement from the PSC on changes to staff’s proposal, not a recommendation.

The *Revised Proposed Draft* includes the following updated deliverables:

- Volume 1: Staff Report and Map Amendments
- Volume 2: Zoning Code and Comprehensive Plan Amendments
- Volume 3: Appendices

The Revised Economic Analysis (Appendix B) was discussed at the Commission meeting in December 2018. The Displacement Risk Analysis and Mitigation (Appendix H) will be presented on February 12th.



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

Printed on 100% post-consumer waste recycled paper.

Staff Revisions

While revising the proposal to reflect the PSC’s direction, staff deemed other changes to the proposed code necessary. This memo includes two tables that describe those changes:

Table 1 - The first table is organized by the 12 key proposals. It will serve as our agenda for the work session. It contains the PSC’s direction in one column and changes proposed by staff in the other column.

There are five substantive changes and they are highlighted in gray. The other changes are technical and were necessary to address inconsistencies that arose or to provide greater clarity.

Table 2 - The second table includes technical changes related to other issues. Staff’s original proposal in one column and the change in the Revised Proposed Draft in the next column. Staff does not intend on walking the Commission through these changes, but would be happy to answer any questions about them.

Schedule

The upcoming schedule for the PSC’s review of the deliverables, introduction of amendments, deliberation and recommendation vote is as follows:

- February 12 Staff briefing to PSC
- February 19 Commissioners’ deadline for potential amendments to staff
- February 26 PSC discussion/coordination of potential amendments
- March 12 Review amendments, deliberation, and recommendation

Again, we look forward to our upcoming work sessions.

TABLE 1 – CHANGES TO 12 KEY PROPOSALS

HOUSING OPTIONS AND SCALE

1. Allow for more housing types

#	Topic	PSC Direction	Staff Revision
a.	Increased housing options	Allow for duplexes, triplexes and fourplexes.	
b.	Additional ADUs	Allow a house to have two accessory dwelling units (ADUs). Either one attached and one detached or 2 detached. Allow a duplex to have one detached ADU.	
c.	Constraint mapping	<p>Allow residential infill options in R2.5, R5, R7 areas.</p> <p><i>Exclude the following areas from the map:</i></p> <ul style="list-style-type: none"> i. NRI areas when 50%+ of med/hi value present on parcel ii. Combination of stormwater/steep slope/landslide history iii. 100-year floodplain iv. Sewer service constraints v. Unpaved streets vi. Northwest Hills Plan District <p><i>Exclude the following areas through the code:</i></p> <ul style="list-style-type: none"> vii. Streets not accepted for maintenance by the city, and unpaved private streets. (in Title 33) 	<p>Substantive Change #1</p> <p>Allow residential infill options in R2.5, R5, R7 areas.</p> <p><i>Exclude the following areas from the map:</i></p> <ul style="list-style-type: none"> i. Any natural resource inventory (NRI) area (lo/med/hi) ii. Landslide hazards: <ul style="list-style-type: none"> - Landslide history - Potential rapidly moving landslide - Deep susceptible landslide iii. 100-year floodplain (plus '96 flood) <p>Switch to 'z' overlay (constrained housing type allowances)</p> <p><i>Exclude the following areas through the code:</i></p> <ul style="list-style-type: none"> iv. Sewer service constraints (in Title 17) v. Water service constraints (in Title 21) vi. Streets not accepted for maintenance by the city, and private streets that don't connect to maintained streets. (in Title 33)

