

Q&A Session

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Full video can be found here: <https://vimeo.com/212073764>

Moderator: Sandra Shotwell (SS)

Panelists:

Brandon Spencer-Hartle (BSH)

Mike Gushard (MG)

Morgan Tracy (MT)

Audience members who did not identify themselves are tagged as (AM).

[BSH]: What I have been asked to do is give a few sort of opening comments, statements and background context for the discussion we'll have tonight. As I look around the room I see a lot of familiar faces and probably more familiar faces than unfamiliar faces. So much of what I'm talking about you can probably check out if you already know some of it, but there are a few pieces that I think will be really important for our discussion tonight to set a context for some of the more nuanced questions that will come in. I believe this is either the fourth or the fifth panel that City staff have served on here in Eastmoreland to talk about historic designation: what it means, what it doesn't mean. And as discussions have happened, the level of questions have gotten more and more technical which is a good thing because I think it means that people in the neighborhood are more understanding what the designation means. So tonight I have a feeling we're going to be pretty technical with some of the questions that we talk through. As well as Morgan [Tracy] being here tonight who can talk a little bit about a project which I know many people in the audience are interested in that may interface with a historic district or lack of historic district.

So I just want to talk quickly about some of the background that I think everyone in room will need to know for our discussion. So as everybody here knows Eastmoreland has been nominated as a national register historic district. The City of Portland is not in a position to advance or stop that national historic district. One function that we play in the processes is that our Historic Landmarks Commission provides a review of the nomination and submits an advisory letter to the State Advisory Committee on Historic Preservation. That did happen about a month ago. So at this point in the process, the City's role is really to be an information source. We're here to help clarify questions that arise and to help this neighborhood make the best decision they can with respect to the historic district.

Going forward if this does become a historic district, we may play a deeper role in the application of historic resource review and/or the application of sort of reviewing exterior alteration projects – addition, new construction projects, I'll talk about that in a minute. So procedurally where we're at is the district has been nominated to the National Register. The State Historic Preservation Office is currently making minor adjustments to that nomination with a date of about May fifteenth to forward the nomination to the keeper of the National Register in Washington D.C. If the keeper of the National Register agrees that the Eastmoreland historic district has enough historic integrity and significance to be listed in the National Register, that would happen on or about July 6<sup>th</sup>. There are a few things that may not have that listing happen. One is if the keeper of the National Register determines that the district really is not eligible for listing in the National Register. That's one way that might happen. Another way that might happen is if fifty percent plus one owners in the proposed historic district object in writing to listing. And I think probably most people in the audience who are familiar with that are here at this meeting.

So the role that primarily Mike and I, and to a lesser degree Morgan, will play in the next couple of months is to be here to answer your questions, to help you in your dialogue, and I believe everybody here either has our contact information or we can stick around afterwards and get that to you. In terms of the bigger questions that exist around historic preservation, I want to get a couple of

a year ago or a little over a year ago and as the process has developed, there's been much discussion about what happens with a district is listed in the National Register. And even as recently as January, the message from the City around what would automatically occur on a National Register listing was that upon listing in the National Register, there would be both demolition review and a form of design review that we call historic resource review. At the end of January the Land Conservation and Development Commission which is a state commission charged with amending how land use regulations work at the local level, passed new rules that affect how the City of Portland administers our historic resources program. I'm going to talk about these rules as the Goal Five rules which is basically a way of saying the state administrative rules that the City of Portland is required to follow. So their state rules that we have to follow. The provisions of those state rules require the City of Portland to do two things upon a district's listing in the National Register. One, we are required to protect National Register resources with demolition review which is something we've been doing since 2004 which is a City Council review of any application to demolish either an individually listed National Register building or a contributing structure in a historic district. We've been doing that, we will continue to do that, and the state historic rules require us to do so.

The big changes that unlike the situation three or six months ago or five years ago, the state no longer allows us to automatically apply design review to a district's listing in the National Register. So if Eastmoreland is listed in the National Register in July, we will apply demolition review to the contributing buildings of the district but we will not apply design review. That said, the state administrative rules give us the ability at a subsequent date to propose design review (we call it historic resource review but I'll probably refer to it as design review) design review to new listings in the National Register. Right now all of our National Register listings have a level of design review applied to them and it would be consistent with our policy goals at the city level and consistent with how we treat National Register resources that design review be applied to an Eastmoreland historic district in the future. The new state rules require us to have a public process to apply those rules and those rules can come in one of two forms. One form is general approval criteria -- the types of rules that exist in the zoning code and are not specific to Eastmoreland. That's one option. Another option for Eastmoreland-specific design guidelines. It would, in a more robust way, explain what can and what cannot be done to buildings in the district or new construction.

In the past, it was common place for us to automatically apply the base zoning code approval criteria for design review and then at a later date to work through the process of developing design guidelines specific to that district. Because the rule change allows us to not have the automatic application of the zoning codes rules, City staff will be spending the next approximately one year doing outreach, soliciting information, holding open houses and public hearings to determine how best to apply design review to new listings in the National Register. And once we have that process figured out, as far as the under the hood piece of how do we do this what's our best route to doing it, then we could consider applying design review to an Eastmoreland historic district. So at the City level, the earliest we can imagine design review being applied to Eastmoreland would be a little more than a year from now and it could come in one of those two flavors you know the Eastmoreland-specific design guidelines which would take time to develop and a neighborhood process, or the general code criteria that sort of are more broad statements that could be applied after a public hearing.

We do have Comprehensive Plan goals or policies that suggest that when you have a historic district that the design guidelines are the better route to go. They're more clear for property owners, they better explain what makes the district significant and what are the features that the City may be most concerned about. They do take time to develop and significant public input, but generally they're more easy to understand for property owners who are looking to make a change to their building or someone looking to build a new building.

So as we look forward, there is a piece of this puzzle that has changed and in general we'll get into some more specifics set of few minutes. In general that's the significant change from the State is no longer will design review automatically be applied, but we will continue to automatically

pass it off to Mike and Morgan to talk a little bit about their pieces next.

[SS] May I take advantage of my role as moderator to ask what is in the book, is this just the basic Portland zoning code that any place in the City would have? Or what is that?

[BSH] So this is a zoning code and in the zoning code there are general approval criteria for design review. There are more broad statements that could apply to the Pittock Mansion, or to the Irvington historic district, or to a commercial building on Belmont. They're intended to sort of be a catchall for how we treat historic resources. The Eastmoreland-specific design guidelines would be informed by those criteria, they're sort of general best practice. We've adopted them from the National Park Service's best practices. But in the district-specific design guidelines we could be more precise about windows, additions, rear ADU's, new construction, styles that are acceptable, the degree of change that's acceptable. So when you have district-specific design guidelines, it gives more clarity for what is and is not allowed and potentially more flexibility for the types of changes that may be appropriate for a residential neighborhood as opposed to an individual landmark in Central City, for example.

[MG] Hi everyone, my name is Mike Gushard. I work for the Bureau of Development Services like Sandy said and the utility of having me here is when and if there is design review or historic resource review in Eastmoreland, I'm one of the staff members that would that would be reviewing the projects. And so a couple of just sort of clarifying points or caveats. First, I have a really, really terrible tooth ache, so if I like grimace or make a weird face it's not because of your question or whatever. It's just my mouth hurts a lot. Next is you know talking about design, generally without drawings or without seeing something, it's always very difficult so most of my answers will probably start with "it depends". But I'll try to give you as much feedback as I can based on what your question is. Generally those answers will be informed by those ten criteria that Brandon was just talking about. Because that's the closest thing that I have to hang a review on. Questions about future guidelines that might exist, it's harder because we don't know what those are going to be exactly. So, happy to be here and answer questions.

[MT] So I'm Morgan Tracy with the Bureau of Planning and Sustainability as Sandy mentioned. I thought before I describe the project in just a little more detail, I'd like to quickly cover where we are in the process because I think there's some confusion about that. So last year, in 2016, we developed a series of concept recommendations that were intended to limit the size of houses, encourage more housing choices in single-dwelling neighborhoods, and address skinny lot development. So we took that package of recommendations to City Council to get their general direction on the concepts. So these are kind of our big picture ideas, "What do you think about X, Y, and Z?". And so the purpose was not to get Council's approval. It was more intended to have them give us direction so we didn't spend a lot of time devoted to developing code and map proposals that were way off track and they were not interested in. So inherent in this discussion, it was an acknowledgement that there are still lot of details to be worked out and there continue to be a lot of details to be worked out. I was thinking about Mike's statement about a lot of his answers will say it depends on the question on the situation. For me will be a lot of "I don't know yet". But we can highlight those things we know and the things we don't know.

