



Meeting Attendees:

Garlynn Woodsong – Concordia, Co-Chair
Nate Rochester – Graduate Student PSU
Emma Deppa – Graduate Student PSU
Paul Van Orden - Eliot
Phil Nameny – BPS
Madison Weakley – At Large
Dave Johansen – Alameda, Co-Chair
Nan Stark - BPS
Ben Earle – Concordia
Anjala Ehelebe – Woodlawn
Micah Meskel – Humboldt, NECN board
Jim Brown – Alameda
Rachel Lee – Sabin
Leigh Rappaport – King
Mitchell Snyder – Vernon
Lokyee Au – NECN Staff

Meeting comes to order 7:07. Quorum counted

Introductions.

May minutes: Need to find Sara’s address to fill last blank in meeting minutes prior to their approval. Madison moves to approve the minutes with Anjala’s research to make sure address for development south of Two Plum park is correct, Dave seconds. Approval of minutes tabled until end of the meeting.

Discussion: Waiting for confirmation of address.

Phil Nameny, Bureau of Planning and Sustainability (BPS)

BPS has a discussion draft for zoning code updates to accessory structures detached and generally related to single-family development.

(<http://www.portlandoregon.gov/bps/article/533576>). Summary can be found here:

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Brief background: Accessory structures can include sheds, garages, Accessory Dwelling Units (ADUs), hot tubs, trellises, arbors, decks, etc. Current zoning code (especially in single family development) treats all above named structures (and others) differently depending on the use of the structure. This can be problematic because structures are more fluid – there is much interest in having structures serve more than one purpose, convert structure use types. Says the reasoning behind the draft code updates is because current code is limited

Point of this project: to create a standard set of regulations for accessory structures (related to height, bulk, setbacks, etc.) To allow flexibility for smaller structures while also considering impact those structures can create.



What are the changes?

Main changes have to do with certain types of structures that are accessory to houses, attached houses, and duplexes.

Main changes to covered accessory structures:

- Currently zones R7, R5, and R2.5 are allowed to build accessory structures in back, can only be one story structure, etc. The proposal is to expand allowance of wider variety of structures.
- For detached structures in side and rear setbacks that are smaller: proposed regulations are max wall height of 10 ft, overall ht. of 15 ft. – meant to be single-story type of structure.
- For covered accessory structures outside of setback – different height standards depending on the use of the structure. (30ft in R5 zoning, 35ft in R2.5 zoning)
Proposed rules create one height limit that applies to all detached accessory structures to 20 feet. Provides leeway to ADUs that have more than one floor.
Currently all ADUs have design requirements regardless of the size of the ADU.
Proposal is structures 15ft or under regardless of what they're being used for will not have to meet compatibility measures. Accessory structures that are more than 15ft tall have to meet compatibility measures.
- Trellises and arbors:
Allowance of 24 ft dimension of trellis or arbor structure inside setback.
- Mechanical equipment used in conjunction with the building: proposal to allow detached mechanical equipment in side and rear setbacks if they're screened and meets city noise standards.

Jim asks for clarification regarding 20 ft height definition. Phil responds it's the midpoint of the highest gable.

Phil clarifies: There's a wider variety of accessory structures. This provision does say the maximum frontage you can have is 24 feet. To build two structures against side property line, those two structures can only add up to 24 feet in the setback.

Ben asks for clarification about height maximums. Phil: Height variable by the type of housing. Can't go over 20 ft outside setbacks, can't go over 15 ft inside setbacks.

Ben asks is there a difference for mixed use commercial? Phil: not changing code on that – most of those zones have landscape buffer requirements, etc. No provision to allow detached accessory structures to be in setback. Subject to same setback requirements.

Many commercial zones have single family detached homes on them. Provisions say requirements of landscaping to screen commercial activity. If single family homes border up against one another these provisions don't make as much sense. If it's a detached accessory structure for non-residential use, they are subject to requirements.

Rachel: Clarification: you're not requiring people have quieter equipment?

Phil: Title 18 noise standards applied for machinery. He thinks it is 45 decibels at night. Complications occur when equipment is installed and not in compliance with the noise limits. Only recourse is to remove it or apply for land use review for adjustment. Would be easier if



BDS had the installer sign off on the installation of the equipment. BPS can't necessarily say they will allow particular makes/models of equipment that do comply with noise limitations.

Garlynn says one issue he brought up in focus group regarding accessory structure code changes is that this project doesn't address height limits for homes in alleys. A maximum of 20 feet is really tight to allow for garage and room with a loft (which he says is ideal for ADU structures)

Is 25 feet too much for something fronting on an alley?

Phil: Benefit for ADUs in alleys: no setback requirements for ADUs in alleys. 25 feet is something someone can apply for an adjustment, which would be reviewed on a case by case basis.

Micah asks about grandfather rules. Phil: Units built prior to the amendment application would be grandfathered in. For conversion of existing non-conforming units – won't go into further non-compliance.

