

December 1, 2015

VIA ELECTRONIC MAIL

Planning and Sustainability Commission
City of Portland
Attn: Steve Kountz
1900 SW Fourth Avenue,
Suite 7100
Portland, Oregon 97201

Re: Bureau of Planning and Sustainability's "Employment Zoning Project, Proposed Draft - September 15"

Proposed Amendments to Prime Industrial Overlay map and regulations to remove a 3.5 acre site at the northwest end of the city limits of Hayden Island needed for a future regional boat ramp facility

File No.: 094452.0003

Dear Commissioners:

This firm represents Inland Sea Maritime Group LLC with regard to the City of Portland's Bureau of Planning and Sustainability's proposed Prime Industrial Overlay map and regulation which are the subject of the "Employment Zoning Project, Proposed Draft-September 2015" (the "proposed Overlay").

Please enter this into the record in the above matter which is scheduled for a meeting on December 8, 2015.

Our client, along with two adjacent property owners, owns property which is the site of a proposed future 6-acre regional boat ramp facility on West Hayden Island at the northwest end of the city limits. The proposed regional boat ramp facility would be adversely affected by the City's proposed Overlay regulations.

Portland Planning and Sustainability Commission
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Attached please find a Memorandum which proposes amendments to the Overlay to remove a portion of the boat ramp facility site from the Overlay map or, in the alternative, to create a special provision to allow a regional boat launch facility approved by the Oregon State Marine Board (OSMB) as a permitted use in the Overlay zone.

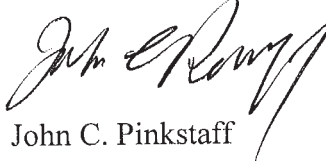
These amendments are warranted because the proposed regulations will substantially restrict and impede the ability to develop a public boat launch facility to meet the regional needs of the boating public, and the planned regional boat launch facilities on this area of Hayden Island will not conflict with development of Hayden Island's prime industrial land.

Please let me know if you have any questions or need anything further.

Thank you for your consideration.

Very truly yours,

LANE POWELL PC

A handwritten signature in black ink, appearing to read "John C. Pinkstaff", written over the typed name below.

John C. Pinkstaff

JCP:mag
Attachments
cc: Client

094452.0003/6497412.2

December 1, 2015

VIA EMAIL: psc@portlandoregon.gov
Steve.kountz@portlandoregon.gov

TO: Portland Planning and Sustainability Commission
Attn: Steve Kountz

FROM: John C. Pinkstaff

RE: Bureau of Planning and Sustainability's "Employment Zoning Project,
Proposed Draft- September 2015"

Proposed Amendments to Prime Industrial Overlay map and regulations to remove a 3.5 acre site at the northwest end of the city limits of Hayden Island needed for a future regional public boat ramp facility

FILE NO: 094452.0003

BACKGROUND: The City of Portland is currently proposing changes to the existing zoning regulations and zoning maps that, if adopted as currently written, would impose a "Prime Industrial Overlay" intended to protect industrial development capacity in Portland's freight hub districts by prohibiting and restricting certain types of non-industrial uses. The Bureau of Planning and Sustainability's "Employment Zoning Project, Proposed Draft-September 2015" (www.portlandoregon.gov/bps/employmentzoning) seeks to protect prime industrial land from siting for parks, among other non-industrial land uses, with a Prime Industrial Overlay map and regulations in order to plan for adequate developable land capacity to accommodate expected employment needs. (hereinafter "Prime Industrial Overlay") (See Proposed Prime Industrial Overlay Map and excerpts from City staff Memo re Employment Zoning Project dated November 6, 2015 **Attachment 1**).¹

The Prime Industrial Overlay map and regulations would apply to 3.5 acres owned by Inland Sea Maritime Group and Mr. James D. Liston needed for a proposed future regional boat ramp facility and park (hereinafter the "Property" or the "Site") (See maps of proposed Overlay boundary,

¹ Proposed 33.475.080 would allow recreational trails and boat launching areas not exceeding 2 acres, and those over 2 acres may be allowed through a conditional use review set forth in proposed 33.815.150.

affected parcels, and proposed boat launch facility, **Attachment 2**).² The plan for the Site shows a proposed public park/public boat ramp and accessory facilities, trailhead access, restroom and interpretive center, and parking for cars and boat trailers and a realigned segment of Hayden Island Drive (hereinafter the “Plan”, See **Attachment 3**).³ The boat launch facilities will serve the regional needs of the boating public.⁴ The Plan was previously endorsed by Oregon State Marine Board’s (“OSMB”) Wayne Shuyler, Boating Facilities Program Manager/Deputy Director (retired).⁵

² The proposed future regional boat launch Site includes three ownerships:

(1) The property at 3255 N. Hayden Island Dr. in Portland. Approximately half of this property (Section 33 2N 1E TL 1400, 3.5 acres) is owned by Inland Sea Maritime Group (ISMG) and is developed with Schooner Creek Boat Works which is a boat building and repair facility. The remainder of this property is undeveloped (TL 1500 2.78 acres) and a small portion of TL 1500 is needed for the proposed boat launch facility. Both of these tax lots are owned by Inland Sea Maritime Group LLC. This has a base zone IG2, General Industrial. Both TL 1500 and 1400 are inside the proposed Prime Industrial Overlay (hereinafter “TL 1400” and “TL 1500” or the “ISMG Property”).

(2) The adjacent property to the north (Section 28 2N 1E TL 100, 2.57 acres). This property is undeveloped and has a base zone of R2, Multi-dwelling Residential and is owned by SDP LLC & Canoe Bay LLC. The adopted Hayden Island Plan identifies this property as a new park for recreational opportunities for both residents and visitors to the island (See excerpt from Hayden Island Plan, **Attachment 4**). Due to its R2 zoning, Section 28 TL 100 is outside the proposed Prime Industrial Overlay (hereinafter “Sec. 28 TL 100” or the “SDP LLC & Canoe Bay LLC Property”).

(3) A portion of the property across Hayden Island Dr. (Section 33 2N 1E TL 100, 3.79 acres) owned by James D. Liston, which is a portion of the site needed for the boat ramp facility plan). This parcel has a base zone IG2, General Industrial. Section 33 TL 100 is inside the proposed Prime Industrial Overlay (hereinafter “Sec. 33 TL 100” or the “Liston Property”).

³ The Plan will occupy six acres of the approximately ten total acres in TL’s 1500, Sec. 28 TL 100 and Sec. 33 TL 100. As such, the regional boat launch facility would exceed the 2 acre maximum for an allowed use in Proposed 33.475.080 and therefore would not be allowed unless it obtained a conditional use approval under proposed 33.815.150.

⁴ This is a boat ramp deficient area. City police and fire boat access at this location would help current and future safety concerns on Hayden Island. The OSMB has indicated that a boat ramp on the island would be regionally significant because of the lack of river access in this location and the extreme demand. Hayden Island is currently park deficient and this Plan benefits the island park demand. A ramp at this location benefits safety because fire and police boats can use it for quick access to this part of the river. The ramp can be used by both motorized and non-motorized boats. A second bridge to Marine Drive for all island users is also a needed addition for island access and would allow ramp users an additional way to access the island. Finally, the ramp would allow boat owners to launch and retrieve boats too big for the travelifts on the island.

⁵ The Plan was previously endorsed by Kathleen Wadden, Portland Parks and Recreation Senior Management Analyst. The three property owners of the proposed park site support the Plan and are willing sellers. Also, 100% of the boat sales and boat-related sales on Hayden Island support the Plan.

PROPOSED AMENDMENTS. As applied to the Boat Launch Property, the Prime Industrial Overlay regulations would generally restrict and impede the ability to use the Property for a regional boat launch facility to meet the regional needs of the boating public, and specifically, would not allow the Plan for the site. Consequently, for the reasons discussed below, we would propose amendments to the Prime Industrial Overlay map and regulations to do the following:

(A) Remove the Prime Industrial Overlay from the Property so that the Property is outside the draft Overlay boundary; or

(B) Add a new provision to the draft text of the Prime Industrial Overlay regulations which (assuming the Property is not removed from the Overlay) will allow, as a permitted use, the specific use of the Property for a regional boat launch facility within a park approved by the OSMB.

A. Remove the Prime Industrial Overlay from the Property.

Removal of the Prime Industrial Overlay from the Property is warranted because the proposed regulations will substantially restrict and impede the ability to implement the Plan for a regional boat launch facility to meet the regional needs of the boating public, and the planned regional boat launch facilities on this area of Hayden Island will not conflict with development of Hayden Island's prime industrial land.

The Plan will occupy six acres of the approximately ten total acres in TL's 1500, Sec. 28 TL 100 and Sec. 33 TL 100. As such, the regional boat launch facility would exceed the 2 acre maximum for an allowed use in Proposed 33.475.080 and therefore would not be allowed unless it obtained a conditional use approval under highly subjective approval criteria set forth in proposed 33.815.150.⁶ Thus, the proposed Overlay will for all practical purposes make establishment of the proposed regional public boat launch facility unfeasible.

Three of the four tax lots are defined by the City to be prime industrial land and within the proposed Overlay. But Sec. 28 TL 100, the SDP LLC & Canoe Bay LLC property which is zoned R2 and outside the proposed Overlay, is only 2.57 acres and therefore is not large

⁶ Highly subjective conditional use approval criteria contained in proposed 33.815.150 include requirements that the proposed use will not have "significant adverse effects," will have a capable transportation system based on certain evaluation factors, will not "significantly alter the overall industrial character of the area" based on "existing proportion of industrial and non-industrial uses and effects of incremental changes", and will "preserve city-designated scenic resources". These subjective requirements would provide virtually unlimited grounds for appeals which would make development of such a regional boat launch facility unfeasible.

enough to serve as a neighborhood park and boat ramp facility. While we understand and support planning for jobs, the Site is not appropriate for the proposed zoning changes for several reasons. The Site has no rail access, has limited truck access, and can be accessed by only a single bridge --- all factors that make development for only intense industrial development limited.

Additionally, the land owned by Inland Sea Maritime Group is leased by Schooner Creek Boat Works, which is an allowed use in the current and proposed zones. Schooner Creek has 24 employees. A dedicated regionally significant river access is envisioned. An adjacent park with a boat launching facility would be a complimentary land use. Importantly, the site is a valuable riverfront opportunity with an existing beach, which is rare in Portland.

Finally, the boat ramp park will occupy about 6 acres, 3.5 acres of which is inside the proposed Overlay (the Liston Property and ISMG Property) while the remainder (SDP LLC & Canoe Bay LLC property) will be outside the proposed Overlay. Thus, the small amount of land (3.5 acres) to be removed from the Overlay by this proposed amendment is insignificant compared to the total amount of land the City seeks to rezone (10,000 acres) and would not prevent the City from meeting its land capacity to accommodate future employment needs.

For the foregoing reasons, the Property should be removed from the Prime Industrial Overlay.

B. Allow as a permitted use the specific use of the Property for a regional boat launch facility approved by the OSMB

Given the identified need for a regional boat launch facility approved by the Oregon State Marine Board, in the event the City declines to remove the Property from the draft Prime Industrial Overlay as requested above, then the draft regulations should be amended to add a new provision which will allow, as a permitted use, the specific use of the Property for a regional boat launch facility approved by the OSMB under ORS 830.150 and related administrative rules.⁷

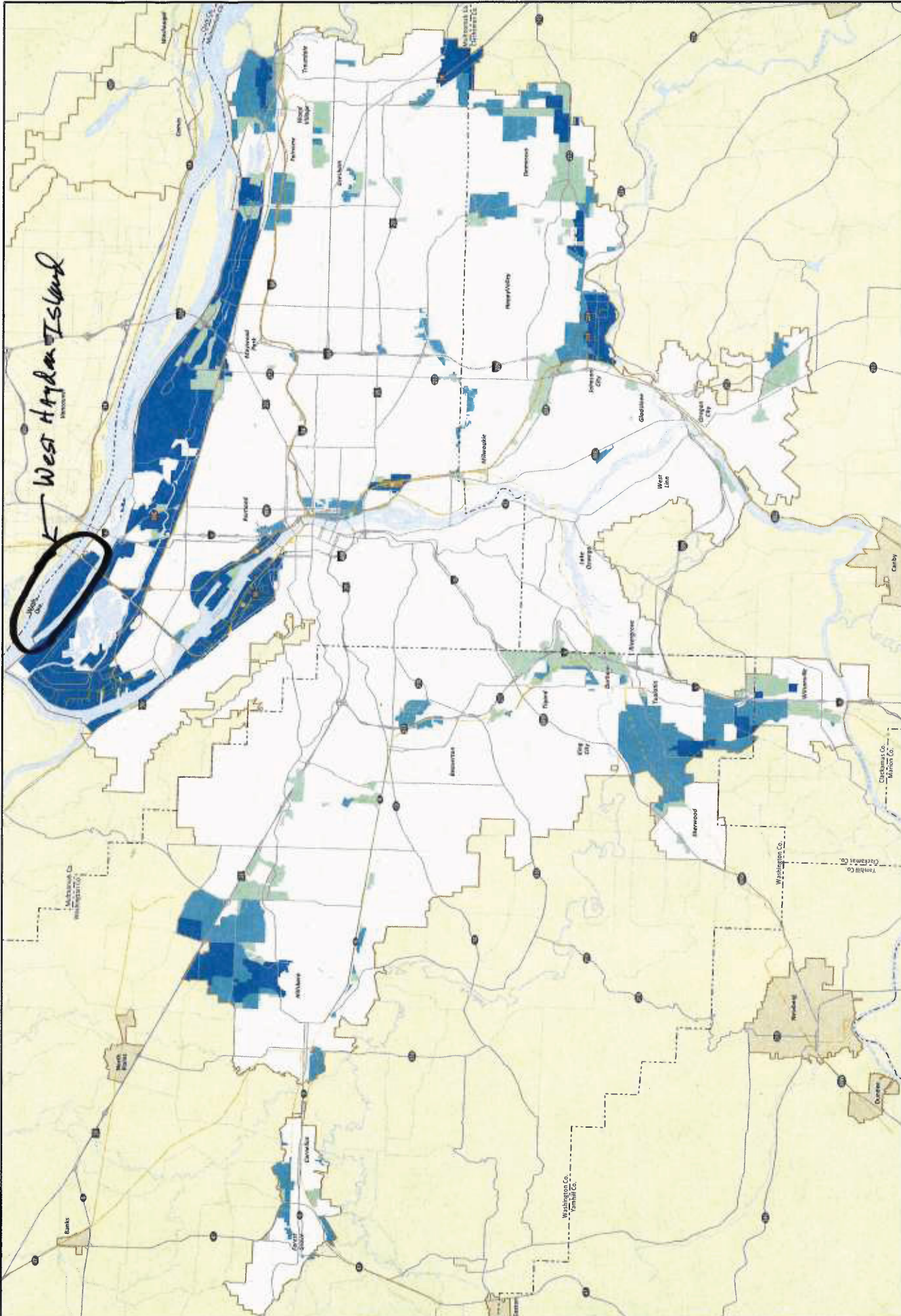
⁷ The State Marine Board Marine Facility Program Rules are found in OAR Chapter 250 Division 14. The Board administers the Boating Facility Grant Program contained in Oregon Revised Statute 830.150. The Board has also adopted administrative rules to further implement the Statute. These rules can be found in Chapter 250, Division 14, of Oregon Administrative Rules. The Board does not own or operate any boating sites or facilities and instead, relies on willing partners to apply for grants to make needed improvements. Boating Facility Grants are available to help the providers of public boating access sites around the state to acquire, improve, and maintain facilities that serve recreational boaters. Typical boating improvements include launch ramps, boarding floats, parking lots, restrooms, transient moorage, and other items needed by boaters.

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Attn: Steve Kountz
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Such an amendment to the text of the Overlay zone would provide as follows:

“Notwithstanding the Prime Industrial overlay zone regulations and any other provision of Chapter 33, a public boating facility, located on Hayden Island, including launch ramps, parking, sanitation, docks and other facilities for the convenience and safety of recreational boaters, pursuant to a plan approved or endorsed by the Oregon State Marine Board subject the provisions of ORS 830.150 and OAR 250-014-0001 et seq., shall be an outright permitted use.”

For the same reasons supporting removal of the affected tax lots from the Prime Industrial Overlay from the Property, this alternative amendment, allowing a specific permitted use for a regionally significant public boating facility on a small area at the edge of the Overlay which lacks rail and has limited truck access, will not conflict with development of Hayden Island’s prime industrial land, and, in fact, will complement the existing use of the adjacent boat works with its 24 employees.



West Hayden Island



- Employment areas
- Industrial areas
- Regionally significant industrial areas
- Proposed main roadway routes
- Proposed road connectors
- Mainline freight
- Branch line freight
- Rail yards
- County boundaries
- Urban growth boundaries
- Neighbor cities

Title 4, Industrial and Other Employment Areas

January 2013



This information is for informational purposes only and does not constitute a contract. The information is provided as a guide only and is subject to change without notice. The information is provided as a guide only and is subject to change without notice. The information is provided as a guide only and is subject to change without notice.



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

MEMO

DATE: November 6, 2015
TO: Planning and Sustainability Commission
FROM: Tom Armstrong, Supervising Planner
Steve Kountz, Senior Economic Planner
SUBJECT: Employment Zoning Project

A number of different policy issues were raised at the October 27, 2015, PSC public hearing for the Employment Zoning Project. The purpose of this memo is to provide additional information for each issue to help inform the PSC in making their recommendation. The key issues are:

1. Environmental Overlay Zones Compatibility with Prime Industrial Overlay
2. Parks and Open Areas Prohibition
3. E-zone Update Timing
4. Self-Service Storage
5. Golf Course Landscaping Standards
6. EG zone office uses at 3:1 FAR and Guild's Lake Industrial Sanctuary Plan District Limits
7. Residential Non-Conforming Uses in EG Zones
8. Industrial Office
9. Air Quality

This memo includes page references to the code language in the September Proposed Draft of the Employment Zoning Project.

The Map Issues section begins on page 10.



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

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1. Environmental Overlay Zones Compatibility with Prime Industrial Overlay

Simply, environmental overlay zones (e-zones) restrict the location and scale of development, while the prime industrial overlay restricts the types of uses. Two different elements of development. They can overlap and be compatible. For example, a warehouse can be built in an environmental conservation-zone (with mitigation) but it cannot be used for self-service storage if it is in the prime industrial overlay zone.

The Basics:

The Zoning Code establishes the rules that control the use, development standards, and review procedures for land development in Portland.

Primary Uses - different categories of uses (residential, retail, industrial services, parks) have different allowances (allowed, limited, conditional, prohibited). See the use table on page 27 of the Proposed Draft.

Development standards - clear and objective standards control the size, shape and location of the development.

Review procedures - different levels of process and public review depending on the type of land use decision.

The Zoning Map has a number of different overlapping elements that determine which parts of the Zoning Code apply to a specific parcel.

Base Zones - broad categories (residential, commercial, industrial) provide the basic regulations on use and development standards. Only one base zone can apply. These zones are designated with capital letters and numbers - IG1, CN2, R5, EX

Overlay Zones - apply supplemental, more specific regulations. More than one overlay zone can apply to a parcel. These overlay zones are designated with lower case letters (p, c, d, l)

Plan Districts - add special regulations based on a specific location. The plan district regulations supersede or augment the other regulations in the base and overlay zones. Only one plan district can apply. These districts are designated by lines on the map.

The attached diagram shows how all three elements can layer on top of each other to define the regulations that apply to a given site.

Environmental Overlay Zones (e-zones) protect natural resources and functional values. The environmental regulations discourage encroachment into significant natural resource areas, encourage flexibility in site planning, and provide for development that avoids adversely impacting the site's natural resources.

There are two types of environmental zones: protection (p zones) and conservation (c zones). Simply, the environmental protection zone severely restricts development, while the environmental conservation zone allows some development with mitigation. The e-zones

apply to significant natural resource area, which is typically a portion of the site, and regulates development in that that area.

The **Prime Industrial Overlay Zone** is proposed to protect the industrial development capacity of land in Portland's freight-hub districts. It does this by:

- prohibiting non-industrial uses (self-service storage, commercial outdoor recreation, major event entertainment, and parks)
- prohibiting quasi-judicial comprehensive plan map amendments to convert industrial land to non-industrial map designations

The e-zones control the size and shape of the development. The Prime Industrial overlay controls what the development can be used for. If the two overlay zones do not overlap, then someone could build a warehouse for self-service storage in the c-zone portion of a site.

2. Parks and Open Areas Prohibition

Metro Title 4 says local jurisdictions shall prohibit parks intended to serve people other than those working or residing in Regionally Significant Industrial Areas (RSIAs). The Prime Industrial overlay zone boundary corresponds to the RSIAs. Where the overlay does not correspond to the RSIA map, the City will need to ask Metro to amend the RSIA map. The Metro Title 4 map is attached.

Metro does not define "parks", but the Zoning Code use category is defined as Park and Open Areas. This category addresses land uses that consist of natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Examples include parks, golf courses, cemeteries, public squares, plazas, recreational trails, botanical gardens, boat launching areas, nature preserves, community gardens, and land used for grazing that is not part of a farm or ranch.

The Metro Title 4 provisions make specific allowances for parks intended to serve people working or residing in the RSIA. It is not intended to prohibit trails and trailhead amenities, which the proposed code specifically allows for up to 2 acres.

Testimony from the Parks Bureau, the Parks Commission, Metro, and the Audubon Society of Portland object to this prohibition.

Metro Title 4 is clear in that recreational, developed parks are prohibited. Metro's direction is that if a recreational park needs to be in a RSIA, then there should be a comprehensive plan map amendment and a Metro map amendment to change the RSIA designation. If the City does not include this prohibition, then it is likely that Metro will find the City is out of compliance with the regional planning requirements.

Metro Title 4 is not clear with respect to natural preserves. The proposed code treats natural areas as open areas and prohibits them as a use, unless the area qualifies as a stormwater facility, as determined by BES. Metro's testimony says that natural areas are primarily habitat with limited public access (trails), and therefore should not be defined as parks.

The Parks Bureau has suggested that parks up to 10 acres in size should be considered local serving. The two-acre limit is based on a standard in Statewide Planning Goal 9. An

alternative would be to consider parks greater than two acres as a conditional use with the approval criteria to demonstrate that the size is appropriate to serve the local area. The following table summarizes the proposed code along with options to address issues raised in testimony

	Recreational Developed Parks	Nature Preserves	Stormwater Facilities
Proposed Code	Prohibited except for local serving parks (less than 2 acres)	Prohibited	Allowed as a public utility. (BES determination)
Options	1. Allow larger local serving parks as a conditional use	2. Allow. Habitat areas with public access/trails as an incidental accessory use	

33.475.080 Parks and Open Areas

Parks and Open Areas uses are prohibited in the Prime Industrial overlay zone except for the following:

- A. Recreational trails and boat launching areas are allowed. Trailheads, parking areas, bathroom facilities, educational kiosks and other development or facilities that are accessory to a recreational trail and boat launching areas are limited to 2 acres per site;
- B. Nature preserves are allowed;
- C. Off-site mitigation is allowed if the mitigation is for impacts that occur in the Prime Industrial overlay zone; and
- D. Other Parks and Open Areas uses that are 2 acres or less in size are allowed. Parks and Open Areas over 2 acres in size may be allowed if approved through a conditional use review.

33.815.150 Parks And Open Areas Uses in the Prime Industrial Overlay Zone

These approval criteria apply to Parks And Open Areas uses in the Prime Industrial overlay zone that require a conditional use review as specified in 33.475.080.D. The approval criteria promote preservation of land for industry while allowing Parks And Open Areas uses when they are supportive of the industrial area and not detrimental to the character of the industrial area. The approval criteria are:

- A. The proposed use will not have significant adverse effects on nearby industrial firms, or on truck and freight movement;
- B. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street designations and capacity, level of service; on-street parking impacts; access restrictions; connectivity; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; safety for all modes; and adequate transportation demand management strategies;

C. The proposed use will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes;

D. City-designated scenic resources are preserved; and

E. The proposed use needs to be located in an industrial area because industrial area residents or employees constitute the primary market of the proposed use.

3. E-zone Update Timing

Testimony by the Bureau of Environmental Services and the Audubon Society of Portland request an update to the environmental overlay zones along the Columbia Corridor and Portland Harbor. About 400 acres of high- and medium-ranked natural resources lack protection under environmental overlay zones (see attached map).

In particular, they note that the Airport Futures Land Use Plan identified e-zone updates with an ESEE (Economic, Social, Environmental and Energy) analysis and request that these e-zone updates be included in the Task 5/Early Implementation phase.

These updates are on the BPS work program, but are not part of the Periodic Review (Task 5) work program. The proposed Airport Future e-zone changes on private land were not without controversy. In order to resurrect them at this time, it would take:

- additional analysis to update the ESEE to be consistent with the 2012 Natural Resources Inventory
- analysis of the specific impacts on the industrial land capacity and subsequent adjustments to the EOA
- considerable public outreach and process

The testimony requests that if the e-zones are not updated, then the prohibitions on natural areas on properties with NRI-ranked resources should be suspended or waived. In general, waiving or suspending code is not good planning practice. It is too complicated to administer.

Most of the e-zone updates for High and Medium unprotected resources are along the sloughs and probably qualify as a stormwater facility, and are therefore not subject to the prohibition (see map).

The natural area prohibition really impacts the low value and SHA (grassland) areas - which are the areas with the most industrial capacity. Therefore, it is appropriate to have these potential nature preserves (that do not qualify as a stormwater facility) go through a Comp Plan Map amendment process.

In response to testimony regarding the need for e-zone updates, the PSC has two options:

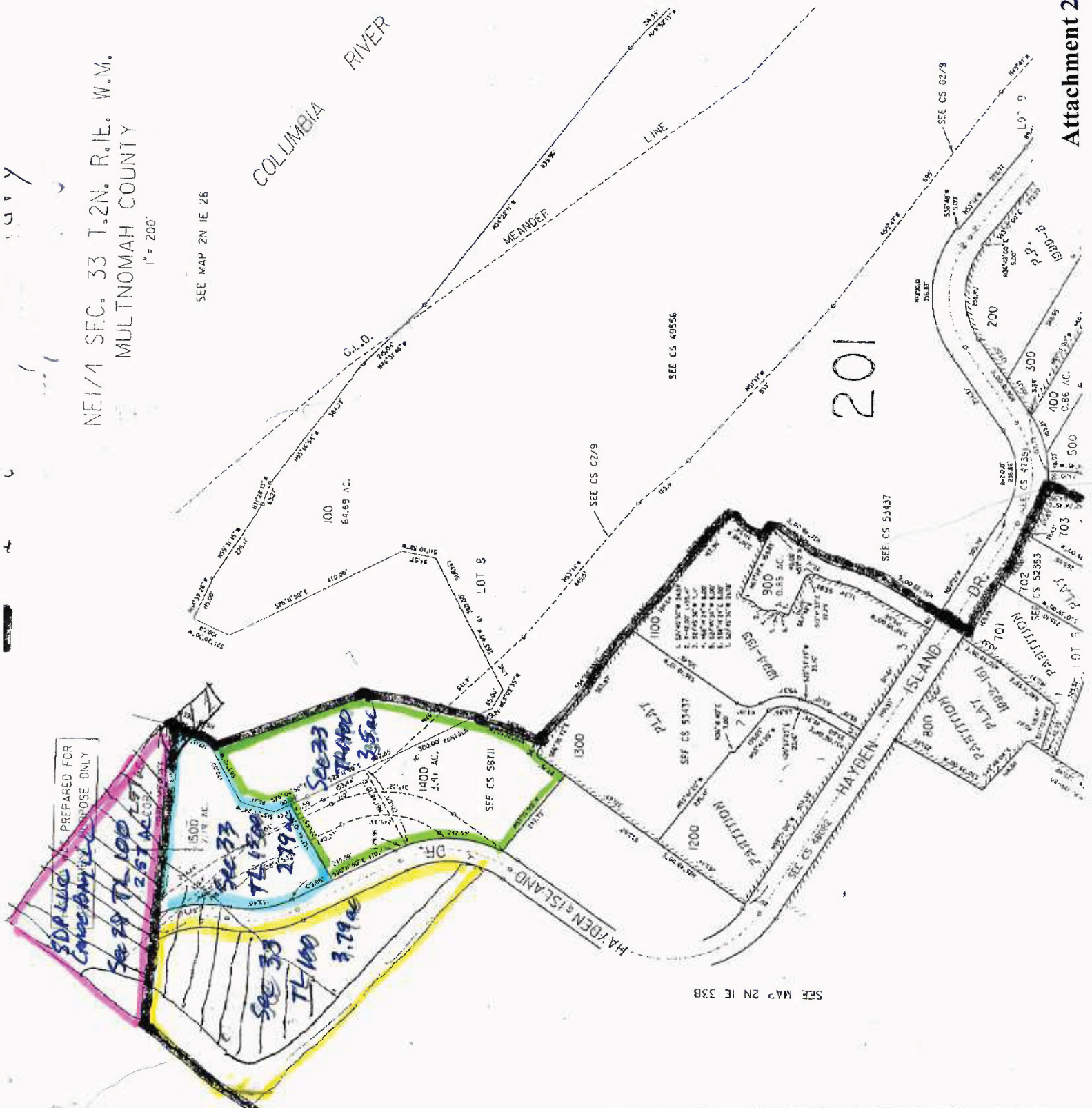
1. Keep the proposed code as written (*as amended above*).
2. Add the Airport Futures e-zone changes to the proposed zoning map.
3. Delete the prohibition on nature preserves until the e-zones are updated.