So Council voted in December to approve our concept report. They made some changes to that report and some amendments to the recommendations. So that's where we are today. We are now in the process of drafting the code working on all the mapping analysis work and that's quite involved. There were a couple questions embedded in this package that relate to the map and just to touch on that. In the concept report, one of the directions we got from City Council was to come back to them with a number of options for mapping. So we basically had to wait until the new mayor and new council had time to situate themselves. We approached our mayor and commissioner in charge with a range of different mapping options, discussed the pros and cons of those. He gave us

starting point. So basically a broad study area -- look at the city more broadly, do the analysis, run the constraints, had the conversation with as many people as possible. And we'll talk about, use the process to refine the map through the planning commission and City Council. So where we go from here we're going to be working on the map and code until September/October. Well a little before that, we will have two months of public discussion in September and October. Then we come back to you rehash our proposal and change the proposal for the Planning Commission. We'll present that at a series of hearings in the spring. In the winter, sorry. And then we go back to City Council in the spring of next year. So if you've heard this is a done deal and we're done, we're far from it. We still have another year and so, year plus, left in this process. Yeah so I think that about covers it.

So just generally about the project beyond the process. What is it trying to accomplish with the Residential Infill Project? You probably heard the City talking about the growth and you've seen a lot of growth happening. We're growing fast and we're growing a lot. We've got a projected 123,000 more households coming to the City in the next twenty years. It's about 6,000 households a year. Most of this growth is projected to occur in mixed-used corridors like Division or Lombard. Thirty percent is projected to happen downtown, but we still have about 20% that's projected in the neighborhoods. So this demand, there's a lot of pent up demand, is putting a lot of pressure on residential land. Consequently the demand is leading to increasing land values and consequently higher home prices. This in combination with home buyer preferences, resulted in new homes or home additions that tend to be or could be out of scale and character with other older smaller houses in the neighborhood.

So at the same time, while house sizes are getting larger the average composition of household is getting smaller along with other important demographic changes. So this presents a bit of a conundrum since the current household trend is for the construction of either small apartment units in high-rise buildings or large single households. There isn't a whole wide range of housing choices between those two. So that's when you hear the term "middle housing" for generally describing something between a small apartment or a big house.

So speaking about demographics, just more specifically about Eastmoreland, I was doing some census digging today. In Eastmoreland, between 1970 and today, the average number of people per household has declined from 3.16 to 2.62 persons per house. So the total population in the census tract, not specifically Eastmoreland, has decreased by over eight hundred people while the number of households has increased by about two hundred. So more houses, fewer people, smaller households in each of those houses. So it's interesting sort of a general trend although I notice there was a question here about school enrollment so I'll try to loop back to that.

So to meet our objectives of Portland being an inclusive, prosperous and equitable city and address the concerns needs of both our current and future generations of Portlanders. We started this project examining single-dwelling zones and what they allow. So the basic premise behind the Residential Infill Project is to reduce the overall size entitlement for houses but allow for a more flexible arrangement of housing types within that smaller overall house size. So in the two-pager that you have, on the first page you'll see that our current limits on scale are defined basically by the building coverage times the height limit. It defines this box. So, these rules have been relatively unchanged since the 1940's. The proposal would be to apply new house restrictions based on the size of the lot. And this is called a floor-to-area ratio or F.A.R. So somebody else asked me the question what the heck is FAR? It's basically how big the house is in relation to how big the lot size is. So for instance, the example shows the number of five thousand square foot lots. The largest house size allowed today is about 6,750 square feet. So you take that building coverage times three stories and you get 6,700 square feet. Reducing that to about 2,500 square feet under the new rules. So the house size will vary with the lot size. So for example, in Eastmoreland lots are larger here are generally 7,000/7,100 square feet. So the max house size in those cases would be bigger—it would be about 3,500 or 3,550. So it's all related to how big the lot is.

The graph at the bottom of the page shows where the proposed size falls across the distribution of existing floor-to-area ratios in Eastmoreland. So you can see the arrow notes where

maximum size limit, meaning that there's room for existing houses to have small additions without the need of going through some other type of discretionary review, which is called an adjustment which is like a variance. So now, with that reduced house size/structure size in mind, if you turn to the back page, the proposal would allow for more units within that structure size providing they all fit within that same size envelope. So today you can see the range of housing types that will be allowed. It's basically a house, a house with an ADU inside, or a detached ADU outside -- one or the other. And on corner lots, you can have duplexes. So the proposal is to increase the range of types allowed to allow a house with both an internal ADU and a detached ADU. Or a duplex, or a duplex with a detached ADU. Or a triplex on a corner lot. So where you have a duplex on a corner you can go to a triplex. And if you have a house you can go to a duplex. So basically turning that up by one.

I also noted that there were a number of questions in our handouts about are these going to be requirements or are they preferential. So the way the zoning code would be structured, at least the way the proposal is geared, is that these are allowances; they are allowances, they are not requirements, they are not minimum requirements, there is no preferential directions to provide for a duplex or triplex, especially in the R5 zone. There is a little bit of a caveat in the R2.5 zone so the general 2,500 square foot lots when you have oversized lots (5,000 square foot lots) we would be looking for at least a duplex so you might get a little bit of a mixed message on that, but that's the distinction. R5, which is most of Eastmoreland, a little portion is R7. There is no minimum density requirement or preferential treatment in the zoning code proposal. So I think I've probably gone on long enough about that, and I'll hand it back to Brandon.

[SS] So the first question I think we may have looked at this, "what are the national criteria regarding design?" I feel like Brandon/Mike?

[MG] The question goes further and explains, has some text from the National Park Service, and it says "NPS' website says "listing in the national register places neither restrictions nor requirements on a private property owner. You may do with your property as you wish within the framework of local laws and ordinances", and I'll stop there because that sort of sets it up. So the National Register in and of itself doesn't create any regulation and that's what the National Park Service is explaining. We have a local process that does that. And what are the national criteria regarding design? There's the Park Service also has generated what are called the Secretary of Interior standards for the treatment of historic properties and that's a set of best practices that they generated long ago and try to spread around and are just sort of approaches for working with a historic property. The Park Service, as a federal entity, doesn't enact those on local land owners. Portland has its own guidelines for how to deal with historic resource review that are informed by the Secretary of Interior standards as best practices, but there's not the Park Service won't come in regulate it...I wouldn't.

[SS] Do we have a question now from the room?

[BSH] I want to follow up on that as we find out who's going to ask that question. But I've been asked by a number of people in Eastmoreland, "can our approach to either Eastmoreland-specific design guidelines or the general approval criteria in the code can they be more liberal or more flexible than the National Park Service guidelines?" And the answer is yes, because those guidelines are best practices. At the same time, Mike and I and the City have an obligation when we protect a historic resource that we really are doing right by that resource. So there is a line where we would not want to be so flexible that over time we lose the characteristics that made it historic in the first place. Our job with design review, our job with demolition review is when a place is designated as historic, we make sure that it keeps those qualities for the indefinite future and that doesn't mean every garage or every window or every brick has to stay. It means that we create a line and we say you know we would like to ensure that we keep the historic fabric to a degree that makes sense for that district. I want to give a quick example of where we've recently moved a little bit away from some of the National Park

recently gone through the process of developing design guidelines for the Chinatown historic district and that district they did not previously have district-specific design guidelines. We spent the better part of the last year developing those guidelines for that district and there are some elements of the guidelines that allow for more flexibility for both changes to existing buildings as well as new construction than would have been allowed if we had followed strictly those federal best practices that Mike talked about.

[SS] Thank you. All right, so our first question from the audience is: "With Residential Infill Program will most southeast single family homes be replaced with multi-family housing, is that the point of the Residential Infill Program?"

[MT] Brandon, you want to?

[BSH] I did offer in the office today to be Morgan's human shield here tonight.

[MT] So to directly answer, that is not the point of the Residential Infill proposal. It is twofold. One, you know we talked about the house size limitation addressing incompatible infill. And secondly when we do have a replacement, a house replacement, offering the ability to have more than a single house replace that single unit. So it's not the objective of the City to encourage wholesale demolitions across the city and, in fact, some of the direction we got from council was looking at additional incentives to encourage retention of existing houses and give them a sort of leg up over new development. So keep your eyes peeled on that as we continue to develop those incentives.