If there are more questions, Phil notes he will be attending the Land Use and Transportation Committee North Portland neighborhood meeting Thursday, June 25.

BPS also has an open house schedule for Thursday, July 9th at 1900 SW 4th from 5:30 – 8PM

Jim Brown: Single Family Zoning Project

Jim is on the steering committee with the United Neighbors for Reform (<http://unitedneighborhoodsforreform.blogspot.com/>). A stakeholders committee will be formed for infill code project. BPS will reach out to coalitions next week looking for people to serve on the committee. It will be open to anyone who wishes to apply. Idea is to get people from all over the city.

Main concern is houses being demolished, often affecting affordability. Looking for context compatibility – how does it fit with the fabric of our neighborhood?

Code improvement for residential infill would protect all neighborhoods from incompatible projects.

Phil says this is a project getting scoped, discussed, and looked at, which explains why there is not more information. They're looking to kick stuff off next week. They are looking for people to join this stakeholder committee. They're anticipating they will get more people than there are positions for, so there will be a vetting process. BPS is trying to look at regulation for new development – is there anything we can do about scale of houses, etc.

Jim: state legislature has passed regulation for asbestos testing for homes being demolished – waiting for the governor to sign. Did not get lead regulation legislation through, but there is movement to push for it.

Issue of deconstruction is also being pushed. Progress is being made, and there seems to be support for deconstruction to be required or required in some instances.

Ben adds that he hopes to find support to strengthen neighborhood voices in the city. Need to take into account the unique character of the neighborhoods, and certain zoning regulations may or may not be appropriate for certain areas. Also wants to find support for neighbors to connect with.



Phil suggests that whatever involvement LUTC members have been doing to track demolition, keep tracking them because the residential infill project will not work on demolition provisions. Garlynn adds this is our opportunity to shape what our neighborhoods will become through comprehensive plan, zoning, etc.

Ben asks how can we be more proactive in cooperation with developers to not have the neighborhoods transform so quickly/lose homes to demolition? It's important to not lose what we have prior to regulations coming into effect.

Comprehensive Plan Growth Scenarios Report (<https://www.portlandoregon.gov/bps/62384>)
Garlynn: Comprehensive plan is not reaching goals.

(Within the report) Vehicle Miles Traveled:
Goal is 30% reduction from 2008 by 2035. We're at 27%. Is 27% reduction from 2010 good enough to achieve that goal? Would like to see city staff run those numbers.

Mode Share:

Plan proposes hitting 65% rather than meeting the 70% target goal.

City does not provide information on how it may be possible to meet the 70% goal, just recommends not hitting the target and meeting the 65% mode share.

Can look at TDRs Transportation Demand management strategies to hit actual goals.

Could be things like pricing, or mode switch incentive programs on employer end.

This plan doesn't mention any of those strategies nor does it talk about testing them.

May be worthwhile to call them out as significant holes in the draft. We don't know if the benchmarks are too high or actually reachable because the city hasn't done anything to test them. Never created a scenario to determine what it takes to reach those targets.

Phil: Could be possible that the city is using scenarios report to come up with strategies to meet the gaps.

Micah suggests getting comments in writing to the city would be helpful to ask the city to explain the gaps in goals.

Garlynn adds that another question is how are we doing with carbon emissions reduction? No number given to enumerate progress.

Nate responds in reference to incentive programs that there are already some incentives in place that could be used as some examples to model trends. Subsidized transit passes, PSU bike challenge, etc. can lay groundwork for some expansion.

Garlynn says maybe we should think outside the box – ex. provide a transit pass to residents of places built without parking spots.

Ben asks if there are there maps or regulations/guidelines linked with the comprehensive plan. Are there specific regulations to reach the goals laid out?

Nan: Comprehensive plan guides the growth scenarios report. It is a guiding document on how we want to grow in the next 20 years. Comprehensive plan fuels this (growth scenarios report).

Ben says, so this will fuel more specific recommendations for zoning, requirements, etc?

Phil responds this is to show the comprehensive plan progress is getting us to the mark.



Micah says it sounds like we could write a letter which would include asking for explanation on why we didn't reach certain goals, questions on why we didn't go with a more progressive model that shoots past the goals set, suggest in certain circumstances different ways they can get that.

Garlynn moves we recommend NECN write a letter to the city to the mayor and relevant commissioners that would outline the above issues for consideration. Micah seconds. All in favor, no abstains. Motion passes unanimously.

Nan responds that she's not sure where that letter is going to go. BPS had a hearing on growth scenarios report last night. Whether or not they will accept the letter for consideration is doubtful. Not sure if they closed the record.

Phil: growth scenarios may be part of the overall comprehensive plan package.

Garlynn adds this has been an issue with planning commission. They are strict on whether or not an issue is open to commissioners. Council may be looser with unsolicited letters.

Ben asks, Would it be useful to have a more personal follow-up?

Nan responds it's premature for council because their heads are not in the comp plan yet. Won't delve into issue until they are given the package.