d.	Lot size	<p>Set a minimum lot size for lots with 1 or 2 units and a larger lot size for lots with 3 or 4 units.</p> <table border="1" data-bbox="470 228 1171 524"> <thead> <tr> <th>UNIT TYPE</th> <th>R7</th> <th>R5</th> <th>R2.5</th> </tr> </thead> <tbody> <tr> <td>House</td> <td rowspan="3">4,200 sf</td> <td rowspan="3">3,000 sf</td> <td rowspan="3">1,600 sf</td> </tr> <tr> <td>House+ADU</td> </tr> <tr> <td>Duplex</td> </tr> <tr> <td>House+2 ADUs</td> <td rowspan="4">5,000 sf</td> <td rowspan="4">4,500 sf</td> <td rowspan="4">3,200 sf</td> </tr> <tr> <td>Duplex+ADU</td> </tr> <tr> <td>Triplex</td> </tr> <tr> <td>Fourplex</td> </tr> </tbody> </table>	UNIT TYPE	R7	R5	R2.5	House	4,200 sf	3,000 sf	1,600 sf	House+ADU	Duplex	House+2 ADUs	5,000 sf	4,500 sf	3,200 sf	Duplex+ADU	Triplex	Fourplex	
UNIT TYPE	R7	R5	R2.5																	
House	4,200 sf	3,000 sf	1,600 sf																	
House+ADU																				
Duplex																				
House+2 ADUs	5,000 sf	4,500 sf	3,200 sf																	
Duplex+ADU																				
Triplex																				
Fourplex																				

2. Limit the overall size of structures

#	Topic	PSC Direction	Staff Revision																				
a.	Scale of houses	<p>Set a total maximum building size, measured by floor-to-area ratio (FAR), that is less than what is achievable today.</p> <p>Apply a combined FAR for all structures on the site</p>																					
b.	Scale of other housing types	<p>Scale the FAR to increase as the number of units increases on the site.</p> <table border="1" data-bbox="470 898 1171 1193"> <thead> <tr> <th>UNIT TYPE</th> <th>R7</th> <th>R5</th> <th>R2.5</th> </tr> </thead> <tbody> <tr> <td>House</td> <td>0.4</td> <td>0.5</td> <td>0.7</td> </tr> <tr> <td>House+ADU</td> <td rowspan="2">0.5</td> <td rowspan="2">0.6</td> <td rowspan="2">0.8</td> </tr> <tr> <td>Duplex</td> </tr> <tr> <td>House+2 ADUs</td> <td rowspan="4">0.6</td> <td rowspan="4">0.7 sf</td> <td rowspan="4">0.9</td> </tr> <tr> <td>Duplex+ADU</td> </tr> <tr> <td>Triplex</td> </tr> <tr> <td>Fourplex</td> </tr> </tbody> </table>	UNIT TYPE	R7	R5	R2.5	House	0.4	0.5	0.7	House+ADU	0.5	0.6	0.8	Duplex	House+2 ADUs	0.6	0.7 sf	0.9	Duplex+ADU	Triplex	Fourplex	
UNIT TYPE	R7	R5	R2.5																				
House	0.4	0.5	0.7																				
House+ADU	0.5	0.6	0.8																				
Duplex																							
House+2 ADUs	0.6	0.7 sf	0.9																				
Duplex+ADU																							
Triplex																							
Fourplex																							

Residential Infill Project – February 12, 2019 PSC Work Session

--	FAR and subsequent alterations	The PSC did not change the Proposed Draft provision that allowed existing structures to increase by 250 sf every 5 years, without having to show conformance with maximum FAR.	<p><u>Substantive change #2</u></p> <p>Delete proposal. The 250 sf allowance undermines the built-in incentives provided by the escalating FAR for duplex/triplex and additional FAR for adding units to existing houses.</p> <p>Adjustments to FAR continue to be prohibited.</p>
c.	Attics and basements	Exclude attics and basements from FAR.	
d.	FAR Bonus (Affordability)	Allow a bonus increase in FAR (.1) on the site if at least one of the units is affordable (80% median family income).	
d.	FAR bonus (Existing house retention)	<p>Allow a bonus increase in FAR (.1) on the site if:</p> <ul style="list-style-type: none"> - units are added to a site with an existing house (<u>10</u> years old); and - the street-facing facade of the house is not altered more than 25%. 	Allow additional FAR when adding units to existing houses that are at least <u>5</u> years old. 5 years is consistent with similar provisions elsewhere in code, like flag lots in the land division chapter are allowed when retaining a house that is at least 5 years old.
--	Historic incentives	<p>The PSC did not specifically change the Proposed Draft historic incentives. However, incentives, previously only available to historic resources, were incorporated into base zone per PSC direction:</p> <ul style="list-style-type: none"> • Two detached ADUs allowed • Triplexes allowed on interior lots • FAR combined for all structures on lot. • Extra 0.1 FAR offered for conversions of existing houses 	<p><u>Substantive change #3</u></p> <p>The only remaining provision was a restriction on sites where a historic resource was demolished. In these cases, a duplex, triplex or fourplex would not be allowed.</p> <p>With the incentives removed, the restriction was also removed. These sites will be subject to historic demolition review or delay. Where a demolition is ultimately approved, the site should then be treated the same as other similarly situated lots.</p>