[SS] So let's take another one from folks who submitted in advance. I think panelists if you would look at point number two, I think we have covered that one. I will read point number three. "How are historic district design guidelines created which I think you started to address. What will the process be? And here is that the additional question. Will I, who own a contributing home, have a voice / a vote?"

[BSH] I'll take the first stab at this and then maybe Mike wants to follow up. But I'm going to use my example of the Chinatown design guidelines. Technically that historic district is the new Chinatown/Japantown historic district. It's north of Burnside between about Third and Fifth avenues sort of in the Oldtown neighborhood. That National Register district as I mentioned did not have district-specific design guidelines so about a year ago we at the Bureau of Planning and Sustainability with our partners at the BDS and the Portland Development Commission embarked on developing design guidelines specific to that district. And I'll use that as my example of how it might work for a neighborhood like Eastmoreland because it's our most recent example and also went pretty successfully. So at the beginning of the process we convened about twenty people who are intimately familiar with the neighborhood who have backgrounds in architecture or cultural history. One of Mike's colleagues at the Bureau of Development Services was invited. And so we came up with a group of people who represented different interests -- development interests, design interests, preservation interests -- to help us at the City with the assistance of a consultant. Sort of workshop through what would be the right level of design review for that neighborhood, thinking a little bit about the characteristics that made it historically significant, thinking a little bit about the architectural styles and changes that we've seen in the neighborhood. Talking about where the neighborhood has envisioned to go with added housing units and added office space that kind of thing. And engage with that small working group of stakeholders to arrive at some concepts. We held an open house and we sent mail notice to everyone in the neighborhood to attend the open house. We did sort of the typical green dot test that planners like to do. We had share boards where people could write down ideas and share their thoughts. We took that input, we revised the recommendations to come up with the concepts, to come up with a draft of the design guidelines. It was pretty loose in terms of

we invited the whole neighborhood again. People came out, they gave us their thoughts and sort of explained where they thought there were issues or concerns. We then published a proposed draft of the design guidelines of the City's website for about six weeks of public review. We sent out mail and email notice to all the people we talked to invite their comments. Then we held two hearings at the Historic Landmarks Commission where people again were invited to come and share their thoughts. And all the while the guidelines were shifting and changing as they related to things like the styles of buildings, the types of windows that were allowed, how we treat new tall buildings in the district, what types of materials are appropriate, how store fronts are treated. The types of questions that we'd want to know we were coming up with a pretty clear framework for what is and is not approvable. We held those two landmarks commission hearings. We had a few people who came out and testified. Staff made a couple of additional changes to the guidelines and now a recommended draft is in front of the City Council for their adoption. How this relates to Eastmoreland is if design guidelines were developed for an Eastmoreland historic district, the City would work closely with the neighborhood association, with property owners in the neighborhood, with the Landmarks Commission, with some of our partners in kind of the planning and historic design review fields to get a group of people together who could help lead through the process and it would be a conversation with the lowercase "n" neighborhood and the capital "N" neighborhood to work through what that process would look like. There would be staff involvement at the City and ultimately hearings in front of the Landmarks Commission and City Council for adoption of those design guidelines. Because the design guidelines are the document that Mike and his team use to approve and deny projects in a historic district, they're not something that we take lightly they're not something that we just develop on a weekend and have the City Council approve on a random Tuesday. There would be full mail notice at least once and probably twice to every property owner in the neighborhood. There would likely be open houses or workshops and there would certainly be public hearings where you to comment, express your views, support, objection, or concern. But what we've learned through multiple design guideline efforts at the City is oftentimes they are a positive way to kind of create a vision for how a neighborhood grows and changes in terms of what Mike's team reviews.

[SS] Thank you. So another question from the audience. "If Eastmoreland becomes a historic district, how would this affect public entities in the historic district like Duniway School and the Eastmoreland golf course?"

[BSH] On thing I should have added to the comment I just made is there was a question does the neighborhood get a vote on those design guidelines and the answer to that is no, there is not a vote on that. There would be, like I said, City Council hearings, but we don't send a letter to everyone saying yes or no on the guidelines.

[SS] Thank you for that clarification. So the question was about public entities like this school and the golf course.

[MG] So a public owner within the historic district is an owner just like everyone else and also goes through design review. I've recently reviewed a project at Abernathy School which is in Ladd's Addition district. You know it's a different type of resource, it's much bigger. So, you know the way the review is applied is the same. It can sometimes be like you know sort of a trip to figure out how to get the guidelines to match up with something that's bigger when you're making your guidelines if you have them, maybe take that into account. But yeah, the answer is, it's the same.

[BSH] One thing I'll add is that this building is already a local landmark. So this building is subject to historic design review and I have been in communications with the Parks Bureau and they are aware of the nomination and to my knowledge they have neither issued their support or objection to inclusion of the Park's property in the district.

[SS] A question that was submitted earlier on line. "If the National Park Service approves the HD, the historic district..." Oh I think we've answered this question. This is the top of page two, "what goes into place immediately". We've heard that. No, this is the top of page two it doesn't have a number. Oh, I missed number four. What is the role to participate in the process for a remodel? What is the role for neighbors or neighborhood associations slash land use committees to participate in the process for a remodel on a contributing home in a historic district?

[MG] So at the very very beginning, participating in a guidelines-making process is a way of engaging in the remodel or the changes that are made. For larger projects, for Type II's and up, we put out a notice after an application is complete and then there's a comment period where neighbors and the neighborhood association are allowed to comment. And then we design review staff take those comments into consideration with the approval or denial of the project. The comments have to be, well they don't have to be anything. The comments that we will take into consideration and could affect our review are those that are tied to why the district is historic and specifically whatever guidelines there are place for the review. So a comment like "this guy's a jerk and has a yappy dog", I'm not going to take that seriously. But if there was a comment that said this... I'm trying to think of an example. In the year that I've been around we haven't had one yet. If it was like "this doesn't meet guideline A1 for these reasons", whether or not that was accurate or not, that's like a better formulated comment.

[SS] Thank you. Okay, another question from the audience. And if someone wants to ask a question at the microphone I'd be happy to take your question right away. "So if I want to change siding or build a garage, what do I need to do and by when to avoid historic district review?" And then there's a follow up. "Before Eastmoreland design review standards guidelines are finalized, but after it is in the register what will the review process involve?" So throughout the questions we'll have some repetition. If you feel like you've answered something already, you know just say so. Specifically siding and building a garage.

[BSH] The question first, we'll take them a little different and make sure we answer them. Let's operate under the assumption that it becomes a historic district just so it's easy as I explain it. The district gets listed July 6. Automatically the City of Portland provides demolition review to all contributing structures. That's primary houses, that's garages, that's anything that's listed as contributing. Which means if you want to demolish one of those resources, you apply for a Type IV demolition permit which is sort of government speak for you're asking the City Council for permission. Which is a lengthy and expensive process that is not a guarantee whether or not you will get a demolition permit. It gives a decision up to the City Council to decide one of two things generally. One, do you have a significant economic hardship such that demolishing the building is sort of your only option. This is like there is some major structural flaw or there is no economically viable use of the property. If you can demonstrate that, the City Council will give you a demolition permit. The other one is a little more fluid. The other criteria that City Council can issue a demolition permit is if the proposed replacement structure better meets the goals and policy of the Comprehensive Plan. There are many, Morgan probably knows exactly how many goals and policies in the Comprehensive Plan. So it's really up to the City Council on balance to determine whether or not the objectives of preserving a historic resource is in the best interest of the community; or the proposed hospital, single family house, apartment building, vacant parking lot better meets those goals and policies. Over the last thirteen years that we've had demolition review in the City of Portland, the City Council has made decisions both directions. They've heard very few cases from private property owners seeking demolition of a national register resource in part because it's an expensive process and the outcome is not known. But they have approved some demolitions of National Register resources deciding in one case that a new social services building better met the Comprehensive Plan and in a different case determining that the updates to the Washington Park Reservoirs better met the