Proposed Boat Ramp Plan

Proposed Prime Industrial Overlay Boundary

PREPARED FOR
PROPOSE ONLY



NE 1/4 SEC. 33 T.2N. R.1E. W.M.
MULTNOMAH COUNTY
1" = 200'

SEE MAP 2N 1E 2B

SEE MAP 2N 1E 33B

201

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

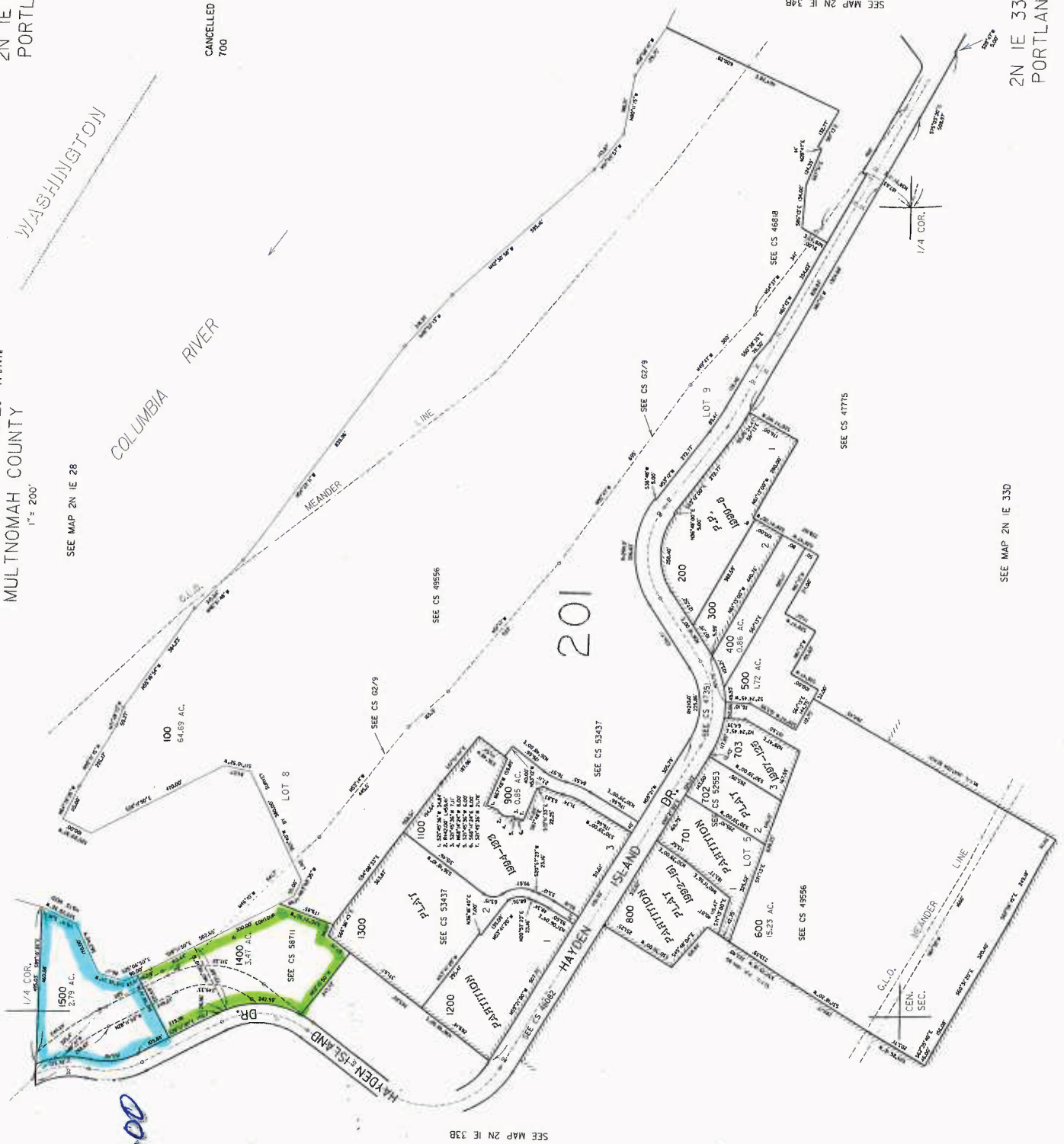
NE 1/4 SEC. 33 T.2N. R.1E. W.M.
MULTNOMAH COUNTY
1" = 200'

2N 1E 33A
PORTLAND

CANCELLED NO.
700

SEE MAP 2N 1E 28

**TLs 1500 + 1400
(ISMG)**



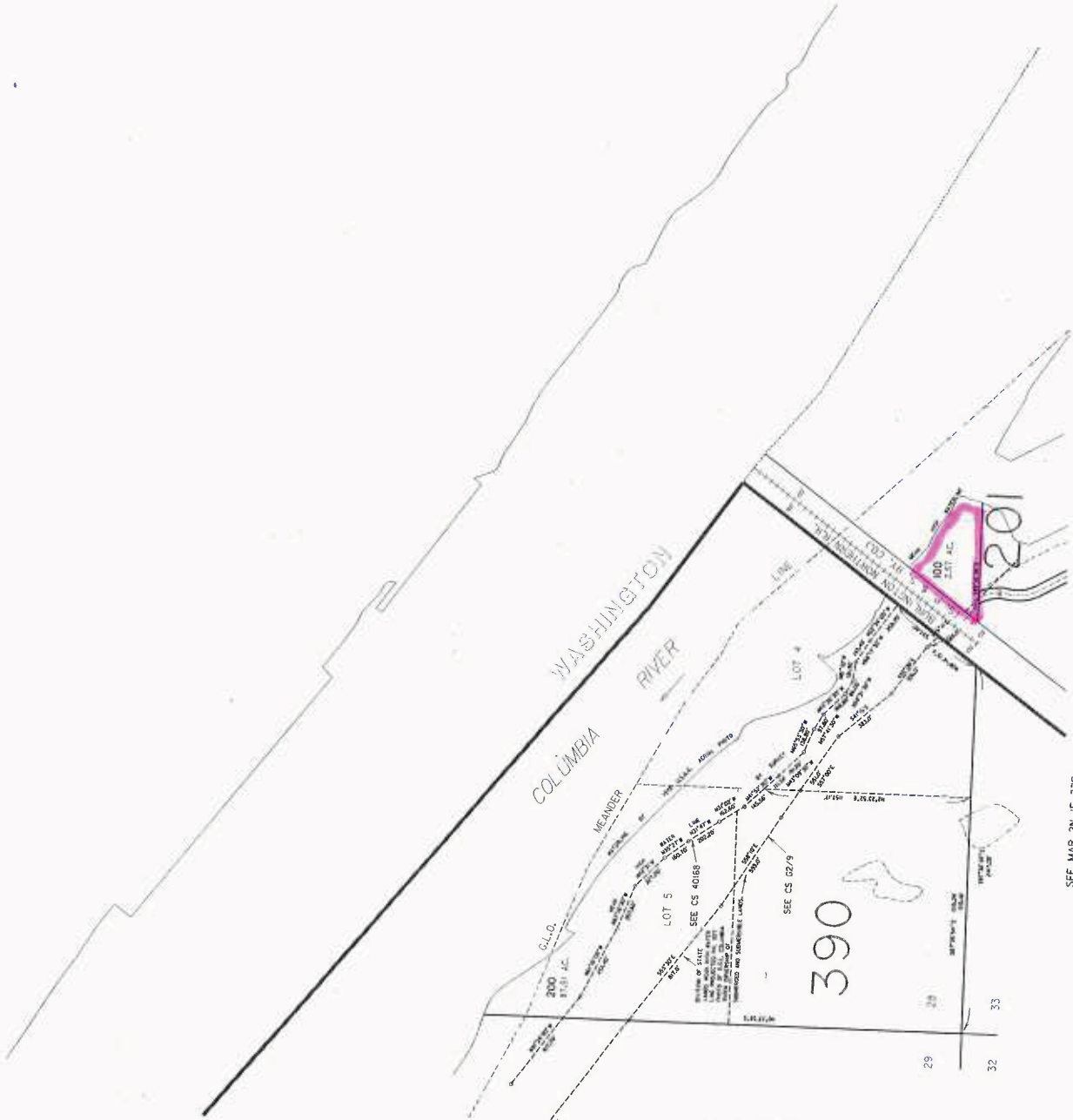
SEE MAP 2N 1E 33D

2N 1E 33A
PORTLAND

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 28 T.2N., R.1E., W.M.
MULTNOMAH COUNTY
1" = 400'

2N 1E 28



2N 1E 28

SEE MAP 2N 1E 33A

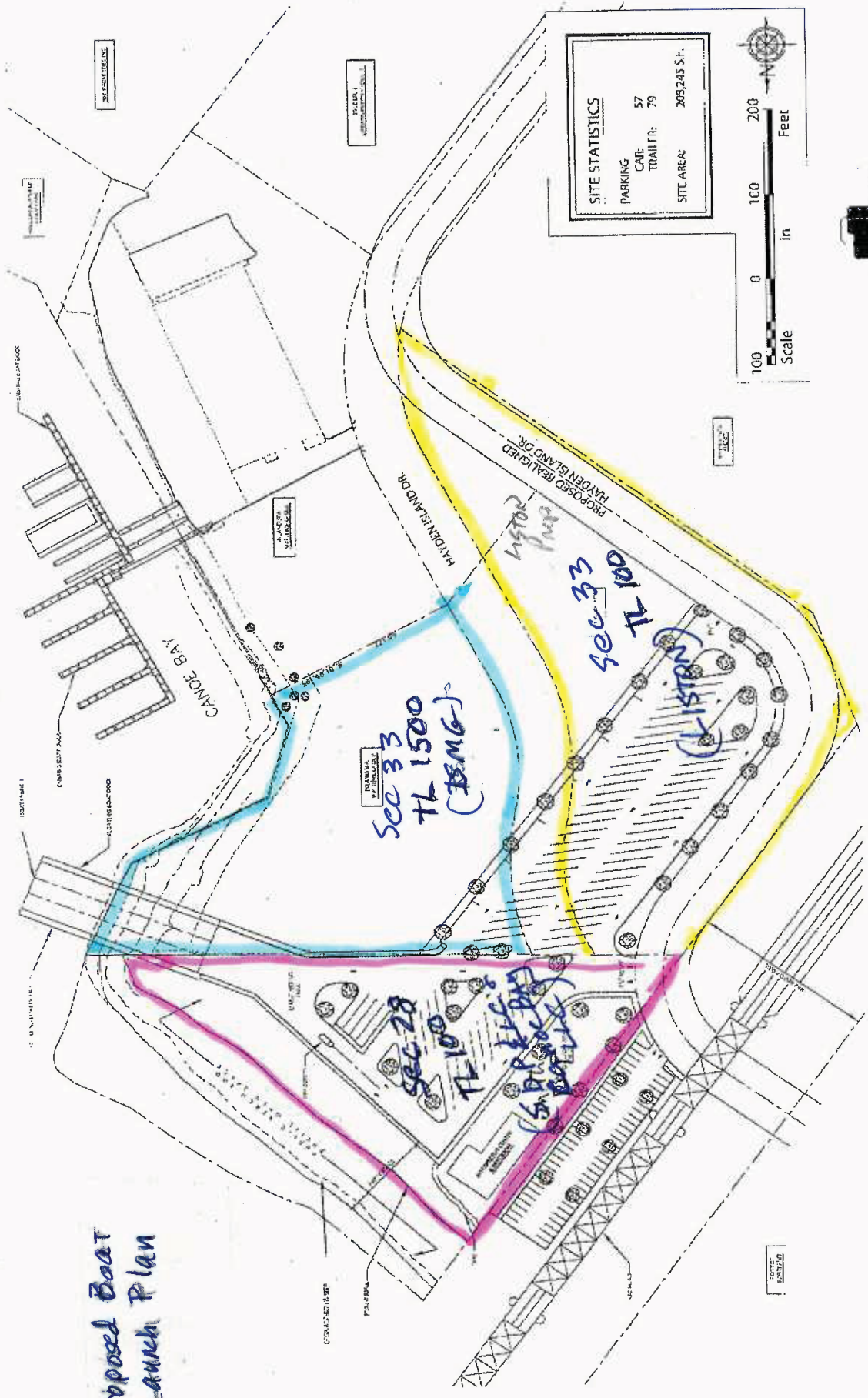
SEE MAP 2N 1E 336

SEE MAP 2N 1E 29

*SEC 28 TL 100
(SDP LLC &
CANOE BAY LLC)*

24

← 2



Proposed Boat Launch Plan

Sec 33 TL 1500 (B.M.G.)

Sec 28 TL 100 (5.0 P.R. E.P. (5.0 P.R. E.P.))

Sec 33 TL 100 (LISTON)

SITE STATISTICS	
PARKING	57
CAR:	79
TRAIL H:	79
SITE AREA:	209,245 S.F.

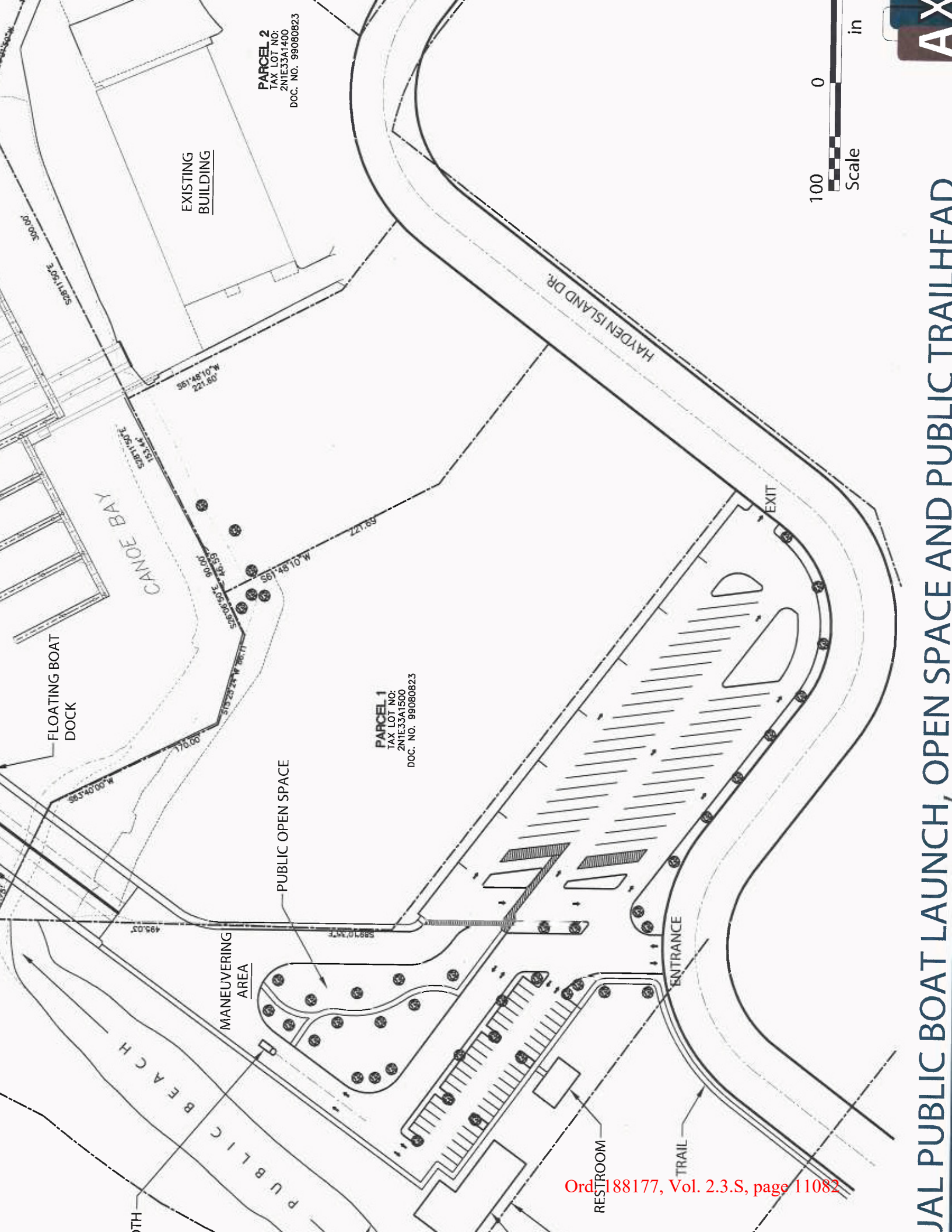


MAY 14, 2012

AXIS DESIGN GROUP

DRAFT CONCEPTUAL PUBLIC BOAT LAUNCH, OPEN SPACE AND PUBLIC TRAILHEAD

ARCHITECTURAL DESIGN INTERIORS DESIGN MASTER PLANNING LAND USE PLANNING



PARCEL 2
 TAX LOT NO. 2N1E33A1400
 DOC. NO. 99080823

PARCEL 1
 TAX LOT NO. 2N1E33A1500
 DOC. NO. 99080823

EXISTING BUILDING

FLOATING BOAT DOCK

CANOE BAY

PUBLIC OPEN SPACE

MANEUVERING AREA

PUBLIC BEACH

RESTROOM

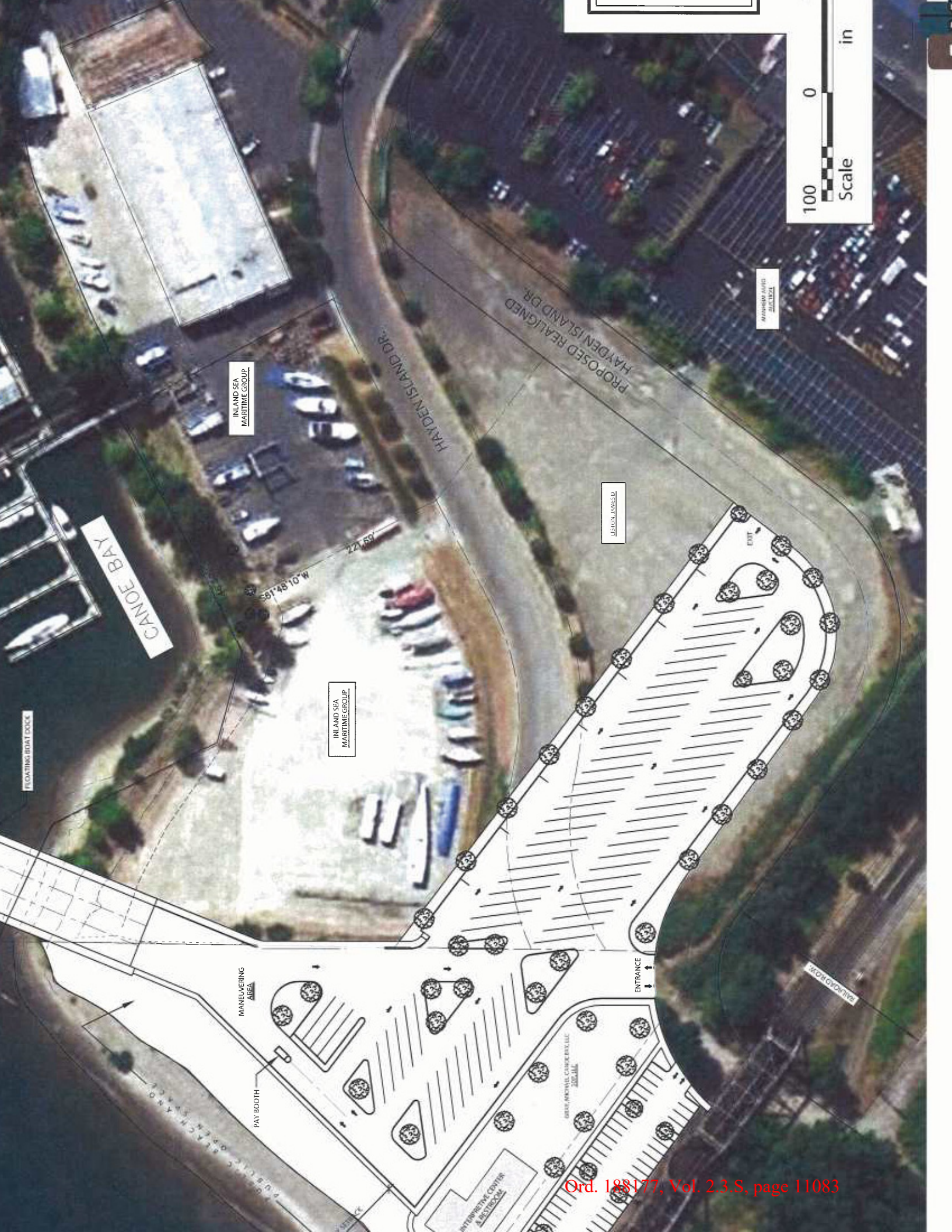
TRAIL

ENTRANCE

EXIT

HAYDEN ISLAND DR.





100 0 in
Scale

INLAND SEA
MARITIME GROUP

INLAND SEA
MARITIME GROUP

RESTROOMS

MOTORWAY AUTO
AUCTION

CANOE BAY

FLOATING BOAT DOCK

MANEUVERING
AREA

PAY BOOTH

ENTRANCE

EXIT



HAYDEN ISLAND

Portland's Only Island Community



Adopted by Portland City Council
August 19, 2009
Ordinance No. 183124

An Island Community Concept

New Parks

The community desires access to the river for viewing, swimming and boating. To the west, adjacent to Grandma's or Canoe Bay and the railroad tracks, a park with beach access to the Columbia River could be developed.

A new park should be developed west of the highway on the Columbia River. This new park should be designed to provide for a diversity of unstructured and structured recreational opportunities for both residents and visitors to the island. To enhance the park's potential recreational attractions and to limit some of the costs, park planners should consider developing a restaurant/café or similar visitor-related commercial enterprise that makes the park active year-round. The new park could extend eastward under the new bridge, if the crossing allows adequate air and light, and is not too noisy.

Facilities for docking motorized and nonmotorized boats (kayaks and canoes) could be provided at new parks. These facilities could provide residents and nonresidents with opportunities to access the island's marine-related businesses. These facilities would need to obtain the proper permits.



On Hayden Island, there are private walkways that are not part of a connected system and that also do not connect to the public roads. The plan recommends that these walkways be connected into a system of trails providing viewpoints of the Columbia River and the Cascades. Connecting these walkways would be accomplished with easements as land redevelops for the Hayden Island community. Although some of these paths currently exist, some of the land owners were concerned about expanding this system, and others were interested in having such a system. Path systems provide a means of active recreation that is convenient and sustainable for communities.

GETTING AROUND

Getting to and from Hayden Island could change dramatically in the next several years. The only access to the island is via I-5, which is congested for a large part of the day. New bridges across North Portland Harbor and the Columbia River, along with a new interchange for I-5 at Hayden Island, are proposed as part of the CRC project. The Hayden Island Plan's proposals for new development on the island take into account the additional traffic that future development on Hayden Island could generate. Transportation modeling indicates that the additional traffic will meet ODOT standards and will not congest the interchange.

CRC-Related Changes

The CRC bridge as currently proposed would include access for Hayden Island residents to Marine Drive without having to get on the highway, an option that is not currently available. The CRC project also includes a light rail connection from the Expo Center in the south to Vancouver in the north that will offer greater flexibility in how Hayden Island residents and visitors travel. The new light rail bridge will also provide for shared pedestrian and bike paths from Marine Drive to Vancouver, Washington. The CRC plan also proposes improvements to the existing path system that include expanded pedestrian and bicycle connections to Bridgeton and the 40-Mile Loop trail.

An "Enhanced Local Green Street" Network

The plan proposes a network of local streets that would have sidewalks and bike paths. Many streets would have on-street parking. Each of the streets would be designed to be an *enhanced green street*, which would provide for stormwater runoff into planters to protect the Columbia River, landscaped settings for walking and new habitat areas. This design would enhance the local connectivity and the Hayden Island environment. It would make it possible for residents to walk to local businesses, thereby reducing car trips, promoting exercise and reducing fuel use—all elements of the community's vision for making Hayden Island more sustainable.

Connections to Light Rail

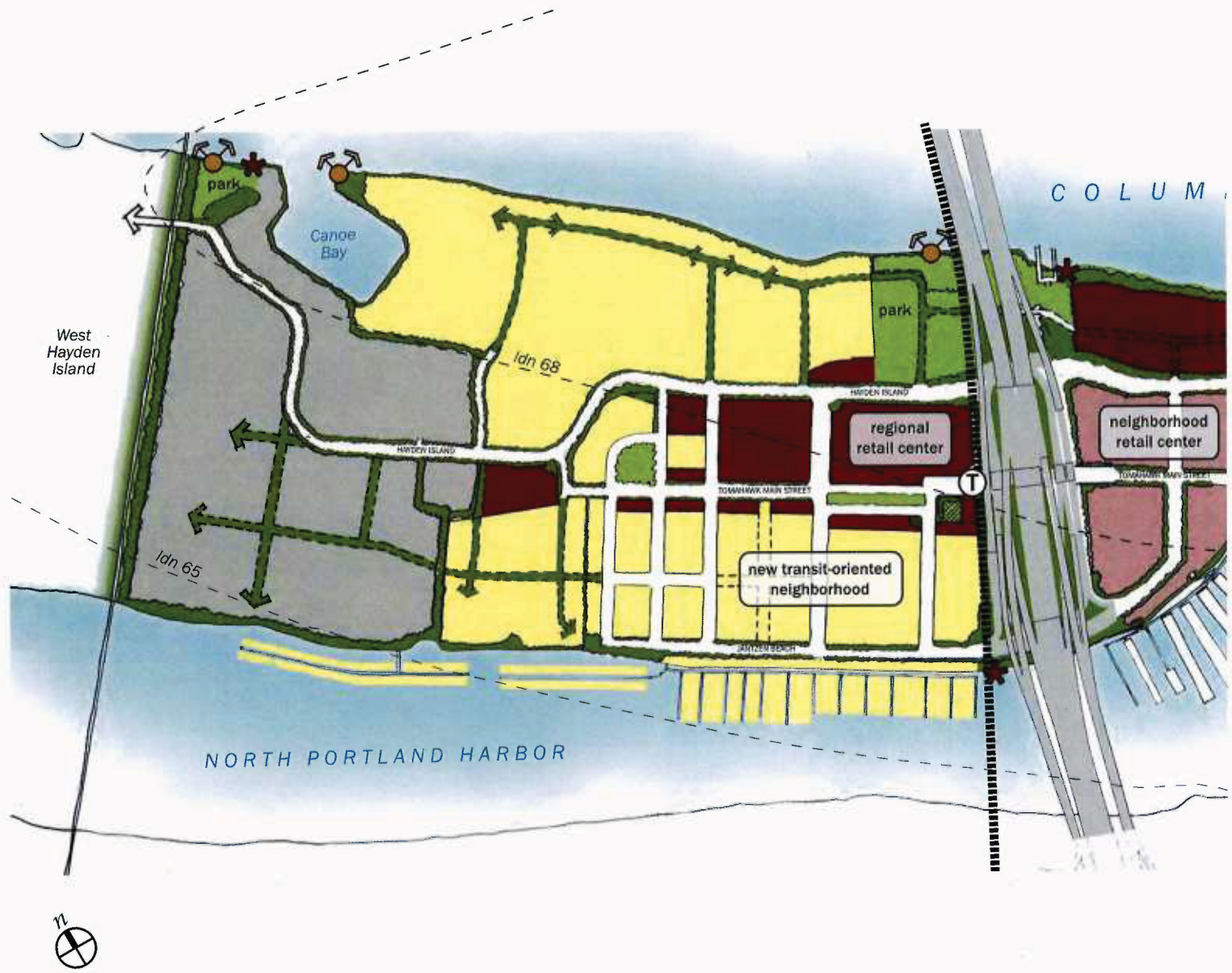
A major part of the CRC project is the extension of light rail from the Expo Center to Vancouver, with a new station on Hayden Island. The design workshops in October 2007 originally explored three future light rail alignments. Public input, the community design workshops and CRC analysis identified the alignment adjacent to I-5 and a station at Tomahawk Island Drive as the preferred alternatives. This station location would best serve the near-term and long-term needs of the island, is the most central to the island's resident population, and would require displacement of fewer floating homes than the other alternatives.

As already described, this station location would support transit-oriented redevelopment of the shopping center in the long term and station-related improvements in the near term. The plan includes a new open space and a collection of shops integrated into the Jantzen Beach SuperCenter as part of the design for the light rail station.



Preferred location for the light rail.

Concept Plan Map



Comprehensive Plan and Zoning Code Amendments

SUMMARY OF THE PROPOSED ZONING

The proposed zoning embraces the Hayden Island Plan's overall concept for the island as an island community with a range of housing choices and commercial and industrial areas to support residents and the marine industries, while creating a walkable community to support the proposed extension of light rail. The following are summaries of the proposed zoning.

General Commercial (CG) is the most prevalent zone on Hayden Island, because it provides for the flexibility to develop residential units supporting transit-oriented development and to build a sizable residential community to support local commercial enterprises. This plan proposes to change the eastern half of the manufactured home park from CG to R2 to reflect the residential nature of the existing development and to protect an affordable housing choice on the island. There are no changes proposed for the zoning of Jantzen Beach and Lotus Isle floating home moorages. The moorage is considered a multi-dwelling use and is permitted in the CG zone.

Neighborhood Commercial (CN2) is proposed for the area east of I-5 north of North Tomahawk Island Drive, currently zoned CG, to encourage neighborhood commercial uses within walking distance of a large portion of Hayden Island's residential community and within the pedestrian district.

General Industrial (IG2) is the most typical industrial zone on Hayden Island. The only proposed change to industrial zoning is on sites proposed for residential development where there are existing residential development rights under the x-overlay provisions. These sites are small and isolated for industrial use and facilitate more appropriate waterfront development. Some of the floating home moorages are zoned IG2, which allows for floating homes as a conditional use. At this time, no changes for the zoning of West Hayden Island and Tomahawk Bay moorages are proposed.

Open Space (OS) is proposed for Lotus Isle Park and the tennis court park on North Fir Avenue adjacent to the manufactured home park.

Medium-density, Multi-dwelling, Residential (R1) remains on the Columbia Point condominiums property. Columbia Point West Condominiums is proposed to be zoned R2 to reflect its current development density.

Low-density, Multi-dwelling, Residential (R2) remains for the western half of the manufactured home park and the lot at the northwest corner of the island at the end of North Hayden Island Drive. The R2 zone is proposed for the eastern half of the park, as described in the CG description. Columbia Point West, Waterside, Jantzen Beach Village, Riverhouse and Riverhouse East Condominiums are proposed to be zoned R2 to reflect the current development density of 5 to 20 dwelling units per acre.

Low-density, Multi-dwelling, Residential (R3) remains on the southern portion of the manufactured home park and is proposed for the Hayden Bay Condominiums.

Single-dwelling, Residential (R7) remains for the Lotus Isles Homes.

Single-dwelling, Residential (R10) is proposed for the Hayden Bay Marina homes. This is a change from R3 and is being proposed to reflect the current development density.

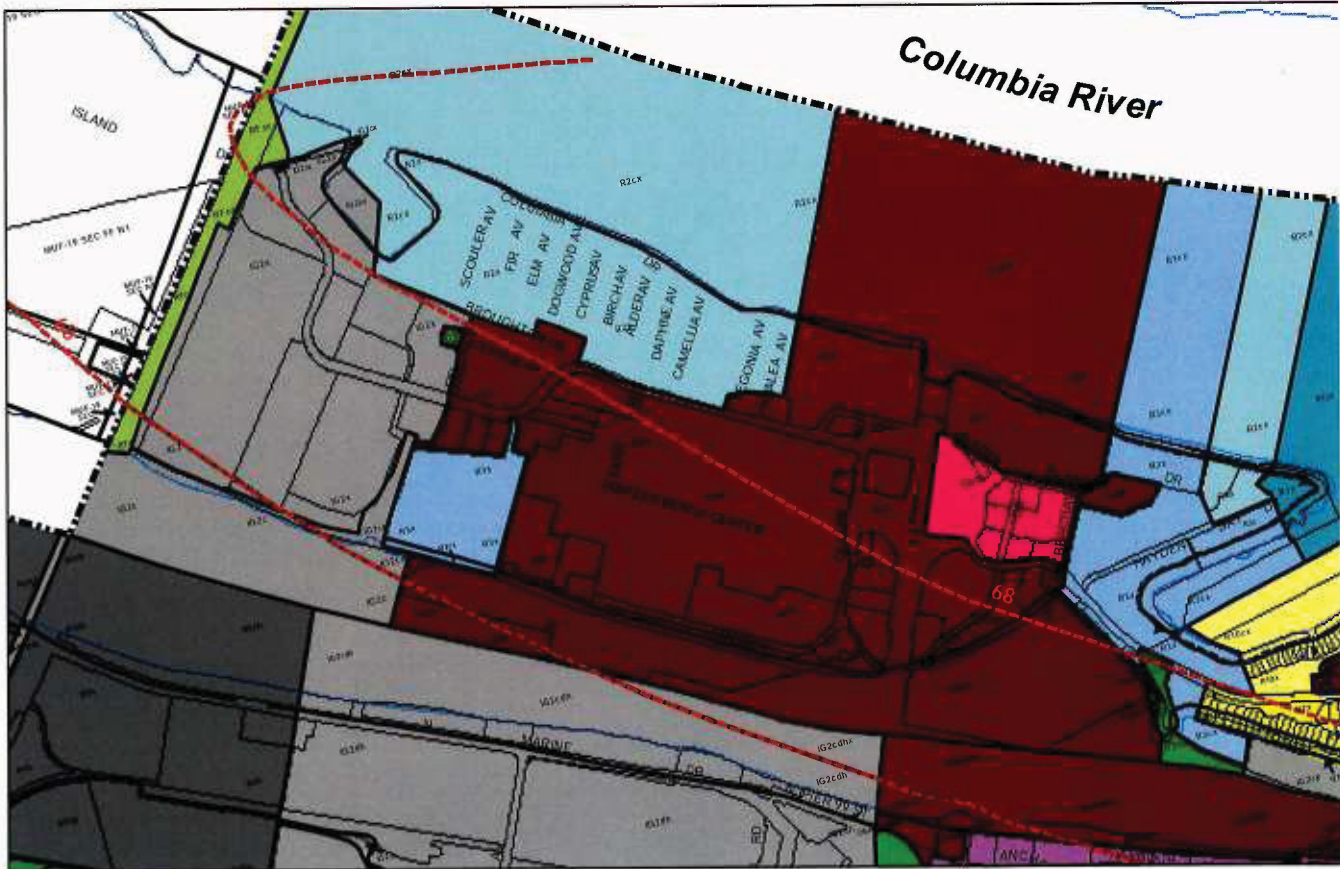
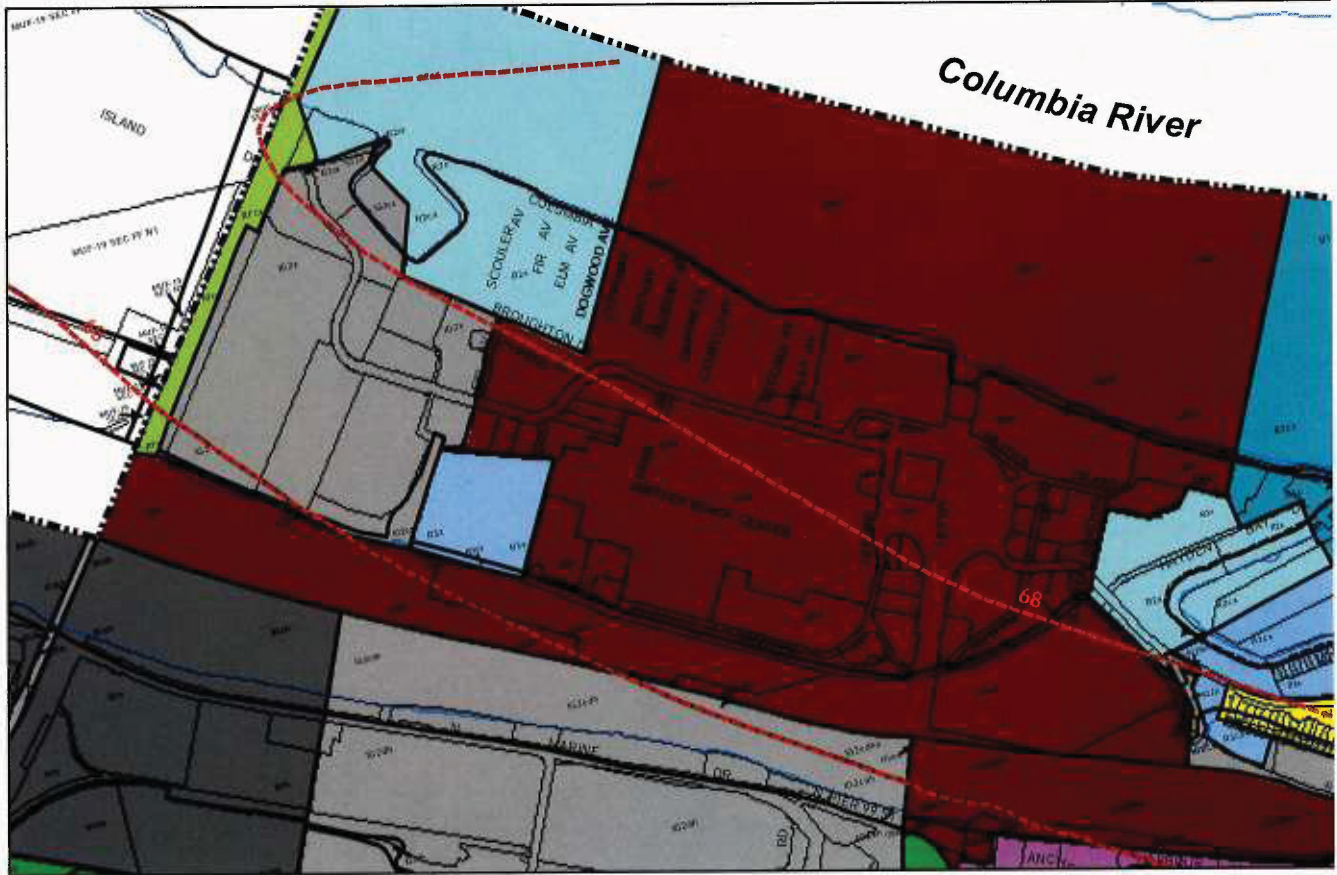
Residential Farm/Forest (RF) remains for the eastern tip of island and along the railroad corridor.