Phil says he can check what the status of the public record.

Nan doubts the record is still open. Next PSC session is work session in three weeks, may or may not take a vote on comp plan. If not, it will go to vote two weeks after that.

To LUTC she says that the committee doesn't have to be under any deadline to do this (write the letter). Strategically PSC may not get the message – may want to wait to get it to council.

Garlynn suggests it may be better to write the message ready to go and bring it to council when the council is open to receiving comments.

Micah responds it wouldn't hurt us to send it to the bureau and city council when it's done and follow up later.

Micah, Ben, and Garlynn are willing to work together on the letter.

Lokyee will track deadlines for comment periods for PSC.

Nan Stark updates

Anti-displacement coalition was at the PSC meeting June 23rd to offer additional testimony. Big victory for those concerned about lack of affordable housing.

An email was sent out with a schedule of the comp plan and its progression

July 14 or 28: Comp Plan vote – document and maps will then go to city council in August. Work sessions will start in September, and public hearing and testimony will be received in November and December. Staff does not have much influence how the hearings/testimonies will be taken. Council is its own decision body. By January 2016: there should be a vote by council to adopt the plan.

There are also discussion drafts coming out: employment zoning, campus institutions, mixed use zoning projects. Staff looking at comprehensive plan map changes. All will be released by September. Would be beneficial to have LUTC members divvy the work to review different discussion drafts.

Stakeholder advisory committee for residential infill project: there will be some representatives from coalitions. Commitment is several required meetings. There will be plenty of opportunity to review and provide input if individuals are not part of the advisory committee.

Madison Weakley



Would like to draft a letter for board to be approved to send to Amanda Fritz's office and Title 11 (<https://www.portlandoregon.gov/trees/article/522374>) oversight advisory committee regarding tree removal issues. Currently developers wishing to remove trees need to pay a fee in lieu, with a cap of \$1200 to be charged per tree. The letter would ask to increase the cap on fee to remove tree.

Another issue is that there is no money allocated to have arborist reports/tree inspectors review the accuracy of tree identifications for demolition. Would like to contact ISA to request site truth casing required for certain number of cases.

Leigh asks what the desired fee cap would be. Madison responds the letter wouldn't place a number- just ask for an increase to show support for increase on cap for fees.

Micah asks if there is a way to require developers pay a higher amount. Madison responds the letter could request increase cap for development situations and leave non-development alone.

Rachel responds, we can't technically charge developers differently from homeowners.

Phil clarifies this issue at hand is a type of permit (tree removal permit) – must show element of tree preservation. Can be a developer or homeowner application. Lots of homeowners concerned about tree removal regulations. Homeowner would be going through a development scenario to build an ADU.

Micah is in support of requesting ground truthing accuracy of trees for removal.

Garlynn in support of increasing cap on fees per tree charged to development.

Madison clarifies that the per inch calculation applies but the \$1200 fee cap also applies. Equates to \$300 an inch.

Ben asks if the focus is on all trees that don't meet heritage tree standards. Madison affirms.

Ben then asks if is there any thought on trying to reach a middle ground? There are neighbors raising money to save a number of trees in their neighborhood. Madison says that could turn into a takings issue. Property owner must agree to have tree on their property be considered a heritage tree. Jim adds that we (LUTC) need to look at what consists of a heritage tree.

Ben asks how do we connect the issue of trees to the comp plans?

Garlynn responds, in relation to trees, Comp plan has a plan to protect urban forests. Given there is a policy to protect the trees, there should be mechanisms to enforce the policy.

Neighborhood Updates

Anjala:

Draws a map on whiteboard to show location of two propane storage stations (AmeriGas, Ferrell Gas) and a high grade ethanol station (Tar LLC) located in close proximity to train tracks and Woodlawn. Woodlawn is concerned a car could try to run the gate, hit the train, an earthquake could happen, other scenarios which could to set off an explosion. Anjala is trying to set a meeting with Bureau of Emergency Planning to ask questions like Is there a plan to deal with this? Are there ways to protect those at risk?

Speaker Kotek's office has been doing the legwork to set up the meeting

Meeting set up for July 5th – will report back. No recommendation on what we do yet.



Land Use and Transportation Committee
Wednesday, June 24, 2015, 7:00pm–9:00pm
Northeast Coalition of Neighborhoods Office
4815 NE 7th Avenue, Portland, OR
Approved Minutes

Ben:

Will bring several items for next month's agenda: Set up land use trust to purchase properties, encourage deconstruction, etc. to address demolition of house on 5626 Killingsworth; Mixed use in Concordia– issues on parking, solar, etc.; Demolition deconstruction – 5626 Killingsworth – how to have specific input for pilot project for deconstruction; Single family infill project.

Nan:

Two houses slated for redevelopment where owners are interested in relocating them. Both in Sullivan's Gulch. Just need to find land. Contact Nan for more information.

Garlynn moves to approve last month's meeting. Micah abstains. All others in favor.

Adjourn at 9:09pm