commercial building that had proposed a replacement project of market rate apartments. They denied that, finding the historic building better met the goals of the Comprehensive Plan and there may be other site options to develop those units that did not involve demolition of the building. So just on the get go, the Eastmoreland historic district would have that demolition review. And demolition review, the only type of resource in Portland today that has demolition review that the City of Portland applies is to the National Register. And so all National Register resources in Portland do have demolition review. Either you're in a district or you're something like Pioneer Courthouse. There is a question about, "Okay, what is demolition? So can I leave one wall standing? Can I leave one 2x4 standing? Is that a demolition? If I take off the front of my building is that a demolition?" The City of Portland zoning code for historic resources has not, in at least the last twenty years, included a definition for demolition that relates to historic resources. And part of that is because the Rocky Butte scenic drive, which is on the National Register, is a very different historic resource than a house in the Irvington historic district. Or the Hawthorne Bridge is very different than the Multnomah County Courthouse. So different types of National Register resources demolition may mean different things. The new state goal five rules that I mentioned do give us a definition of demolition that is not specific to single family houses or not specific to buildings per se. But it's more broadly defined to say that demolition is an activity, I'm paraphrasing here, but an activity that in whole or in part demolishes the significance or the significance of the resources lost. So it's a little squishy. So Mike and I, our respective bureaus are in the process of determining for an Eastmoreland historic district what exactly would constitute demolition. There is some line between "I want to remove some windows" and "I'm leaving one 2x4 standing" that would probably count as demolition. But Bureau of Development Services in recent years has said that when a building ceases to be a building anymore that's a demolition. But this district will be about the only resource in Portland that we have this conundrum with because most other or all other National Register resources have that design review piece so we sort of catch demolitions on both ends. So for those people who may be saying hey I heard some questions on Nextdoor about what is demolition, we're aware of that we're not looking to come up with something that is so overly burdensome that if you make a minor change or an exterior alteration in the next you know interim period before there are design guidelines that it will count as demolition. But we do want to give you certainty on what that will look like so we're working towards it. So when I talk about demolition tonight, we're going to use sort of the Supreme Court's definition of obscenity: you know it when you see it. And we will give further guidance as we get a little closer down the road since we're still wrestling with exactly for an Eastmoreland historic district where that line will be drawn. That's a little lengthy explanation but it's one to say we know that you want to know exactly what a demolition means for your neighborhood. And we want to be able to tell you that, it's just we want to be able to tell you the right thing.

[SS]: Thank you. We have a question from the floor.

[AM]: I have this question now because it has to do with the answer you just gave. So you said very few individual properties have been requested demolition, and my question specifically: in Ladd's Addition and Irvington historic districts, how many single-family homes have been approved for demolition since they've been a historic district?

[BSH] There are many people in the room who are smart, so if I am wrong you just yell at me. Contributing buildings in Irvington and Ladd's Addition that are single-family houses, not garages, I believe the answer is zero since the demolition review ordinance was passed by City Council in 2004. So I believe no contributing houses were demolished. There have been garages, contributing garages, that have been demolished – not many of them. But there have been some instances where contributing garages have been demolished and there have been more instances of non-contributing buildings that have been demolished and replaced. Plus or minus one, City Council since 2004 has only heard about six demolition review applications. I might be off by one or two, but you can count

the City that are subject to demolition review. Again, my numbers are close, they're not exact.

[AM]: Thank you.

[SS]: Thank you. A question submitted online. Most of it's been answered except the last part. "Can another party, if the City doesn't proceed quickly, can another party develop draft guidelines and submit them to the City for review or adoption."

[BSH] Well it's an interesting question. Certainly when we develop design guidelines for a historic district, the first thing we go to do is what already exists. So we take our low-hanging fruit of what's already out there: the district's National Register nomination, other districts' design guidelines, if people in the neighborhood have been thinking about design review. That may be a starting point for design guidelines. But ultimately, there is a public hearing process required for adoption and because we have to be legally defensible with the language and the content of the design guidelines there will be involvement of the City in the adoption of those guidelines. So it's not as though someone can walk to the mayor's house and they all nail 99 guidelines to his door. You have to sort of figure it out. You have to go through a public process to get there. And if City staff were handed guidelines that were incomplete or ones that really weren't a good starting point, we probably wouldn't be able to work with those. If people in the neighborhood are thinking about through the National Register process sort of what are our common styles, they've done little sketches and we think this would be appropriate, there may be something to work with that would be a starting point or energy has been expended there. But it's not something that the City would just rubber stamp. That said, I think some people in the neighborhood certainly have been looking at existing guidelines, they have been looking at historic resource review criteria and thinking a little bit about what might that might mean for Eastmoreland. They might have pretty good ideas to share with us to get started. At least that's what we found in Chinatown.

[SS]: Thank you. We're going to, I think this one is for you. "What is the goal of the Residential Infill Project as it relates to affordable housing? How do you expect that goal to be achieved in Eastmoreland?"

[MT]: I saw there was a similar question in our packet and it's a tricky one to answer. It sort of starts with a conversation about what do we mean we say affordable, affordable housing? So when we were having these conversations with our stakeholder committee, one of the objectives of our project is to address housing affordability. Housing affordability versus affordable housing. And it's a distinction that's an important one. So an affordable house or affordable housing is something that is set at a particular affordability level based on median family income. So you've heard of 80% M.F.I. It's a term that the housing bureau uses to establish what's an affordable house. When we talk about housing affordability, it is what are the options or the possibilities of providing additional houses at varying price points throughout the spectrum of affordability. So it's not necessarily a house in Eastmoreland that's going to be an eighty thousand dollar house. It is in lieu of the \$1.1 million homes that are being bought, built and sold today. Are there alternatives that are \$600,000? So to me, \$600,000 is not affordable, but to other buyers out there it's a price point that's more affordable than the \$1.1 million. So that's a bit of what the Residential Infill Project's about.

[SS]: And let's see, did that get "how do you expect that goal to be achieved in Eastmoreland?" I guess you're saying modifying the sort of price point to fit where Eastmoreland fits in the range of neighborhoods in the City.

[MT]: Right. So if you think about, and it's a little bit theoretical for Eastmoreland because the land values here are a bit challenging in terms of delivering a duplex-type unit in a 2,500 or 3,000 square

square foot house versus two 1,500 square foot duplex units, those duplex units are going to be less expensive than the single larger house. But that's sort of the angle for Eastmoreland. But there's a little bit of the market having to catch up with where, the market for Portland in general, having to catch up with the rest of where Eastmoreland is, and I don't know when that's going to be because you guys are a little bit out ahead in terms of the overall City median.

[SS]: Thank you. So we'll take another one from online. "To Brandon: have any historic district proponents contacted you or others at the City requesting that the City's general historic review requirements be applied to a historic district in Eastmoreland in the interim period prior to neighborhood-specific design guidelines being finalized?"

[BSH]: Yes and no. This idea that, this is a conversation that is ongoing communication with people around the City about what to do during this interim period now that the state rules have changed. I think those of us at the City (capital 'C' city) see the new state rules as being a positive thing. But I do recognize that for everyone who's in this room and for especially those who aren't in this room it is a change in the dialogue around the district. So getting comfortable with, okay Brandon said 'X' in October but now he's saying 'Y'. I recognize that that is a change and so I have heard from a number of people in Eastmoreland. Some I know are proponents, some I know are opponents, and some I just know the first name, who have expressed questions and interest in those interim guidelines. I will also say that the Historic Landmarks Commission on Monday did receive a presentation from an ad hoc community group known as the Portland Coalition for Historic Resources that is advocating for some form of interim guidelines to be adopted when new historic districts are admitted. We at the City at this time don't believe we should do that before any interim guideline or any design review before spring of 2018 just given our sort of internal under the hood work we have to do to have a process to adopt those.

[SS]: Question at the microphone. Please.

[AM]: I want to follow your answer about neighborhood design guidelines. Could you tell me how you would treat neighborhood design guidelines that were generated by a neighborhood group? Let's say for the sake of discussion that there is an open set of meetings, a series of meetings neighborhood-wide that is held and a set of design guidelines are generated from that series of open meetings. How would you deal with those?