Changes in Land Use >

The table at right indicates the changes in land use from what is the existing land use pattern on Hayden Island to the proposed changes in the Comprehensive Plan and Zoning Map

Zoning Classification	Existing Zoning Total Area (square feet/acres)	Existing Zoning Total Area (acres rounded)	Proposed Zoning (square feet)	Proposed Zoning (acres rounded)
CG	14,323,999	328	14,310,595	328
CN2			476,091	11
IG2	8,390,218	192	4,835,865	111
R1	202,347	5	68,176	2
R2	905,416	21	3,112,510	71
R3	1,851,883	43	1,991,171	46
R7	300,713	7	300,713	7
R10		0	839,357	19
RF	432,229	10	432,229	10
OS			40,097	1
TOTAL	26,406,805	606	26,406,804	606

Zoning Map



G:\area_neigh\hayden_Island\exist_prop_zone_17x11.mxd

To: Members of the Planning and Sustainability Commission

From: Alice Blatt, 15231 NE Holladay, Portland, OR, 97230

Re: Employment Zoning Project

Brief summary of Columbia South Shore history: The Columbia River floodplain, before construction of the Marine Drive dike, has functioned for many thousands of years as a broadly-connected wildlife corridor from the Gorge to the Willamette confluence, an invaluable natural resource. In the 1970's/80's, establishment of the Industrial Sanctuary between NE 82nd and 185th, in response to the need for more industrial land, necessitated balancing environmental with industrial needs (the Natural Resources Management Plan. In 1990-91 several East Portland communities with other interested organizations, recognizing the inadequacy of the Ec slough and wetland protection, successfully appealed the NRMP to LUBA (up to the Oregon Supreme Court), achieving 1 ½ years of city organized stakeholder (industrial, residential, and environmental participants) meetings. These interchanges of ideas resulted in the Columbia Slough Plan District in 1993 (at least 50 ft. of Ep zones on both sides of the Slough and associated wetlands – a major environmental compromise from the 300 ft. of connected breadth recommended by the EPA, US and Oregon Fish and Wildlife, Audubon, etc.. Our objective, in accepting this balanced agreement, was to enhance (vegetate) and restore optimal environmental function in this relatively narrow corridor. The absolutely most important word in this whole process, from the standpoint of wildlife habitat, human environmental contact and recreation, water quality, etc., is connectivity.

As mentioned in my second, very brief, submission, we appreciated the improvements entered into the second draft.

Several serious concerns remain:

- 1) A Question of Mapping: The Prime Industrial Overlay on the Preliminary Employment Zoning Map shows no recognition of the 50 ft. Ep zones along the slough as open space, the absolutely crucial connecting link between the various recognized open space zones, some others of which have also not been included. In 1996-7, an overlooked mapping error at the Inverness Jail (114th and the Slough) forced us into an extended, costly appeal to a hearings officer to avoid creation of a bottleneck in our wildlife/human recreation trail corridor. At that time mapping errors took precedence over conflicting text (see Portland City Council minutes February 12, 1997, Item 201 and June 25, 1997, Item 997). We don't know whether this problem with the zoning code has been corrected.

Total connectivity, without any disconnection, is crucial to all environmental corridor function. The Overlay Zone must clearly indicate this.

- 2) Prohibition of Natural Areas: The prime industrial overlay is laid down indiscriminately over land, water, wetlands, and other natural resources, yet natural areas are prohibited. What

if a developer wanted to restore a parcel of land for natural area, because it was just too wet to develop?

Because the prime industrial overlay is applied without regard to natural resources, and because it prohibits natural area restoration, it is acting against what we have been achieving in the Slough - active development for jobs AND restoration of watershed health.

Although it is important to protect the industrial use from conversion to commercial or residential use, it is also important to restore the remaining natural resources along the Slough. We need a vibrant economy and a vibrant environment.

Do not prohibit natural areas in the prime industrial overlay.

- 3) Columbia Corridor Review: Delay the Employment Zoning Project until a comprehensive review of the whole Columbia Corridor has been completed.

Allison J. Reynolds
111 SW Columbia Street, Ste. 1100
Portland, OR 97201
areynolds@radlerwhite.com
971-634-0205

November 6, 2015

Via email (steve.kountz@portlandoregon.gov)

City of Portland
Bureau of Planning and Sustainability Commissioners
1900 SW 4th Avenue, Ste. 7100
Portland, OR 97201
Attn: Steve Kountz

Re: Zone Change from General Industrial to General Employment

Dear Commissioners,

Our office represents ScanlanKemperBard Companies, LLC ("SKB"), which is under contract to purchase the former PECO Manufacturing headquarters site, located at 4644 and 4784 SE 17th Avenue (the "Property"). We previously submitted testimony on the September 2015 Employment Zoning Project Proposed Draft (the "Proposed Draft"), attached to this letter as Exhibit A, and would like to submit the following additional comments on behalf of SKB. As discussed in our previous letter, the Property can better maximize the City's investment in the adjacent MAX Orange Line through flexibility to develop maker space or other "employment" type uses that do not fit within the City's current definition of "industrial" use. SKB requests that the Planning and Sustainability Commission change the Property's zoning to General Employment (EG1) to allow this redevelopment.

SKB has also requested that the City Council change the Property's Comprehensive Plan map designation to Mixed Employment (ME) which is consistent with EG1 zoning. SKB's correspondence to the City Council is attached to this letter as Exhibit B. This request was made directly to the City Council, rather than to this Commission, because SKB had not solidified its interest in the Property until September 2015, after this Commission finished accepting public testimony on the 2035 Comprehensive Plan.

The Property is located kitty-corner from an EG1 zoned site, and near a large number of employment and commercially zoned properties north and east of 17th Avenue, as shown on the attached Figure 1. There are already adequate public services at the Property to serve employment uses. The new MAX Orange Line runs along the eastern side of the Property and the new SE 17th & Holgate Station is approximately 500 feet away.

At the October 27, 2015 Planning and Sustainability Commission hearing on the Proposed Draft, Commissioners discussed the competing needs to balance the City's supply of industrial land with the City's investment in the new light rail line along 17th Avenue. The Property showcases this tension. The Property is located between land west of 18th Avenue that has a direct connection to Union Pacific's Brooklyn Yard and is suitable for industrial purposes and land east of 17th Avenue which is zoned for commercial and employment use and served by the new Orange Line. The Property itself is zoned for general industrial use, but is not well served by rail infrastructure and was recently abandoned as traditional industrial space by PECO Manufacturing. The Property will be better able to maximize the

City's investment in the adjacent Orange Line with EG1 zoning, and will still be compatible with more traditional industrial uses to the west.

The employment zones are intended to form a transition area between more traditional industrial uses and lighter uses such as commercial and housing. The Proposed Draft's changes to the employment zones strengthens the transitional role of these zones by eliminating housing, further limiting retail sales and service, and allowing more office use. SKB supports these changes, and they make EG1 zoning even more appropriate for the Property. Redevelopment of the Property with employment-focused maker uses is compatible with nearby industrial uses and will maximize the City's investment in the new light rail line.

City Staff has suggested that redevelopment of the Property could address some of the industrial infrastructure needs. Such a redevelopment would be difficult on a small, narrow site like the Property and would necessitate removal of the existing structures, which are not well-designed for heavier industrial use and ultimately led to PECO Manufacturing's relocation to Clackamas County. Additionally, the Property houses the historic 1928 Iron Foreman Manufacturing Company building, listed as a Rank II resource on the City's Historic Resources Inventory and eligible for listing on the National Register of Historic Places. SKB intends to undertake a comprehensive interior renovation of this historic building and restore the building's exterior to preserve its historic character. This would not be possible with a full redevelopment for traditional industrial use. A lighter industrial use, such as maker space, is compatible with the building's current orientation and preserves this valuable historic resource. A zone change to EG1 is required to develop the Property as maker space, which is severely limited under the Property's current industrial zoning.

In conclusion, SKB request a zone change to EG1 in order to redevelop the Property with employment—focused uses. A zone change to EG1 is consistent with adjacent properties zoned for employment and commercial use, maximizes the City's investment in the adjacent Max Orange Line and stations, and will allow redevelopment of the Property to preserves an important historic structure.

Best regards,

RADLER WHITE PARKS & ALEXANDER LLP



Allison J. Reynolds

Attachments:

Figure 1: Current Zoning

Exhibit A: October 27, 2015 Letter to Planning & Sustainability Commissioners

Exhibit B: November 6, 2015 Letter to City Council

cc: John Olivier, SKB
Todd Gooding, SKB
Alex Boettger, SKB

Figure 1

Current Zoning

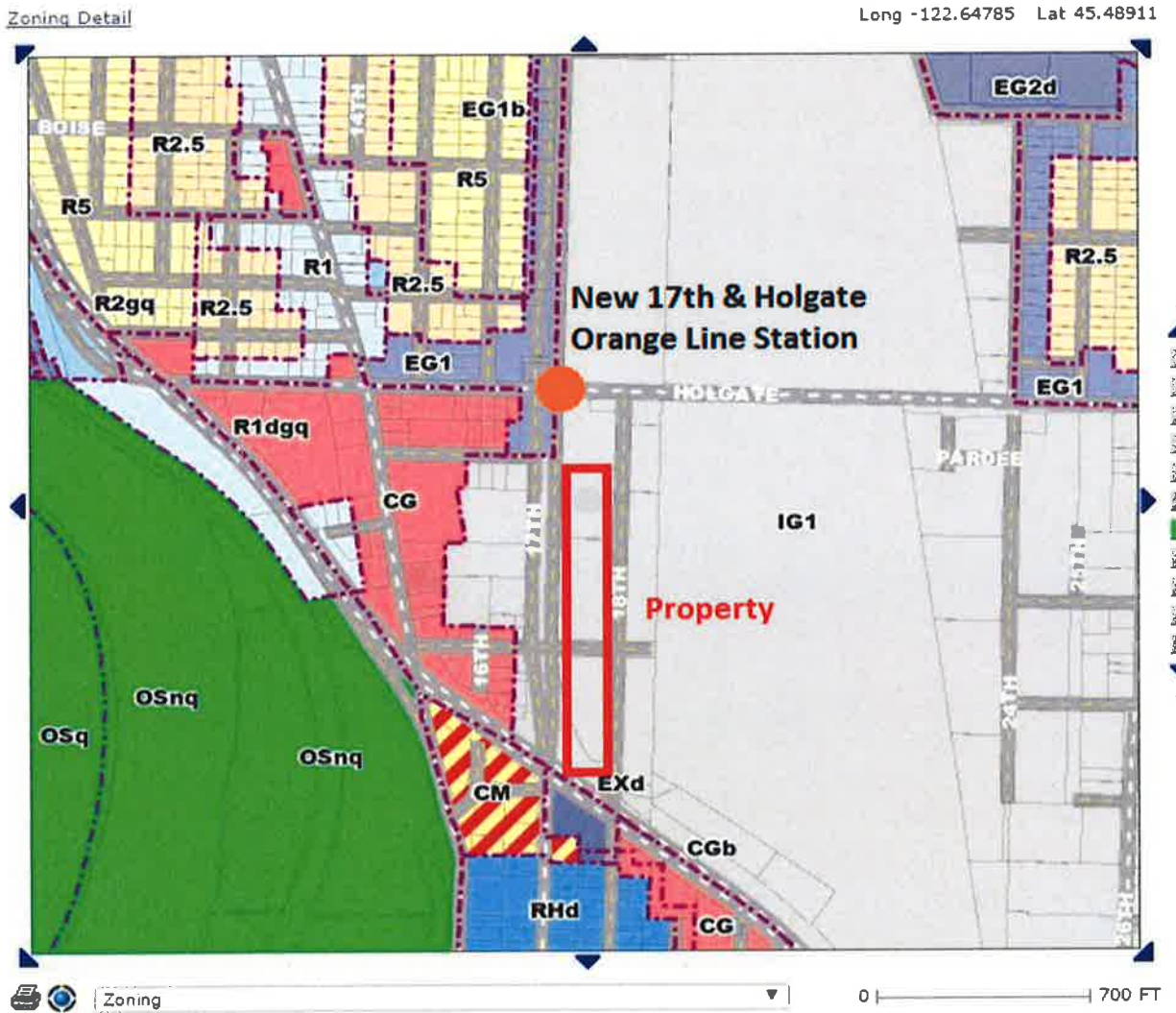


EXHIBIT A

Allison J. Reynolds
areynolds@radlerwhite.com
971-634-0205

October 27, 2015

Via email (steve.kountz@portlandoregon.gov)

City of Portland
Bureau of Planning and Sustainability Commissioners
1900 SW 4th Avenue, Ste. 7100
Portland, OR 97201
Attn: Steve Kountz

Re: Comments on Employment Zoning Project – Proposed Draft

Dear Commissioners,

Our office represents ScanlanKemperBard Companies, LLC (“SKB”), which is under contract to purchase the former PECO Manufacturing headquarters site, located at 4644 and 4784 SE 17th Avenue (the “Property”). We have reviewed the September 2015 Employment Zoning Project Proposed Draft (the “Proposed Draft”) and would like to submit the following comments on behalf of SKB. The Property is poorly served by industrial infrastructure and can better maximize the City’s investment in the adjacent MAX Orange Line through flexibility to develop maker space or other “employment” type uses that do not fit within the City’s current definition of “industrial” use. SKB requests that the Planning and Sustainability Commission preserve development flexibility at the Property by removing it from the proposed Prime Industrial Overlay Zone.

The Proposed Draft implements Comprehensive Plan Policy 6.39, to “protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor and Brooklyn Yard as prime industrial land that is prioritized for long-term protection,” by creating a new Prime Industrial Overlay Zone. This Comprehensive Plan Policy implements DLCC Goal 9, which defines Prime Industrial Lands as those that “have necessary access to transportation and freight infrastructure, including, but not limited to, rail, ... multimodal freight or transshipment facilities and major transportation routes.” To protect this prime industrial land, the new Overlay Zone prohibits quasi-judicial (applicant-initiated) Comprehensive Plan map changes. SKB supports the City’s efforts to protect prime industrial land, but requests that the Property, which is not well served by industrial infrastructure and is better suited to uses in the City’s “employment” category (such as maker space), be removed from this Overlay Zone.

The Property is a small site located on SE 17th Avenue and forms the very western edge of the proposed Prime Industrial Overlay Zone. A diagram of the area showing the Property is attached to this letter. While the Property is near Brooklyn Yard and has proximity to rail lines, these are located across 18th Street and provide no direct access to the Property. Even if a rail connection was established, the Property does not have adequate space for rail loading or storage. Furthermore, local transportation infrastructure, such as smaller streets and the Property’s relatively small size, is not conducive for access by and circulation of larger trucks typically required by large industrial users. This is unlikely to change, as the attached TriMet Fact Sheet regarding the SE 17th Avenue Corridor indicates that improvements for freight access between Brooklyn Yard and McLaughlin Boulevard will be located at SE Harold Street in order to specifically *reduce* truck volumes at 17th & Shiller, the intersection that bisects the Property.

City of Portland
October 27, 2015
Page 2

The Property also lacks proximity to a major interstate, such as I-84 or I-5. While Highway 99E may have been a major truck route at one time, industrial users now often try to locate near major interstates instead. Over time, these factors and the Property's outdated infrastructure made the Property an increasingly poor choice for traditional industrial and manufacturing operations. This recently led PECO Manufacturing to abandon the Property as its manufacturing base and headquarters office in favor of a site in Clackamas County.

While the Prime Industrial Overlay Zone does not specifically prohibit employment-focused uses, it does prohibit quasi-judicial Comprehensive Plan map changes, even from designations of IS (compatible with the industrial zones) to ME (compatible with the employment zones). The Property is currently zoned IG1, with an IS Comprehensive Plan designation. Changes to these designations, even to an employment zone, would be prohibited under the Overlay Zone. SKB desires to maintain the flexibility to change its Comprehensive Plan and zoning designation to allow a wider variety of "employment" uses to satisfy demonstrated market demand in the area, and leverage the City's significant investment in the MAX Orange Line.

SKB intends to develop the Property as maker space, but is constrained by the City's current use definitions, which treat some industrial operations as "office" uses and severely restrict these in the industrial zones outside of the Employment Opportunity Subarea ("EOS"). Because of these limits, SKB may need to change the Property's zoning to an employment zone allow for these lighter industrial uses at the Property.

The Portland City Code provides examples for the use categories that highlight these confusing distinctions. The Code considers printing, publishing and lithography, production of artwork and photofinishing laboratories "industrial service" uses and these are allowed in industrial zones. However, graphic and industrial design are considered "industrial office" uses (under the office category) and severely limited in the industrial zones outside of the EOS. Similarly, *medical* laboratories are considered an industrial office use, while *research and development* laboratories are considered manufacturing and production use (allowed in industrial zones). Recording studios and movie production facilities are a manufacturing and production use, while video and radio broadcasting are an industrial office use. The industrial office uses are allowed without limit under the Proposed Draft's changes to the EG zones. Office use is also allowed as an accessory use in the industrial zones, but the City has historically required that the office portion of the use be *smaller* than the industrial use, not merely secondary in value generation or function. This requirement creates a problem for modern industrial and "maker" users who, due to advancing technology, require less production square footage and more office space for their operations. The Code's confusing distinctions between industrial and employment uses make it difficult for Portland's emerging industrial and maker users to locate on industrial-zoned land like the Property.

The Property is located along 17th Avenue along the new MAX Orange Line and adjacent to the SE 17th & Holgate MAX Station. SKB intends to maximize the City's investment in the new light rail line by developing the Property with industrial employment-focused uses that are compatible with nearby industrial uses. The Proposed Draft extends the EOS to all IG1-zoned properties in the Central Eastside Sub-District, located north of the Property. The EOS allows more flexibility for office use as well as industrial use on IG1 land and the Proposed Draft finds that this flexibility will not have an impact on the industrial land supply. However, the EOS is not proposed to cover the Property or other land along the Orange Line and near the new MAX stations. Therefore, in order to preserve flexibility at the Property

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Page 3

for modern industrial and employment uses, a zone change and Comprehensive Plan map amendment may be needed. SKB asks that the Property be removed from the Prime Industrial Overlay Zone in order to preserve this flexibility.

In conclusion, because the Property is on the edge of the new Prime Industrial Overlay Zone, is not well served by rail, major truck routes, or other industrial infrastructure, and will better maximize the City's investment in the new MAX Orange Line and stations through flexibility to develop industrial and employment-focused uses, SKB requests that the Property be removed from the proposed Prime Industrial Overlay Zone.

Best regards,

RADLER WHITE PARKS & ALEXANDER LLP



Allison J. Reynolds

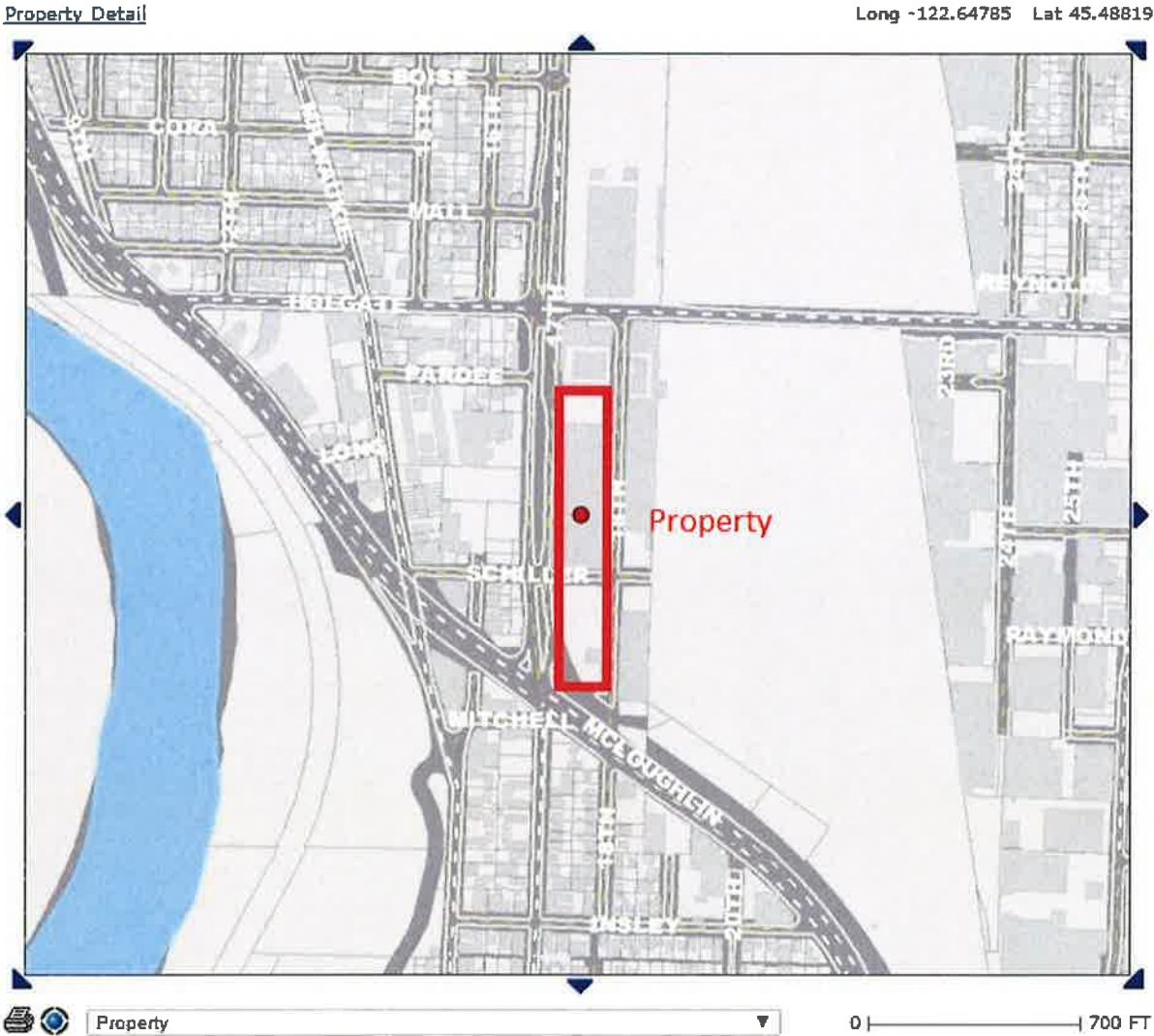
Attachments:

Property Diagram

TriMet Fact Sheet: SE 17th Avenue Corridor

cc: John Olivier, SKB
Todd Gooding, SKB
Alex Boettger, SKB

Property Diagram



TriMet Fact Sheet: SE 17th Avenue Corridor



SE 17th Avenue Corridor: Holgate Boulevard and Rhine Street station areas

Transforming the corridor from gray to green

SE 17th Avenue is a seam through this district that divides the Brooklyn neighborhood's residential and commercial properties to the west from the industrial activities to the east. The two new stations and related improvements on the avenue are designed to soften the transition between residential and industrial uses, honor the historic Brooklyn neighborhood and improve pedestrian and bicycle access. Infrastructure improvements will support existing industrial businesses while encouraging new neighborhood-oriented uses that can enhance station area activity. The SE 17th Holgate Boulevard and Rhine Street stations will be gateways to the Brooklyn neighborhood and SE 17th Avenue will be transformed into a greener, multimodal transportation corridor.

The light rail alignment through this district crosses SE Powell Boulevard on a new structure and then continues south in the center of a rebuilt SE 17th Avenue. Both station platforms are in a center island configuration.

Pedestrian and bicycle access: The project is making major improvements to create a safe and attractive environment for pedestrians, bus riders and bicyclists in these station areas. The reconstructed 17th Avenue crossing of Powell Boulevard will include a wide multi-use path for pedestrians and cyclists that directly connects the Brooklyn neighborhood to the north side of Powell Boulevard. This



Expanding transit options is essential to the livability and economic vitality of our growing region, which is expected to add one million new residents and nearly 100,000 new jobs within the project corridor by 2030. The Portland-Milwaukie Light Rail Project is integral to the region's strategy to manage growth and build more livable communities. This project is about more than bringing high-capacity transit to under-served communities—it is also about helping communities envision and achieve their aspirations. Combining infrastructure improvements, quality design features and new transit-oriented development along the alignment will connect neighborhoods, encourage walking and cycling, and create engaging public spaces where people want to be.



The project will add bike lanes to SE 17th Avenue to create a safe north-south connection through this area. Rebuilt sidewalks will be 12 feet wide to create a higher quality pedestrian environment.

path will also provide a direct connection from the Rhine Street station to the Clinton Street station via Gideon Street. Bike lanes will be added to SE 17th Avenue to create a safe north-south connection through this area, and sidewalks will be rebuilt with 12 feet in width to create a higher quality pedestrian environment. A new crosswalk will be added on McLoughlin at 17th Avenue.

Improvement vehicular access/roadway improvements: TriMet has conducted traffic and truck access studies to ensure that industrial use remains functional after light rail is introduced to SE 17th Avenue, and left turns and east-west movements are restricted to signalized intersections. The project improvements are designed to accommodate freight routes and truck turning movements based on current industrial and fire response vehicle sizes. Just south of Schiller Street, the light rail alignment transitions from the center of SE 17th Avenue to parallel the east side of McLoughlin Boulevard. A truck egress point will be improved at SE Harold Street to provide freight traffic with direct access to McLoughlin Boulevard from Union Pacific Railroad's (UPRR) Brooklyn Yard, reducing truck volumes at 17th & Schiller.

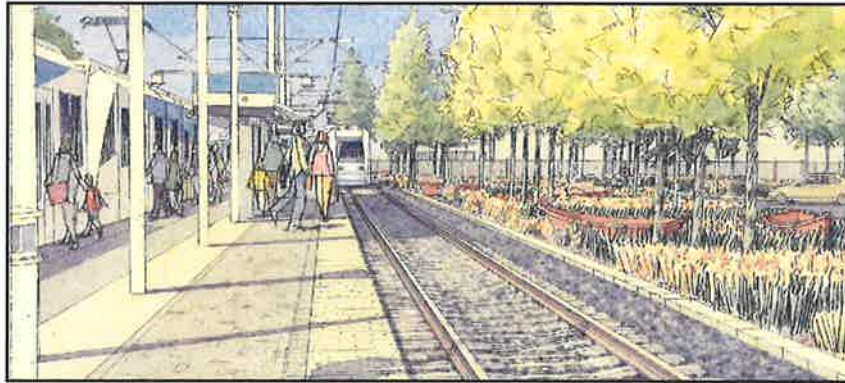
UPRR requires that the light rail line be elevated over this truck egress point.

TriMet's main bus operations center is located at Center Street and 17th Avenue, and the agency has acquired UPRR land behind its Center Street headquarters to replace employee parking being removed along 17th Avenue to allow reconstruction and widening of the avenue.

Right-of-way acquisitions: The project requires right-of-way acquisition of some commercial and light industrial properties along this segment of the alignment, and active relocation support is being provided to sustain these businesses and help keep jobs in the corridor.

Highlights of distinguishing design elements

The overall light rail project is designed to be responsive to the character and aspirations of surrounding neighborhoods, while maintaining a system-wide identity that creates a user-friendly transit experience. A few highlights of distinguishing design elements in the SE 17th Avenue corridor include:



This conceptual image of the SE 17th Ave & Rhine St Station illustrates the visual impact of street trees and public art.

- **Green corridor:** SE 17th Avenue will be transformed from gray to green with an infusion of vegetation that improves water quality and wildlife habitat and provides a signature feature for this corridor. Many new trees and significant stormwater features along the corridor from SE McLoughlin to Powell Boulevard will enhance the streetscape. Additionally, the trackway will have a permeable ballast treatment, which allows rainwater to be absorbed into the ground instead of being forced onto the street and into drains.
- **Public art:** *Passage* is an installation of 38 weathered steel boat sculptures by local artist, Bill Will, that will appear to float in the landscape strips along SE 17th Avenue from Powell Boulevard to SE McLoughlin Boulevard. The work draws on the natural history of “brook land” while celebrating the many green street improvements along this corridor.

Development opportunities

There are numerous redevelopment opportunities along SE 17th Avenue corridor that could help activate the streetscape and support increased transit ridership. Redevelopment opportunities for TriMet-acquired parcels along the SE 17th Avenue

corridor are being explored, including small-scale mixed-uses such as commercial, residential and live/work projects. Further, a proposal is emerging to develop a series of initiatives that improve safety, enhance pedestrian activity and strengthen the character of this mixed-use neighborhood. This “toolkit” could feature initiatives for traffic calming, energy conservation, green streets, improved bicycle access and other community enhancements.

Stay involved

Sign up for project email updates and meeting notices at trimet.org/pm. For more information, call TriMet Community Affairs at 503-962-2150.

Available in other formats:

trimet.org

503-238-7433

TTY 503-238-5811

Para esta información en español, favor llamar al 503-238-7433.

Portland-Milwaukie Light Rail Transit Project is a partnership among:



EXHIBIT B

Allison J. Reynolds
111 SW Columbia Street, Ste. 1100
Portland, OR 97201
areynolds@radlerwhite.com
971-634-0205

November 6, 2015

Via email (cputestimony@portlandoregon.gov)

City of Portland
City Council Members
Council Clerk
1221 SW 4th Avenue, Room 130
Portland, OR 97204

Re: Comprehensive Plan Map Change from Industrial Sanctuary to Mixed
Employment for Former PECO Manufacturing Site

Dear Council Members,

Our office represents ScanlanKemperBard Companies, LLC ("SKB"), which is under contract to purchase the former PECO Manufacturing headquarters site, located at 4644 and 4784 SE 17th Avenue (the "Property"). The Property is currently zoned General Industrial (IG1), but is poorly served by industrial infrastructure and can better maximize the City's investment in the adjacent MAX Orange Line through flexibility to develop maker space or other "employment" type uses that do not fit within the City's current definition of "industrial" use. SKB therefore requests that the City Council preserve development flexibility at the Property by changing its Comprehensive Plan map designation from Industrial Sanctuary (IS) to Mixed Employment (ME).

SKB's purchase of the Property was not solidified until September 2015, after the Planning and Sustainability Commission made its final recommendation to the City Council on the 2035 Comprehensive Plan. Because SKB did not have an interest in the Property prior to the close of public testimony before the Planning and Sustainability Commission, SKB is submitting this request directly to the City Council. SKB has also provided testimony to the Planning and Sustainability Commission requesting a zone change to EG1, which is attached to this letter as Exhibit A.

The Property is located along 17th Avenue along the new MAX Orange Line and approximately 500 feet from the new SE 17th & Holgate MAX Station. As shown on the attached Figure 1, the Property is kitty-corner from an EG1-zoned site which has a Comprehensive Plan designation of ME. Across 17th Street, the majority of properties are zoned for and developed as commercial and employment uses. The Property's proximity to these employment focused zones and location adjacent to a transit station make employment zoning ideal.

SKB intends to develop the Property as maker space, but is constrained by the City's current use definitions, which treat some industrial operations as "office" uses and severely restrict these uses in the Property's industrial zone. Because of these limits, SKB seeks to change the Property's zoning to an employment zone to allow for these lighter industrial uses at the Property

Over time, lack of rail infrastructure and interstate access and the Property's outdated facilities made the Property an increasingly poor choice for traditional industrial and manufacturing operations. This recently led PECO Manufacturing to abandon the Property as its manufacturing base and headquarters office in favor of a site in Clackamas County. The Property houses the historic 1928 Iron Foreman Manufacturing Company building, listed as a Rank II resource on the City's Historic Resources Inventory and eligible for listing on the National Register of Historic Places. SKB intends to undertake a comprehensive interior renovation and exterior restoration of this historic building, which would not be possible with a full redevelopment required for traditional industrial use at the site. A lighter industrial use, such as maker space, is compatible with the building's current orientation and preserves this valuable historic resource.

For the reasons stated above, SKB requests that the City Council change the Property's Comprehensive Plan map designation to Mixed Employment in order to allow a zone change to EG1.

Best regards,

RADLER WHITE PARKS & ALEXANDER LLP



Allison J. Reynolds

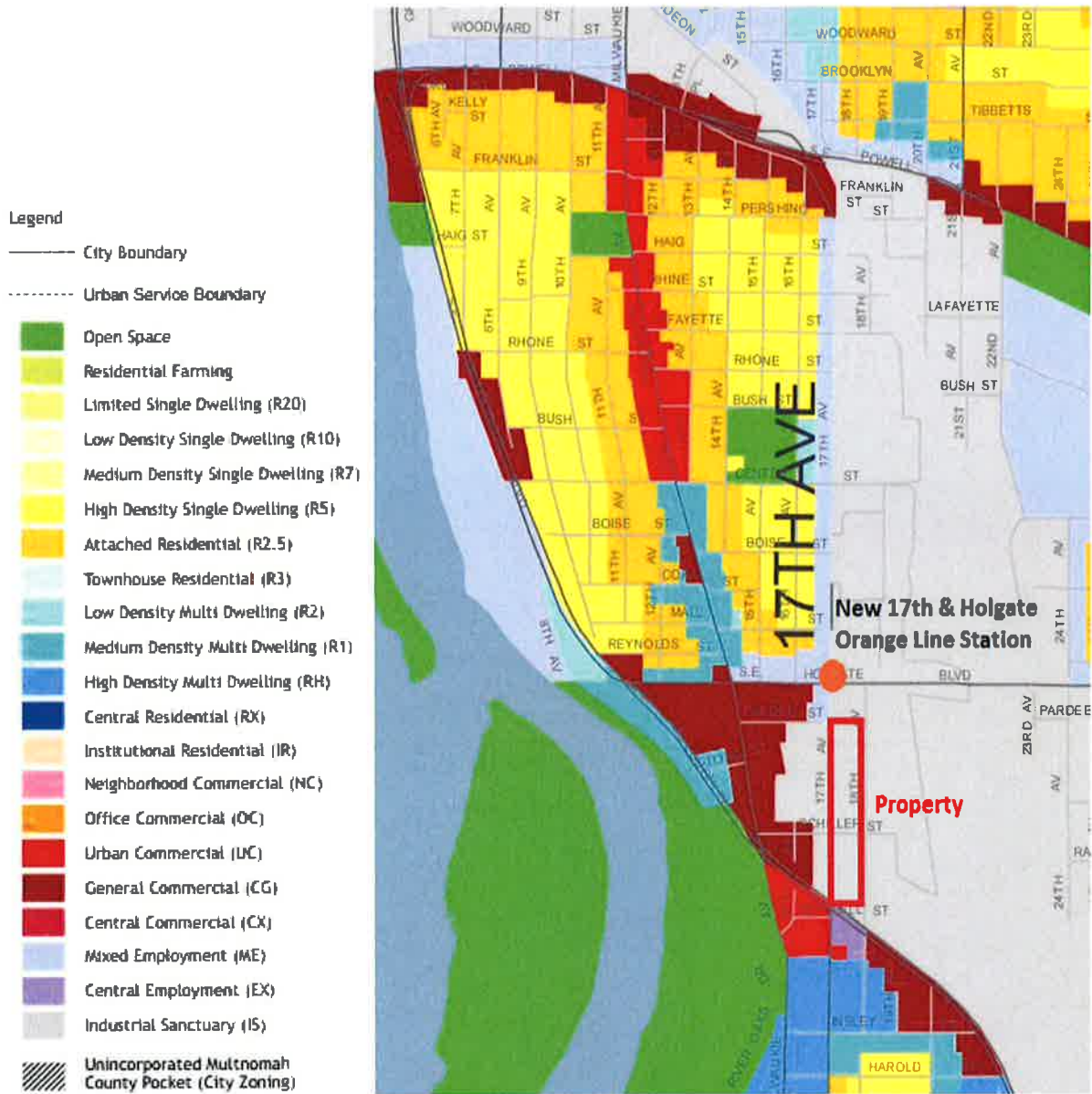
Attachments:

Figure 1: Current Comprehensive Plan Map Designation and Current Zoning
Exhibit A: November 6, 2015 Letter to Planning and Sustainability Commission

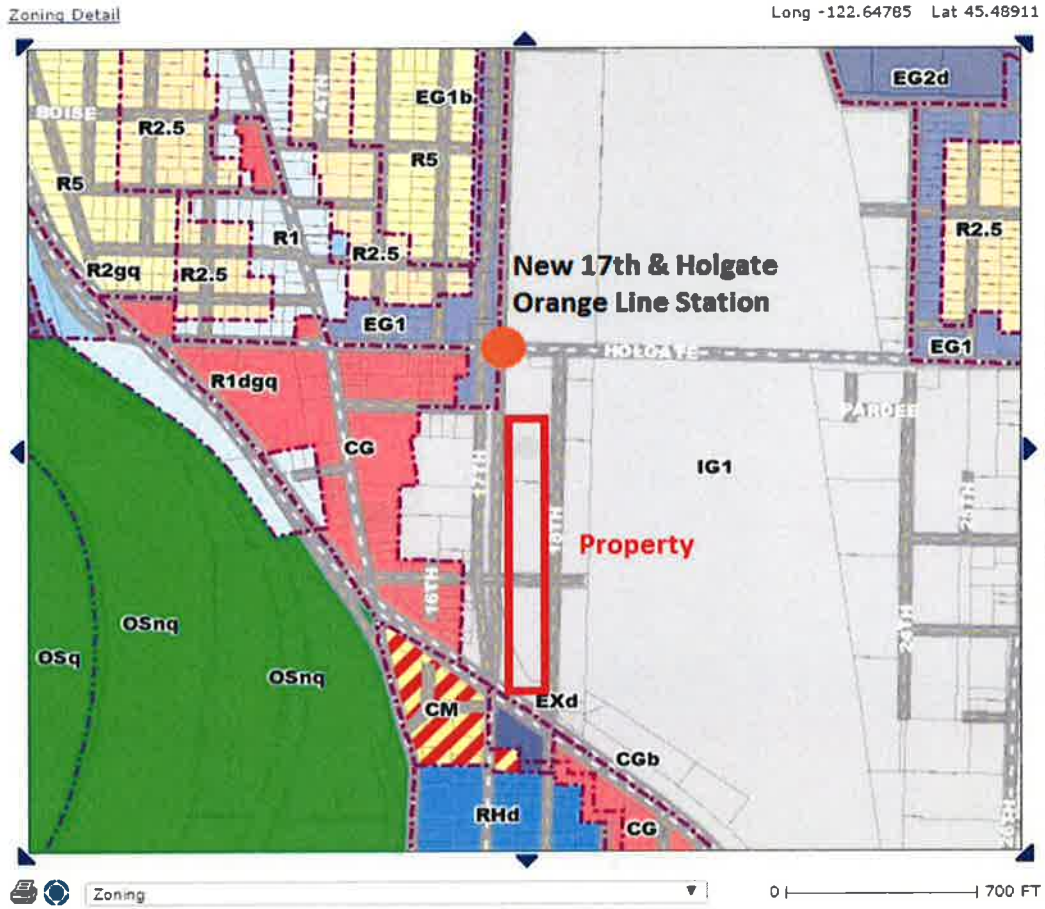
cc: John Olivier, SKB
Todd Gooding, SKB
Alex Boettger, SKB

Figure 1

Current Comprehensive Plan Map Designation



Current Zoning





November 6, 2015

Andre Baugh, Chair
Portland Planning & Sustainability Commission
1900 SW 4th Ave., Suite 7100
Portland, OR 97201

Re: Additional Employment Zoning Project Comments

Dear Chair Baugh:

Thank you for the opportunity for additional comments on the Employment Zoning Project (EZP) September 2015 Discussion Draft, part of the Comprehensive Plan Update.

As a follow-up to our verbal testimony provided at the October 27, 2015 Planning and Sustainability Commission (PSC) hearing, we would like to respond more fully to a letter and maps submitted by Metro to the PSC dated October 23, 2015. In that letter, Metro proposed removal of the Prime Industrial Overlay Zone from a number of Port of Portland (Port)-owned properties in the vicinity of Smith and Bybee Lakes and the Rivergate Industrial District.

The Port objects to removal of the Prime Industrial Overlay Zone from Port owned properties, as proposed by Metro, for a number of reasons. For clarity, the original maps provided by Metro have been labeled "POP Property" as appropriate and are attached. Specifically:

- The Port as the owner of these properties has full ownership and management authority and therefore is the appropriate party to suggest future zoning for the properties in question;
- Metro's proposal impacting the Port properties in question was made without consulting the Port;
- Metro and the Port have no IGA or other agreement allowing Metro management authority over the properties in question;
- The properties in question contain a number of key pieces of infrastructure serving the Rivergate Industrial District including roads, rail lines, power lines, mitigation sites and a pump station; and
- The Port of Portland, Metro and eight other property owners received approval of the "Smith and Bybee Wetlands Comprehensive Natural Resource Plan" from the City of Portland on March 13, 2013 (File LU 12-167334). The Plan did not grant Metro management authority over the properties in question and furthermore provided preliminary approval for a number of future development projects on the properties in question to serve the Rivergate Industrial District.

EZP
November 6, 2015
Page 2

Thank you again for the opportunity to comment on the Employment Zoning Project September 2015 Discussion Draft. We look forward to further discussion on this topic this fall.

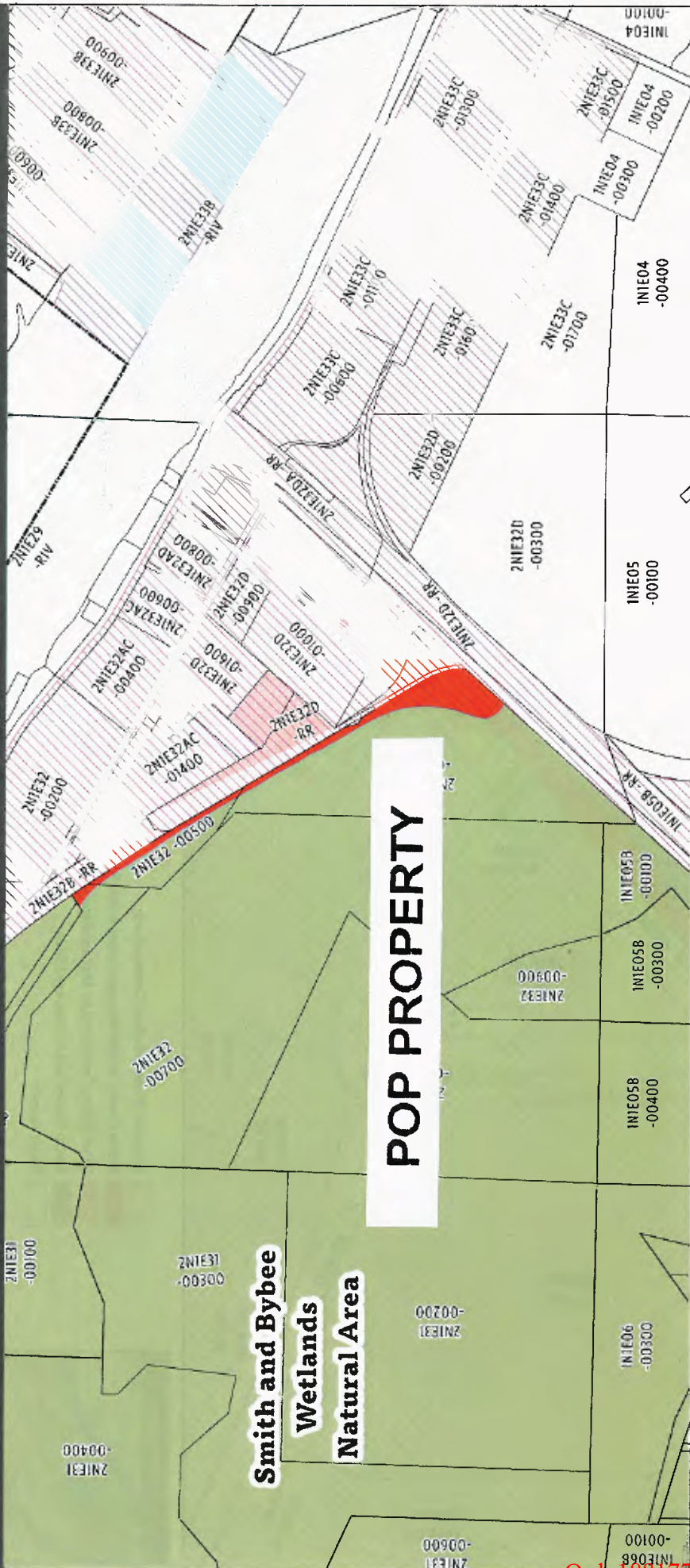
Sincerely,

A handwritten signature in black ink that reads "Tom Bouillion". The signature is written in a cursive style with a large, stylized initial "T".

Tom Bouillion,

Planning Manager

cc: Susie Lahsene, Port of Portland
Carrie Butler, Port of Portland
Kathleen Brennan-Hunter, Metro
Paul Slyman, Metro



8 - Smith and Bybee Wetlands Natural Area
5.98 acres

- Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed Sites
- Taxlot Parcels

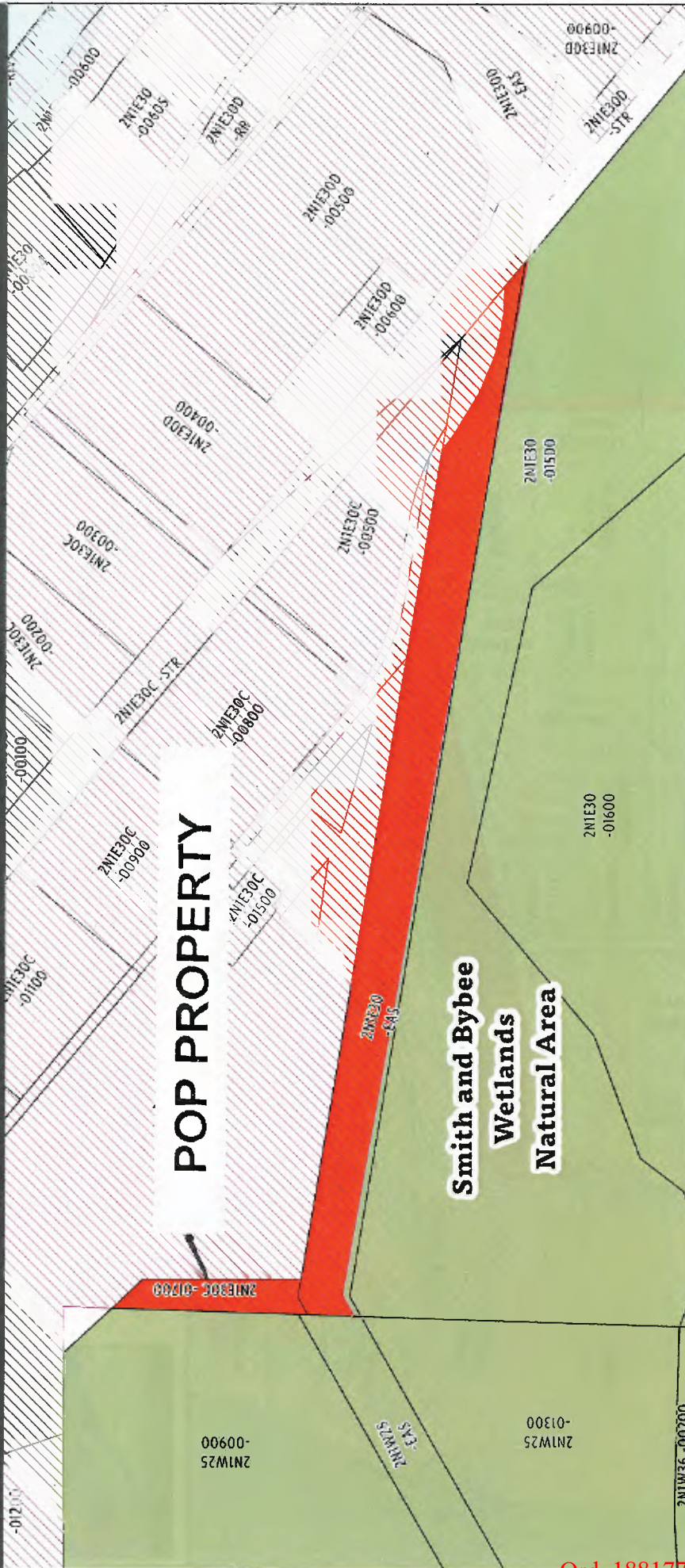
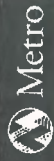


Date: 10/23/2015



METRO RELEASE CENTER
500 NE MULTNOMAH AVENUE, PORTLAND, OREGON 97232-3736
TEL: (503) 251-1200 FAX: (503) 251-1208

Metro comments on Portland Employment Zoning Project Proposed Draft



- Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed Sites
- Taxlot Parcels

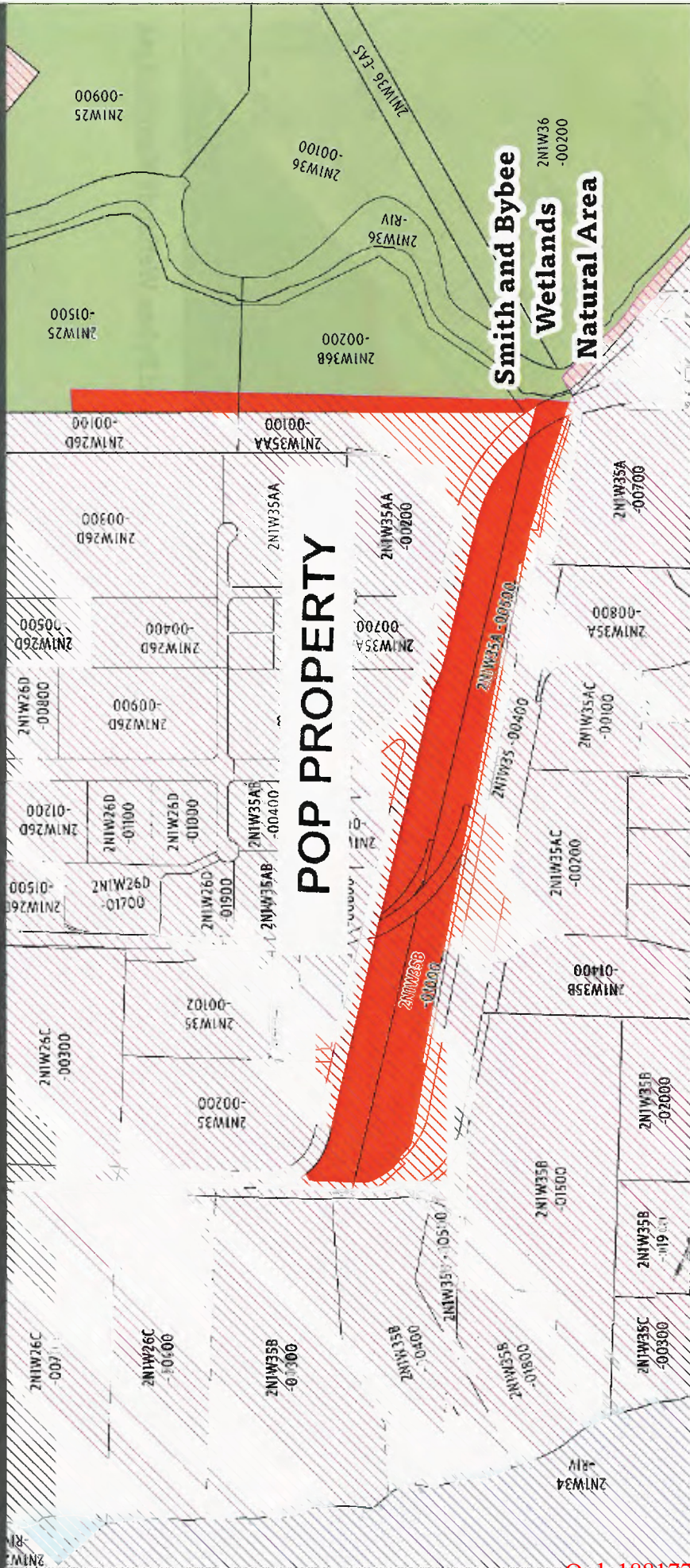
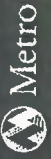


METRO PLANNING CENTER
 425 KERRILL AVE., SUITE 1000, PORTLAND, OR 97204
 www.metro.net/planning_center
 TEL: 503.745.1342 FAX: 503.745.1375

5 - Smith and Bybee Wetlands Natural Area
10.41 acres

Date: 10/23/2015

Metro comments on Portland Employment Zoning Project Proposed Draft



Smith and Bybee Wetlands Natural Area

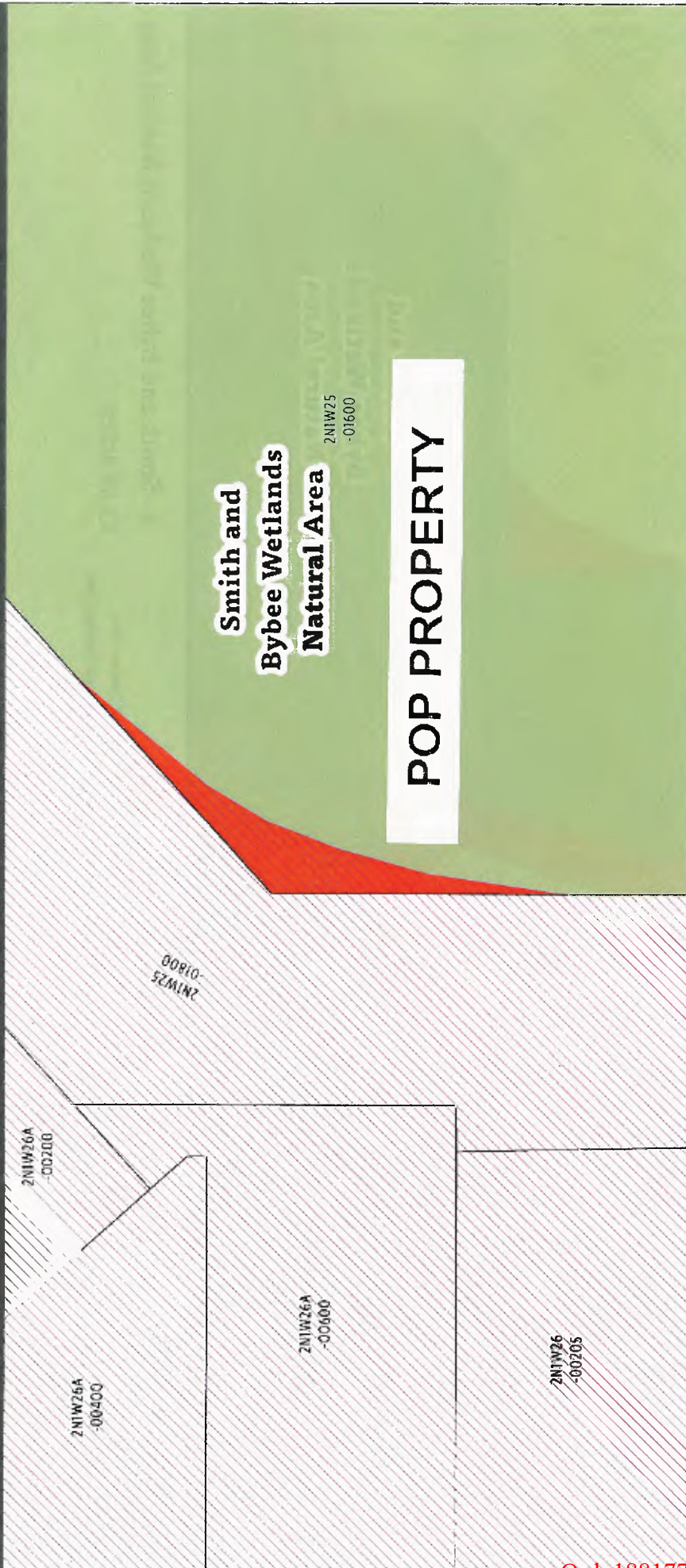
- Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
- Metro Owned and/or Managed Sites
- Taxlot Parcels

6 - Smith and Bybee Wetlands Natural Area
39.75 acres



Date: 10/23/2015

Metro comments on Portland Employment Zoning Project Proposed Draft



3 - Smith and Bybee Wetlands Natural Area
0.34 acres

Proposed Prime Industrial Overlay Zone
Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
Metro Owned and/or Managed Sites
Taxlot Parcels

0 350 700 feet

0 350 700 feet

Metro Planning Center
 400 NE 15th St, Suite 1000, Portland, OR 97232
 Tel: 503.241.1232 | Fax: 503.241.1200

Date: 10/23/2015

Christe White
cwhite@radlerwhite.com
971-634-0204

November 6, 2015

1518.001

Andre Baugh, Chair of the Planning and Sustainability Commission
City of Portland
1900 SW Fourth Avenue, Suite 5000
Portland, Oregon 97204

Planning and Sustainability Commission Members
City of Portland
1900 SW Fourth Avenue, Suite 5000
Portland, Oregon 97204

Re: ESCO request to be included in the Mixed Employment and new EG zone designations for its NW Portland property

Dear Mr. Baugh and Planning Commission Members,

ESCO requests your consideration of the following issues as you deliberate on the Bureau of Planning and Sustainability's ("BPS's") proposed amendments to the Mixed Employment Comprehensive Plan designation and the EG implementing zone. ESCO fully supports the BPS proposal.

1. The ESCO area affected by the EZP project comprises only the ESCO ownership shown in green on the attached Exhibit 1 (the "Affected Area"). No other ESCO properties are part of this present EZP proposal. All of the Affected Area already has a current Comprehensive Plan designation of Mixed Employment and a current zone of IG1. The EZP does not change the current Comprehensive Plan designation. Instead it applies one of the Mixed Employment implementing zones to the Affected Area. That implementing zone is EG1.
2. The Affected Area is partially developed with ESCO's corporate headquarters and research and development facility. The remaining area is surface parking lot and could be redeveloped under the EG zone consistent with the EZP proposal.
3. Generally, the current IG1 zone in the Affected Area has no height and no FAR limitation for all of the industrial uses. These industrial uses include corporate headquarters office use, wholesale sales, movie production, catering establishments, breweries, recording studios, printing, publishing and lithography, research and development labs. For traditional office, not related to industrial, the current limit in the IG1 zone is 20,000 square feet or 1:1 FAR. In the Guild's Lake Industrial Sanctuary you can increase this 1:1 for office uses up to 1.85:1 with payment into a transportation fund.

4. The proposed EG zone would limit all uses to a cap of 3:1 FAR and 45 feet in height, prohibit housing and reduce retail uses to under 10,000 square feet. This would mean that for some uses in the current IG1 zone there would be a decrease in density and for office use there would be an increase of, at most, 2:1.

A chart generally summarizing these differences is shown in Exhibit 2. The red shading indicates the uses that are allowed today that would be reduced in density and the green shading indicates uses that would be allowed with the zone change that would be slightly increased in density. On balance, the change to EGI would result in more uses decreasing in density than increasing in density. These offsetting increases and decreases in density for ESCO will only apply in the Affected Area, which is largely already developed with a corporate headquarters and a research and development facility. Based on these limitations, one can draw the reasonable conclusion that the impacts of this change are not significant from an overall density perspective.

What are the transportation impacts?

Exhibit 2 demonstrates that there is very little difference in the trip generation rate between a corporate headquarters office that is allowed in the IG1 zone today with no FAR or height limit and traditional office that would be allowed in the new EG zone at 3:1 and 45 feet under the EGP proposal.

A traditional office that would be allowed in the new EG zone generates 1.49 trips per 1,000 square feet. An office accessory to industrial that is allowed today in the current IG zone generates those same trips: 1.49 trips per 1,000 square feet. A corporate headquarters office allowed in both IG and EG generates 1.41 trips per 1,000 square feet. These numbers are from the ITE manual and based on a study of millions of office and industrial square footage.

Thus, the difference between an office that would be allowed in the new EG zone and an office that would be allowed in the current IG1 zone is either a minimum of 0 or a maximum of .08 trips per 1,000 square feet. To further illustrate the difference we can apply it to a development on a 40,000 square foot block.

A corporate headquarters office that is allowed today on that 40,000 square foot block and is built at 3:1 FAR would comprise 120,000 square feet. At a PM peak hour trip generation rate of 1.41 per 1,000 square feet, that use would generate 169 PM peak hour trips.

Under the new EG zone, a traditional office at 3:1 on that same block would have a PM peak hour trip generation rate of 1.49 per 1,000 square feet and generate 179 PM peak hour trips.

Thus, under this reasonably likely development scenario, the difference in trips between what is allowed today and what would be allowed in the new EG zone in the Affected Area is 10 trips.

These 10 trips do not create a significant impact on the transportation system given that the EGP project also includes some down zonings that will also reduce densities in the corridor.

Planning Commission Members
November 6, 2015
Page 3

We understand NWDA's concerns regarding the ESCO property north of Wilson. We are prepared to have further discussions with NWDA as it relates to those properties, the industrial nature of those properties and the traffic issues associated with those properties. None of those properties are included in the present EZP proposal.

Lastly, there are multiple reasons ESCO is supporting the BPS proposal. First, Portland is and has been ESCO's corporate headquarters for over 100 years. The corporate headquarters is permitted today because it is not the primary use of the site. Under the zoning code, ESCO must maintain a "primary" industrial use on the site to maintain its permitted use status on the site. The foundry is over 100 years old. ESCO is modernizing its operations across the globe. This includes locating foundries closer to the customer to maximize efficiency and to reduce carbon footprints and investing in the leading edge of research and development in the industry.

For these reasons, it is likely that the Vaughn Street foundry will have a change in operations over the short term. When this occurs, ESCO's corporate presence will become nonconforming. The EG zone would cure this nonconformity with no significant impact on the transportation system.

Further, ESCO's leading position in the industry for research and development can attract synergistic companies that through modern engineering technology can work with, and alongside ESCO, to develop even more efficient industry practices. Under the current zoning code, these uses would not be allowed to co-locate with ESCO even though they are very similar to the kind of uses that are permitted in the Industrial zone today. The EG zone allows this synergy, growth and inventiveness. Again this change comes at a benefit to the City with no likely costs to the functionality of the system that serves the ESCO property between Vaughn and Wilson.

There will be no loss of Portland's industrial opportunities. The EG zone is an industrial and employment zone and continues to permit industrial uses such as manufacturing and production, warehouse sales, industrial service, corporate headquarters, accessory office and wholesale sales. And the newly restricted EG zone prohibits housing and reduces retail allowances to 10,000 square feet which is consistent with the GLIS retail limitation.

ESCO continues to support the BPS proposal for the ESCO properties between NW Vaughn and NW Wilson and we appreciate the Planning Commission's consideration of these comments.

Sincerely,



Christe White
On behalf of ESCO, Corp.

cc: Tom Armstrong

EXHIBIT 1

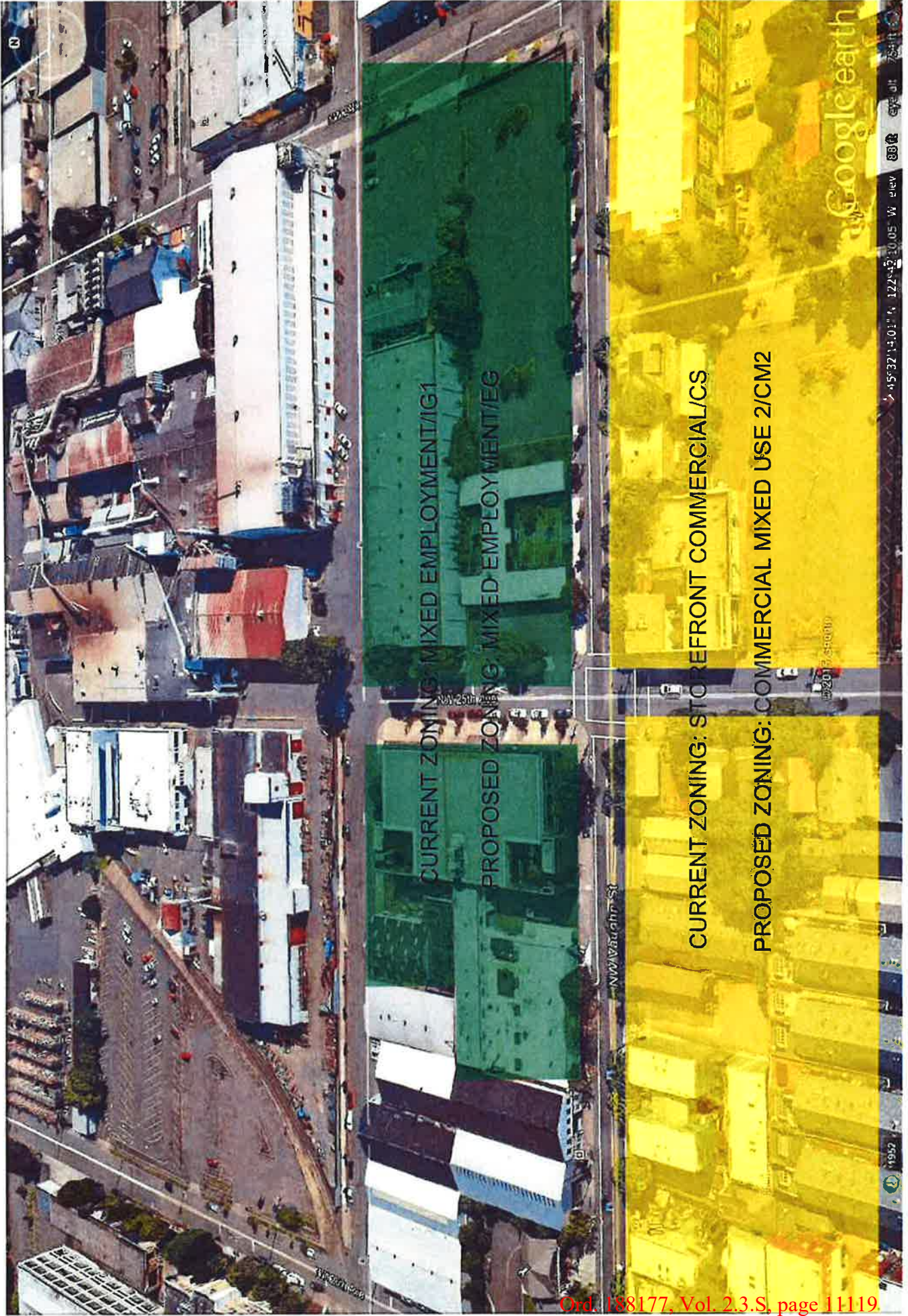


EXHIBIT 2
COMPARISON OF CURRENT IGI AND PROPOSED EG USES AND
DENSITIES ON ESCO SITE WITHIN EZP AREA

	IGI IN GLJS	Proposed EG IN GLJS	Trip Gen. Rate Trips/1,000² PM Peak Hour
Industrial	No FAR or height limit.	3:1 / 45 feet	.97
Corporate Headquarters	No FAR or height limit.	3:1 / 45 feet	1.41
Office Accessory to Industrial Use	No FAR or height limit because considered Industrial use under 33.920.240.D.1	3:1 / 45 feet	1.49
Traditional Office	1:1 or 20,000 square feet with .85 permitted if payment to transportation fund.	3:1 / 45 feet	1.49
Housing	Prohibited	Prohibited	No change
Retail	< 20,000 square feet	< 10,000 square feet, more with an approved adjustment	Less retail allowed outright in new EG zone

TELEPHONE
(503) 223-1137

DAVID R. NEPOM
ATTORNEY AT LAW
3700 BARBUR BUILDING
3718 S.W. CONDOR, SUITE 100
PORTLAND, OREGON 97239-4142
EMAIL: Dnepom@gmail.com

FACSIMILE
(503) 223-3511

Via Email Only

November 5, 2015

PSC@Portlandoregon.gov

**Re: PSC Employment Zones Testimony – Prime Industrial Overlay Zone,
Hayden Island**

Dear Members of the Portland Planning and Sustainability Commission:

On behalf of Canoe Bay, LLC, which owns a majority interest in the property at the end of North Hayden Island Drive (tax account R323354, Section 282N1E; tax lot 100-2.57 acres), I provide this objection to applying the proposed prime industrial overlay zone to Canoe Bay's property.

Canoe Bay's property is currently multi-zoned, including R2, IG2, and RF; this site would best be utilized for a better use than an industrial sanctuary and an industrial sanctuary would be inappropriate for the site and the nearby properties. This is a river front site and industrial development of this portion of Hayden Island would be inappropriate since this has no rail access, limited truck access, shortage of parking, and can be accessed only by a single bridge. Canoe Bay, LLC would object to imposing an industrial sanctuary and increasing land use restrictions as proposed in the Employment Zoning Project to Canoe Bay's property and the nearby properties.

Changing the site to a commercial zone change which would allow development of housing at an increased density would be looked upon favorably.

Respectfully submitted,



David R. Nepom
on behalf of Canoe Bay, LLC

DRN/kkp

From: bobvic8120@comcast.net [mailto:bobvic8120@comcast.net]
Sent: Sunday, November 01, 2015 11:52 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: PSC Testimony

We own the property at 8110 SE Bybee Blvd., State ID# 1S2E20AD 800, property has a base zone of: EG2, R2.5. We also own 8120 SE Bybee Blvd., State ID# 1S2E20AD 700, Property has a base zone of: EG2. These property belonged to my husbands Grandparents. His Grandparents last name was Jigger and they bought them about 85 years ago. We did not inherit them we purchased them and are still paying for them. They are both rentals and we are both retired past 65 years of age. We are on a limited income.

Your (PSC) would raise our taxes, and our taxes have gone up every year since we purchased the houses. If a house would burn down we could not rebuild. Your change would make our property hard to sell.

This whole plan is not good for us it would hurt us financially very bad. I am sure this is true for a lot of other people.

Thank you, for reading this and remember we did not inherit these houses. We worked for them and still are working for them.

Robert & Vicky Foster
503-771-5133

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name: A. Garp
Address: PO Box 06097-7215 SE Franklin St 97206

Testimony: The city should include compatibility standards, design standards & performance standards for new development. These standards ~~are~~ need to include height transitions to neighboring property along & behind the developments) buffers & use limits adjacent to residential uses.

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.

over →

- ② Consider adding pedestrian amenities of new development including pedestrian lighting on sidewalk side.
- ③ Add code changes to aggregate auto oriented businesses along 82nd - incentives to move.
- ④ Add focus to centers along 82nd to pedestrian orientation of land uses that focus on community needs (med clinics etc)
 Ord. 188177, Vol. 23 S, page 11123
inclusion standards that focus

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name:

Khunta Yap

Address:

7215 SE Franklin St 97206

Testimony:

Please include a design overlay for the Jade District.

Standards are important -

lighting, parking, landscape, blinds mass windows, doors, compatibility of neighbors

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.

Use types - limit #

incentives for community needs/land uses #

preferences & incentives for existing businesses

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name: BRIAN WONG
Address: 414 SE 83RD Ave
Testimony:

I am concerned that large lots with large buildings will further restrict pedestrian access to the neighborhood.

An existing example is between SE Hawthorne and SE Taylor Ct on the EAST SIDE of 82ND Ave. →

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.

I would like to see CAMPS development with parking in the middle and pedestrian access through the campus - similar to SE PCC.

The City of Portland
Bureau of Planning and Sustainability
1900 SW Fourth Ave, Suite 7100
Portland, OR 97201

The industrial overlay proposal if put in place would have severe impacts to the neighborhood homes and residential farms, in both home values and quality of life for residents. It could serve no other purpose than to encourage industrial infill amongst the neighborhood homes, and to drive residential, and residential farm occupations out.

We are a small pocket community that has many long term residents that have reveled in and enjoyed their proximity to the environmentally beautiful Whitaker Slough and thriving wildlife, as well as new residents with zeal for refurbishing and conservation of this very limited inner city farm area, and public resource area. This is a close knit community that shares a feeling of sanctuary with our large lots, and intimate connection to long time influences of this area.

While there is always an expanding need for larger productive industrial area for Portland industrial growth, there is also a more urgent growing need to preserve and build sustainability of our small inner city farm communities, as well as protect residents from fruitless and unnecessary hardship.

Established multi- generational farms in this neighborhood that should be preserved, not driven out of existence. These properties are well-suited for the explosive demand for development of additional small farm sites, in particular the Cully district. It is though the network agreements to share/provide farming acreage that the small farms and residents create a whole system of food security and sustainability-driven practices, and provide employment opportunities, and community educational opportunities as well. This neighborhood, with its small farm accessibility, is a destination for local schools, elder groups, as well as many other benefiting groups and individuals.

We are striving to model a community that equally thrives and coexists with its current industrial neighbors, as well as actively participate in the protection of our specific wild life areas. It is the view point of members of the Cully Farmers Association and local small farmers that the city has provided assurance of support for small development and sustainable large-lot farming practices within our neighborhood. Property owners deserve to maintain the values of their homes, and to have their rights under current zoning maintained. Every property owner has recently been required to invest in city infrastructure costs for their homes and future home sites to public sewer along N.E. 63rd AVE. and N.E. Bryant Street. Now we are told a rezone is favorable to the city, specifically to prevent residential development within our residential zone. We are also told

that industrial development is going to be allowed, encouraged, and that even incentives will be provided towards that end. We are told permit fees to rezone to industrial will be waved to encourage what would be devaluing and destructive industrial infill.

Our homes are our primary investment and resource, and for many of us, like most people in this country, our *only* investment. We live in our homes. We should not be subject to the threats of this proposed industrial overlay. There is no benefit to the greater city of Portland that justifies the harm to the property owners of this change.

It's also worth mentioning that the Whitaker Slough is now a public recreational area, and that has had a great deal of revenue directed to it, for both clean up from industrial abuses, and recreational development for the public good. This area would also be subjected to more devastating impacts of industrial blights and contaminating views. Wildlife is also seriously impacted, and all efforts to utilize this extremely limited and hard-fought for public resource are undermined.

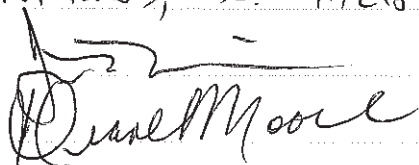
X Ralph Tidwell 11 years
6801 NE 63rd Ave
Portland, Or 97218
503-304-5394 R Tidwell

X Geri Wilson 10 yrs
6536 NE 63rd Ave
PDX, OR 97218
Geri Wilson

A Don Wilson 10 yrs
SAME AS ABOVE
DNL

X Barbara Martinez New House order
6110 NE Bryant St.
Portland, OR 97218
Barbara Martinez

X JOHN & DIANE MOORE 20 years
5920 NE BRYANT St.
Portland, OR 97218


Diane Moore

x Roni M Doyle 12yrs
6910A NE 63rd ave.
Portland, OR 97218
(503)282-2457

x Jeanine M. Rodriguez 49yrs.
7025 N.E. 63
Portland Or. 97218
Jeanine M. Rodriguez

x Emiliano M. Rodriguez
7025 N.E. 63rd
Portland Or. 97218
Emiliano J. Rodriguez

x Ted & Ellie STURM 26 yr
6702 NE 63rd
Port. Ore 97218
Ted Sturm
Ellie Sturm

1 Rose C Fredrickson 2002
6135 NE Bryant St
Portland OR 97218
Rose C Fredrickson

X AShera Kathryn Wood 18 yrs
6802 NE 63rd Ave
Portland 97218
Kathryn Wood

X Lloyd A Peck 38 yrs
6510 NE 63rd Ave
Portland OR 97218
Lloyd A Peck

X Peter Stachelrodt 33 yrs
6921 NE 63 PDX
Peter Stachelrodt

X Leanna Cox
6921 NE 63 PDX
Leanna Cox

* Thomas H. Lindley
6909 N.E. 63rd. ave.
PDX, OR. 97218
Thomas H Lindley

17yrs

* Willie Ray Pyle
6906 NE 63rd Ave
Portland Or 97218

5yrs

Willie R Pyle

* Thomas Kevin Ogden
6906 N.E. 63rd Ave.
Portland, OR. 97218
Tom Ogden

5yrs

* Samantha Dinnwiddie
6245 NE Broadway
PDX OR 97218
Samantha Dinnwiddie

17.5yrs

* Scott Anglin
6921 63rd
97218
Scott Anglin

33yrs

x Randy A. Ferguson SHANNON DEE BENSON
6000 NE Bryant St
Portland, Ore, 97218 42 yrs

Randy A. Ferguson Shannon Dee Benson

x Juan Martinez NEW HOMEOWNER
6100 NE Bryant St
Portland Ore 97218

Juan Martinez

x Marilyn Leisinger Family home passed
6520 NE 63 down 60+ yrs

Portland, OR 97218

Marilyn Leisinger

x Phyllis Fritz 46 yrs

6548 NE 63

PDX 97218

Phyllis Fritz

Family home
passed down

x Tiffany M. Rebeiro T. Rebeiro 17yrs
Sean A. Rebeiro Sean A. Rebeiro

S
6036 NE 63rd AVE
Portland, OR 97218

x Helen Lawce Helen Lawce 26yrs
6646 NE 63rd AVE
Portland OR 97218

x Lisa Buechel Lisa Buechel 2yrs
6720 NE 63rd AVE
Portland, OR 97218

x Joe Schonek Joe Schonek 12yrs
6240 NE Bryant St
Portland OR 97218
Amie Schonek Amie Schonek

x Jody Claire Jody P. Claire 17.5yrs
6245 NE Bryant St
Portland OR 97218

* Karri Benjamin-Jeronimo

6111 NE Bryant St

POX OR 97218

Karri Benjamin-Jeronimo

* Rod/Cynthia Cada

6002 NE Bryant St 97218

R. Cada



805 SW Broadway
Suite 700
Portland, Oregon 97205

t: 503.326.9000
f: 503.425.1006
www.capacitycommercial.com

October 27, 2015

City of Portland
Bureau of Planning and Sustainability Commissioners
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201
Attn: Steve Kountz

RE: Close-in Industrial Market of Portland, Oregon

To Whom It May Concern:

As a commercial real estate broker specializing in industrial properties for over 11 years, I have seen many changes in the Portland industrial market, and none so much as the close-in eastside Portland industrial market.

The close-in eastside industrial market was once the home to most of Portland's traditional industrial companies. Today, there two types of industrial uses in Portland, traditional industrial and new industrial:

- Traditional industrial uses are distribution, manufacturing (high tech and industrial), and assembly companies. For the most part, these types of businesses have taken advantage of improvements in construction (larger blocks of space, higher clear heights, deeper truck staging, wider column lines, and multiple dock doors) and logistics/transportation (53' semi-trucks and proximity to major highways for distributing their products both locally and regionally). These businesses are more black and white with what they need, and want to know if the building checks all of their boxes for functionality, rather than aesthetics.
- New industrial uses are similar to traditional industrial uses in that they are all making something, but that is where the similarities end. Image, feel, and proximity to the central city core is paramount for their businesses and their employees. These types of companies all make something on some level, but they do not require wider column spacing and higher clear heights for racking as most of their products are produced/warehoused on a smaller scale; loading and distribution of their products is generally limited to small delivery trucks and third party carriers (i.e. UPS, USPS and FedEx) and they require their office to warehouse ratio to be larger than traditional industrial uses because they employ more people for support and design.

In conclusion, over the past ten years or so we have seen a migration of traditional industrial companies out of the close-in east side markets, mainly because this area has become functionally obsolete for their businesses. They cannot bring in 53' semi-trucks, because the streets are too narrow and they block traffic; they cannot rack above 16' because of low clear heights and tight column space in the buildings; and they are limited to the most part buildings below 40,000 square feet. We have seen a migration of traditional industrial businesses out of the close-in Portland industrial market for all of these reasons, and more.

City of Portland
Bureau of Planning and Sustainability Commissioners
October 27, 2015
Page 2

When I look at the close-in eastside industrial market over the next ten to 20 years, it is the new industrial uses that I see dominating the landscape and changing this area for the better.

Regards,

CAPACITY COMMERCIAL GROUP, LLC

A handwritten signature in black ink, appearing to read 'Miles von Bergen', with a stylized flourish extending to the right.

Miles von Bergen
Senior Broker



805 SW Broadway
Suite 700
Portland, Oregon 97205

t: 503.326.9000
f: 503.425.1006
www.capacitycommercial.com

October 27, 2015

City of Portland
Bureau of Planning and Sustainability Commissioners
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201
Attn: Steve Kountz

Re: *The Iron Fireman (IF)*
A Leasing Perspective from Capacity Commercial Group

To Whom It May Concern:

Capacity Commercial Group has been given the leasing assignment for the Iron Fireman Building (IF), formerly the PECO Manufacturing Building. Without formally marketing the building on the open market, the following summarizes the activity we have seen over the past several months:

- We have forwarded general information to over 200,000 square feet of potential tenants ranging from 3,500 – 40,000 square feet in size.
- Inquiries from every major commercial real estate firm.
- Tenant profiles include creative users, artists, food manufacturing, assembly, engineering, light manufacturing, distilleries, breweries, etc.
- Prospective tenants are seeking facilities with history, character, charm, personality, and edginess, which is exactly what our building has to offer. They will not lease space in traditional buildings.
- These prospective tenants typically walk, ride MAX and commute on bicycles without regards to the weather.
- The Orange Line now connects the entire city and has a stop directly on the corner.
- The IF has a lower rent than close-in eastside Portland.
- Because it is located on a superblock, the IF provides a larger size than most buildings.
- Based on our market discussions, there are potentially twice as many opportunities for firms that would fit into an EG zoning, but do not fit into the strict IG1.
- The IF has the equivalent of 1/1,000 existing on-site parking which allows for a larger employee base without putting pressure on neighborhood parking.

Sincerely,

CAPACITY COMMERCIAL GROUP, LLC


Jeff Valdes
Senior Vice President

From: Thomas Karwaki [mailto:karwaki@yahoo.com]
Sent: Tuesday, October 27, 2015 4:36 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Cc: Lum, Leslie <Leslie.Lum@portlandoregon.gov>; James Kuffner <kuffner@up.edu>; Kountz, Steve <Steve.Kountz@portlandoregon.gov>
Subject: PSC Employment Zones Testimony EG-2 McCormick-Baxter property (Fig 9)

Planning Commissioners:

The University Park Neighborhood Association's Board and Land Use Committee supports the proposed change to EG-2 for the McCormick-Baxter property that is currently zoned Industrial. We particularly support prohibiting housing in the EG zones. Such a use is prohibited by EPA/DEQ for this parcel of land since it is a Superfund site, so it would be wise to prohibit it outright in the zoning code as well.

This parcel is included in the University of Portland's approved Conditional Use Master Plan as an Institutional Use. While the University does not currently control this property, it was approved for a 0.15 FAR and athletic field use. The UPNA Board testified and unanimously supported these uses and conditions in the CUMP hearings. We ask that such conditions continue to be in force for this property.

The UPNA Board and Land Use Committee oppose maintaining the current Industrial zone.

UPNA would prefer that this property be Open Space, but understands that there has to be a balance between environmental, recreational and employment goals.

We also note that the BPS staff were unavailable to brief the University Park Neighborhood Association on this important zoning change at its meetings. However, UPNA Land Use Committee members did attend the PSC briefing last month so were able to explain the change at yesterday's General Meeting.

Directly north of the site is a small section of **CN2** zoning (Figure 9). The UPNA **opposes** this designation for the properties south of Willamette Blvd. These are residences and UPNA opposes this location and properties to be available for commercial use due to the high speed of auto traffic and dangerous curve at this location. We asked for this to be changed to Residential in previous comments, and will be doing so again at City Council and again at every opportunity before the Planning & Sustainability Commission. **We do not feel that the Bureau of Planning and Sustainability nor the Planning & Sustainability Commission has responded to or even considered our views on this issue.**

Thomas Karwaki
Vice Chair & Land Use Committee Chair
University Park Neighborhood Association
253.318.2075

Portland Planning and Sustainability Commission Public Hearing

Date: 10/20/15
 Name: Rose Fredrickson (Please print legibly)
 Authorized Spokesperson representing: _____ (if applicable)
 Address: ~~635 NE Bryant~~ POB 1110
 City: ~~Portland~~ La Pine Zip: ~~97208~~ 97739 Phone: 503.484.7181
 Email Address and/or Fax No.: rchrisbost@hotmail.com
 What agenda item do you wish to comment on? *
 Site Address, if different from above: 6135 NE Bryant Street

(check if written comments are included on back)

* How can you balance the animal habitat, residential farm properties and "J" overlay all together?

Portland Planning and Sustainability Commission Public Hearing

Date: Oct 27 2015
 Name: Bob Sellinger (Please print legibly)
 Authorized Spokesperson representing: Amber (if applicable)
 Address: 5151 NW Cornell Ave
 City: Portl Zip: 97210 Phone: 503 380-9728
 Email Address and/or Fax No.: _____
 What agenda item do you wish to comment on? Industrial lands
 Site Address, if different from above: _____

(check if written comments are included on back)

35

Portland Planning and Sustainability Commission Public Hearing

Date: 10/27/15
 Name: EDWARD JONES (Please print legibly)
 Authorized Spokesperson representing: UNION NIKI (if applicable)
 Address: 10250 NW 110th
 City: DO Zip: 97231 Phone: 503 799 5768
 Email Address and/or Fax No.: _____
 What agenda item do you wish to comment on? SUMMOYMENT ZONE
 Site Address, if different from above: _____

(check if written comments are included on back)

35

Portland Planning and Sustainability Commission Public Hearing

Date: Oct 27 2015
 Name: ERIC JENSEN (Please print legibly)
 Authorized Spokesperson representing: _____ (if applicable)
 Address: 905 N. BALDWIN ST
 City: Portland Zip: 97217 Phone: 971 201 2027
 Email Address and/or Fax No.: _____
 What agenda item do you wish to comment on? _____
 Site Address, if different from above: _____

(check if written comments are included on back)

After paying 8 million in taxes in the last
 20 yrs your making the land worth 60% less
 I am an owner of 7% percent

Portland Planning and Sustainability Commission Public Hearing

Date: 10-21-15
 Name: Parkland Properties, LLC (Please print legibly)
 Authorized Spokesperson representing: Stephanie & Ken Park (if applicable)
 Address: ① 9237 SE Powell Blvd. ② 3318 SE 92nd Ave. ③ 3306 SE 92nd Ave
 City: Portland Zip: OR 97266 Phone: 503-449-3535
 Email Address and/or Fax No.: spark@ymail.com (fax) 503-775-4987
 What agenda item do you wish to comment on? In 1997, zoned for unlimited Height (CG) now zoned for CG; we weren't aware of it
 Site Address, if different from above: we'd like to see if we can have our properties rezoned for the unlimited height again or CM3 at least.

(check if written comments are included on back)

Portland Planning and Sustainability Commission Public Hearing

Date: 10/27/15
 Name: Heidi Stachelrodt (Please print legibly)
 Authorized Spokesperson representing: _____ (if applicable)
 Address: 1314 SE Salmon
 City: Portland Zip: 97214 Phone: 503 235 0143
 Email Address and/or Fax No.: TherapeuticmassagebyHeidi@gmail
 What agenda item do you wish to comment on? employment zoning project
 Site Address, if different from above: 6321 NE 63rd

(check if written comments are included on back)

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name: Brandy Steffen

Address: 1423 NE Euclid Ave, PDX 97213

Testimony:

Please consider actions to reduce employment & residential displacement with techniques used in other cities such as community land trusts, incentives for developers (and punishments), as well as more comprehensive enforcement of development within the city & between agencies. This is the biggest issue that the

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.

City faces and we've ignored it for the last 20 years. We will not have a vibrant city without allowing mixed incomes in all of our neighborhoods. Please consider this in the

new zoning regulations. It will also be important to provide enough open space & parks in east Portland.

- I think the zoning bonus for affordable housing/employment areas should be a requirement or make sure to have it be a real bonus that will be implemented.

If you don't make it a financial bonus or to meet the market then it won't be used.

↳ the design overlay needs to be included throughout Portland. This is a huge issue for all of Portland.

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name: Jill Stutz

Address: 4807 N. Gay Ave Portland OR 97217

Testimony: Bonus incentives should focus more on affordable housing option. Need to support existing residents & business owners to prevent displacement. Additionally I would like to see more landscaping requirements in EAL zones. Important opportunity to mitigate Urban Heat Islands effects and promote quality of life in the community.

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.

Allison J. Reynolds
areynolds@radlerwhite.com
971-634-0205

October 27, 2015

Via email (steve.kountz@portlandoregon.gov)

City of Portland
Bureau of Planning and Sustainability Commissioners
1900 SW 4th Avenue, Ste. 7100
Portland, OR 97201
Attn: Steve Kountz

Re: Comments on Employment Zoning Project – Proposed Draft

Dear Commissioners,

Our office represents ScanlanKemperBard Companies, LLC (“SKB”), which is under contract to purchase the former PECO Manufacturing headquarters site, located at 4644 and 4784 SE 17th Avenue (the “Property”). We have reviewed the September 2015 Employment Zoning Project Proposed Draft (the “Proposed Draft”) and would like to submit the following comments on behalf of SKB. The Property is poorly served by industrial infrastructure and can better maximize the City’s investment in the adjacent MAX Orange Line through flexibility to develop maker space or other “employment” type uses that do not fit within the City’s current definition of “industrial” use. SKB requests that the Planning and Sustainability Commission preserve development flexibility at the Property by removing it from the proposed Prime Industrial Overlay Zone.

The Proposed Draft implements Comprehensive Plan Policy 6.39, to “protect the multimodal freight-hub industrial districts at the Portland Harbor, Columbia Corridor and Brooklyn Yard as prime industrial land that is prioritized for long-term protection,” by creating a new Prime Industrial Overlay Zone. This Comprehensive Plan Policy implements DLCC Goal 9, which defines Prime Industrial Lands as those that “have necessary access to transportation and freight infrastructure, including, but not limited to, rail, ... multimodal freight or transshipment facilities and major transportation routes.” To protect this prime industrial land, the new Overlay Zone prohibits quasi-judicial (applicant-initiated) Comprehensive Plan map changes. SKB supports the City’s efforts to protect prime industrial land, but requests that the Property, which is not well served by industrial infrastructure and is better suited to uses in the City’s “employment” category (such as maker space), be removed from this Overlay Zone.

The Property is a small site located on SE 17th Avenue and forms the very western edge of the proposed Prime Industrial Overlay Zone. A diagram of the area showing the Property is attached to this letter. While the Property is near Brooklyn Yard and has proximity to rail lines, these are located across 18th Street and provide no direct access to the Property. Even if a rail connection was established, the Property does not have adequate space for rail loading or storage. Furthermore, local transportation infrastructure, such as smaller streets and the Property’s relatively small size, is not conducive for access by and circulation of larger trucks typically required by large industrial users. This is unlikely to change, as the attached TriMet Fact Sheet regarding the SE 17th Avenue Corridor indicates that improvements for freight access between Brooklyn Yard and McLaughlin Boulevard will be located at SE Harold Street in order to specifically *reduce* truck volumes at 17th & Shiller, the intersection that bisects the Property.

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The Property also lacks proximity to a major interstate, such as I-84 or I-5. While Highway 99E may have been a major truck route at one time, industrial users now often try to locate near major interstates instead. Over time, these factors and the Property's outdated infrastructure made the Property an increasingly poor choice for traditional industrial and manufacturing operations. This recently led PECO Manufacturing to abandon the Property as its manufacturing base and headquarters office in favor of a site in Clackamas County.

While the Prime Industrial Overlay Zone does not specifically prohibit employment-focused uses, it does prohibit quasi-judicial Comprehensive Plan map changes, even from designations of IS (compatible with the industrial zones) to ME (compatible with the employment zones). The Property is currently zoned IG1, with an IS Comprehensive Plan designation. Changes to these designations, even to an employment zone, would be prohibited under the Overlay Zone. SKB desires to maintain the flexibility to change its Comprehensive Plan and zoning designation to allow a wider variety of "employment" uses to satisfy demonstrated market demand in the area, and leverage the City's significant investment in the MAX Orange Line.

SKB intends to develop the Property as maker space, but is constrained by the City's current use definitions, which treat some industrial operations as "office" uses and severely restrict these in the industrial zones outside of the Employment Opportunity Subarea ("EOS"). Because of these limits, SKB may need to change the Property's zoning to an employment zone allow for these lighter industrial uses at the Property.

The Portland City Code provides examples for the use categories that highlight these confusing distinctions. The Code considers printing, publishing and lithography, production of artwork and photofinishing laboratories "industrial service" uses and these are allowed in industrial zones. However, graphic and industrial design are considered "industrial office" uses (under the office category) and severely limited in the industrial zones outside of the EOS. Similarly, *medical* laboratories are considered an industrial office use, while *research and development* laboratories are considered manufacturing and production use (allowed in industrial zones). Recording studios and movie production facilities are a manufacturing and production use, while video and radio broadcasting are an industrial office use. The industrial office uses are allowed without limit under the Proposed Draft's changes to the EG zones. Office use is also allowed as an accessory use in the industrial zones, but the City has historically required that the office portion of the use be *smaller* than the industrial use, not merely secondary in value generation or function. This requirement creates a problem for modern industrial and "maker" users who, due to advancing technology, require less production square footage and more office space for their operations. The Code's confusing distinctions between industrial and employment uses make it difficult for Portland's emerging industrial and maker users to locate on industrial-zoned land like the Property.

The Property is located along 17th Avenue along the new MAX Orange Line and adjacent to the SE 17th & Holgate MAX Station. SKB intends to maximize the City's investment in the new light rail line by developing the Property with industrial employment-focused uses that are compatible with nearby industrial uses. The Proposed Draft extends the EOS to all IG1-zoned properties in the Central Eastside Sub-District, located north of the Property. The EOS allows more flexibility for office use as well as industrial use on IG1 land and the Proposed Draft finds that this flexibility will not have an impact on the industrial land supply. However, the EOS is not proposed to cover the Property or other land along the Orange Line and near the new MAX stations. Therefore, in order to preserve flexibility at the Property

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for modern industrial and employment uses, a zone change and Comprehensive Plan map amendment may be needed. SKB asks that the Property be removed from the Prime Industrial Overlay Zone in order to preserve this flexibility.

In conclusion, because the Property is on the edge of the new Prime Industrial Overlay Zone, is not well served by rail, major truck routes, or other industrial infrastructure, and will better maximize the City's investment in the new MAX Orange Line and stations through flexibility to develop industrial and employment-focused uses, SKB requests that the Property be removed from the proposed Prime Industrial Overlay Zone.

Best regards,

RADLER WHITE PARKS & ALEXANDER LLP



Allison J. Reynolds

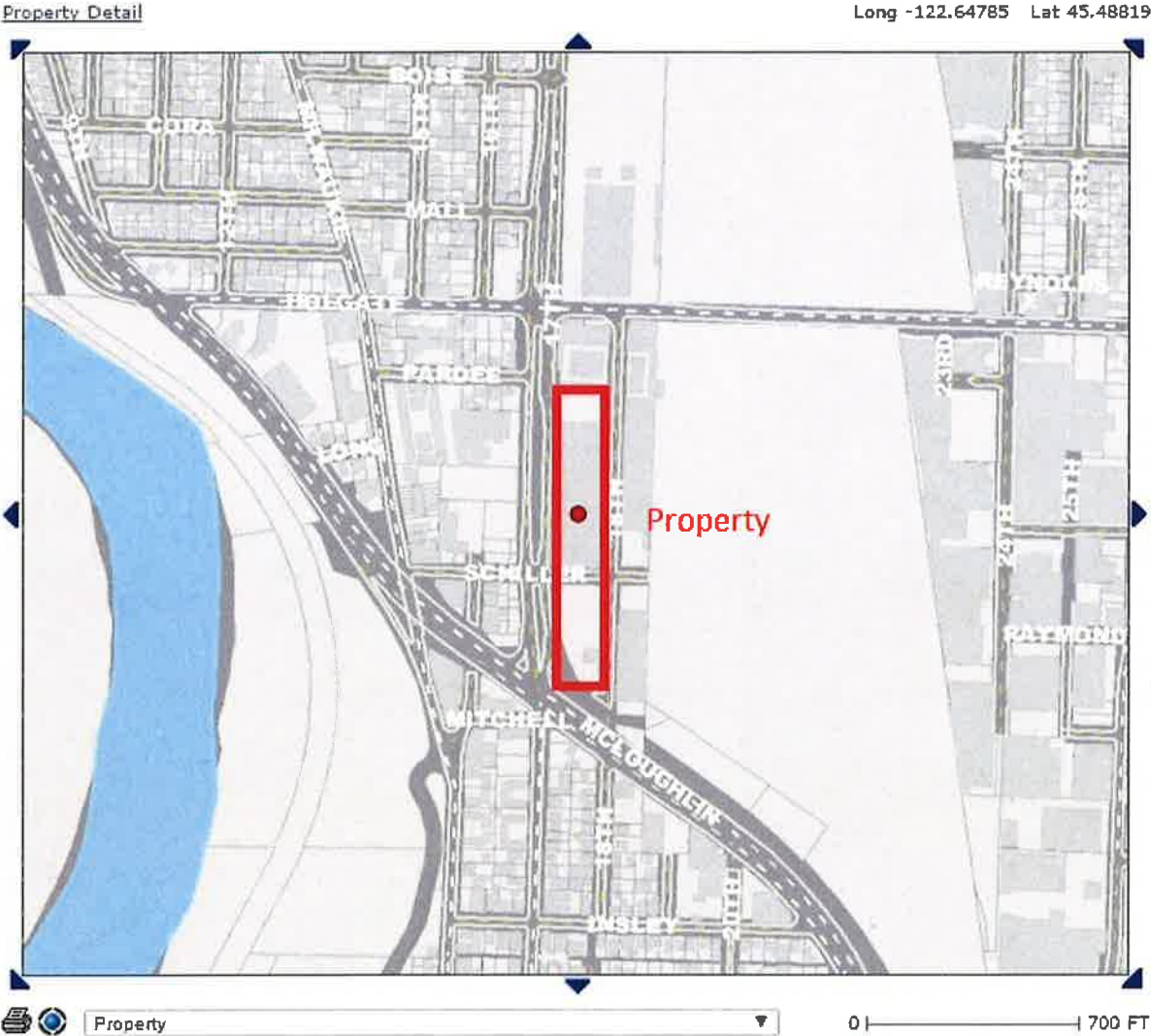
Attachments:

Property Diagram

TriMet Fact Sheet: SE 17th Avenue Corridor

cc: John Olivier, SKB
Todd Gooding, SKB
Alex Boettger, SKB

Property Diagram



TriMet Fact Sheet: SE 17th Avenue Corridor



SE 17th Avenue Corridor: Holgate Boulevard and Rhine Street station areas

Transforming the corridor from gray to green

SE 17th Avenue is a seam through this district that divides the Brooklyn neighborhood's residential and commercial properties to the west from the industrial activities to the east. The two new stations and related improvements on the avenue are designed to soften the transition between residential and industrial uses, honor the historic Brooklyn neighborhood and improve pedestrian and bicycle access. Infrastructure improvements will support existing industrial businesses while encouraging new neighborhood-oriented uses that can enhance station area activity. The SE 17th Holgate Boulevard and Rhine Street stations will be gateways to the Brooklyn neighborhood and SE 17th Avenue will be transformed into a greener, multimodal transportation corridor.

The light rail alignment through this district crosses SE Powell Boulevard on a new structure and then continues south in the center of a rebuilt SE 17th Avenue. Both station platforms are in a center island configuration.

Pedestrian and bicycle access: The project is making major improvements to create a safe and attractive environment for pedestrians, bus riders and bicyclists in these station areas. The reconstructed 17th Avenue crossing of Powell Boulevard will include a wide multi-use path for pedestrians and cyclists that directly connects the Brooklyn neighborhood to the north side of Powell Boulevard. This



Expanding transit options is essential to the livability and economic vitality of our growing region, which is expected to add one million new residents and nearly 100,000 new jobs within the project corridor by 2030. The Portland-Milwaukie Light Rail Project is integral to the region's strategy to manage growth and build more livable communities. This project is about more than bringing high-capacity transit to under-served communities—it is also about helping communities envision and achieve their aspirations. Combining infrastructure improvements, quality design features and new transit-oriented development along the alignment will connect neighborhoods, encourage walking and cycling, and create engaging public spaces where people want to be.



The project will add bike lanes to SE 17th Avenue to create a safe north-south connection through this area. Rebuilt sidewalks will be 12 feet wide to create a higher quality pedestrian environment.

path will also provide a direct connection from the Rhine Street station to the Clinton Street station via Gideon Street. Bike lanes will be added to SE 17th Avenue to create a safe north-south connection through this area, and sidewalks will be rebuilt with 12 feet in width to create a higher quality pedestrian environment. A new crosswalk will be added on McLoughlin at 17th Avenue.

Improvement vehicular access/roadway improvements: TriMet has conducted traffic and truck access studies to ensure that industrial use remains functional after light rail is introduced to SE 17th Avenue, and left turns and east-west movements are restricted to signalized intersections. The project improvements are designed to accommodate freight routes and truck turning movements based on current industrial and fire response vehicle sizes. Just south of Schiller Street, the light rail alignment transitions from the center of SE 17th Avenue to parallel the east side of McLoughlin Boulevard. A truck egress point will be improved at SE Harold Street to provide freight traffic with direct access to McLoughlin Boulevard from Union Pacific Railroad's (UPRR) Brooklyn Yard, reducing truck volumes at 17th & Schiller.

UPRR requires that the light rail line be elevated over this truck egress point.

TriMet's main bus operations center is located at Center Street and 17th Avenue, and the agency has acquired UPRR land behind its Center Street headquarters to replace employee parking being removed along 17th Avenue to allow reconstruction and widening of the avenue.

Right-of-way acquisitions: The project requires right-of-way acquisition of some commercial and light industrial properties along this segment of the alignment, and active relocation support is being provided to sustain these businesses and help keep jobs in the corridor.

Highlights of distinguishing design elements

The overall light rail project is designed to be responsive to the character and aspirations of surrounding neighborhoods, while maintaining a system-wide identity that creates a user-friendly transit experience. A few highlights of distinguishing design elements in the SE 17th Avenue corridor include:



This conceptual image of the SE 17th Ave & Rhine St Station illustrates the visual impact of street trees and public art.

- **Green corridor:** SE 17th Avenue will be transformed from gray to green with an infusion of vegetation that improves water quality and wildlife habitat and provides a signature feature for this corridor. Many new trees and significant stormwater features along the corridor from SE McLoughlin to Powell Boulevard will enhance the streetscape. Additionally, the trackway will have a permeable ballast treatment, which allows rainwater to be absorbed into the ground instead of being forced onto the street and into drains.
- **Public art:** *Passage* is an installation of 38 weathered steel boat sculptures by local artist, Bill Will, that will appear to float in the landscape strips along SE 17th Avenue from Powell Boulevard to SE McLoughlin Boulevard. The work draws on the natural history of “brook land” while celebrating the many green street improvements along this corridor.

Development opportunities

There are numerous redevelopment opportunities along SE 17th Avenue corridor that could help activate the streetscape and support increased transit ridership. Redevelopment opportunities for TriMet-acquired parcels along the SE 17th Avenue

corridor are being explored, including small-scale mixed-uses such as commercial, residential and live/work projects. Further, a proposal is emerging to develop a series of initiatives that improve safety, enhance pedestrian activity and strengthen the character of this mixed-use neighborhood. This “toolkit” could feature initiatives for traffic calming, energy conservation, green streets, improved bicycle access and other community enhancements.

Stay involved

Sign up for project email updates and meeting notices at trimet.org/pm. For more information, call TriMet Community Affairs at 503-962-2150.

Available in other formats:

trimet.org

503-238-7433

TTY 503-238-5811

Para esta información en español, favor llamar al 503-238-7433.

Portland-Milwaukie Light Rail Transit Project is a partnership among:



October 27, 2015

Dana L. Krawczuk
DKrawczuk@perkinscoie.com
D. +1.503.727.2036
F. +1.503.346.2036

VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Planning and Sustainability Commission
City of Portland
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201-5380

Re: Schnitzer Steel Industries, Inc.'s Comments on the September 2015 Proposed Draft of the Employment Zoning Project

Dear Chair Baugh and Members of the Commission:

Thank you for the ongoing opportunity to comment on the Employment Zoning Project. This testimony is offered on behalf of Schnitzer Steel Industries, Inc. ("Schnitzer"), supplements our August 28, 2015 comments, and is limited to the Employment Zoning Project.

Overall, Schnitzer is supportive of the text amendments proposed in the Employment Zoning Project, particularly the new Prime Industrial overlay. We believe that the amendments are a good first step toward retaining prime industrial land in the harbor. However, further protections are necessary, and additional land capacity in the harbor is needed.

Prime Industrial Overlay Zone (PCC 33.475)

Retaining the quantity and functionality of harbor access lands ("HAL") is essential to the success of harbor businesses, so we support protecting these lands from conversion to non-industrial uses. Our comments on the Prime Industrial overlay zone include:

- Historically, more prime industrial land capacity and functionality has been lost to legislative map and text amendments than to quasi-judicial map amendments. We can rely on the retention of the limited HAL supply as a means to comply with Goal 9 only if PCC 33.475.040 is expanded so it reflects the requirements in OAR 660-009-0010(4) and legislative map and text amendments are prohibited, or allowed only if lost capacity is offset with land with similar site characteristics.¹
- We agree that off-site mitigation for impacts from development in the Prime Industrial overlay zone should be an allowed use. PCC 33.475.080(A)(2). We appreciate the

¹ "Site Characteristics" are defined as "the attributes of a site necessary for a particular industrial or other employment use to operate. Site characteristics include, but are not limited to, a minimum acreage or site configuration including shape and topography, visibility, specific types or levels of public facilities, services or energy infrastructure, or proximity to a particular transportation or freight facility such as rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes." OAR 606-009-0005(11).

clarification in the commentary that the allowed off-site mitigation includes mitigation related to the Portland Harbor Superfund cleanup.

- We support a limitation on converting prime industrial land to parks and open space areas. We understand that there was objection to the Discussion Draft's proposal to allow parks and open space areas over 2 acres subject to a conditional use review, so that option has been eliminated from the Proposed Draft. The Proposed Draft now requires a comp plan map and zoning map amendment from industrial to open space for parks and open space areas over 2 acres. We believe that this legislative process will provide appropriate opportunities for public participation and City discretion to ensure that an adequate supply of HAL remains and that any lost capacity is offset with land or capacity with similar site characteristics. OAR 660-009-0010(4).

Prime Industrial Land Efficiency and Capacity

Increasing the efficiency and capacity of HAL is necessary in order to meet the City's projected demand for jobs and cargo.² It is unclear whether the City believes that the Employment Zoning Project will increase HAL capacity. If so, we request a quantitative assessment that correlates the specific text amendments or other assumptions to the expected increase in capacity. For example, the "efficient use of freight hub infrastructure" is assumed to increase HAL capacity. However, it is not clear which infrastructure improvements are relied upon to make this statement, and whether they are funded and expected to be constructed during the planning horizon.

Very truly yours,



Dana L. Krawczuk

DLK:dlk

cc: Jennifer Hudson, Schnitzer Steel Industries, Inc. (via email)
Steve Kountz, Senior Economic Planner, BPS (via email)

² Schnitzer continues to object to the City's cargo forecast.



October 27, 2015

To: Members of the Planning and Sustainability Commission

From: Linda Robinson

Re: Employment Zoning Project

As a founding member of the Columbia Slough Watershed Council and a long-time park advocate, I have serious concerns about some of the provisions in the proposed Employment Zoning Project.

The outright ban of any new parks more than two acres in size, without a change in the Comprehensive Plan, is especially troubling – for a number of reasons.

- Parks have always been permitted uses in any zone; this is a dramatic change in policy with limited public input (e.g., it was never brought to the Parks Board for discussion).
- The maps show the new zone covering the Columbia Slough itself, the designated buffer zones along the Slough, and other areas that already have an Environmental Zone overlay on them. If the proposed overlay map must cover the entire lot of properties zoned industrial, then there needs to be a clearer statement in the code section that the existing environmental zones are exempt.
- BDS has known, for years, that there needs to be a review/revision of the environmental zone overlay along portions of the Slough, especially in the middle sections where some parcels have no designated buffer at all. The prohibitions of the new employment overlay zone should not be strictly enforced on those parcels until the review of the e-zones has been completed.
- It's not clear how the prohibition of parks greater than two acres applies to trails. There is a proposed linear trail along the full length of the Columbia Slough, but only portions have been built. When completed, will definitely exceed two acres total.
- The proposed overlay says that any parks built (two acres or less) must be designed to serve only the workers and residents within the industrial area, and not those in the surrounding residential neighborhoods. This is a major equity issue, especially when many of our poorer, most ethnically diverse neighborhoods are located in the impacted portions of North, Northeast and East Portland.
- There also needs to be clarification as to whether or not natural areas are exempt from this prohibition.

I don't understand the concern that new parks are going to convert a significant amount of industrial lands to open space uses. That has not been true, historically, and is not likely to be true in the future. The real culprit has been the conversion of prime industrial land into commercial use (e.g., 120 acres at Cascade Station).

Linda

Linda Robinson
1115 NE 135th Ave
Portland, OR 97230

Organization Affiliations:

- Portland Parks Board
- Columbia Slough Watershed Council
- East Portland Action Plan (Parks Rep)
- East Portland Parks Coalition
- Hazelwood Neighborhood Assn (VP and Parks Chair)

Date: October 27, 2015

Subject: 12150 NE Airport Way, Portland OR 97220, EG2

PSC Employment Zones Testimony

To Whom It May Concern:

We owned the above parcel of land since 2006. The land is .71 acre or 30,928 square feet. Our property is too small in size to rezone to IG2. It is not economical or profitable to develop the property in IG2.

Our property is surrounded by restaurants, hotels, retails, and office/medical buildings. Please see attached map for detail. We have McDonald and Hilton Garden Inn to the west, Kaiser Permanente medical office, Starbucks, Jack In the Box to the east, Adventist Health medical office to the south, Danner Factory Store, Tonkin Parts Center, Goodwill retail to the north. Your Planning and Sustainability website in Employment and Industrial Zones section stated IG2 "The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial areas." We do not believe our property is in an industrial area. If our property is to be rezone from EG2 to IG2, this is a clear contradiction to your mission. We request our property remains in EG2 zone. We strongly agree our property met the intent of EG2 "...to promote viable and attractive industrial/commercial areas."

Sincerely,

 10/27/2015

Dana Prak member

 10/27/15

Darith Lim member

Huoyeng Investments, LLC

360-921-7911

Encl: Google map of property and surrounding businesses

Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

Phone: 503-823-7700 Curbside Hotline: 503-823-7202 1900 SW 4th Ave, Suite 7100, Portland, OR 97201

More Contact Info <http://www.portlandoregon.gov/ops/article/136170>



Employment and Industrial Zones

General Employment zones

The General Employment zones implement the Mixed Employment map designation of the Comprehensive Plan. The zones allow a wide range of employment opportunities without potential conflicts from interspersed residential uses. The emphasis of the zones is on industrial and industrially-related uses. Other commercial uses are also allowed to support a wide range of services and employment opportunities. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial/commercial areas.

1. General Employment 1. EG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. EG1 zoned lands will tend to be on strips or small areas.
2. General Employment 2. EG2 areas have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street. EG2 zoned lands will generally be on larger areas than those zoned EG1.

EX (Central Employment) zone

This zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial, business, and service uses which need a central location. Residential uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

General Industrial zones

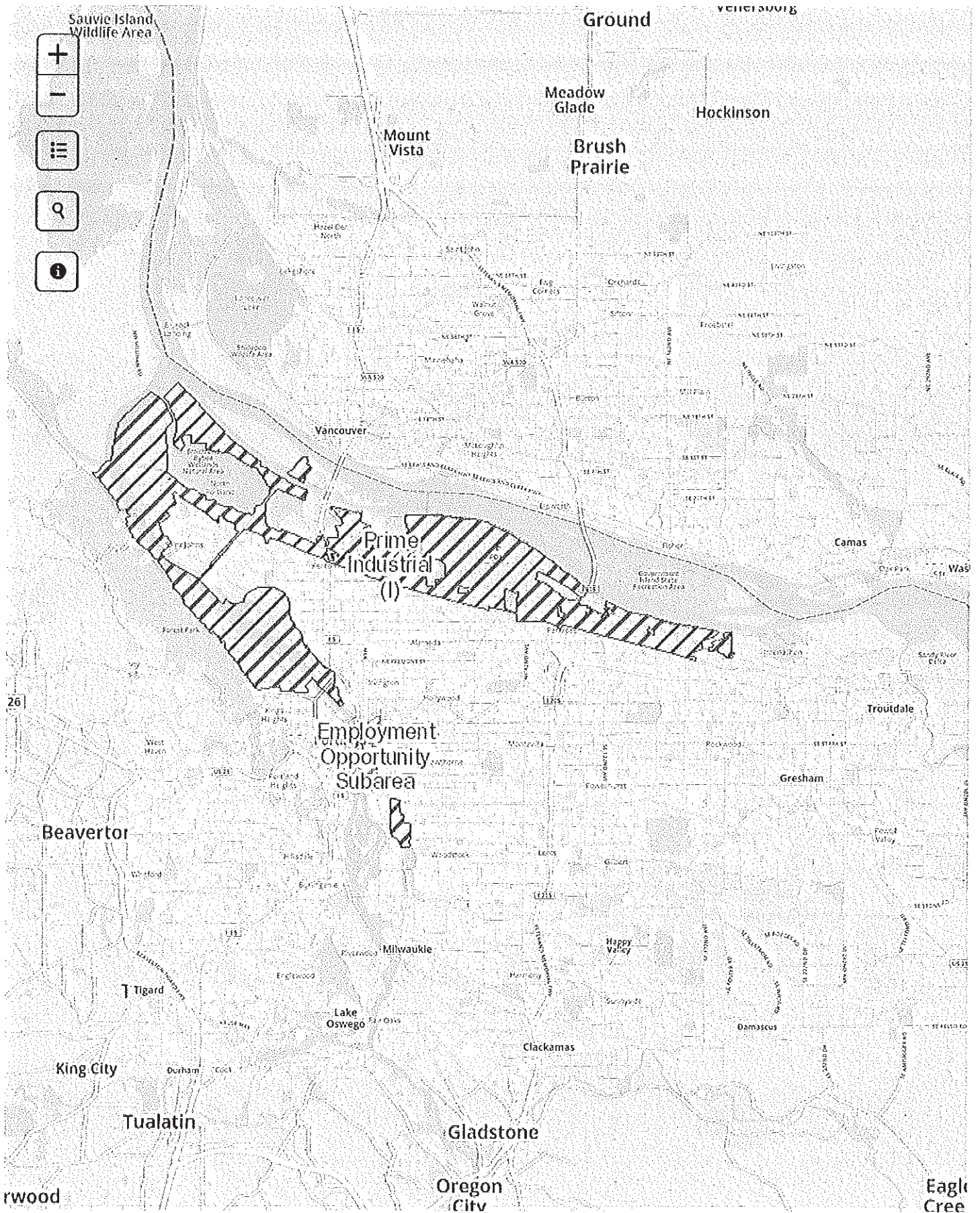
The General Industrial zones are two of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial areas.

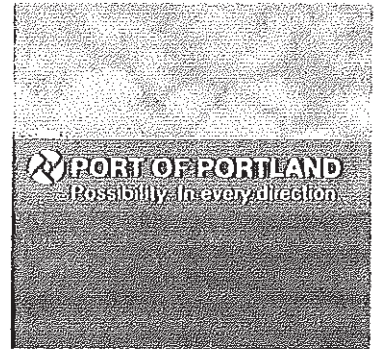
1. General Industrial 1. IG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. IG1 areas tend to be the City's older industrial areas.
2. General Industrial 2. IG2 areas generally have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street.

IH (Heavy Industrial) zone

This zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development.







October 27, 2015

Andre Baugh, Chair
Portland Planning & Sustainability Commission
1900 SW 4th Ave., Suite 7100
Portland, OR 97201

Re: Employment Zoning Project

Dear Chair Baugh:

Thank you for the opportunity to comment on the Employment Zoning Project (EZP) September 2015 Discussion Draft, part of the Comprehensive Plan Update. We have been very interested in this topic, with Port staff providing comments on the July 2015 version of this document; participating in the Industrial Land/Watershed Health Working Group, real estate brokers and developers focus group; as well as providing testimony on other related elements of the Draft Comprehensive Plan.

Prime Industrial Land retention

In general, we are supportive of the Prime Industrial overlay zone to implement draft Comprehensive Plan Policies 6.39.a through 6.39.f which should help to protect conversion of industrial land to non-industrial uses. Industrial land offers the most direct opportunity for middle income job development within the City of Portland and as such needs to be a priority within the Comprehensive Plan. In particular, we appreciate clarification contained in 33.475.080 C and the associated commentary that mitigation within the Prime Industrial overlay zone is allowed for development impacts elsewhere in the Prime Industrial overlay zone. As mentioned in our letter from August 28th 2015, this point is particularly important in the context of the Portland Harbor Superfund Cleanup.

Land efficient employment zones and Compatibility in residential settings

The Riverfront Subdistrict of the St. Johns Plan District currently has a designation of Town Center and Mixed Use Urban Center designation in the Comprehensive Plan. This designation allows for rezoning of an approximately 15 acre site bisected by the St. Johns rail lead, from EG2 to EX. In this particular subdistrict, according to 33.583.285, the minimum residential density is 1 unit per 1,000 square feet for EX zoned property. For the site in question, the minimum number of units would be approximately 640, with potentially over 2,000 units at maximum buildout.

We are concerned that this scenario would result in significant compatibility and safety issues for one of the primary rail corridors serving Terminal 4, the Rivergate Industrial District and the Columbia Corridor as a whole.

We do not believe this outcome would be consistent with a number of proposed Comprehensive Plan policies being addressed by this project including:

Policy 4.30 Land use transitions. Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially zoned land.

and

Policy 6.44 Dispersed employment areas. Provide small, dispersed employment areas for a flexible and affordable mix of office, creative services, small scale manufacturing, traded sector and distribution, and other small-format light industrial and commercial uses with access to nearby freeways or truck streets.

In addition, under the Human Health principle described on page 6, *"The project also proposes a prohibition of household living in General Employment zones, which are substantially located within and adjacent to industrial districts, that will limit the number of households living in close proximity to industrial areas."*

While the September 2015 EZP Discussion Draft document in 33.583.285 E proposes new noise insulation requirements consistent with the x noise overlay zone, it does nothing to either limit the number of units, or require context sensitive design features such as the orientation of parking and garages toward the tracks, or require mitigation to maintain rail safety for new residents. If housing is allowed, we request that mitigation be required to provide better compatibility between the existing heavy rail line and new residential units, as noted above.

Golf course rezoning


Requirements for golf course conversion are very onerous and even in a best case would result in a relatively small amount of new industrial land. Figure 13 on page 97 suggests that more than a third of Riverside Golf Course would remain as open space, with more than three quarters of Broadmoor Golf Course remaining as open space. 33.565.410 describes additional development requirements for golf courses rezoning to industrial. For example, of the remaining proposed developable portions of these golf courses, at least 20% must be landscaped using more expensive and difficult to obtain native plants.

As a result of the area and shape of the limited new developable area and additional cost, these golf courses are unlikely to convert to industrial. To encourage conversion of these sites to industrial, less area should be proposed as Open Space and the remaining developable portions of the site should have the same development requirements as any other industrial site in the Columbia Corridor.

EZP
October 27, 2015
Page 3

Thank you again for the opportunity to comment on the Employment Zoning Project September 2015 Discussion Draft. We look forward to further discussion on this topic this fall.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susie LaSone". The signature is written in black ink and is positioned to the right of the typed name "Susie LaSone,".

Susie LaSone,

Director, Policy and Planning

TESTIMONY for Employment Zoning Project Proposed Draft

Thank you for submitting testimony on the Employment Zoning Project Proposed Draft. Your testimony on the Proposed Draft will be submitted to the Planning and Sustainability Commission. Please include your full name and mailing address. Without that information, the City will not be able to send you notification of hearing dates or final decisions, and you may not be able to appeal the final decision.

Name: Jackie Park ^{email:} ~~jackie@akd~~ jackie@akdesignstudio.com

Address: 8325 SE Hawney Street, Portland, OR 97266

Testimony: EG 2 - change in retail use 50%
No residential usage

Concern: Possible decrease in property value
 Our property is surrounded by residential bldgs.
Is it reasonable prohibiting residential use only on our property?

You will not receive a direct response about your testimony, but your testimony will become part of the legal record. If you wish to ask a question or make an comment to project staff, please fill out a Comment card or contact staff directly.



Northwest District Association

Board of Directors
2015-2016

Planning and Sustainability Commission
October 27, 2015

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Thank you for the opportunity to testify on the Proposed Employment Zoning Project on behalf of the Northwest District Association Planning Committee. We would like to bring several things to the attention of the Planning and Sustainability Commission. We support the existing configuration of the Industrial Sanctuary and the Guild’s Lake Industrial Sanctuary Plan District, including existing zoning for the reasons stated below:

General Concerns

Land Use

We understand that Bureau of Planning staff and this Commission are considering the Employment Comprehensive Plan designation and General Employment (EG) Zoning for property that is currently zoned, and being used, for industrial uses. The Planning Committee has multiple concerns about the increase of intensity in land use for non-manufacturing purposes that will be one result of adoption of the Employment Zoning Project (EZP). This further erosion of the industrial sanctuary represents the loss of Prime Industrial Land – currently the only type of property in the city that is inadequate to meet existing and forecasted demand. In addition the potential loss of manufacturing jobs, triggered or the ultimate result of zoning and land use changes, will occasion the loss of manufacturing jobs, jobs that are generally characterized by higher than average wages, low barriers to entry and held by a greater diversity of Portlanders. Based on recent reports, manufacturing jobs are returning to the U. S. and Portland should not jeopardize it’s ability to receive them.

Transportation

The major change proposed to the General Employment Zone is to allow general office uses to be constructed to a 3:1 Floor Area Ratio (FAR), up from the current FAR of 1:1. This is a tripling of office development potential. It is our understanding that a transportation analysis was not done to evaluate whether the transportation system (existing and planned) has the capacity to handle a significant potential increase in traffic that could result from this change. Existing and proposed EG zoning often is located in close proximity to already heavily congested locations, including freeway interchanges.

Specific Concerns

In the early 2000’s, while the Northwest District Plan was under consideration, ESCO asked for Employment Zoning on their General Industrial (IG) property north of NW Vaughn. A transportation analysis, done by their consultant, showed that the maximum FAR that could be accommodated at the time was 1.85:1. Based on this analysis, City Council asked staff to amend the Guild’s Lake Industrial Sanctuary Plan District to allow a Comprehensive Plan designation of EG, but retaining the IG zoning. As you know, since that time, traffic has increased significantly and is currently near failure at key intersections such as NW 23rd/Vaughn/1-405.

The Northwest District Association is a 501(C)3 tax-exempt organization.

2257 NW Raleigh St. Portland, OR 97210 • 503-823-4288 contact@northwestdistrictassociation.org • northwestdistrictassociation.org

Ord. 188177, Vol. 2.3.S, page 11165

As the Northwest District Plan states, “ NW Vaughn Street between NW 23rd and NW 27th Avenues is a unique area of interface between a successful industrial district and a mixed-use urban neighborhood.” Since it was unknown at that time, when ESCO would request EG zoning, the Guild’s Lake Plan District was amended to create “Subdistrict B that would allow for the potential for office uses up to a 1:1 FAR (EG Base Zone) and retail uses up to 10,000 square feet per site, under certain conditions. A bonus option allows up to an additional .85 FAR of office use when the property owner contributes to the Northwest Transportation Fund (created at the same time).” The problem that is created by the EZP is that, by increasing the FAR from 1:1 to 3:1 for office uses, it grants, BY RIGHT, additional FAR that was never anticipated by the Guild’s Lake Plan District, the NW District Area Plan or by tenants, businesses and residents in either neighborhood. In addition, by recommending that the current IG zoning be replaced by EG zoning, this increase in development potential is allowed without any transportation analysis.

It is our understanding that in addition to ESCO, other property owners are requesting EG zoning to allow the same 3:1 FAR for office uses if the Employment Zone Project is adopted. This will ultimately lead to the potential loss of manufacturing jobs at ESCO and other sites. These jobs are critical to the future of a Portland that retains a well-functioning middle class that has access to high-quality housing, schools, recreation, and transportation facilities that are dependent on taxes generated by a mix of employment types. That mix is threatened by the proposed EZP and related zone/comprehensive plan map changes.

Recommendations

- Pending a detailed transportation analysis, there is no evidence that the transportation system can support this tripling of office development capacity from 1:1 FAR to 3:1 FAR. The NWDA Planning Committee is requesting that the proposed 3:1 FAR increase for offices be dropped from the EZP.
- In addition, the Committee is requesting that the Guild’s Lake Industrial Sanctuary Plan District be amended to clarify that the maximum FAR for office uses is 1:1 with the allowed bonus of .85:1 as the Plan District and City Council intended. Currently, only the EG Base Zone spells out the 1:1 FAR for office uses.
- At City Council, as part of our testimony on the Comprehensive Plan, we will be asking that the recommended Comprehensive Plan designation of Prime Industrial Land be placed on properties currently Zoned IH in the Guild’s Lake Industrial Sanctuary and that the existing designation of Employment be retained on the properties within Subdistrict B of the Guild’s Lake Industrial Sanctuary Plan District that are currently zoned IG. We believe it is essential to maintain the current designations and zoning to protect jobs and to not overwhelm the streets and freeway in the vicinity of these sites.

Thank you for your careful consideration of these recommendations.

Sincerely,

John Bradley
Chair, NWDA Planning Committee

East Columbia Neighborhood Association
c/o Gary Kunz, Chairperson
1611 NE Marine Drive, Portland, Or 97211

March 10, 2015

Bureau of Planning and Sustainability
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201-5380

Re: Testimony for the Record on the proposed Portland Comprehensive Plan Update

This is a cover letter for various testimony submittals from the East Columbia Neighborhood area. Included are the following attachments:

Attachment A

This is a "Land Use Request" for change in Plan designation for south of the NE Levee Road area. This attachment has the following parts:

A letter to Barry Manning dated December 28, 2013; a "Land Use Request" with Sections I, II, and III (page 1 and 2) dated December 28, 2013; and a zoning map of the area. These materials were submitted in person to the Bureau of Planning and Sustainability before the end of the 2013 calendar year. The letter and arguments were later approved by the Board of Directors of the East Columbia Neighborhood Association (ECNA) on October 9, 2014. The items were then unanimously approved by the ECNA general membership at a meeting on December 9, 2014.

Attachment B

These comments were sent via the Map App and are submitted again under the ECNA letterhead. They were written by the then Board Chair, Maryhelen Kincaid on December 31, 2013. The comments were on the Draft Comprehensive Plan.

Attachment C

Comments and property owner signatures in this submittal are included as a courtesy. They have not been reviewed or approved by the neighborhood association.

Thank you,


Gary Kunz
Chairperson

Copies to: Leslie Lum, City of Portland District Liaison

Attachment A

December 28, 2013

Barry Manning
Senior Planner
Bureau of Planning and Sustainability
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201-5380

Dear Barry,

I would like to thank you again for your attendance and assistance at a recent informal neighborhood gathering. Your explanations of the proposed updates to the Comprehensive Plan were most helpful.

As I am sure you recall, the topic that occupied most of the discussion was regarding an area in our neighborhood that is zoned Residential Farm/Forest with a Comprehensive Plan designation of Industrial Sanctuary.

At the gathering, you suggested that we submit information and arguments as a "Land Use Request" as part of the Plan Update procedure for land use designation and zoning change. Attached is a "Land Use Request" to consider changing the Plan designation from Industrial Sanctuary (IS) to Residential (R20). In conjunction with such action, the zoning could also be changed to R-20 or left at Residential Farm/Forest until individual zone change requests to the R-20 zone are submitted with development proposals.

There are several justifications for the "Land Use Request" as attached. The primary two are (1) a change in circumstances that occurred with enactment of the latest environmental overlay zones on those properties, and (2) the lack of a viable public street system for industrial truck traffic in the area.

As a retired Senior Planner with Multnomah County I appreciate the complexity and sometimes confusing history of some of these types of situations. (I actually worked on some nearby areas when they still in County jurisdiction.) I hope that the information included with the land use request will be helpful. I thank you for your and the planning staff's considered review. Feel free to contact me if I can be of any further help.



Gary Clifford
1150 NE Faloma Road
Portland, OR 97211
kerrclifford@hotmail.com
503-515-5508

**“Land Use Request” for Plan Map Designation Change
from Industrial Sanctuary to Residential (R-20)
as Part of the Comprehensive Plan Update**

December 28, 2013

Location: East Columbia Neighborhood; abutting or using access to NE Levee Road and unimproved NE 13th Avenue

Property IDs: R171711 (9009 NE Levee Rd); R171707 (9000 NE Levee Rd); R171713 (8855 NE Levee Rd); R171708 (8916 NE Levee Rd); R171709 (8850 NE Levee Rd); R171714 (vacant, no address); R171716 (vacant, no address, same ownership as abutting lot R17119 to the north)

Existing Zoning: RFhp (RF: Residential Farm/Forest, h: Aircraft Landing Overlay Zone, p: Environmental Protection Overlay Zone); RFch (c: Environmental Conservation Overlay Zone); RFhpx (x: Portland International Airport Noise Impact Overlay Zone); RFchx; RFhx; and RFh

Existing Plan: IS: Industrial Sanctuary; ISb (b: Buffer)

Considerations:

- I. “Change in Circumstances” since enactment of the Industrial Sanctuary Designation
 - A. In 2011, as part of the Middle Columbia Corridor/Airport Natural Resources Inventory, this area received substantial coverage of the Environmental Overlay Zoning of “p” protection and “c” conservation (see zoning map included). That map shows the “p” and “c” overlay zones covering: approximately one-half of four of the properties; one-third of one property; two-thirds of one property; and all of one property.
 - B. The extensive coverage of the “p” overlay zone is important for future development potential. As characterized in the Zoning Code website “Zone Summaries”: “The Environmental Protection zone provides the highest level of protection to the most important resources and functional values. . . . Development will be approved in the environmental protection zone *only in rare and unusual circumstances.*” [*Emphasis added*]. The environmental zoning appears to have taken the majority of this area out of potential development in the future. As such, any development, in particular industrial development with its large buildings and extensive paving associated with heavy truck traffic, would not be anticipated to be approved or occur in the majority of this area with the Plan designation of Industrial Sanctuary.
 - C. The portion of the lots not covered by environmental zoning is where there are five houses with a total improvement value of over \$655,000. A reasonable expectation is that these homes outside the environmental zoning would be less likely to be developed for industrial uses due to the existing improvement values and the relatively small acreage not in the “p” or “c” zones.

II. R-20 Zoning Request

- A. R-20 zoning would match and be compatible with the zoning to the immediate north.
- B. R-20 residential zoning would protect environmental resource values by not developing those areas and yet add a few additional new home sites concentrated in the area of NE Levee Road outside the "p" and "c" zones. In addition, there could also be the possibility of application by individual property owners for small Planned Development lots located outside the environmental zones. A Planned Development can result in a lot density closer to the development potential of their entire property.
- C. A buffer between industrial and residential uses already exists in the abutting industrial zoned (IG2h) property to the south. Along the industrial property's northern boundary is a 50-foot wide buffer strip zoned IG2bh. The "b" buffer zone was a condition of approval of the industrial development and was enacted to serve as a "buffer" to reduce adverse effects between incompatible land use attributes, such as noise, lights, and views.
- D. It is recognized that there is a "need" to maintain adequate planned areas for future industrial growth. However, continuing to include this area in the inventory of acreage to fulfill future industrial need could be viewed as representing a false acreage number in that inventory. That is because the majority of the acreage is covered by undevelopable environmental zones and, except for one smaller lot, the remaining acreage is already developed with housing, significantly reducing the conversion to industrial land use.

III. Transportation and Access Issues

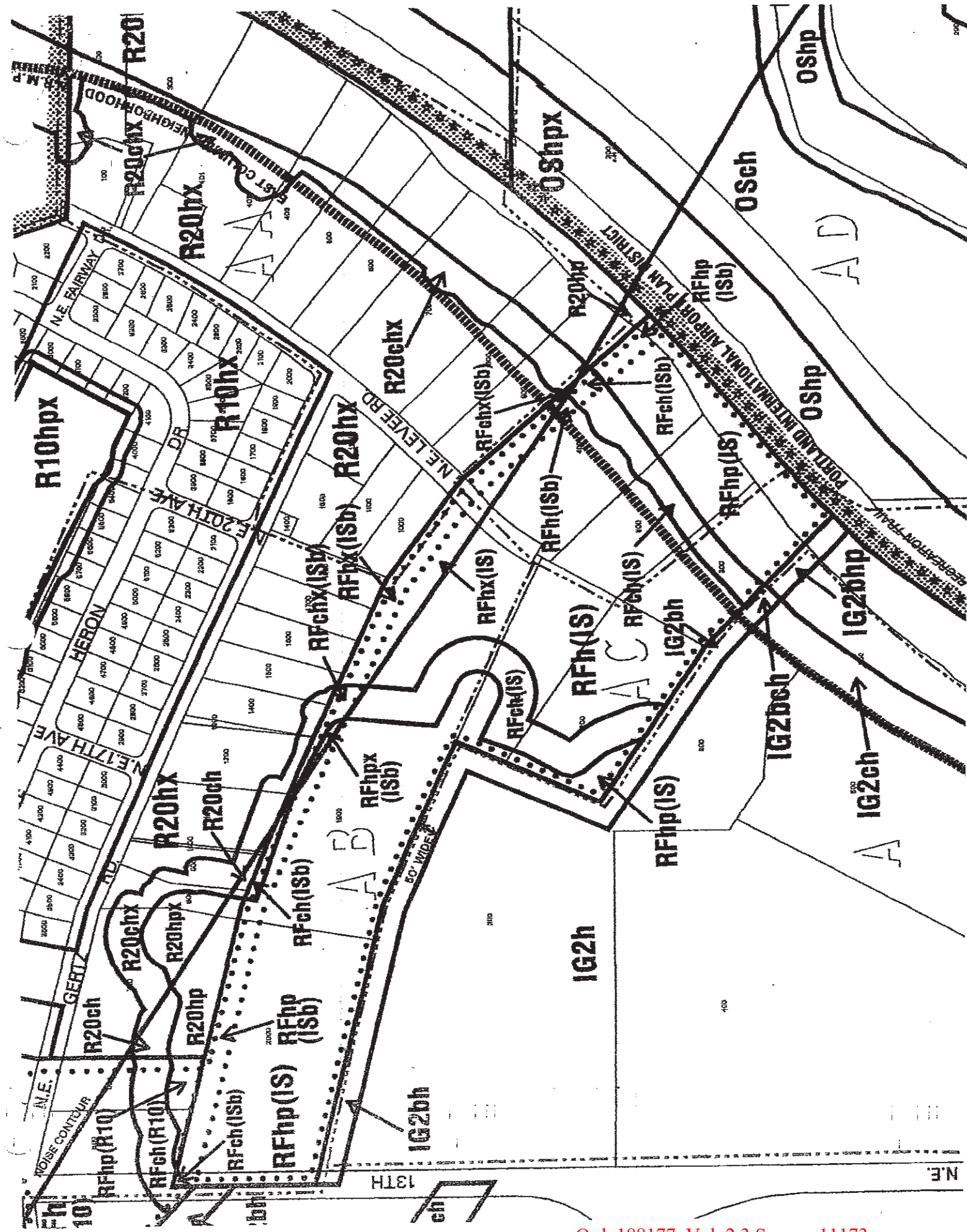
- A. The homes in this area gain access to the public road system only through NE Levee Road to NE Gertz Road, which are both narrow, two-lane, local streets without full improvements. There is no outlet to the east because of a major drainage slough; to the west, NE Gertz Road contains a major truck barrier (tight radius traffic circle) constructed to keep large industrial truck traffic from the nearby residential neighborhoods; and NE 13th Avenue is posted with "no truck" signs at NE Marine Drive. Therefore, there is no legal large truck traffic route to this area from the north.
- B. The industrial property to the south has existing frontage and access necessary for truck traffic on a portion of NE 13th Avenue south of the unimproved part of NE 13th which effectively disconnects the industrial traffic from the residential streets to the north. To the west, the industrial road system connects via NE Fazio Way and NE Gertz Road, to NE Vancouver Way.
- C. In summary, the road system to the north of this area does not allow industrial truck traffic and the property owner to the south does not appear to have the incentive to provide a road system through the property to reach the small developable (not environmentally zoned) part of the subject ownerships.

IV. Environmental Zoning Placed on Industrial Sanctuary Planned Properties Was Contrary to Directives to the City of Portland in the Gunderson, LLC vs. City of Portland LUBA Decision (affirmed by the Oregon Court of Appeals and Oregon Supreme Court)

A. In January 21, 2011, three months before the "Airport Futures" Comprehensive Plan Update and associated zone changes were adopted in April 2011, the Land Use Board of Appeals (LUBA) ruled that the adopted environmental restrictions (in this case Willamette River Greenway zoning provisions) placed on industrial properties in the "North Reach River Plan" were overturned because such environmental restrictions in effect reduced the amount of industrial lands without taking that reduction into account in accordance with Division 9 Administrative Rules for Statewide Planning Goal 9 Industrial Development. The Gunderson vs. City of Portland LUBA decision stated on page 11, lines 13 through 24 the following:

Because the likely result of applying the new regulations is that the city's supply of land potentially available for new or expanded industrial development would be effectively reduced, perhaps significantly so, it is incumbent on the city to consider the impact of such potential reductions on the city's industrial land supply and determine, based on an adequate factual base, whether any such impacts on the inventory are consistent with the city's Goal 9 obligation to maintain an adequate supply of industrial land. To do so, the city must necessarily (1) undertake to quantify to the extent necessary the number of acres the new regulations will likely remove from potential industrial development, compared to the existing acknowledged regulations, and (2) evaluate the impact of any net reduction in land supply on the city's Goal 9 inventory of industrial lands. The second step will entail making at least some determinations regarding the adequacy of the city's industrial land supply, before and after application of the new regulations.

- B. In recognition of the Gunderson decision, industrial property owners within the "Airport Futures Plan Area" demanded in hearing testimony that the proposed environmental zoning overlay zones be removed from their properties prior to the Comprehensive Plan and Zoning Map amendments being adopted. The "Airport Futures" plan and zoning changes were adopted soon after (April 2011). The request by industrial land owners for the city to remove the environmental overlay zones was followed/complied with for all non-governmental industrial lands **except** the subject NE Levee Road properties. Within the "Airport Futures" area, the NE Levee Road Industrial Sanctuary properties were the only privately owned properties in the industrial lands inventory that had environmental restrictions placed on them. No analysis of the developable industrial acreage lost due to the environmental zoning was ever done, in blatant disregard of the Gundersun vs. City of Portland requirements.
- C. Since the City of Portland chose to not comply with the requirement to determine the amount of acreages lost and the resulting impact on the industrial lands inventory as a result of the extensive environmental overlay zones mapped on the NE Levee Road properties, then we must conclude that the city never intended to actually ensure that the properties were available for later industrial development. The city cannot have it both ways: count the properties in the industrial inventory and also apply environmental zoning to severely restrict their later use as industrial properties.
- D. In conclusion, the East Columbia Neighborhood Association recommends the removal of the Industrial Sanctuary Plan designation for the subject properties.





December 31, 2013

Comments on Draft Comprehensive Plan from East Columbia Neighborhood Association (ECNA):

- opposes the proposal to convert OS land currently golf courses to any Industrial zoning designation. There should be no net loss of Open Space land and all natural habitat areas should be preserved or expanded.
- Is concerned that any land converted to Industrial land would add additional toxins to the air quality, which is already poor.
- suggests that an eye to equity and an evaluation of environmental justice be applied in the selection of land for industrial zoning in North/Northeast Portland
- does not support any industrial sanctuary designations or conversions for residential property in ECNA (specifically Levee Road)
- Strongly supports the continuation of the Columbia Corridor study to examine land use priorities
- Requests that the City do an inventory of underutilized and unused Industrial zoned land as an option to reduce the demand for more Industrial zoned land. Use what we have before acquiring more
- Requests the City take the lead and develop feasible and economical ways to reclaim brownfields at the federal, state and local level.
- Carefully examine any proposal for mitigation in zone changes to include ongoing management, feasibility for future use, and overall benefit.
- In considering available parcels of land to convert to Industrial zoning put PIR on the table as a possible site.
- Provide a financial impact evaluation for Infrastructure needs when considering current OS space to Industrial



2788 SE 82nd. Ave. Ste 203
Portland, OR 97266
971-340-4866
www.jadedistrict.org

October 27, 2015

City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201

Re: Employment Zone in Southeast Portland

Dear Commissioners:

The Jade District is a Neighborhood Prosperity Initiative (NPI)—located in East Portland along SE 82nd Ave. between SE Harrison and SE Franklin, along SE Division Ave. between 81st and 93rd—and coordinated by the Asian Pacific American Network of Oregon (APANO). The District is composed of 432 businesses registered inside its one square mile and the most diverse resident demographic profile in the state, with nearly half of the district's 14,000 residents being people of color.

The Jade District Steering Committee supports the change from General Commercial to General Employment zoning on SE 82nd, from SE Alder to SE Mill, provided it includes more living wage jobs, a greater variety of jobs, meaningful engagement of impacted residents and businesses, and robust health and safety measures taken.

As East Portland residents have demanded in the past, the area needs more living wage jobs. The Jade District's Strategic Work Plan notes that, "There is a history of displacement among communities of color to East Portland and beyond. The primary challenge before us now is to build the social capital of our communities to better resist involuntary displacement of our residents and small businesses in the face of rapid gentrification."

Beyond more living wage jobs, we believe the area needs a greater variety of jobs, with intentional support from the city and Portland Development Commission to support a healthy and diverse economy in this area. Although we believe this change in zoning has the potential to offer meaningful employment to people residing in East Portland, we do not believe this can happen without early engagement, follow-through, and commitment from the city. We demand that the Bureau of Planning and Sustainability work with the Portland Development Commission to recruit employers that offer living wage jobs and can provide workforce training opportunities to access quality jobs to local residents, particularly young workers in the area.

We support this change only if the City includes implementation strategies outlining how this plan will create actual living wage jobs. We look forward to seeing the City adopt this implementation plan as part of the Comprehensive Plan. Our Steering Committee is composed of a variety of stakeholders, employers, and residents and we expect meaningful engagement going forward.

Additionally, if the plan moves forward and industrial businesses relocate to this area, we expect that the City will implement adequate health and safety measures, such as proper air filtration systems to ensure that people living nearby are protected from toxic or noxious sounds and fumes. The growing

Ord. 188177, Vol. 2.3.S, page 11175



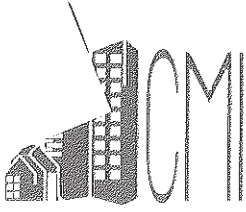
2788 SE 82nd. Ave. Ste 203
Portland, OR 97266
971-340-4866
www.jadedistrict.org

concentration of people of color and low-income people in Outer SE Portland, facing disproportionate risk of exposure from air toxics and a host of other health impacts is the result of the intersection of poor land use planning and decades of inequitable infrastructure investment. The area has a higher preponderance of mixed-use zoning and auto-centric transportation infrastructure, resulting in a close proximity between residents and heavy commercial and auto/freight use. Future development in this area must be predicated on improving quality of life and stability for its current residents and economic opportunity for its businesses.

Members of the Jade District Steering Committee look forward to working with the City and other stakeholders for a more resilient, healthy, and promising future.

Sincerely,

Jade District Steering Committee



Community Management, Inc.

Laura Hall

I represent Community Management, Inc., located at 2105 SE 9th Avenue. CMI is a minority owned business and was founded in 1972 by Kaye Youngren, a single mother. At that time she was the only employee and is still the owner.

Twenty years ago CMI moved to SE Portland when the East Side was in a downward spiral. We rented 2,000 SF of office space from Wescold who owned the building since 1932. Wescold moved their manufacturing to Seattle and CMI leased their offices and warehouses. Our next door neighbor was Balzer Pacific, also a manufacturing company. Balzer was forced to leave the City of Portland 2 years ago because the Milwaukie Light Rail took their service facility.

CMI moved to the SE side because the warehouse/office space was economical and we saw an opportunity to grow. We know we have helped to revitalize the neighborhood. We have remodeled our building, including resurfacing our parking lot and replacing sidewalks.

In 2014 two new bathrooms were added; City permit fees \$4,000. As a condition of the permit we were required to put in street trees; cost \$6,000. Two months later we received notice from the City that trees were being installed by the City at no cost! This was after we had been forced to pay \$6,000 for the trees.

Parking was never an issue; our on-site parking lot provides 18 spaces. Street parking was easily available. Then the City decided that we could not park on the street without a permit; adding at least \$700 each year to our cost of doing business in the City.

Then the City decided to force sick leave on Portland Businesses; adding cost to our small company over \$300,000.

If we are unable to grow our office space we will be forced to move outside the City of Portland leaving behind \$12,400 in Tri Met Taxes, \$40,000 in property taxes, \$2,500 in Personal Property Taxes, and City of Portland Taxes/Multnomah County Taxes of \$56,000.00.

We currently employ 107 people with benefits and jobs that pay well above the minimum wage and now the City is trying to restrict us from growing our business on our own property. We flatly reject this latest assault on our business.

The City of Portland should post a sign at the City limits

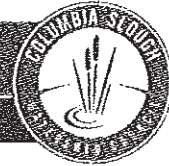
Small Business Is Not Welcome

COLUMBIA SLOUGH WATERSHED COUNCIL

7040 NE 47TH AVE, PORTLAND OR 97218

503-281-1132

WWW.COLUMBIASLOUGH.ORG



27th of October, 2015

City of Portland
Planning and Sustainability Commission
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Dear Members:

Thank you for the opportunity to comment on the Employment Zoning Project, an "early action" implementation of Portland's Comprehensive Plan. The Columbia Slough Watershed Council is a group of diverse stakeholders whose mission is to foster action to protect, enhance, restore, and revitalize the Slough and its watershed. As part of our mission, each year we provide hands-on science education to over 6,000 students, host over 2,300 citizens at cycling, paddling and outdoor festivals, and coordinate almost 200 restoration volunteers. The Columbia Corridor, currently the largest industrial area in Oregon and the economic lifeblood of our community, lies within the northern part of this watershed, in north and northeast Portland.

The City's Employment Zoning Project proposes a new prime industrial overlay on industrial lands in the Columbia Corridor. While we understand and support the need to sustain the use of industrial lands, we also support the need to protect the Slough's water quality and habitat. Both of these uses depend strongly on their locations. The industrial uses depend on the freight and transportation facilities in the Corridor. The natural area uses are also location-specific, such as the water itself, the banks and buffers, and the connected forests and wetlands.

UPDATE E-ZONES IN THE COLUMBIA CORRIDOR

In this area of the city, environmental zoning first applied in the late 1980's needs updating. While Natural Resource Inventories (NRI) have been completed throughout most of the Corridor, the process to update environmental overlays has been repeatedly delayed.

1) The Airport Futures process completed an NRI and ESEE analysis for the Middle Slough, but the environmental overlay zones were not updated on the industrial zoned land outside of Port of Portland ownership. We recommend updating the environmental overlay zones in the remaining properties within the Airport Plan District consistent with the ESEE.

2) We urge you to start the environmental update process in the remaining western portion of the Columbia Corridor immediately.

Until the environmental overlays are updated, we recommend waiving the prime industrial overlay's prohibitions on natural areas on properties with NRI-ranked resources.

ALLOW ALL ASPECTS OF LEVEE ACCREDITATION

FOSTERING ACTION TO PROTECT, ENHANCE, RESTORE AND REVITALIZE THE SLOUGH AND ITS WATERSHED



The Council is participating with many stakeholders in the Oregon Solutions Levee Ready Columbia process to maintain accreditation for the levees in the Columbia Corridor. These levees are critical infrastructure for the region. There are many unknowns in this process, particularly around potential federal mitigation that may be required. It is important that the prime industrial overlay, which is meant to protect industrial lands, should not hinder the accreditation process. The proposed code language prohibition on certain types of mitigation could be a hindrance. Actions that allow accreditation of the levees should be exempt from the industrial overlay conditions.

PRESERVE ALLOWED USE OF TRAILHEADS AND BOAT LAUNCHES

We are pleased that trails and boat launches are allowed in the prime industrial overlay. The Columbia Slough itself offers significant land and water trails for residents of all ages. It is important to note that the Columbia Slough is designated as a water trail in City Code. The Council supports that there is no acreage limit for trail and boat launches. Since trails are a linear feature, it is possible that their footprint might be larger than two acres on large lots, so it is important to retain flexibility for trails and boat launches.

DO NOT PROHIBIT NATURAL AREAS IN THE PRIME INDUSTRIAL OVERLAY

We are also pleased that stormwater facilities are exempted from the overlay. Similar to freeways and railroads, a waterway like the slough connects natural areas of high value along its length. While simple in concept, the importance of the connectivity cannot be overstated. This connectivity drives many of the principal restoration activities in the watershed. Additionally, there are instances where land designated for industrial has little value for economic development but great value for natural uses. If natural areas are prohibited, then a permit cannot be obtained for restoration if there is not also an industrial use on that site. For these reasons the Watershed Council requests that natural areas intended for conservation, habitat protection and restoration, and stormwater management be allowed uses in the industrial overlay. In its letter dated 9/4/15, Metro clarified their rules saying that the prohibition of parks in Regionally Significant Industrial Areas does not apply to natural areas that are intended for conservation, habitat protection or stormwater functions.

In closing, the Watershed Council firmly believes that the Columbia Corridor can accommodate vibrant industrial activity while preserving and restoring the important natural resources of the Columbia Slough watershed.

Thank you for the opportunity to comment. We look forward to your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jane A. Van Dyke".

Jane A. Van Dyke, Executive Director

27 October 2015

Dear Planning and Sustainability Commissioner,

The last Portland Comprehensive Plan introduced the concept of an industrial sanctuary, a designation that has been a success. However, Portland still lost approximately 150 acres to natural areas (600 acres if you include wetlands) and another 150 acres to other zoning designations. This has led us to recognize the need to tighten our industrial zones to minimize further loss of industrial acreage.

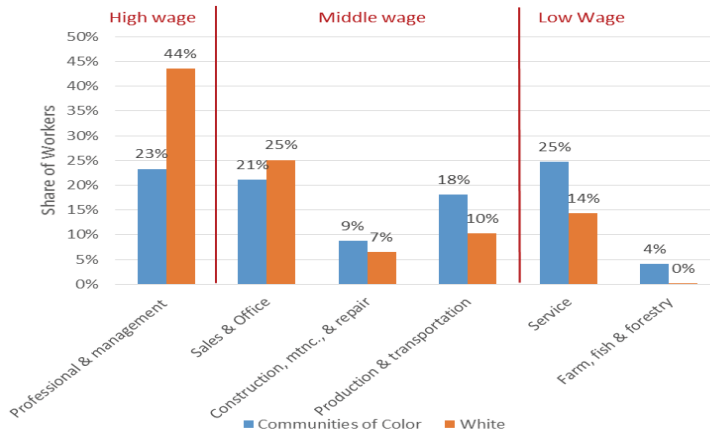
While considering proposals such as the Employment Zoning Project, it's natural to view the debate as a simple choice between industrial land vs. park space; manufacturing vs. commercial use; distribution space vs. retail. But that would be missing the heart of this discussion.

Industrial land per se is not the issue. Industrial land can exist almost anywhere: in the Columbia Corridor, outside our Urban Growth Boundary, or in Iowa. Our concern is for the middle wage jobs that go primarily to communities of color and residents of our poorest neighborhoods.

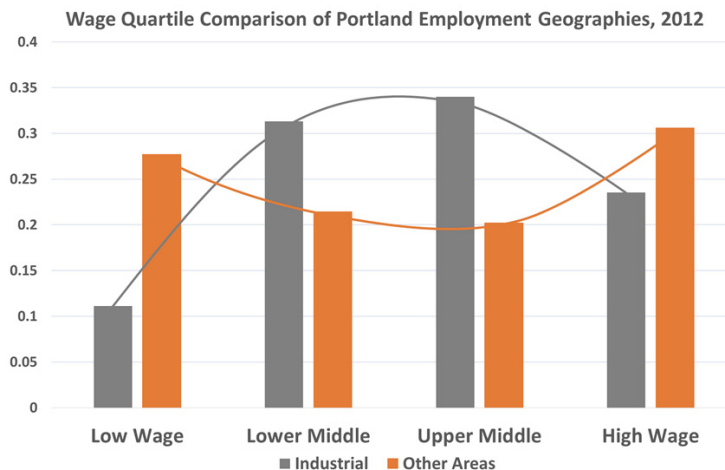
Our industrial sector provides the best opportunities for a livable wage for communities of color in Portland.

Occupational disparities by race, Multnomah County 2008

Source: Coalition for a Livable Future

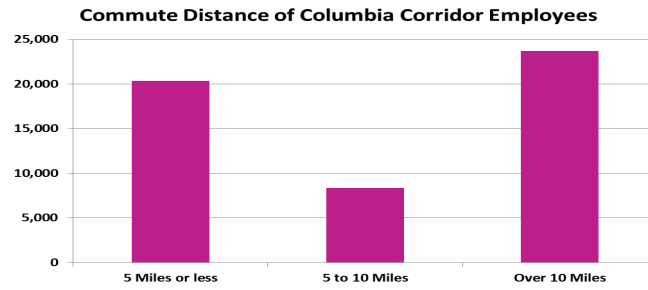


Our industrial sector has very few low and high income wages; it's concentrated in the middle income range. The industrial sector offsets the middle wage gap created by the other sectors.



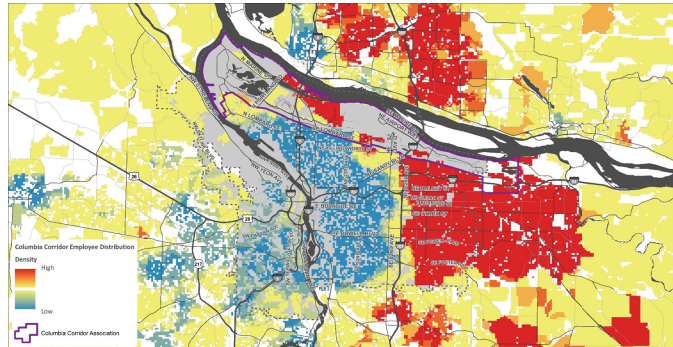
39% of Columbia Corridor employees live within 5 miles of work—perfect bicycling range.

Source: Portland BPS



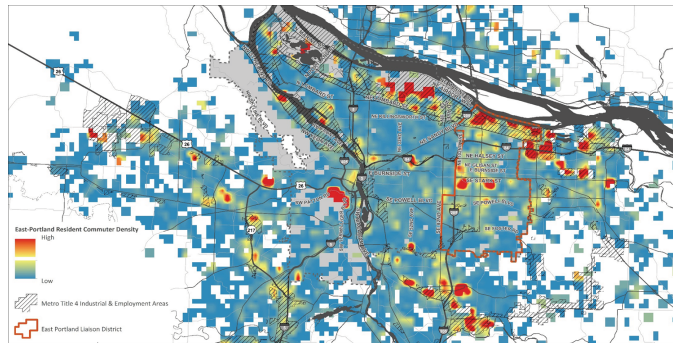
The vast majority of industrial workers take those middle income wages back to the poorest Portland neighborhoods.

Where Columbia Corridor workers live
Source: BPS from LEHD data

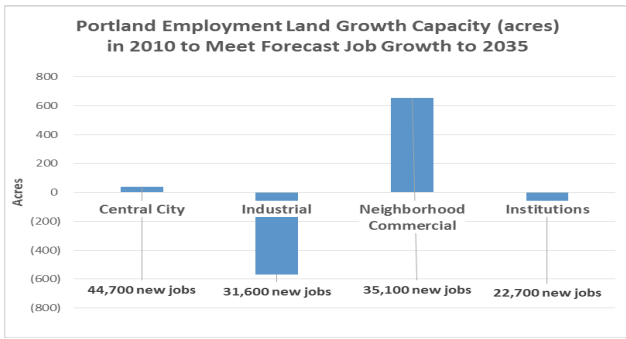


The Columbia Corridor is where East Portlanders go for middle wage jobs.

Where East Portlanders work
Source: BPS from LEHD data



The Portland experiment is working. We're avoiding the industrial ring around the city. We're keeping it dense and close to neighborhoods. If we want to keep up the good work, we have to protect our remaining industrial lands from the pressures that have bled off too many acres since the last comp plan. In some cases, that's a choice between increasing natural space and providing a living wage for a family that's trying to send the first member of their family to college.



While the industrial sector provides more middle wage jobs to communities of color, it's also the sector facing the largest shortfall of acreage.

Portland's industrial land supply shortfall
Source: BPS

Tightening the industrial zoning rules is not in the best financial interests of property owners, developers or real estate agents. It also makes it more expensive to purchase land for regional parks. The only group that clearly benefits is industrial employees.

The Employment Zoning Project is intended to make our city a better place to live, particularly for those that have it the hardest. Quality of life requires nature and recreation. It also requires a living wage.

Please adopt the Employment Zoning Project without changes that make it less effective.

Respectfully submitted,

Corky Collier
Executive Director

From: Alice Blatt [mailto:aliceb@pacifier.com]
Sent: Tuesday, October 27, 2015 4:54 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: PSC Employment Zones Testimony

To: Members of the Planning and Sustainability Commission

From: Alice Blatt, 15231 NE Holladay, Portland, OR, 97230

Re: Employment Zoning Project

Credentials: Founding member of the Columbia Slough Watershed Council and longtime advocate for its principles

Long time Board Member of the Wilkes Community Group, from whose slopes flow three springs-fed streams, directly through areas of high groundwater level, into the slough.

I submitted written comments (8-28-15) following the earlier draft, and appreciate many of the subsequent changes, but wish to express my agreement with and subscribe to the current submissions of Linda Robinson and Judy BlueHorse Skelton, Chair, Portland Parks Board.

**Testimony of Raihana Ansary
Government Relations Manager
Portland Business Alliance
Before Planning and Sustainability Commission
Regarding Employment Zoning Project
October 27, 2015**

Good evening Chair Baugh, Commissioners.

My name is Raihana Ansary, here on behalf of the Portland Business Alliance. Thank you for the opportunity to comment on the proposed employment zoning project. We believe that the project is a step in the right direction toward meeting growth capacity shortfalls in the Portland Harbor, Columbia Corridor and dispersed employment areas in the city of Portland.

The project is absolutely critical to preventing the extraneous conversion of prime industrial land which is a significant generator of middle-income jobs, particularly for those with less than a four-year college degree. As our recent *Middle Income Jobs Report* shows, our region has regained jobs lost at the low- and high-end income levels, but not the middle-income jobs lost during the recession. In addition, BPS' own report, *The Industrial Middle of Portland's Changing Income Distribution*, finds that communities of color and East Portlanders frequently rely on jobs located on industrial lands.

Since the last comprehensive update, the city of Portland has lost about 1,000 acres of industrial land that have been converted to other land use designations. We understand that market forces evolve and play a significant role in driving demand for different types of development. This project strikes the right balance between ensuring that there is an adequate supply of industrial land and still preserving the right to a legislative zone change. In other words, the project discourages conversion but does not absolutely restrict it. ~~For example, the mitigation fee proposed does not prevent one from converting industrial land but will cause people to pause and consider carefully the opportunity cost and value of conversion.~~

We understand that we are land constrained and that land intensification and enhancement strategies are recommended for different land uses including industrial land in the way of brownfield redevelopment. Unfortunately, a land intensification strategy alone is insufficient in making up for our industrial lands shortfall and for meeting the needs of industrial businesses because of their unique spatial layouts and associated traffic patterns.

It is, therefore, critical that the amendments proposed in the employment zoning project be made to protect our limited supply of industrial land. Thank you.

October 26, 2015

Portland Planning and Sustainability Commission
Employment Zone Testimony
1900 SW 4th Ave., Suite 7100
Portland, OR 97201

Re: Proposed Prime Industrial Land zoning overlay

Affected Property: 13585 NE Whitaker Way, Portland, OR 97130

Please do NOT add the "I" overlay to our property! We particularly object to prohibiting self-storage but question the benefit to the people of Portland from any of the proposed changes.

Why?: "Why are these changes proposed?" is one of the headings in the "NOTICE" sent to property owners. There are no answers presented in the NOTICE, only that the City is updating its Comprehensive Plan. Nothing in the notices provided have presented a case for the proposed changes. The only thing that I have found is "...in order to preserve Portland's limited supply of prime industrial land for industrial use." So, please tell us why this is important, particularly for spaces that are already built upon.

Background: My wife and I used equity from our self-built residence to make the down payment for this property in 1993. We bought it for our small consulting business that had outgrown rental office space in Corbett and for convenience to employee residences and nearby services. We worked hard to make the business a success and sold it to employees in 2008. But we still own the property and lease it to the present owners as part of our retirement income.

Prudent property ownership demands considering the risks involved, particularly loss of a valued tenant and a vacant building. It will happen. And always, in the back of our minds, the possibility of renting the space for storage (RVs, collector cars, personal or business property, etc.) has been our fall-back plan if a better tenant is not forthcoming. There needs to be some income to pay property taxes, utilities, and keep the building secure. Removing the self-storage option through this new overlay could put us in a significant financial bind.

Role of Government: I am generally a supporter of government, but government should serve the people, including property owners, and I question the true need for this new

overlay. When I look at the planned restrictions on allowed uses (self storage, parks, open areas, and outdoor entertainment venues), it looks to me like the restrictions are all relatively low-tax-revenue types of uses. This makes me very suspicious of the true motives of the proposed action. Is it for the good of the citizens of Portland or is it to increase tax revenue? We should not be making land use rules just for the benefit of government revenue. And please don't use the banner of "jobs" or "employment" for adding these restrictions. Employment in Portland is pretty good already, without the proposed zoning changes. While not having any actual statistics, I would venture the opinion that job density on land zoned industrial is lower than on many other zone types.

It is my opinion that, in general, the goal of society and laws should be that benefits and burdens to citizens go together.

If the presently-allowed uses are actually implemented by more owners, I maintain that they also create a relatively small burden on the services of the City. I doubt that self-storage units have a frequent need for police or fire services, they do not need much water supplied or sewage treatment service, and they do not put a significant traffic load on the serving streets. They certainly don't create a need for schools or social services. If anything, the proposed overlay will increase the need for government services.

I also suggest that self-storage is not a large fraction of the space in Portland and never will be. It is a valuable service for citizens, but it will always be market-limited.

Conclusions: We believe that the proposed changes would result in diminished value of our property, a "taking" for which we should be financially compensated if the proposals are implemented. Please, DO NOT make the zone changes!

David and Penny Rossman
d.b.a.: Claverack, LLC
P.O. Box 69
Corbett, OR 97019

Zone Change Presentation, October 27, 2015

Please do NOT add the "I" overlay to our property! We particularly object to prohibiting self-storage but question the benefit to the people of Portland from any of the proposed changes.

One of the headings in the "NOTICE" sent to property owners is "Why are these changes proposed?" Well, there are no answers presented in the NOTICE, only that the City is updating its Comprehensive Plan. The only thing that I have found is "...in order to preserve Portland's limited supply of prime industrial land for industrial use." So far, you have failed to present a case for the proposed restrictions. Please, tell us why this is important to the CITIZENS of Portland, particularly for spaces that are already built upon.

My wife and I used equity from our self-built residence to make the down payment on our property in 1993 for our small consulting company. We sold the business in 2008 but we still own the property and lease it to the present owners as part of our retirement income.

Prudent property ownership demands considering the risks involved, particularly loss of a valued tenant and a vacant building. It will happen. In the back of our minds, the possibility of renting the space for storage (RVs, collector cars, personal or business property, etc.) has always been our fall-back plan if a better tenant is not forthcoming. There needs to be some income to pay property taxes, utilities, and keep the building secure. Removing the self-storage option through this new overlay could put us in a significant financial bind.

While my wife and I are generally supportive of good governance and are not into conspiracies, we are disturbed by this proposal. We suspect that it is "all about the money". It appears that the true motive here is to prohibit uses that generate less tax revenue than more employee-intensive ones. To us, that is not a good enough reason. The proposed prohibited uses are also ones that would put little stress on City-provided services.

We believe that the proposed changes would result in diminished value of our property, a "taking" for which we should be financially compensated if the proposals are implemented. Please, DO NOT make the zone changes!

David and Penny Rossman, Claverack, LLP, P.O. Box 69, Corbett, OR 97019



Multnomah County Drainage District #1
1880 NE Elrod Drive Portland Oregon 97211
(503) 281-5675 FAX (503) 281-0392
www.mcdd.org

October 26, 2015

Portland Planning and Sustainability Commission
1900 SW Fourth Avenue, Suite 7100
Portland, Oregon 97201

Re: *Testimony for the Discussion Draft of the Employment Zoning Project*

Members of the Portland Planning and Sustainability Commission,

Thank you for the opportunity to provide testimony on the *Discussion Draft* for proposed amendments to the Employment Zone and related chapters of the Portland Zoning Code.

The Multnomah County Drainage Districts (Districts) represents three drainage districts (Multnomah County Drainage District No. 1 and Peninsula Drainage Districts Nos. 1 and 2). The Districts operate and maintain a series of drainageways, pumping facilities, and levees to protect land in the Columbia Corridor, an area that encompasses 12,000 acres on the south shore of the Columbia River in the Portland, Oregon Metropolitan area, from both external and internal flooding.

Recognition of all aspects of Levee Ready Columbia

The City of Portland, along with over twenty other stakeholders, is participating in the Oregon Solutions Levee Ready Columbia process, a multimillion-dollar project that aims to both maintain Federal Emergency Management Agency (FEMA) accreditation for the levees in the Columbia Corridor as well as remain active in the US Army Corps of Engineers Rehabilitation and Inspection Program (RIP). These levees are critical infrastructure for the region. Without maintaining accreditation, FEMA will remap much of the land behind the levees as a Special Flood Hazard Area, which will have multiple impacts on the opportunity for future industrial development.

The majority of the Employment Zoning area lies between levees managed by the Districts that provide flood protection from the Columbia River. It is also in an area where wetland storage and pump stations maintained by the Districts maintains the Base Flood Elevation (BFE). Significant changes to wetland storage areas could have a direct impact on the Districts ability to maintain the BFE effectively and would likely necessitate additional pumping capacity.

There are many unknowns in this process, particularly around potential federal mitigation requirements. Extensive mitigation, in excess of two acres, may need to occur onsite within the Prime Industrial Overlay. It is important that the prime industrial overlay, meant to protect industrial lands, should not hinder the accreditation process and the ability to remain in the RIP. The proposed code language prohibition on certain types of mitigation could be a hindrance. Actions that allow for both accreditation, and compliance in the RIP, should be exempt from the industrial overlay conditions.

To facilitate accreditation and active status in the RIP within the Columbia Corridor, the Districts' request that language be added to the Employment Zone Project that recognizes the importance of the Levee Ready Columbia program, intended to ensure continued integrity of the flood control system in the Columbia Corridor through a comprehensive coordinated effort of the City, Districts, and partner agencies. Language that should be included in the Employment Zone Project should recognize the importance of the Levee Ready Columbia program.