3. For 3 or 4 units, at least 1 unit must be visitable

#	Topic	PSC Direction	Staff Revision
	Visitability standards	No step entry Bathroom on ground floor Living area on ground floor 10% max slope of route Wider doors and hallways (34" min)	No step entry Bathroom on ground floor Living area on ground floor 12.5% max slope of route (to match max allowed by UBC) Wider doorways (removed wider hallway standard because UBC requires wider)
	Visitability exemptions	Exempt: <ul style="list-style-type: none"> - existing structures - steeply sloping lots - lots with >20% slope between street and front door 	Exempt: <ul style="list-style-type: none"> - existing structures - steeply sloping lots - lots with >3' between highest street grade and lowest grade at front setback. This change improves the clarity of the exemption and simplifies measurement.

4. Require at least 2 dwelling units on a vacant double sized lot

	Oversized lots	Require at least 2 units when new development is proposed on double sized R2.5 as well as R5 and R7 lots	
--	----------------	--	--

5. Rezone half of the historically narrow lots

	Historically Narrow Lots	<ul style="list-style-type: none"> • Rezone about half from R5 to R2.5 • Allow remaining R5 historically narrow lots to develop with pairs of attached houses. 	
--	--------------------------	--	--

6. Allow small flag lots through a property line adjustment

a.	Small flag lots	Allow small flag lots in both R2.5 and R5 when retaining a house. Exempt existing house from FAR limit.	
----	-----------------	---	--

b.	Flag lot limitations	<p>R5 zone:</p> <ul style="list-style-type: none"> - Limit height to 20 feet. - Limit size to 1,000 sf. - Require additional exterior design elements. <p>R2.5 zone:</p> <ul style="list-style-type: none"> - Base zone height (i.e., 35 feet) - Limit size to 1,000 sf. - Require additional exterior design elements. 	<p>Substantive Change #4</p> <p>R5 zone:</p> <ul style="list-style-type: none"> - Limit height to 20 feet. - Limit size to 1,000 sf. - Require additional exterior design elements. <p>R2.5 zone:</p> <ul style="list-style-type: none"> - Base zone height (i.e., 35 feet) - Base zone FAR (i.e., .7)
----	----------------------	---	--

7. Continue to allow different building forms and site arrangements through a planned development

#	Topic	PSC Direction	Staff Revision
	Cottage Clusters (planned developments)	Align cottage cluster development allowances (planned development) with development allowances allowed for sites being divided into lots.	
	Review procedure	Make Planned Development (PD) and land division (LD) land use review procedures equivalent.	Reduce land use procedure type from Type III to Type IIx for 20 units. (Current threshold is 10 units) The concept that a 10-lot land division can accommodate 10 fourplexes, and thus the threshold for PDs should be 40 units is a false equivalency. Based on many factors (site constraints, ROW needs, services, etc) a land division site may not be able to create the maximum number of lots that are also large enough to accommodate a fourplex. To avoid the need for applicants to prepare a plan demonstrating that the site <i>could</i> be divided into 10 lots, this proposal avoids that complexity.

Residential Infill Project – February 12, 2019 PSC Work Session

	Allowed density	Make PD and LD density allowances equivalent.	<p>Substantive Change #5 Density in R7 & R5 – allow 4x density Density in R2.5 – allow 2x density based on lot size issues.</p> <p>True equivalency for R2.5 would require applicants to present a land division plan that shows that each lot is large enough to allow 4 units on each lot. This proposal avoids that complexity and makes the maximum density clear.</p>
	FAR	Make PD and LD FAR allowances equivalent. FAR determined by zone and proposed number of units.	
	Building coverage	Establish a table of static building coverage allowances by zone, e.g. R2.5=50%, R5=45%	<p>Substantive Change #6 Retain current rules that allow building coverage to be tailored to site size. Setting a static percentage reduces flexibility from the PD review (cannot modify). Also higher coverage may lead to greater stormwater impacts.</p>
	Visitability		Added requirement that one-third of units in a planned development meet visitability standards. This provides equivalency with land division sites.
	ADUs		<p>ADUs – not allowed in multi-dwelling development. Combination of 4-plexes and density equivalency made this impractical (and results in 8x the density).</p> <p>ADUs still allowed in PDs when creating lots with houses or duplexes.</p>