[BSH]: It's an interesting question. I think back in the seventies/eighties/nineties, there were some examples of that happening with historic districts in Portland. In part because there weren't the same staff resources or the precedent to build on. I think in an ideal world, the City would be involved in the process from the get go. Because what I would worry is I would worry the design guidelines that were developed in a bit of a vacuum in the neighborhood, even if there are open meetings in the neighborhood, may not the expectations for them being land use approval criteria that have to be submitted to the State Department of Land Conservation and Development for review that have to be vetted by the Landmarks Commission and City Council. I would not want to give the advice to go down that road to a general audience because you may end up with something that's so far off the mark. I'm not speaking specifically to anyone in the neighborhood just as a general statement. We wouldn't want to start with something that was off the mark for what we thought was usable and have people have spent their time doing it. I think in an ideal world, the City would be a leading partner in the effort and working with the neighborhood to get to an answer that was the right one. And there's different ways that that might work. And so I think it's a conversation we at the City's work on those design guidelines, we have to find a budget to do that but we don't today have that budget so there may be the possibility to partner with the neighborhood. But what we would not want to come out of it would be a bad public process. Because you can imagine the City Council if they're given a

guideline process generally involves good communication, good public involvement, and the City's partnership and handholding in getting to City Council.

[AM]: Based on your answer, it sounds like this process would only start after the historic district designation. The City would have to be intimately involved with it and the neighborhood?

[BSH]: Yeah. I wish we were thinking about it in advance of the district being listed, but I think given the volume of phone calls that are coming in in recent months, we're taking the position of "we don't know if there will be a historic district in Eastmoreland or not". And if there is, then we'll cross the bridge when we get there.

[AM]: Thank you.

[SS]: So we have another. Thank you. We have another question that was submitted online. "If the neighborhood-specific guidelines are adopted but they don't include all ten of the national preservation standards which inform your current guidelines, would the National Park Service have any power to require that the neighborhood-specific guidelines be revised to meet those standards?"

[MG]: No. Unless they paid for them (laughs).

[BSH]: One example one example that I will use is that in May of this past year we at the City Council adopted design guidelines for the Skidmore/Oldtown historic district which is immediately adjacent to new Chinatown/Japantown for those that are keeping track. Those guidelines encourage the reincorporation of salvaged architectural elements from that district. So these are buildings that were demolished the thirties, forties, and fifties. There are still portions of storefronts and other cast elements that were on buildings that we still have in storage here at the City. The National Park Service strongly discouraged us from allowing those elements to be brought back into the district in a more modern interpretive way. We kind of wrestled with this for a long time at the City and ultimately made the decision of "yeah the National Park Service doesn't recommend it but everybody wants us to do it so we're going to do it". And there may be parallels there for, not just Eastmoreland, but other historic districts where we deviate from those best practices because that's what we like to do here.

[SS]: I'm checking to see if you are heading to the microphone sir.

[AM]: Yes.

[SS]: You are, right. Please ask your question.

[AM]: My name's William Reinhardt and my wife Madolyn Lewis and I we live right here on 35<sup>th</sup> Avenue. And we've lived here for 28 years. And I don't know if this is a question or an observation or what.

[SS]: Sir, if you do have a question that's what tonight's for. You have a question?

[AM]: When we voted previously and the opposition had the majority of the votes and then it became a poll. I didn't think it was a poll when we voted, so why wasn't that vote binding?

[SS]: Thank you. That's probably not a question for our panel here today.

[AM]: No it's not. It's for the association or the association President. Is anybody from the Association here? From the board?

[SS]: So I could encourage you to speak with folks on the Board. With Tom Hansen, the president.

[AM]: Oh. I thought they were going to be here since we're asking questions.

[SS]: We're asking questions of the panel of City stuff. Thank you very much.

[AM]: I misunderstood.

[SS]: So I'll take a question from the room. "In neighborhoods around Portland, including Eastmoreland, we're seeing new building stock that is more expensive than what it replaces. I assume that the Planning and Sustainability Bureau has looked at this. Can you please describe the analysis that was conducted and how the Residential Infill Project will change the practices that have led to this phenomenon."

[MT]: That is a very difficult question. So basically it comes down to: how does the real estate market work? And what I can tell you is we have looked at an economic analysis and what is the consequence of reducing the entitlements on the allowed house size on lots and what does that do to the market. And what it does, at least in the initial term, is suppress the residual land, what you can get out of a piece of property by redeveloping it. What it does for the houses in general I think, I'm now speaking hypothetically because we didn't conduct the study for this, but if you have an existing house that is above the maximum size limit that's allowed, that would probably be sold at a premium because it has additional square footage that you wouldn't be able to build under the new rules. But if you have a smaller house, then it probably has no net effect on your house value.

[SS]: Thank you. So another online question. "How would a local historic district be different from a National Historic District? Can we change a national historic district designation to a local one in the future?"

[BSH]: This is another one of those great like, "Brandon, you told me one thing and now you're telling me something else." And we knew this question would come up tonight and something we wanted to talk about. As part of the state administrative rule changes, the Land Conservation and Development Commission for the first time since 1995 have given local governments across Oregon a door for creating local historic designations. So up until mid-February, local governments needed every owner to consent for a local or conservation district to be created from a state law passed in 1995 requiring more onerous obligations for owner consent than the National Register. So in Oregon for the last 22 years, we have not created any local historic districts or conservation districts, which are local designations for historic resources. They may be a form of preservation light concept, but we haven't created those in over 20 years because on the requirement for unanimous owner consent and I think, given the signs in the neighborhood, it would be pretty hard to get unanimous consent when it comes to property rights issues here in the state. So we have not had that option and so all of our policy framework expects unanimous owner consent. The Goal 5 rules say local governments can create new conservation and local landmark districts but the majority of property owners (fifty percent plus one) supporting the idea. The challenge we face is even though the state has given us that opportunity, we need to revise our program for what a conservation district or local historic district would look like before we invite anyone to apply or consider that option in the immediate term. So we'll be working over the next year to develop programs for new conservation districts and new local landmark districts before we sort of turn on the faucet of allowing people to apply for those designations. Today, neither a local landmark district or a conservation district come with demolition review. There is demolition delay and there are design review or design controls applied. There is a growing feeling that we don't necessarily have the rules right since we haven't looked at them in 20 years. And so we'll be spending, we being to a degree Mike but a lot of my time, spending the next

whether or not they would be, you know, demolition review and design review or just demolition review. I don't know those things. But what I do know is in our work we're thinking about what would be some new tools for areas of the city that maybe aren't right for National Register designation but do have some historic significance and need some level of protection. So we'll be looking at options and shopping those around through the public hearing process and open houses which is sort of my long-winded way of saying city-wide we're excited about local and conservation districts as new opportunities. Germane to your discussion in Eastmoreland, I don't have an answer to what those districts might look like in a year when we've got that available. The last question that was part of that, was if you become a National Register district, can you jump ship and want to be a local landmark district, and the answer is that it's really not easy to do that. When you are on the National Register, that's a national or federal designation. The pathways to removing a federal designation are, it's not just like the City can call up the Secretary of the Interior and say we want that district to be de-listed.

[MG]: The process for de-listing is basically the same process as listing, except the argument you have to make is that between listing and the de-listing things have changed so much that it's no longer eligible. So it rarely happens.

[SS]: So I see we have a question from the floor.

[AM]: Hi. I want to go back to the question of demolition review that would apply if Eastmoreland is a national historic district. Because as Brandon mentioned, it's a broad definition and it applies directly to individual land use decisions. So it would apply directly whether or not you have something in place or not, until you have something in place. It's a broad definition that includes destroying or removing in part something from the house that makes it no longer historically significant. So I'll use my house as an example, which is a Cape Cod cottage. We have made a very typical remodeling to it that owners of Cape Code cottages do that there are two dormer windows on the second floor. That remodel has taken my house from being a contributing resource to a non-contributing resource under the proposal. So that very simple straightforward and common remodel has meant that, has changed the historic significance of my contributing resource house. That, I think, would conceivably fall within the definition of demolition that's been adopted under the new Goal 5 rules that would apply directly to a remodeling application until you all adopt something else. So I don't know when you would adopt something else, we don't know what that looks like, but I think that there is this ability in that general definition. There's an ambiguity and an ability for others to say I think your remodeling is running up against that definition of demolition. Thanks.

[BSH]: So as I mentioned earlier when I informed the audience that we'll move from the 101 courses we were having 6 months ago to the 501 courses we're having now, that is the challenge that the City (capital "C" city) we are wrestling with. Because this definition has been for all those types of historic resources. But what Mary Kyle is getting at is a concern that if someone made changes to their contributing resource such that it was deemed non-contributing, would the capital "C" City have failed in our obligation to protect that resource from demolition? Because once something is non-contributing, it is not subject to demolition review. So we know there's a challenge here and it's one that, and I've known Mike for 9 years or something now, and Mike and I have been wrestling with this for the last couple of weeks with our City attorneys and staff at multiple bureaus and it is our goal to create an answer that is workable for Eastmoreland. And we can recognize that whether we side on the side of conservatism or liberalism and how we interpret this definition, there will probably be people that say you should have gone a little bit further one way or the other. But our goal would be if Eastmoreland is listed as a district that we would have a program guide or other explanation for where we're drawing that line. In the zoning code updates that I expect to be done in about a year, we will have a better set of parameters around that definition of demolition. But it certainly is an area,

tonight have certainty on how we apply them.

