

February 14, 2014

Susan Anderson, Director
Portland Bureau of Planning and Sustainability
1900 SW 4th Ave., Suite 7100
Portland, OR 97201

Re: Code Updates to Meet Portland's Future Housing Needs

Ms. Anderson,

It's time to address the mismatch between the types of homes encouraged by our codes and the needs of real people and households who live in Portland. Demographic shifts have yielded smaller households, and an increasing number of Portland residents don't need and can't afford the typically sized home. Furthermore, by expanding its palette of housing choices, Portland will meet its goals to reduce carbon emissions and provide affordable housing into the future.

Fortunately, there are some fairly simple ways to update regulations and allow the market to meet demand for smaller homes within the single dwelling zones that comprise most of the land area in our city. We can do this without compromising the character of established neighborhoods.

As building professionals, local organizations and Portland residents, we request that the City of Portland consider a package of code changes as part of RICAP 7 or some other process to enhance housing choices in residential zones. Such changes would support in-fill residential development types that meet multiple objectives, including:

- Discreet, neighborhood-friendly development that makes efficient use of existing housing stock and infrastructure to serve a broader variety of household configurations
- Financial viability for smaller homes and shared housing models that are more affordable and energy-efficient, match demographic trends, and yield smaller per-person carbon footprints
- Encourage "empty nesters" in larger homes to remain in their neighborhoods and age in place
- Bring back historic forms of affordable housing that meet standard life safety requirements, while increasing access to housing for the most vulnerable members of our community
- Meet Portland's 20-minute walkable neighborhood goal to enhance livability and reduce carbon emissions

Following are specific opportunities for code updates to meet these objectives, each accompanied by the reason for the change and possible approaches for implementation:

1. Encourage accessory dwelling units (ADUs)

Support ADUs as affordable, flexible, and discreet examples of in-fill housing that match well with emerging demographic trends.

- For ADUs under a certain size and height, waive the requirement that ADUs match the exterior design of the primary dwelling and/or provide a community design standard alternative for ADUs of any size.
- Allow one ADU per house in planned developments.

- Drop the requirement that the combined occupancy of an ADU + primary dwelling can't exceed that of a single household (as defined by the zoning code).
- Consider allowing both an internal and detached ADU on a single lot, subject to total square foot limits (as done in Vancouver, BC).¹²

2. Permit existing homes to be divided internally

Allow internal divisions of existing homes into 2 or more units so existing housing stock can be adapted to changing market demand. This would also reduce market pressure to demolish well-built older homes.

- Permit internal conversions of houses to plexes in single dwelling zones so long as the house retains its single dwelling appearance and other restrictions are met.
- Revisit Portland WWII-era codes when such conversions were allowed, many in close-in neighborhoods.

3. Allow small house 'cottage cluster' development

Increase the number of lots created in a new subdivision without increasing the total allowable residential square footage. This would provide a financially feasible way for developers to build right-sized homes for smaller households.

- Allow slightly higher densities (ie. bonus lots) in subdivisions or planned developments in exchange for house size and bulk limits. This would supplement common green and common court provisions of the existing code.

4. Eliminate household size definitions

Remove archaic (and often discriminatory³) household size definitions and occupancy limits from the zoning code. Rely instead on existing noise, nuisance and building code regulations to address life safety and community impact concerns associated with larger households.

- Either drop household size limits altogether or define a household as "one person or group of persons who through marriage, blood relationship or other circumstances normally live together."⁴

5. Allow micro-kitchens

Acknowledge the diversity of household configurations by allowing a primary kitchen plus micro-kitchen(s) under a certain size within a dwelling unit.

- Maintain the existing 1-kitchen limit for a single dwelling, but redefine "kitchens" to be cooking facilities with over 16 square feet of floor area that, regardless of size, must comply with Section "29.30.160 Kitchen Facilities" of the Maintenance code.

6. Scale System Development Charges (SDCs) for new homes based size

Correct the current situation in which a builder pays the same SDCs for a 1,000sf home as for a 5,000sf home.

- Scale residential SDCs based on home size
- See p. 35 of the [2007 Metro report](#) for other US jurisdictions with scaled SDCs.

¹ Both a '[secondary suite](#)' and '[laneway house](#)' are permitted on a residential lot in Vancouver, BC

² [Laneway Houses Continue to Surge in Popularity in Vancouver, BC](#) (Vancouver Sun, 12/29/13)

³ [The Roommate Gap: Your City's Occupancy Limit](#) (Alan Durning, Sightline Institute, 1/2/13)

⁴ [Victoria, BC definition of "family"](#)

7. Adopt new rules for movable, temporary, and/or extremely low-income housing

Create safe, sanitary and legal housing options for homeless and/or extremely low-income residents that meet all life safety requirements of the maintenance and landlord/tenant codes (ie. egress, smoke detectors, ventilation, hand/guard rails...), but not necessarily the full standards for new construction under today's building code.

- Establish minimum standards for design, siting, and residential occupancy of moveable structures, including tiny homes on wheels
- Open the door for limited experimentation with low-cost housing models that meet basic life safety standards to house homeless and/or extremely low income residents

For demographic, affordability, and environmental reasons, the time is right to update our codes to expand housing choices in residential zones. We look forward to working with the City on this effort.

Sincerely,



Eli Spevak

Orange Splot LLC with:

Ben Schonberger, Housing Land Advocates

John Miller, Oregon ON

Peter Brown and Ryan Shanahan, Earth Advantage

Nicholas Hartrich, Cascadia Green Building Council

Sam Hagerman, founder, Hammer and Hand

Rob Justus, Home First Development

Dee Williams, Portland Alternative Dwellings

Schuyler Smith, Architect & Principal, Polyphon Architecture & Design LLC

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Tony Jordan, Sunnyside Neighborhood resident

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John and Renee Manson, residents of Beaumont-Wilshire neighborhood

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Michelle Jeresek, Ivon Street Studio

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Lindsey "Lina" Menard, Niche Consulting LLC

David Todd, SE Portland Resident

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Steve Gutmann

Dale Allen, Cully Grove resident

Jim Labbe

Matt Loosemore, Sum Design Studio

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Ted Labbe

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Cc: Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman