



Palisades Neighborhood Association Overlay Project Neighborhood Forum to Review the [*Draft of Code Amendment Concepts for the Palisades Overlay*](#)

[Proposed PNA Overlay Boundary Map](#)
[Video of this meeting.](#)

Tuesday, January 17, 2023, Zoom facilitated meeting

Meeting Minutes

Moderators: Frederique Lavios (FL), Nancy Sage (NS), Chris Durkee (CD) - PNA Overlay Committee Coordinators

Attendees: 52 attendees via Zoom

Minutes by: Cassandra Platz

Announcements

Meeting will be recorded.

FL: Welcome and introduction of moderators. Introduced Erik Olson (EO), Long Range Planning Manager, City of Lake Oswego.

Upwards of 40 other PNA neighbors comprise the Overlay Committee; working with the City to develop the Overlay zone and concepts similar to those in other neighborhoods. Intent of this meeting is to get input on the specific Overlay concepts under consideration. [Overlay draft](#) and other information is available on the PNA website palisadesneighborhood.org.

Attendee comments limited to one minute during Q and A. Comment priority given to those living within the Overlay boundary, then other PNA members, then those living outside the PNA. Any comments not given due to meeting time constraints can be directed to the Overlay Committee at the PNA website contact page.

Encourage email newsletter subscription at the PNA website to receive future notifications.

Overview

NS: Based on Neighborhood Characteristics Survey, the Overlay committee's goal is to help steer development to be more respectful of neighboring homes in scale, massing, and privacy; as well as balance any code changes with property rights and ability to maximize property value. Overlay committee was formed in response to many neighbors' desires to protect unique characteristics, primarily in areas developed prior to 1970. Characteristics most in need of protection include more moderate massing and scale of homes; private yards; mature tree retention; landscape screening; and minimal impervious paving. More details on the PNA website.

NS briefly read some common FAQs (from PNA website):

Will the Overlay affect my property value?

Overlay work committee members are all PN homeowners with goal of proposals that are property value neutral. Elements are still to be defined; some may reduce buildable area or floor area ratio (FAR) while others may relax code restrictions. Speculative building may be reducing the value of our homes by intrusive loss of privacy and reduced sun exposure.

Tonight, Overlay concepts aimed at preserving our neighborhood characteristics will be shared. Once these concepts are agreed upon, the City will partner with us to document specifics.

Will Overlay increase my property taxes?

No.

What are non-conforming conditions?

As a very general explanation, when homeowners remodel older homes, some of what was built to code in previous years may not meet today's code. These "non-conforming conditions" are grandfathered as long as no changes to that area; otherwise, current codes must be met.

More answers to FAQs can be found on PNA website palisadesneighborhood.org

First Poll (note - poll results adjusted to add vote of Zoom host, CD)

CD: Begin with a poll of where folks live and question gauging support of Overlay.

CD displayed [map of Palisades Neighborhood with the proposed Overlay Boundary](#) outlined.

Results of Poll (47 responses):

4% live outside the Palisades neighborhood

27% live in Palisades but outside the proposed Overlay boundary

69% live within the proposed Overlay boundary

Based on what you know now, are you in favor of an Overlay to protect neighborhood characteristics?

57% support Overlay Zone

27% are not sure

16% do not support Overlay Zone

Overlay Process to Date

FL: March 14, 2022, City Planning Commission accepted draft of proposed Overlay district. Never designed to apply to all of PNA which is too varied in housing ages and needs.

October 2021-present, Discussion of Overlay proposal in every PNA meeting.

May-June 2022, Desired Neighborhood Characteristics Survey available to PNA members.

August 2022, Walking tour of proposed Overlay area with City Planning Commission staff. Next steps discussed with the Planning Commission.

Regular PNA Board meetings included Overlay updates and continue to do so.

City Planning created quantitative Studies for all of PN. Proposed [boundary map shown](#) is one outcome; other outcomes include massing and heights data.

October 2022, Meeting with the Planning staff to review maps and revised boundaries.

November 2022, Planning Commission working session; their recommendations lead to updated proposed boundaries to include houses on both sides of streets and add North Sunnyhill area.

December 2022. PNA Board approved updated proposed [Overlay map](#).

Overlay Concepts Draft Discussion and Polling

NS: Begin discussion of three Draft Overlay concepts under consideration and not yet fully detailed, to get input from attendees and gauge support of each concept.

[Draft of Code Amendment Concepts for Palisades Overlay](#) document shared.

First concept encourages massing and scale in character with existing homes including a) second floor setbacks, b) FAR bonus for increased setbacks, and c) disallow height bonus. ([see Draft for complete details](#)).

CD: Open discussion for input.

NS: chat question about percentages on the [PN map](#).

EO: intent of [map i](#) is to show percentage of maximum building floor area on given property lot. Based on size of lot and floor area constructed.

EO: Answering question on layback planes: proposed goal of Draft Concept is to reduce pitch of roof line. In current code, side setback plane rising 12 feet, and front setback plane is generally 20 feet, one to one slope needs to stay within those planes.

CD: in regards to proposed concept 1b, FAR could possibly be increased above current code limits if certain design attributes are met, steering design to be more in keeping with neighborhood characteristics. This is a property value neutral goal.

Catherine Rogosin (CR): I live in the proposed Overlay area and I feel current City code regulations are sufficient. Driving the neighborhood, I didn't see a problem with newer houses on Canyon and feel they actually improve the neighborhood. I don't agree with Overlay and don't think the Overlay is necessary.

Rob Mecklenborg (RM): I'll reserve the rest of my comments for the other topics. I echo Catherine's sentiments. The entire process is skewed, especially tonight's polls; numbers largely represent those in the boundary, however the impositions will negatively impact the entire PN. As a commercial real estate lawyer, I'm passionate about this. Those who care about this issue for their particular area are entitled to form HOA. My HOA on Lowenberg Terrace works perfectly.

Brian Campagna (BC): Agree with Catherine and Rob. I have Overlay on another property that is consistently a problem. My family is third generation in PN, four homes, and I bought here because of no Overlay zone. I like having complete control. With the homes built in the 1950's we may need to do funky things like punching out a certain way or add a second story over the garage. Any additional constraints are going to make us go to more expensive Lake Oswego builders. If I can't do what I want with my house, I'm going to turn it into a rental. I think it will hurt the neighborhood because more houses would be run down. Also, not every house in this proposed area needs an Overlay because they are not set up to be demolished and add a massive house due to slope or lot size, so why add more unneeded constraints?

Poll Results (42 responses) on Concept One "Encourage massing and scale more in character with existing homes."

54% Strongly support

16% Moderately support

9% Not sure

5% Moderately oppose

16% Strongly oppose

NS: Second proposed Overlay concept is encouraging retaining mature, healthy, native trees, and maintaining mature landscaping and new landscape screening with a) landscape screening in side and rear yard and b) encourage alternative foundations to retain mature trees.

CD: Mature landscaping is a neighborhood characteristic that we're trying to protect and promote. Some people value rear yard privacy, moving to PN specifically for private back yards. That privacy is being impacted by larger homes going in; loss of privacy has an impact on our home values.

RM: Been through City process in respect to mature trees and their protection; City does an excellent job as is and that is one of the beautiful things about this area. Shouldn't be expanded beyond the existing code. This imposes more draconian restrictions affecting an individual's property rights and biggest investment. Inhibiting that value for privacy on an already strong code is taking it many steps too far.

CD: I hear many comments about homeowners' desires to do whatever we want with our property, but the fact is that we already have an extensive zoning code that constraints our ability to do what we want with our property. The Overlay proposes minor tweaks to steer in a positive direction. In some cases, relaxing the code with FAR bonuses. For example, snout garages are now prohibited by code but we have many of those in PN and proposed Overlay may allow for that. Another example would be a second story addition above the existing, non-conforming garage. We're trying to keep a balance that preserves and adds to property values.

Don Wayne (DW): Those who are involved in development often reference individual property rights. Big development projects often remove many trees. We're not talking about individuals taking out one or two trees. There are different values involved and I object to the attempt to confound those two interests.

CD: Nothing in proposed Overlay will change existing tree code.

DW: I'm not advocating changing the tree code.

CD: A lot of people ask why we can't include language to protect mature trees.

EO: Although we don't have scope and vision in respect to tree code; the intention is to add incentives or bonuses to preserve trees.

Poll Results (42 responses) on Concept Two "Encourage retaining mature, healthy, native trees and mature landscaping and new landscaping screening."

59% Strongly support

11% Moderately support

5% Not sure

11% Moderately oppose

14% Strongly oppose

NS: Concept Three is front yards mostly landscaped or permeable paving with a minimum amount to be determined of front to be landscaped, a) entire lot 50% maximum impervious; b) incentives for permeable paving; c) garage face not more than 50% of house front; d) allow

street facing garages to extend some to be determined amount if 1c is met; e) single curb cut; f) possible FAR bonus with 2 car garage instead of 3.

Mario Campbell (MC) : Are we limiting three car garages? Also with 1d, it seems like homes will all have front garages extending 8 to 10 feet.

NS: Depends on lot geometry.

CD: Right now snout garages are not allowed. We're trying to relax that code under certain circumstances.

MC: But 1c still limits me down.

CD: We're assuming we're talking about garage door face, not side garage wall.

RM: Seems like garage issues are not thought through and comparisons to other Overlay plans are unhelpful and out of context. Many move to LO for schools and sometimes to get a big enough house, need to take away from the front yard. Need to acknowledge why families move here and kids can't live in the front yard.

CD: We're talking about the portion of front yard setback that is already constrained in code. The size of setback would not be changed.

RM: So why are we talking about this?

CD: Some new homes have a high percentage of front paved while older homes have larger percentage landscaping in front. Overlay would preserve that characteristic.

BC: I want to keep the right for impervious surfaces on my property for boat parking. Young families want to move here, and without three car garages, need circular drives and boat parking. Don't know about the statistics, but seems like only people without young families can attend these meetings and want to keep things the way they were. Appreciate you trying to balance proposals, but young families will need to make small improvements. I'm completely against any Overlay. Individuals should have the right to decide rather than a group.

Alan Trurnell: We bought a home, not an investment. We bought not for schools, but for a large lot and privacy. Now there are three large homes around me. One is okay, but others are boxes. Now we've lost privacy and look at giant walls. Monster homes are not needed for young families, smaller homes can accommodate families.

EO: To answer a couple questions from chat. In regards to House Bill 2001, middle housing is extremely unlikely in PN due to HOA and CCR restrictions.
No PN property is in the flood plain and restrictions exist for the Oswego Lake setback.

Poll Results (42 responses) on Concept Three "Front yards mostly landscaped or with permeable paving."

57% Strongly support

14% Moderately support

9% Not sure

2% Moderately oppose

18% Strongly oppose

CD: results are consistent with previous questions.

RM: City should know that the entire Overlay process has not been in compliance with PNA bylaws. That won't be taken lightly. I've asked for information and haven't received it. It's disingenuous to compare to other Overlay zones without providing additional information. It's overkill. Polling is skewed and the bifurcation of those within the overlay boundary versus those who are not is not appropriate. PNA represents the entire area. Inappropriate for PNA board to espouse opinions of a few. There is only a small percentage with these views and perfect to form an HOA. I expect there will be legal challenges here.

FL: Rob, I know CD has answered your questions and tried to meet with you in person.

RM: That's right. I have a 20 month old child and work full time.

FL: I understand, but you can't say your questions aren't answered.

RM: I've asked to be included in all correspondence with the City. I haven't received any of that.

FL: CD can answer that. And we've answered questions about alignment with bylaws.

CD: This is not the forum for this discussion. CD confirmed he has responded to all Rob's emails. Bylaws clearly authorize PNA board to do what we're doing, no different than other neighborhood associations. For specifics, you can contact PNA chair Mario Campbell as well as Erik Olson at the City. We're following the same process under guidance and support of City. Planning Commission has goal of creating PN Overlay and we're fulfilling that goal.

RM: This is the first forum I've been offered.

CR: What is the time frame for approval of this and who makes the ultimate decision to approve or not?

EO: City's involvement begins once PNA board has made a recommendation according to their bylaws. Work sessions have taken place with the Planning Commission and PNA subcommittee to help with research and talk about what is appropriate. Next work session is in March. Adoption is tentatively targeted for sometime in Fall 2023 with hearings in the summer, assuming all deadlines are met.

DW: I'm not part of the Overlay committee and I'm not a developer. I kept hearing terms like "individual" and "collective." I've heard one of the big developers claim that anyone who advocates for Overlay is against progress. I oppose the notion that holding values and consultation with neighbors is somehow anti-American. I feel positive about the City's role in this. I don't feel positive about the role of developers because I'm told I'm against progress when I raise questions about values about the community.

FL: In closing, I encourage everyone to sign up for the PNA newsletter on the website. Also on the website is Overlay information including FAQs. You can contact committee coordinators – myself, CD and NS – via the contact page on the PNA website.