[SS]: I think we're ready for another question from online. This is very related, maybe it's actually been covered. "What kind of exterior alterations to contributing homes will be allowed during the time after it becomes a historic district but before design guidelines are in place?" Well I think you just said you don't know?

[BSH]: Let me bite that one off. I can put you on the spot, but there are some things that are exempt even with design review. There's a set of exterior changes that are exempt even in places like the Irvington historic district. That would be things like routine maintenance and repair...

[MG]: There's some types of small projects and we have a... Routine maintenance and repair is what most of the exemptions cover. And if you're replacing less than half of what we say is like a system, like less than half of your siding, that would be a repair. Or if you're replacing one part of your window that somehow needs some work, that would be a repair.

[BSH]: For a whole bunch of reasons, we don't review interior changes. So Mike and I are never going to come into your house and say yes you can or can't do that. You do have to get building code approval for certain things, but in terms of the historic resource review if you did have Eastmoreland-specific guidelines, they would not say your sinks in your bathroom have to be pink or green and that's your only two choices. We don't look inside the house.

[MG]: I'll come into your house if you need looking at. (laughs)

[MT]: I won't come into your house.

[SS]: So this question was specific to before design guidelines are in place. Let's say July 6 it's a historic district. It's not until next spring that guidelines are in place. What sorts of alterations, will there be design reviews during that interim period?

[BSH]: There will not be design reviews. So in that interim period it will fall into demolition review or permanent activities. And I know that this is a bit confusing, but I served on the state committee that adopted the rules and so I'm a little biased in favor of them. But we think it's a better way for National Register districts to get created where, instead of overnight all the rules apply, that you get your demolition review and then the City, in conjunction with the neighborhood will decide what the right type of design review is. It creates a second step that provides for more public input. Not on the question of should we or should we not be a historic district, but we are now a historic district so what do those design approval criteria look like? What would be the best outcome for its listing in the National Register? And while it seems confusing, I think those of us at the City see it as an opportunity to take it one step at a time.

[SS]: I think we have a question from the floor.

[AM]: Thanks. First of all thanks for all of you guys taking time out of your days to field all these questions. It's really appreciated. I'm yet another person that's doing siding and I guess maybe this was answered in the last half of that question. But let's say July 7 comes around and becomes a historic district, any work that does require or would require design review if it did exist. I guess at what point does, are you kind of safeguarded? Like if you secure the permits before the historic district comes around, is that sufficient or does construction need to be done, final inspections? That sort of question.

you've started the process before there's design review you'll go through the process with the code that you started with.

[AM]: Alright, thanks.

[SS]: So that window of time is between now and say April of next year when you presume roughly design review will come together?

[BSH]: The same would be true for a demolition. So if you apply for a demolition permit, you're issued your permit but your backhoe is coming out July 8, if the permit has been issued you're still, within certain parameters going forward, you can still do that because you are vested in your application.

[SS]: Thank you. Another question online. "Do you foresee major alterations to street-facing sides of contributing homes being allowed under future neighborhood-specific design guidelines? Could I transform the look of my home by adding a large porch or other front addition?"

[MG]: I'm going to split the difference on this one. Do you foresee major alterations to street-facing sides of contributing homes being allowed under future...? No. But, could I transform the look of my home by adding a large porch or other front addition? It sort of, it depends. If there was a porch there already and you're restoring it to something that is more in keeping with the historic nature or the historic look of the house, that is something that we might actually approve through design review. That would be really dependent on what the house was. And then, I know that this question was specific to a contributing resource, but if it was a non-contributing resource there would be a little more latitude there.

[BSH]: I'm going to make a segue over to Morgan here in a second. One of the areas where the base zone intersects with the historic district is that generally what's allowed in the base zone is still allowed in the historic district with the overlay of demolition review and potentially design review. So there are required setbacks in the code. You know you can only build so close to a property line. In part of Eastmoreland there is a larger-than-normal front setback. So if you're in a historic district, there are still some of those parameters that exist on what you can and can't do that are already there today. [to Morgan:] Maybe you can talk about the flexibility for existing houses.

[MT]: Well I think what Brandon is getting to, in terms of the Residential Infill Project and the ability to have additional units. If Eastmoreland is a historic district with particular design requirements and design reviews, and someone wanted to take their structure and modify it to allow for additional units to convert a house into a duplex, they could go through that historic review process. I think the guidelines would dictate or guide how the additional access to that additional unit would look, but it's more about what the exterior envelope of that structure looks like. Not the fact that it's got two units in it.

[SS]: Okay. Question from the audience. "My house is non-contributing. I would like to put on solar panels which would be visible from the street. Would that be allowed after the historic district is in place."

[MG]: Rats. Maybe. It depends. If it were your entire roof, most likely no. If there was one small section, maybe yes.

[SS]: So this is a non-contributing home?

[MG]: On the non-contributing home, yeah. It would be much more likely that we would allow it on a

[SS]: But this is a non-contributing home they're asking about. So you're talking about a contributing home?

[MG]: I'm talking about non-contributing. It's one of those things where I, if you pointed to a house and we like looked at some plans, I think I could probably give a more direct answer. But I've gotten myself into trouble before by telling people "yeah, go for it." And realizing the realities of what's on the ground, so maybe is the answer to that.

[SS]: Interesting. Okay. That might surprise some folks in the audience that a non-contributing home...

[MG]: If it were a side-gable house, so the gable faces either side and the roof, and you covered the front of it with solar panels that would probably not be something we would approve within a historic district.

[SS]: Even on a non-contributing home?

[MG]: On a non-contributing resource.

[SS]: And the follow-up question is, "What's the last date by which I can install solar panels on my roof?" That would be?

[MG]: Yeah, it would be before we had design review which we don't know exactly when that will be. I will say that Lair Hill has district guidelines which actually even speak to solar panels I think.

[MG]: In both. It encourages them. And then talks about what their placement should be. But that's something that you might include in your guidelines.

[BSH]: I'll give a little different example out of the Chinatown district again because those have guidelines. In that district, generally we don't encourage adding things to the front face of a historic building. Or if you have a historic façade, generally speaking you want to kind of maintain that historic character and visibility. But we know in that district historically, awnings and balconies and flats and banners and signs were all applied to the faces of historic buildings. And so we are, in these guidelines, going more liberal and allowing for balconies, signs, awnings within some parameters so that they're appropriately scaled and they're compatible with the building. But allowing for that flexibility on the face of the building that we wouldn't normally allow because that's that district's story. Its story is that 100 years ago that would have been all the buildings in the district were covered in a lot of brick-a-brack. Which is my segue of saying that the solar conversation would be part of the district design guideline discussion if we got to that point. You know to ask, well Eastmoreland with your funny streets and your houses that are situated at different angles and some houses that are all street facing all the time. How do we treat solar? We could have that discussion with those guidelines if the base code applied and to Mike's point of it depends if you're on a corner, you're at an angle, what's street-facing, what isn't, are there any contributing/non-contributing and some of those more nuanced questions.

[SS]: So if I make a significant remodel to my contributing home prior to the finalization of the historic district, could it become non-contributing?

[MG]: Yeah. There's a, Brandon knows this better, but there's a process by which you can say this is a not a contributing resource anymore. And there would be a window there where that might be able

[SS]: We have a question from the floor.

[BSH]: We have a process called reclassification and it's free, so if the district does get created and your house is erroneously listed one way or the other or you believe it to be erroneously listed you can say, "hey I've got a 1928 Cape Code and it's classified as non-contributing and I'd really like to take advantage of the state special assessment program, National Park Service would you consider changing that to contributing?" Free of charge you can make that request, but it's on a case-by-case basis and there really is a finer grain look at whether or not that request should be honored or not.

[AM]: These are related, so you can take it how you'd like. Let's say hypothetically I have a non-contributing home and I want to add to it. Let's just say it's an English cottage but I want to put a glass and steel dormer on it as a kind of expression of contemporary architecture. What's the likelihood of that getting approved? And then the second sort of related corollary is hypothetically I have an empty lot. It's facing a group of homes that are in the latter part of the period of significance, so the early 60's / late 50's. I'd like to put a contemporary home. What is the likelihood of that? What's my journey going to be with you guys?

[MG]: So taking the first one. Two concepts in historic preservation are differentiation and compatibility. And they even come up in those ten guidelines that are kind of like standard guidelines. And they are sometimes oppositional. And different municipalities, different entities that regulate using those, they have different points on that gradient that they fall. Portland is for the most part pushing pretty heavily for compatibility and that's verified through many, many decisions that the Landmarks Commission, who is the commission whose decisions sort of guide how I make my decisions. That's been verified through lots of their decisions. So a very, very contemporary glass and steel dormer, I'm thinking like a robot dormer...

[AM]: Think of a Frank Gehry.

[MG]: That would probably be something that you know within the framework, speaking generally of those ten guidelines is that something that gives us a starting point to talk about, would probably not be approved. In the case of the mid-century houses and the empty lot you're developing I think there would be a case to be made to use, if those are contributing houses if those are contributing resources, use them as a guide for what you develop on the lot. So you know, we're all about context when it comes to the infill sites, so if your context was houses from the late 50's and early 60's that are contributing to the National Register district, that could be your source of inspiration. You know there would be, it's one of those "it depends". You can go in a lot of different directions with that, but it wouldn't necessarily be an absolute no.

[SS]: So we have one now that was submitted earlier online. It's a little more refined question than the gentleman asked a moment ago. "If a remodeling application for my contributing home is in process but I haven't yet progressed to the point of paying fees or been issued a permit, and the designation comes through, how will this affect my remodeling application? So you might address the July 7 date and the spring date if they haven't yet paid the fees or been issued a permit."

[MG]: I think having the application, that's the point that you're vested. I think that not having paid the fees might be a catch. I'm sorry I don't know the exact answer. Pay the fees."

[SS]: Thank you. We have a question from the floor.

[AM]: I have a question about a contributing resource. Let's just say I want to add something to the

that they look at pieces on the front? You kind of add things? Let's just say that your adding a bathroom and you notice that maybe my garage door is made of metal. Have you ever kind of, do they add different guidelines...

[MG]: Are you asking if we, say you put in an application for your bathroom on the rear, the back and then...

[MG]: ...we notice something kind of weird on your garage and are like "what are you doing over there?" We, you know if it's permanent, we're not going to make you restore parts of the house that aren't part of your project. If you have a code violation and we notice it...(laughs)

[AM]: I was also wondering about someone that has vinyl windows right now, a contributing resource. And then all of a sudden they put a dormer on the back and you say "ooh"...

[MG]: So say you have vinyl windows on the front. We'll be concrete, That makes it a lot easier to talk. And then you add a bathroom addition and we ask you to put wood windows on that addition. We're not going to say also you have to restore the front of the house.

[BSH]: Let me take the flip side of your question, and I'm going to ask this of Mike because I don't know the answer. I think I do, but I don't want to make stuff up. Let's say that you want to do that bathroom addition but at the same time you also want to take those vinyl windows out and put wood ones in. Mike, could she do that under the same application to save time and money in the future?

[MG]: Yeah. Absolutely.

[AM]: What about if I have vinyl siding? Would you make me side the bathroom in wood?

[MG]: That's a case-by-case basis. That's one of those things like around like now we're getting so drilled down that okay, you have two giant street-facing facades on a corner and one of them is wood and one of them is vinyl, the whole thing is vinyl it's sort of... That might be too drilled down for me to answer to give you the best advice. I've reviewed projects in Irvington that had not traditional cladding and we allowed additions in that non-traditional cladding. There's also been sort of you know sometimes houses got half of the job done and we've asked that wood be what the addition is done in.

[BSH]: I'm having fun with this. What's your name?

[AM]: Julie

[BSH]: Julie. Okay, so Julie wants to add a bathroom to the back of her contributing building. And Julie looks at the permit land use review types and she says I'm probably a Type II. How does Julie, just to give us a little insight how this process works since you're saying it depends? What does Julie's process look like from the time she says I want to do that bathroom addition to when she gets the permit to do it? Can you tell us a little bit about the interactions you have with people who are looking to do projects? Do they just submit something and you never talk to them again? Do they just throw out concepts and say "Hey Mike, what do you think about my Frank Gehry dormer"? What's that like?

[MG]: So, well, you can, generally the way it works is you apply for your design review and there is, you know you have your application, you share everything that you want to do. And the first thing that we're supposed to do on paper is that we have a completeness check where we just say "Do I have

We also use that as a chance to say, “you know, here’s something that is very problematic and so it’s probably going to be reviewed and let’s talk about that”. Not probably will be reviewed but probably won’t be approved. Let’s talk about that so we can get it to where it will be approved. Is that what you’re looking for?

[BSH]: Yeah. Just what that relationship would look like between staff and an applicant as you come to a decision.

[MG]: Yeah, you know it can be an iterative process. We’re very happy to work with people. Most of what we review ends in an approval. And that’s because we’re really happy to point out early on if things seem like they’re not going to work. And then talk with me about what their goals are and find something that is approvable.

[BSH]: There are times where Mike’s team will deny an application, but it’s not all that often but it could happen. An applicant, if it’s a Type II for a bigger project we’re talking about, can appeal that decision to the Landmarks Commission for a public hearing.

[SS]: And if it’s approved, can then there’s a public comment process can others appeal or an approval, I forget how that works.

[MG]: Yeah. So there’s a public comment process where I talked about the app being on and everything. And after there’s an approval, there’s two weeks where someone else can appeal it. It’s fairly expensive so it’s not something that happens often. That would go to the Historic Landmarks Commission and the argument that the person, the opponent, would have to make is this doesn’t meet the guidelines for this reason. Not “it’s not what I want to live next to” or...

[SS]: Oh I’m sorry a follow-up question.

[AM]: I’m wondering about the fees that are involved in the design process. So when I submit a sketch to you, are there fees?

[MG]: Yes. So there would be a Type II application fee which I looked up earlier but I couldn’t see it on Brandon’s phone. So there are fees for that. Like let’s say you’ve paid your fees you applied and we’re in that completeness phase – that really early phase – and it’s a Frank Gehry dormer. And I’m like “sorry you can’t do the Frank Gehry dormer”. You can get at 100% refund at that early stage, because no one has like reviewed the project. And if there’s something that is sort of really really way off, we try to do that just because it makes everyone happy.

[AM]: May I ask another?

[SS]: A follow-up to this?

[AM]: Yes. So you said afterward, you can appeal during that two week window. So you’re saying that neighbors can chime in. And you’re saying there’s a fee associated with that to the person who is trying to do the approval or...

[MG]: The fee is charged to the person appealing, unless it’s a neighborhood association.

[AM]: And then what happens?

[MG]: It’s free for a neighborhood association.

[MG]: So Irvington is right now the biggest district we have. And I review tons of projects in Irvington. The Irvington Community Association, which is the neighborhood association there, is incredibly active. They comment on every single project. Yeah, and they have appealed projects, but it is an exception not a rule.

[BSH]: One example from both Irvington and Ladd's Addition, those bigger residential districts, and Ladd's Addition has waxed and waned over the years, often times has like a historic preservation subcommittee of the board to try to give people advice before they get to Mike's review. So that's something that I think there's this question of what role does the neighborhood play after the district gets listed. There are different things that can happen, but if your district does get created, if there are design guidelines, there may be a group of people in the room who are designers/architects who want to help people navigate the process or be there early on to make it easier for them in terms of review. But that's something that case-by-case the neighborhood has to figure out.

[MG]: In the case of Irvington, a few months ago I had a project come in and it was a pretty significant addition to a contributing resource and actually it might have been an individual landmark historical resource too – it doesn't matter. And I talked early on with the applicant and said this is something that is unlikely to be approved. We sort of, we talked. I had some phone calls with her. I met with her in person. And she just thought okay, I'm going to take a step back and rethink this. And she went to the neighborhood association because they have a really active neighborhood association. They helped her out, and now she's about to apply for something that I think will probably pretty easily get approved. It was nice that she had that resource of the Irvington Community Association to go to because they are looking at every project that comes through.

[SS]: We have another question from the floor.

[AM]: This question's for Morgan and it's about the Residential Infill Project. We hear a lot of concerns in the neighborhood about the kind of about incentives for demolition and replacement with duplexes and triplexes. And there's sort of panic I would say to some extent and it's unfortunate. But even though I think a lot of good is in this for the City as a whole and the neighborhood, there's sort of a pitting against the neighborhood and the RIP and saying that we need a historic district to sort of get out ahead of this. And I think one question that I have is in terms of just being able to be accurate, is it true, is it accurate to say that if a home is being converted or if there's a new structure that is a duplex and with the two ADU's that we're still talking about holding it to the smaller scale? So I think there's a skepticism about whether it's just going to more big stuff.

[MT]: Yeah, so that's a good question. I'm going to pair that with another question that's in the packet about the max house size. So the first response is whether it's a new house or a new duplex/triplex, initially, this is where it gets a little complicated to explain, initially our proposal was they all had to be kept to the same size. And one of the directions we got from City Council in December was we would like to encourage when we're going to demolish and replace a structure that it be replaced with a duplex or triplex as opposed to a single family house. So the direction was, utilize a smaller size allowance for a new house so additions to existing houses would be kept the same size as a duplex/triplex. A new house would be kept a little smaller. So that's a detail we're still noodling and is challenging. There was a question about the house size and how big these things can get and there was an example in the packet about lot sizes in Eastmoreland that are a bit larger. So the example in this question says "Given our average lot size is about 7,100 square feet and the average above-grade home size is under 2,200 square feet (I think that's the current existing above grade home size in Eastmoreland), then the RIP still allows for a much larger home. So not considering the basement, the average home could be 3,550 square feet (that's the 50% size limitation that I talked about earlier) plus an additional they said 1,000 square feet for an ADU but ADU's are capped at 800

6,100 square feet for the average Eastmoreland home. Is that correct?” So, it’s partially correct in that the size limits are based on lot size so a 7,100 square foot lot would be about 3,550 square feet of floor space. I think what’s important is to compare what’s allowed today versus what’s being proposed. And so in that same example, you would be allowed essentially a 7,700 square foot house, plus a 2,500 square foot basement, it’s about 10,000 square feet. So if you contrast the status quo against our proposal, you’re talking about a difference of about 10,000 to 6,100 square feet. 6,100 square feet admittedly is still very large. But again, part of that square footage that is being accounted for is subgrade and what we’re really after is what the bulk looks like above grade. So thinking again about 3,500 square foot house on a 7,000 square foot lot is not out of the realm of general sizes in Eastmoreland.

[AM]: And that applies whether there’s two units or three units? I mean it’s the same size requirement?

[MT]: That’s correct. So if you just split those units evenly, it would be one house at 6,100, duplex at 3,050, or triplex at 2,000 roughly.

[AM]: Quick corollary. Duplexes are allowed on corner lots now and have been for quite some time, right?

[MT]: Yeah. Since 1991 the City has allowed duplexes on corners.

[AM]: Do we have the sense of how many people have taken advantage of that? Because I don’t see a lot of that in the neighborhood.

[MT]: It varies by different parts of the city. So east, if you look east if you look west, if you look at the inner pattern area, there are some differences. Inner Portland has got a higher percentage, but overall city wide is about 3% of lots took advantage of that.

[BSH]: I think I want to keep going with this question. You asked how the Residential Infill Project is being pitted against the historic district. They seem like do you want apples or do you want oranges, and sort of the question is do you want a cherry on top of your ice cream or not. In a way, because the project that Morgan’s talking about that deals with the number of housing units that would be allowed on a site, the scale of houses, some of those fundamental zoning determinations will be true whether you are or are not a historic district. If your concern is about the number of units that are allowed on a site, then you’re really talking about Morgan’s project. Because if Eastmoreland becomes a historic district and if triplexes are allowed on corners, a triplex would be allowed to be built on the site of a non-contributing building, a triplex would be allowed to be an internal conversion project – a big old house that now has 3 units in it, if that number of units is allowed then there is some path ideally to get an applicant to that number of units. Now they may be different sizes, they may look different in a historic district. They may be more contextually responsive, and they may not involve the demolition of a house. But if a duplex on a corner is allowed today and you become a historic district, there is still a way to get two units on a corner. It just may look different and be more challenging.

[AM]: I think the concern that people have is that the economics will, that without a historic district the economics will lead to more demolitions. And that’s where I perceive that the concern is about the economics.

[MT]: I sort of struggle whether I should run through these numbers with this group because it was a little mind bending for me. I worked with our economic planner over a couple development scenarios

show you why, especially in Eastmoreland, it's less panic-inducing than you might think. So I'm going to start with a current scenario of a theoretical 10,000 sq. ft. lot that just happened to be sold recently for \$750,000 and split into two lots of an average of 5,000 sq. ft. Two new homes were built. They were generally about 3,400 sq. ft. each, and each of them sold for \$1.1 million plus or minus. So that was about \$350 a square foot for those homes. Under the proposal, each of those lots could accommodate a 2,500 sq. ft. structure. The average sales price for new construction being \$350 per square feet, each of those homes could sell for about \$850,000. Smaller structure, lower sales price. The construction cost, using some round numbers here, is about \$225 a square foot. So you multiply that by 2,500 sq. ft. and those structures cost about \$560,000 to construct. And then you factor in what we call a yield, of 15% yield which is the profit plus the construction cost of holding that loan, on the sale price and you add another \$131,000 to the cost of building that home. So your total cost for that structure are close to \$700,000, about 693. So that leaves about \$181,000 for the land purchase which is about \$36 a square foot for the land. And land prices in Eastmoreland are going for about \$75-\$120 a square foot. So just looking at that scenario, that makes it pretty challenging. So lets look at duplexes. So if you have duplexes on each lot, the sales prices of each home would go up about by about \$45 a square foot, from \$350 to about \$395 a square foot. Construction costs and sale prices are higher for duplexes. I'll save the details of running through that whole scenario, but it essentially raises what one could pay for the land by about \$20 to \$55 a square foot so it makes it more feasible to build a duplex. You get from \$36 to \$55 a square foot, but you're still well below the \$75 a square foot that Eastmoreland land is worth. Where this will have an effect are areas where the house value and land value is running somewhere between \$25 and \$50 a square foot which is \$250,000 lots. And most of those are not in Eastmoreland.

[SS]: So I'm noticing the time and I really appreciate everyone's interest. I appreciate greatly your enthusiasm in providing questions. We've had a lot of questions and worn out our panel probably. They may be willing to stay a little longer, but I'm afraid we need to leave so that we can clear the room. The janitors have to have access at 8:30. I'm basically starting my apology for not being able to get to all the questions. I hope we've gotten to enough of them that it's been useful for all of you. And I want to say thank you very much to our panel.

[BSH]: Morgan and I want to give a little process update. I want Morgan to be able to make sure for those people who are really interested in residential infill to know how to connect with that project. And from my vantage point, I said that this the last time I was on the stage, I think it's really important and I just going outside of my planner habit because I get the phone calls and I get the nice little screen shots of NextDoor posts and yard sign pictures. I think it's really important for people in the neighborhood to talk to each other. Because either you are or you are not going to become a national historic district on July 6. Either way, you're still going to be neighbors and either way you're going to be talking about Morgan's project with us. So we're all going to be in the same room again whatever happens after July 6 and I hope as the next 3 months go on with what will still be a number of questions and we hope to give you the best answers we can to those. My hope is that there's a way to entertain a dialog no matter what happens in July with the listing we recognize this doesn't end the conversation with the Planning Bureau with these other pieces because there will be questions about design guidelines and questions about the Residential Infill Project. So this is my way of saying I'm available for questions and the most civility that can exist in the neighborhood is going to be the best for me being able to give good questions, give answers to your questions. And we can go through this process together.

[MT]: I just want to add to that a little bit. First, thank you Sandy and the other folks in the room who helped organize this event. It was very helpful. And great audience. I think one of the take-aways for me was regardless of the disagreement or the controversy here, it just shows that you all value and treasure your neighborhood. And that's great to see. So keep that in mind. In terms of follow-up

September/October so just shortly thereafter with a draft proposal and lots more information to share with you. I am going to take a crack at addressing all the questions we didn't get to answer, at least that relate to the Residential Infill Project and I'll send those to you.

[SS]: And I will forward them to the person that provided the question initially. Thank you. I appreciate that.