

March 26, 2014

Martha Bennett, Chief Operating Officer  
Metro  
600 NE Grand Ave.  
Portland, OR 97232-2736

## **Re: Code Updates to Meet Metro's Future Housing Needs**

Ms. Bennett,

As building professionals, local organizations and Metro residents, we request that Metro craft planning grant eligibility guidelines such that Portland and/or other local governments in the region could use these funds (if the excise tax is extended) to update their codes in support of enhanced housing choices in residential zones.

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 our region. Demographic shifts have yielded smaller households, and an increasing number of local residents don't need and can't afford the typically sized home. Furthermore, by expanding the palette of housing choices, Metro can meet its goals to reduce carbon emissions and provide affordable housing into the future. 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
- Preservation of the character of established residential neighborhoods
- 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
- Accommodate projected population growth within the Urban Growth Boundary (UGB)

The following are specific code changes proposed for Portland, which could also be utilized by other municipalities in the region. Each idea is 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).<sup>12</sup>

## **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 discriminatory<sup>3</sup>) 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.”<sup>4</sup>

## **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 on 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.

## **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.

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<sup>1</sup> Both a ‘[secondary suite](#)’ and ‘[laneway house](#)’ are permitted on a residential lot in Vancouver, BC

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

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

<sup>4</sup> [Victoria, BC definition of “family”](#)

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, land use, and environmental reasons, the time is right to update our codes to expand housing choices in residential zones. We look forward to working with Metro on this effort.

Sincerely,



Eli Spevak

Orange Splot LLC with:

Ben Schonberger, Housing Land Advocates  
John Miller, Oregon ON  
Sunnyside Neighborhood Association  
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, Polyphon Architecture & Design  
Kol Peterson, co-editor, AccessoryDwellings.org  
Dave Carboneau, Techdwell  
Suzanne Zuniga, susanne zuniga architect, llc  
Dave Spitzer, DMS Architects Inc.  
David Sweet  
Tony Jordan, Sunnyside Neighborhood resident  
David Aulwes  
John and Renee Manson, residents of Beaumont-Wilshire neighborhood  
J Chris Anderson

James Thomson  
Doug Klotz  
Derin Williams, Shelter Wise  
Kelly Rogers  
Michelle Jeresek, Ivon Street Studio  
Stephen Williams, Rainbow Valley Inc.  
John Cava, J M Cava Architect  
Lindsey "Lina" Menard, Niche Consulting LLC  
David Todd, SE Portland Resident  
Matthew Wickline  
Kathryn Langstaff, Autopoiesis, LLC  
Steve Gutmann  
Walter Poz, GRI, MBA  
Dale Allen, Cully Grove resident  
Jim Labbe  
Matt Loosemore, Sum Design Studio  
David Burdick, Four Elements Engineering  
Ted Labbe  
Jill Cropp  
Stuart Cowan, Autopoiesis LLC

Cc: Metro President Tom Hughes;  
Commissioners Shirley Craddick, Carlotta Collette, Craig Dirksen, Kathryn Harrington,  
Sam Chase and Bob Stacey;  
Steve Wheeler, interim director of Planning and Development