BUILDING DESIGN

8. Revise how height is measured

#	Topic	PSC Direction	Staff Revision
a.	Height measurement	Measure height from the lowest point near the house, not the highest point.	Restructured section and combined base points. Still measure from low point. Provided an exception to not measure the low point along a 5-foot wide pedestrian path.
b.	Dormers	Exclude small dormers from the height measurement calculation.	
c.	Height	Continue to allow 2-1/2 story houses (30 feet high on standard lots.)	
--	Pyramidal roof type height	No change from existing code - measure to peak for pyramidal roof type.	Measure to midpoint as opposed to roof peak, similar to gable and hip roof types. Pyramidal roofs appear the same as gable and hip roofs from the side, and should be treated similarly.

9. Address building features and articulation

a.	Front entries	<ul style="list-style-type: none"> • Limit how high the front door can be above the ground. • Exempt lots in flood plains from front door height limit. • Do not require covered entries. 	Modifications to front door height standard was processed through PD review. Change the review type to an Adjustment review. Adjustments are the typical review used to modify base zone development standards.
b.	Eaves	Allow eaves to project 2 feet into setbacks	
b.	Building coverage	Exclude 2-foot deep eaves from building coverage.	Exclude eaves 2 feet deep or less from building coverage. Clarified that if eave is deeper than 2 feet, count full eave toward building coverage.
c.	Corner duplex entry	Allow the front door of each corner lot duplex unit to face the same street.	

--	Setback matching	In R7-R2.5 zones, allow front setback to match adjacent house (currently front setback can be averaged between both adjacent houses)	Revert to current allowance for setback averaging. With the PSC's rejection of staff's proposal to increase the front setback in R5 from 10' to 15', the ability to reduce setbacks to areas with existing 10' setbacks is less critical.
10. Provide greater flexibility for ADU design			
#	Topic	PSC Direction	Staff Revision
a	ADU size	<ul style="list-style-type: none"> • Maintain current ADU size allowances (i.e. 800 sf/75% the size of the house). • Limit all structures on site by single combined FAR • No change to height limit (i.e. 20 feet) 	
b.	Basement ADU	Allow basement ADU conversions to exceed the 800 square feet/75%-size cap in an existing house.	
c.	ADU entrance	Allow the front door of an internal ADU to face the street.	
--	Number of households		Removed household limit.

11. Modify parking rules

#	Topic	PSC Direction	Staff Revision
a.	Parking requirements	Eliminate minimum parking requirements for residential uses in in single dwelling zones.	
b.	Alley access	If a lot abuts an alley, require parking access from the alley when parking is provided.	
c.	Vehicle area limits	<p><u>PSC original direction:</u> Parking / vehicle area prohibited between the building and the street on lots less than 32 feet wide and for buildings less than 22 feet wide.</p> <p><u>PSC Direction to Better Housing by Design (BHD)</u> Improve consistency between BHD/RIP</p>	<p><u>Substantive Change #7</u> For narrow lots, duplexes, triplexes and fourplexes:</p> <ul style="list-style-type: none"> • Prohibit driveways and parking between the building and the street. • Provide an exception for a driveway to a parking space that is located entirely behind the front of the building (including parking space inside a garage). • Do not apply prohibition to houses on lots wider than 32 feet. • Continue the 40% paving limit.
c.	Garage limits	<p><u>PSC original direction:</u> Garages limited to 50% of façade, measured by unit (i.e. a 60’ wide triplex gets up to 30’ wide garage. Three 20’ wide attached houses get no garage, as each façade is <22 feet)</p> <p><u>PSC Direction to Better Housing by Design (BHD):</u> Improve consistency between BHD/RIP Treat townhouses (units on one lot) and rowhouses (units on their own lots) the same.</p>	<p><u>Substantive Change #8</u></p> <ul style="list-style-type: none"> • For houses, duplexes, triplexes, and up to 3 townhouses - limit garage to 50% of combined building façade. • For rowhouses on lots at least 22 feet wide - limit garage to 50% of each unit. • For four or more units (plexes or attached houses) - limit garage to 50% of combined building facade - at least 50% of the “non-garage façade” must be contiguous.

12. Improve building design on lots less than 32 feet wide

#	Topic	PSC Direction	Staff Revision
a.	Limit height	Limit the height of detached houses on narrow lots to 1.5 times the width.	
b.	Attached houses	Require attached houses on lots 25 feet wide or narrower.	
--	R2.5 narrow lot width	Reduce minimum lot width from 36 feet to: 16 feet for middle/interior attached house lots 21 feet for the end/exterior attached house lots	

TABLE 2 - OTHER TECHNICAL CHANGES

#	Topic	Proposed Draft	Staff Revision (Revised Proposed Draft)
1	Detached accessory structures	“Detached structure” includes structures attached by breezeway (“attached accessory structure that does not share a common wall or ceiling/floor”). This clarifies what standards to apply to these structures.	Created definition for “connected structures” which are connected to a primary structure via a breezeway or deck but otherwise treated like a detached structure (except for setbacks).
2	Fourplex definition	No proposal - Fourplex not defined	Fourplex defined as a distinct building type. Multi-dwelling structure is 5 or more units in a single building.
3	Setback from existing building to right-of-way dedication	No proposed change Currently, in R7-R2.5 zones, during a land division only - setback to existing development can be reduced without the need for an adjustment when right of way dedication is required.	Expanded setback reduction to RF-R2.5 zones with land divisions or Planned Developments. Also expanded allowance to building permits when right-of-way dedication is required to widen an existing road.
4	Outdoor area requirement	No proposed change. Standard was written for houses (minimum 12’x12’ and 250 sq ft)	Clarified one outdoor area required per lot (minimum 12’x12’ and 250 sq ft)
5	West Portland Park lot confirmations	No current special lot size standards for R10 zoned lots - Currently - R10=6,000 sf lot R7=7,000 sf lot; R5=5,000 sf lot, R2.5=2,500 sf lot	Added standards for R10 zone lot confirmations for few parcels in West Portland Park that are currently zoned R10. R10 = 10,000 sf lot
6	Transition sites	No proposed changes - 1 extra unit of density for R20-R2.5 lots located next to some mixed-use zones	Deleting transition site provisions. R2.5, R5, and R7 lots are now allowed to have 4 units. In R10 and R20, there are only 13 potential sites that could have used the transition site provision.
7	Manufactured homes	Deleted: <ul style="list-style-type: none"> • Minimum floor area requirement • Roof material requirements (min slope retained) 	Including following additional changes: <ul style="list-style-type: none"> • Simplified foundation standard • Deleted remaining roof standards • Deleted siding requirement

Residential Infill Project – February 12, 2019 PSC Work Session

8	Comprehensive Plan changes	No changes proposed	<ul style="list-style-type: none"> • Amend land use designations for RF through R2.5 in the comprehensive plan by replacing the term “single-dwelling” with “residential” to reflect the additional housing types allowed (currently and those proposed). • Change language to reflect that density in single-dwelling zones is measured by average lot size not units. • Delete glossary term “accessory dwelling unit.”
9	FAR for House/Duplex/Triplex/Fourplex vs. 1/2/3/4 rowhouses	No proposal to address FARs on rowhouse lots. Wider end lots would allow larger units than middle (narrower) rowhouse lots.	FAR will be applied to entire rowhouse project. This allows all units in project to be same size (even though end lots are slightly larger than interior lots).
10	R2.5 detached house standards	Treat detached houses in R2.5 like R5 zone for height and FAR. This was to prevent really large homes (w/ADUs) on double sized lots, and to promote attached houses in R2.5	Combined attached/detached house standards in R2.5. With the ability to have 1,2,3 or 4 units the distinction between “attached” and “detached” standards became confusing. Attached ADU? Duplex units attached to each other? Would a detached ADU be subject to a lower FAR? The current R2.5 standards only differentiate a smaller outdoor area for attached houses.