Recognition of Floodplain Management Services

The managed floodplains of the Districts contain much of Portland's prime industrial land as well as the Portland International Airport, major transportation facilities including interstate highways and multiple transit lines, and the Columbia South Shore well field. Thus, these flood protection and management activities are critical to the City's economy, transportation system, and infrastructure. Fundamentally, the Districts support the Comprehensive Plan update's Guiding Principles of Economic Prosperity, Human Health, Environmental Health, Equity, and Resilience. The Districts' contribution to these Guiding Principles, especially Portland's resilience—our ability as a community to recover from natural and human-made disaster, climate change, and economic shifts—is essential to Portland's continued vitality.

To facilitate floodplain management activities within multiple employment zones within the Columbia Corridor, the Districts' request that language be added to the Employment Zone Project that recognizes the act of floodplain management. Language that should be included in the Employment Zone Project should recognize the importance of the Districts operations and the need for support and coordination between the City and the Districts.

The Districts have participated in the Recommended Comprehensive Plan (Plan) update that is now before the City Council for hearing and adoption. With our urging, the Plan updates a number of policies that recognize the importance of our operations and the need for support and coordination between the City and the Districts. What is before you today, in the form of Draft Zoning Code additions and modifications, is the major implementation measure of those Plan policies and, of particular interest to us, those related to interagency coordination (Policy 8.6) and flood management (Policies 8.73 through 8.77). The Districts believes this is the appropriate time and place to bring our concerns and suggested changes before you given the amount of prime industrial land that is in the managed floodplain and the status of the Levee Ready Columbia program, intended to ensure continued integrity of the flood control system in the Columbia Corridor through a comprehensive coordinated effort of the City and Districts.

To provide these critical services within these zones, the following list of zoning code additions and modifications are requested:

Proposed Zoning Code Additions and Modifications

The existing Zoning Code does not recognize the critical importance of the Districts' flood management operations to the extent now contained in the Recommended Comprehensive Plan. Definitions of flooding, flood-prone areas, and flood management, as well as inclusion of flood management facilities as a basic utility need, and regulations regarding flood management facilities and activities need to be incorporated to meet the Recommended Plan policies. Following are a number of suggested additions or modifications to the proposed Draft Zoning Code amendments that the Districts believe will help define or clarify the flood management efforts we undertake:

33.910 Definitions

- Replace *Public Safety Facilities* with *Public Facilities* as defined in the Recommended Comprehensive Plan:

Public facility: Any facility, including buildings, property, and capital assets, that is owned, leased, or otherwise operated, or funded by a governmental body or public entity. Examples of public facilities include sewage treatment and collection facilities, stormwater and flood management facilities, water supply and distribution facilities, streets, and other transportation assets, parks, and public buildings.

As it exists in the Zoning Code, *Public Safety Facilities* are limited to those under the operation or control of the City:

Public Safety Facility. A facility necessary to respond to an immediate hazard to the public health and safety, and that is owned, leased, or operated by the City of Portland. Public safety facilities include fire

and police stations, flood control facilities, water towers and pump stations needed for emergency service, and emergency communication broadcast facilities.

The Plan definition of *Public Facilities* is broadened to include other public entities such as the Districts, recognizing their role in providing safety, services, and infrastructure to the City.

- Add *Special Service District* as defined in the Recommended Comprehensive Plan:

Special service district: An independent governmental unit that exists separately from the general purpose government. Special service districts provide specialized services to persons living within a geographic area. Examples include drainage districts, port authorities, and mass transit agencies.

This addition recognizes non-City service providers and allows the opportunity, through land use regulations, to offer the specialized services under the same restrictions as equivalent City utilities and services.

- Add *Managed Floodplain*:

Managed Floodplain: The land protected from flooding through a combination of flood management facilities that are managed by the City or a Special Service District.

The Zoning Code already defines Special Flood Hazard Area, so a Managed Floodplain would include those portions of the Special Flood Hazard Area protected by the levee system. The Managed Floodplain also includes areas where stormwater is managed through pump stations, drainageways and other stormwater facilities to maintain the Base Flood Elevation (BFE). The term *Managed Floodplain* identifies the land protected by the District facilities and maintenance activities throughout the Columbia Corridor.

Special Flood Hazard Area. Land area covered by the floodwaters of the base flood, as shown on the Federal Emergency Management Agency (FEMA) maps in effect on November 26, 2010. The base flood is the flood having a one percent chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood."

- Add *Flood Management Facilities*:

Flood Management Facilities: the internal and external system that includes drainageways, flood storage areas, pump stations, flood walls, closure structures, and levees under the control of the City or Special Service District for the purpose of flood management and protection.

This definition clarifies the operational facilities that are necessary for flood protection operations and activities.

- Add *Flood Management*:

Flood Management: The act of reducing, controlling, or preventing flooding through the control, use, or operation of Flood Management Facilities.

This definition simply recognizes that Flood Management Facilities may need to be operated to provide the desired level of flood protection.

- Add *Flood*:

Flood: Overflowing of water beyond its normal confines of water bodies, drainageways or stormwater facilities.

Addition of this definition distinguishes floods from normal stormwater drainage, and requires additional measures to protect surrounding land from inundation.

33.920 Descriptions of the Use Categories

- Add *Flood Management Facilities* to 33.920.400.C, Basic Utilities Examples:

C. *Examples. Examples include water and sewer pump stations; sewage disposal and conveyance systems;*

*electrical substations; water towers and reservoirs; small scale energy production, water quality and flow control facilities; water conveyance systems; water harvesting and re-use conveyance systems and pump stations; stormwater facilities and conveyance systems; telephone exchanges; mass transit stops or turn arounds, light rail stations, suspended cable transportation systems, transit centers; **flood management facilities**, and public safety facilities, including fire and police stations, and emergency communication broadcast facilities.*

Under the existing definition, it is not clear that flood management is considered a basic utility. This acknowledges the facilities required for flood management as a basic utility similar to but distinct from stormwater facilities and conveyance systems, and recognizes them as an allowed/conditional use in the Industrial and Employment Zones (Table 140-1).

33.475 Prime Industrial Overlay Zone

- Add *Flood Management* to 33.475, Prime Industrial Overlay Zone (Use Regulations):

Use Regulations

...

33.475.090 Flood Management. All proposed development within a Drainage District boundary must obtain review and written approval from the Drainage District prior to issuance of a development permit to ensure development meets District and Federal regulations related to flood management.

Development within Drainage District boundaries affects the ability of the District to carry out its obligations for flood management. This requirement will provide the ability of the District to review a development proposal proactively to determine conformance with District requirements.

33.475.050 Parks and Open Areas

The Drainage Districts support significant land and water trails for all ages. Boat ramps and access to the slough and other drainageways are beneficial for maintaining the stormwater conveyance system while trails provide access to Drainage District crew for both maintenance and emergency activities.

We recommend that there is no acreage limit for trail and boat launches, although the accessory facilities are limited to two acres. Since trails are a linear feature, it is possible that their footprint will be larger than two acres on large lots, thus, it is important to retain flexibility for both trails and boat launches.

In conclusion, the Districts have a long history of providing flood management services while also serving as environmental stewards. We believe these proposed modifications clarify our role in providing flood management services within the Columbia Corridor and support Portland's vision for growth and prosperity.

The Districts very much appreciate the time and effort the City has invested in working with us to explain the process, discuss issues, and accommodate our specific needs. We look forward to continuing this dialog during any future review of the Code amendments.

Sincerely,



Reed Wagner
Executive Director
Multnomah Drainage District No. 1
Peninsula Drainage District No. 1
Peninsula Drainage District No. 2

October 26, 2015

Mr. Steve Kountz
Senior Economic Planner
Portland Bureau of Planning
1900 SW Fourth Avenue, Suite 4100
Portland, OR 97201-5380

Re: PSC Employment Zones Testimony
Our File No.: 713046.0018

Dear Bureau of Planning and Sustainability:

Our firm represents Jameson Partners LLC, dba Freeway Land II (“Jameson Partners”). Jameson Partners is the owner of that certain property commonly referred to as the “Freeway Land” and more specifically located east of I-205 and south of SE Foster Road. We previously provided testimony to the Portland Planning and Sustainability Commission (“PSC”) in March 2015 regarding the proposed Comprehensive Plan designation change on the Freeway Land from Central Employment to General Employment. In March we supported the change because we understood that the new designation would encourage a wide variety of uses and would provide increased opportunity and flexibility for future commercial development of the Freeway Land.

Our review of the Employment Zoning Project discussion draft found that the proposed implementing zoning code language for General Employment does not actually encourage a wide variety of uses for future commercial development. We provided comment to this effect on the discussion draft, but our concerns were not addressed by the Employment Zoning Project proposed draft released last month.

We strongly encourage the City to reconsider the proposed zoning. We specifically propose that the City implement a large-scale master plan for the Freeway Land, to allow balanced development that serves the goals of the Comprehensive Plan, benefits the residents of Lents Town Center, and encourages the necessary market-driven investment.

The Freeway Land Site

The Freeway Land presents a unique opportunity for the City. The site is an unusually large 100 acres, all located within the Lents Town Center Urban Renewal Area (“URA”). The site is just .5 miles from the heart of the Lents Town Center and sits at the junction of the SE Foster Civic Corridor and the SE Woodstock and SE 92nd Neighborhood Corridors. (*See* Comp. Plan Figure 3-2.) The site also has excellent existing access to public transportation—it is .6 miles on foot from the Lents Town Center/Foster Rd Max station and .9 miles on foot from the SE Flavel St Max Station.

A master plan would preserve a significant portion of the site for employment purposes

The Employment Zoning Project aims to preserve land available for employment uses, and in particular to prevent conversion to residential uses. The current proposed zoning code language accomplishes this goal by completely banning residential uses in General Employment zones. This is a reasonable approach for the other proposed General Employment sites, most of which are much smaller in size than the Freeway Land and the larger of which are generally longer stretches along a commercial corridor.

In contrast, the Freeway Land is a large, non-corridor, and mostly under-developed site, surrounded by residential and open space uses. A master plan is a more reasonable approach to maintaining employment uses on the Freeway Land than a complete ban on residential. A master plan would allow the City to maintain a significant portion of the site for employment uses, with some interspersed residential and commercial uses designed to create and maintain the desired town center character and meet the area’s housing needs.

A master plan would allow considered development of residential as required to fight displacement and meet the Comprehensive Plan’s goals regarding town centers

Lents is one of the City’s most diverse areas. Its residents are also at high risk of displacement. (*See* Lents Five Year Action Plan.) Additional residential development is key to maintaining housing affordability for both homeowners and renters in this area.

Some residential development at the Freeway Land is also in line with Comprehensive Plan Policy 3.33, which provides: “There should be sufficient zoning within a half-mile walking distance of a Town Center to accommodate 7,000 households.” A complete ban on residential uses at the site will compromise the City’s ability to meet this goal in Lents, which in turn will contribute to rising housing costs and/or failure to develop the area as a thriving, pedestrian friendly, “complete neighborhood.”

A master plan would encourage employment growth without disrupting Lents Town Center

Lents has long borne more than its fair share of the negative impact of development, at least since the 1983 construction of the I-205 freeway that “literally divided the neighborhood in half, leaving the area with both physical and emotional scars that remain today and that have been a significant factor contributing to the current depressed economic conditions.” (See Lents Town Center Urban Renewal Plan p. 2.)

The size of the Freeway Land means that dedicating the entire site to employment and industrial uses is likely to have a negative impact on the character of Lents Town Center and the area’s residents. On the other hand, the size of the Freeway Land also means that development can be more flexible and sophisticated than just a large cluster of flex or office space surrounded by a ring of residential. A master plan tool could be used to maintain the major portion of the site for employment uses in a way that is better integrated into the character of the Lents Town Center.

A thoughtful master plan could help avoid turning the Freeway Land site into something akin to the Lloyd District, which has long been an inefficient and use of land, and unappealing to residents, a fact which recent significant investment is attempting to change.

A master plan would allow development to take advantage of the site’s unique natural features

The Freeway Land has some appealing natural features, including the Springwater Corridor, which runs along the north portion of the site. A master plan would allow the flexibility to make the most of these features.

We look forward to the opportunity to work directly with City staff to develop appropriate master plan zoning code language that will preserve the unique opportunities and challenges presented by the Freeway Land property to the benefit of the property owner, the neighborhood, and the City.

Very truly yours,

LANE POWELL PC



Jill R. Long

October 26, 2015

Dana L. Krawczuk
DKrawczuk@perkinscoie.com
D. +1.503.727.2036
F. +1.503.346.2036

VIA EMAIL (PSC@PORTLANDOREGON.GOV)

Planning and Sustainability Commission
City of Portland
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201-5380

**Re: PSC Employment Zones Testimony
Broadmoor Golf Course's Comments on the Proposed Draft of the Employment
Zoning Project (September 2015)**

Dear Chair Baugh and Members of the Commission:

This firm was recently retained to represent Broadmoor Inc. ("Broadmoor"), who has owned the Broadmoor Golf Course located at 3509 NE Columbia Boulevard for over 100 years. Please include this testimony in the record of the above referenced proceeding and provide us with notice of the final decision.

Broadmoor intends to continue to operate as a public golf course for the foreseeable future. However, as golf revenues have continued to decline over the past 10 years and the City's need for additional employment land increases, Broadmoor acknowledges that at some point developing a portion of the golf course with an industrial use, while preserving higher quality natural resources in open space, may be the highest and best use of the land. As a result, Broadmoor **supports** of the Employment Zoning Project's proposed Industrial comprehensive plan designation on a portion of the Broadmoor Golf Course. See Figures 1 and 13.

Broadmoor requests that the zoning of the area on Figures 1 and 13 be amended to IG2 concurrently with the comp plan map amendment. Broadmoor will continue to operate the golf course as a non-conforming use under the IG2 zoning designation, and will also have certainty about the site's zoning when the time comes to redevelop a portion of the golf course.

Broadmoor is also **supportive** of re-designating and re-zoning the approximately 50-acre area that Broadmoor sold to Metro as a natural area in 2012 from Industrial/IG2 to Open Space/OS.

Broadmoor **opposes** the proposed ecologically beneficial design development standards that would be applicable to only Broadmoor and Riverside. See PCC 33.565.410(C). Subjecting these two sites to standards that are in excess of what is required of other industrial sites (1) places these sites at a competitive disadvantage, (2) could discourage industrial development; and (3) diminishes the capacity of employment land, which is counter to the City's Goal 9 compliance efforts. For these reasons, we request that the ecologically beneficial design development standards in PCC 33.565.410(C) be removed.

In the alternative, so that employment land capacity is not reduced, we request that the PSC consider an amendment to PCC 33.565.410(C) that allows land owners the option of planting the required landscaping on Open Space land (e.g., the balance of the former golf course). While this solution does not address the cost disparity between Broadmoor and other industrial sites, it would allow for a more efficient use of the industrially zoned area. Finally, given the proximity of Broadmoor to the Portland International Airport and related concerns about aviation safety, we suggest that the required native plants be limited to those on the Airport Plant List section of the *Portland Plant List*¹. Our alternative request can be addressed with the following changes PCC 33.565.410 (suggested changes underlined):

33.565.410 Additional Development Standards

A. Purpose. The following development standards promote ecologically beneficial design by requiring buffers and plantings that provide ecological function and contribute to ecosystem services such as multi-objective stormwater management, cleaning and cooling of air and water, wildlife habitat, biodiversity, and aesthetic values. The development standards help reduce future demands on infrastructure, and reduce adverse impacts from development both on and off-site. The standards also buffer industrial development from abutting residential development and open space uses, and provide a pleasant work environment for employees.

B. Where the standards apply. The standards in this Section apply to development in the IG2 zone on the sites shown on Map 565-4.

C. Development standards.

1. Minimum landscaped area standard. At least 20 percent of site area must be landscaped. The required landscaped area may be located off-site on land zoned open space. Area improved for active or passive recreational use, or for use by pedestrians, does not count toward the required landscaped area. Other required

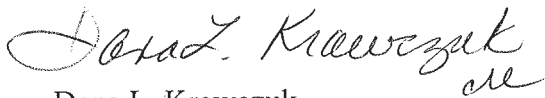
¹ Landscaping in the portions of Broadmoor that are located within the Airport Subdistrict of the Portland International Airport Plan District is limited to the Airport Plant List section of the *Portland Plant List*. PCC 33.565.220 and Map 565-1. The area of Broadmoor proposed for Industrial designation on Figures 1 and 13 is located in the Middle Columbia Slough Subdistrict, which currently does not limit landscaping to the Airport Plant List section of the *Portland Plant List*.

landscaping, such as setbacks and parking lot landscaping, applies toward the landscaped area standard. Area covered by an eco-roof also applies toward the landscaped area standard.

2. Native plants. At least 75 percent of all plants planted to meet Title 33 landscaping requirements must be native plants from the Airport Plant List section of the *Portland Plant List*.

Representatives from Broadmoor will testify at the October 27, 2015 hearing, and would be pleased to respond to any questions. Thank you for your consideration.

Very truly yours,



Dana L. Krawczuk

DLK:dlk

cc: Scott Krieger, Broadmoor, Inc. (via email)
Erik Krieger, Broadmoor Inc. (via email)
Steve Kountz, Senior Economic Planner, BPS (via email)
Tom Wright, Mackenzie (via email)
Gabriela Frask, Mackenzie (via email)

William L. Rasmussen
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October 26, 2015

**BY E-MAIL AND U.S. MAIL
PSC@PORTLANDOREGON.GOV**

City of Portland Planning Staff
Planning and Sustainability Commission
1900 S.W. 4th Avenue, Suite 7100
Portland, Oregon 97201-5380

Subject: Comment for Employment Zoning Proposed Draft–Support for Proposed Industrial Inventory Map Revision at 3333 and 3335 N.E. Marine Drive

Dear Steve Kountz and Planning Staff:

This comment supports the proposed change in zoning of the property at 3333 and 3335 N.E. Marine Drive (the "Site"). This Site is being redesignated to Industrial Sanctuary from Residential Farm as part of the recent Comprehensive Plan Update efforts due to its site characteristics and the fact that it is surrounded by industrial zoning. We support the proposed change in base zoning to IG2 (General Industrial 2) for the Site to match the new Comprehensive Plan zoning and the zoning of surrounding lots.

Attached to this letter is a site suitability assessment that demonstrates why the Site should be included in the City's industrial inventory and rezoned to IG2. The Site is better suited to general industrial zoning as a result of the City of Portland Comprehensive Plan update, the policies discussed in the attached analysis, and the following site characteristic considerations:

- The Site is currently being redesignated to Industrial on the Comprehensive Plan map and RF zoning conflicts with the new industrial designation.
- The Site is not suited for residential development due to its location at the end of a Portland Airport runway and surrounded by industrial land.

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- The Site is surrounded exclusively by industrially zoned land. See Exhibit 1, Zoning Map.
- The Site is surrounded by Prime Industrial land. See Figure 6-1 in the proposed Comprehensive Plan.
- The residential zoning of the Site is problematic for surrounding Prime Industrial land which conflicts with a residential use zoning.
- There is a dearth of commercial services, public transit, and other amenities supportive of residential use near the Site.
- There has never been a house or a farm on the Site.
- A house could probably not be sited on the Site due to its configuration and proximity to the Columbia River and overlay zones.
- The current use of the Site as a marina is more appropriate for an industrial zone (which allows marinas through a conditional use) than an RF zone.
- The multi-modal shipping opportunities near the Columbia River, Portland Airport, and Columbia Boulevard Freight Corridor that lead to the industrial sanctuary designation on surrounding properties apply equally to the Site.
- Industrial redevelopment of the abutting properties may require consolidation of nearby lots, including the Site, which would be impossible with a nonindustrial zoning.

I will follow up with this submittal with direct communication to the planning staff that coordinate adoption of the Employment Zone Map update and determine if any additional information for this request would be helpful.

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Please feel free to contact me directly if I can be of any assistance in this matter.

Very truly yours,



William L. Rasmussen

cc: Ms. Carolyn Burris

Enclosure (Site Suitability Analysis)

Site Suitability Assessment – 3333 and 3335 N.E. Marine Drive

This Site Suitability Assessment documents the site characteristics of the property at 3333 and 3335 N.E. Marine Drive in Portland (the “Site”) and analyzes the appropriate Zoning for the Site based on its characteristics. This assessment concludes that the current RF Zone of the site is inappropriate and that the site is most suited to an IG2 (General Industrial) zoning to match its surrounding parcels pursuant to the applicable City of Portland policies.

This assessment is divided into two sections. In the first section, the Site’s characteristics are documented. In the second section, the Site’s characteristics are analyzed in relation to applicable City of Portland Comprehensive Plan policies.

3333 and 3335 N.E. Marine Drive Site Characteristics

- A. Site location. The Site is approximately one acre in size, comprised of two legal lots of record. One lot, created by historic deed, is to the property at 3333 N.E. Marine Drive and the other lot, also created by historic deed, is to the property at 3335 N.E. Marine Drive. The Site is bordered to the south by Marine Drive and bordered to the North by the Columbia River.
- B. Base designation and zoning. The Site is zoned and designated RF (Residential Farm). The base designation is being updated to Industrial as part of the City’s ongoing Comprehensive Plan update effort. All adjacent properties and property in the area of the Subject Size are designated Industrial Sanctuary and zoned IG. See attached Exhibit A, Zoning Map and Figure 6-1 of proposed Comprehensive Plan. The Site is currently an island of residential zoning surrounded by a large Prime Industrial area.
- C. Overlay zoning. Portions of the Site and abutting industrial properties are subject to C (environmental), H (aircraft landing), S (scenic resource), and X (aircraft noise impact) overlays. See attached Exhibit A, Zoning Map.
- D. Onsite and adjacent uses. The Site is occupied by two marina uses. Both parcels of the Site have been granted leases by the Oregon Department of State lands to operate marinas on the Columbia River. Marinas are considered an outdoor recreation use by the City of Portland, which are characterized as commercial uses by the City.
- E. Site ownership. The Stern Group, LLC owns 3333 N.E. Marine Drive. Stephen L. Ryan owns 3335 N.E. Marine Drive. The owners of both parcels support conversion of the Site to Industrial.
- F. Development history. The Site has been developed with two marina uses for decades. No farms or houses have ever existed on the Site.
- G. Zoning history. The Site has been zoned and designated RF for decades.

- H. Land use history. Neither parcel of the Site has received land use approval for their marina uses (or any other use) because the uses predate zoning in this area and are lawful nonconforming uses under the City's code.
- I. Existing improvements. Improvements on the Site consist of driveways, parking areas, fences, planks, and docks. See attached Exhibit B, Aerial Photos of Site. The great majority of the upland portion of the Site is covered by paved parking that serves the marina uses on site.
- J. Topography. The Site slopes up from the Columbia River to the north towards Marine Drive to the south. City maps indicate that a portion of the Site close to the Columbia River bank has slope exceeding 25 percent. See Exhibit C, Hazards Map.
- K. Natural features. The Columbia River to the north is the predominant natural feature of the Site. Most of the upland portion of the site is improved and covered with impervious parking surfaces. There is marginal streamside habitat of small bushes along the river as can be seen in Exhibit B, Aerial Photos of Site.
- L. Geologic hazards. The portions of the Site abutting and within the Columbia River within the Special Flood Hazard Area and 1996 Flood Inundation Area, are shown on the attached Exhibit C, Hazards Map. Also, portions of the Site closest to the river are mapped as having steep slopes and high earthquake hazard.
- M. Transportation accessibility. The Site has frontage along Marine Drive and the Columbia River. The Site is also adjacent to the Portland Airport (PDX), near the Columbia Boulevard Freight Corridor, and near rail facilities abutting Columbia Boulevard. This portion of Marine Drive is not served by TriMet or other mass transit.
- N. Fire and police. The Site is served by City of Portland Police Northeast Precinct and the City of Portland Fire District #8 PDX (Port of Portland).
- O. Water. The Site abuts water facilities in N.E. Marine Drive, as shown on the attached Exhibit D, Access to Public Facilities.
- P. Sewage disposal. The Site abuts a sewer line in N.E. Marine Drive, as shown on the attached Exhibit D, Access to Public Facilities.
- Q. Noise. The Site is across the street from the terminus of a PDX runway. It is in the noise impact overlay of PDX and routinely subjected to noise events above 65 dBA. See attached Exhibit E, Airport Noise Contour Map.

Policies of the proposed Compressive Plan that pertain to applicable site characteristics of the Site are listed, quoted, and analyzed in the following section.

Analysis of Applicable Comprehensive Plan Policies

Policy 10.4 - Comprehensive Plan Map. The Comprehensive Plan Map is the official long-range planning guide for uses and development in the city. The Comprehensive Plan Map uses the designations listed below. The designations state the type of area each is intended for, general uses and development types desired, and the corresponding zone or zones which implement the designation. Comprehensive Plan Map designations are shown on the Official Zoning Maps.

Policy Application to Site: This policy calls for the Comprehensive Plan map to be the official long-range planning guide for the City and states that the uses and development types appropriate for a site shall be driven by the Comprehensive Plan Map. It also indicates that corresponding zones should be used to implement the Comprehensive Plan designation. On this subject Site, the Comprehensive Map designation is changing to industrial. This Policy calls for the City to change the subject zoning to match the Comprehensive Plan Map – IG2 zone would be most appropriate.

Policy 6.6 - Competitive advantages. “Maintain and strengthen the city’s comparative economic advantages including access to a high-quality workforce, business diversity, competitive business climate, and multimodal transportation infrastructure.”

Policy Application to Site: This policy argues in favor of converting the Site to industrial zoning. It reflects the City’s interest in maintaining locations with key multi-modal transportation access for industrial uses because of the limited supply of such sites and their importance for maintaining Portland’s comparative economic advantages. The Site has adjacent proximity to the Columbia River shipping channel and the Portland Airport. The Site is also close to the Columbia Boulevard Freight Corridor and the rail access abutting Columbia Boulevard. This proximity to multi-modal transportation infrastructure has led to every other property in the vicinity of the Site being designated Prime Industrial land. See attached Zoning Map and Figure 6-1 in proposed Comprehensive Plan. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.7 - Business environment. “Use plans and investments to help create a positive business environment in the city and provide strategic assistance to retain, expand, and attract businesses.”

Policy Application to Site: The Site currently houses a small marina business. The current zoning of RF gives this local business no opportunity to grow, become an allowed use, or integrate into the greater Portland business community because it is a nonconforming use. From a redevelopment standpoint, the Site in the middle of Prime Industrial land and inclusion in future redevelopment for industrial use would be prohibited by the RF zoning. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.8 - Small business development. “Facilitate the success and growth of small businesses and coordinate plans and investments with programs that provide technical and financial assistance to promote sustainable operating practices.”

Policy Application to Site: The Site houses a small marina business that has operated at this location for decades. The current zoning of RF gives this local business no opportunity to grow because it is treated as a nonconforming use. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.11 - Economic role of livability and ecosystem services. “Conserve and enhance Portland’s cultural, historic, recreational, educational, food-related, and ecosystem assets and services for their contribution to the local economy and their importance for retention and attraction of skilled workers and businesses.”

Policy Application to Site: The Site currently houses a marina, which is classified as an outdoor recreation use by Portland’s Comprehensive Plan and Zoning Code. The current RF zone does not allow marinas either as an allowed or conditional use. The surrounding IG industrial zoning allows marinas as a conditional use. By misdesignating the site RF, the City is neither conserving nor enhancing the recreational asset on this Site by making it a nonconforming use. This policy argues in favor of designating the Site Industrial Sanctuary.

“Land development

“According to forecasts, Portland will continue to have relatively strong demand for employment land development. However, most of Portland’s land supply for employment growth is on land that has constraints or is already developed.

“Statewide Planning Goal 9 – Economic Development requires Portland to provide adequate long-term and short-term land supply for economic development and job growth, consistent with an Economic Opportunities Analysis. Forecasted demand for buildable land by 2035 includes 150 acres in the Central City, 1,350 acres in industrial districts, 690 acres in neighborhood business districts, and 370 acres for campus institutions.

“New directions to support Portland’s land supply for job growth include policies for adequate long-term and short-term development capacity, a targeted increase in brownfield redevelopment, incentives to maintain competitiveness in regional markets, and guidance for streamlining the City’s regulatory climate.”

“The new comprehensive plan identifies the City’s need to find more industrial land, facilitate brown field development of industrial land, and facility greater utilization of existing industrial lands. Re-designating the Site would further all three of these Land Development needs.”

Application to Site: The Land Development introductory language quoted above demonstrates Portland’s ongoing need for employment and industrial land. The City’s Economic Opportunity Analysis documents the deficit of industrial land in Portland and the need for more Industrial Sanctuary designated areas. Further, the Site’s existence as a residential area is a liability to development of the surrounding Prime Industrial land because the Comprehensive Plan and Zoning Code require additional mitigation on industrial sites that abut residentially designated land. This section argues in favor of designating the Site Industrial Sanctuary.

Policy 6.12 - Land supply. “Provide supplies of employment land that are sufficient to meet the long-term and short-term employment growth forecasts, adequate in terms of amounts and types of sites, available and practical for development.”

Policy Application to Site: The Site is approximately one acre in size and is well suited to add to the City’s industrial land supply because of its adjacent and proximate access to multi-modal transportation infrastructure. The upland portions of the Site are largely undeveloped with parking lots that serve the existing marinas dominating the site. The sites abut Marine Drive, which has city services available to serve the Site. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.13 - Land efficiency. “Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land.”

Policy Application to Site: The current land zoning of the Site provides no incentive for infill redevelopment in the area of the Site. The Site is an island of RF zoning surrounded exclusively by Industrially designated land in all directions. See Exhibit A, Zoning Map. The surrounding industrially designated properties are a mix of smaller and larger sites, ranging in size from .5 acres, to hundreds of acres. Because of the size required by most industrial users, a party looking to site infill, redevelopment, or intensification of use in this area would probably look to acquire multiple smaller parcels to enable consolidation. The presence of the RF zoned island in the middle of this industrial area prevents such infill, redevelopment, and intensification of potential industrial uses in this area. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.14 - Brownfield redevelopment. “Cleanup and redevelop 60 percent of brownfield acreage by 2035. Additional related policies are found in the Industrial and Employment Districts section of this chapter.”

Policy Application to Site: While the Site is not a pure brownfield site because of the marina use on the aquatic portion of the site, the upland areas are severely underutilized. Rezoning of the site to match abutting industrial properties would enable redevelopment of the subject site with surrounding small-acreage industrial sites. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.16 - Regionally-competitive development sites. “Improve the competitiveness of the vacant and underutilized sites located in Portland’s employment areas through the use of incentives and regional and state assistance for needed infrastructure and site readiness improvements.”

Policy Application to Site: The current land zoning of the Site hurts the competitiveness of the Site and surrounding vacant and underutilized industrial land in the area. The Site is an island of RF zoning surrounded exclusively by Industrially designated land in all directions. See Exhibit A, Zoning Map. The surrounding industrially designated properties are a mix of smaller and large sites, ranging in size from .5 acres to hundreds of acres. Because of the size required by most industrial users, a party looking to site infill, redevelopment, or intensification of use in this area would probably look to acquire multiple smaller parcels to enable consolidation. The presence of the RF zoned island in the middle of this industrial area makes these properties materially less competitive for potential industrial uses in this area. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.17 - Regulatory climate. “Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

“6.17.a. Assess and monitor cumulative regulatory costs to ensure that Portland is financially competitive with other comparable cities.

“6.17.b. Promote certainty for new development through appropriate allowed uses and “clear and objective” standards to permit typical development types without a discretionary review.

“6.17.c. Allow discretionary-review as a way to facilitate flexible and innovative approaches to meet requirements.

“6.17.d. Design and monitor development review processes to avoid unnecessary delays.

“6.17.e. Promote cost effective compliance with federal and state mandates, productive intergovernmental coordination, and avoid duplicative procedures when City policies can be achieved through other means.”

Policy Application to Site: The Site does not suffer from a lack of regulation. In addition to being an RF designated property that has no residence or farm, the Site contains C, H, S, and X overlays to protect natural resources, scenic resources, and mitigate airport impacts. Because of the adjacent proximity to the Columbia River, the Site is also subjected to regulatory regimes of the Oregon Department of Environmental Quality, Oregon Department of State Lands, and U.S. Army Corps of Engineers. Each of these regulatory regimes serves their individual purposes, but it leads to a complex regulatory climate on the Site. Subjecting the Site to the RF zoning on top of these other regulations makes the site potentially unusable for redevelopment and hurts the

employment growth opportunity along Marine Drive. This policy argues in favor of designating the Site Industrial Sanctuary.

“Traded sector competitiveness

“Global trends have put increasing pressure on regions to strengthen their competitiveness for traded-sector growth, which drives regional prosperity. Traded sectors are local businesses of all sizes that export goods and services and compete in markets outside of the region, bringing income and jobs into the region. These sectors have become more vulnerable and dynamic in the shifting global marketplace, as they reinvent their supply and distribution lines and concentrate activity in lower cost or higher productivity locations.”

“The following policies call for focusing limited resources on strategic traded sector specializations with growth prospects. This region’s growing export activity is concentrated in high tech and advanced manufacturing, where job growth has been modest but output growth continues to outpace the service sectors. Other growing export specializations include software, apparel, clean-tech, freight-hub distribution, and creative services. While these growing specializations are expected to shift over time with market changes, connecting existing and emerging local business with global markets helps bring new resources into the region.”

Application to Site: The Site’s RF zoning hinders the ability of the City to capitalize on its Trader Sector cluster surrounding the Portland Airport. The Site is a unique opportunity for future traded sector development because of its proximity to unique multi-modal transportation assets and industrial cluster around the Portland airport. The site abuts the Columbia River Shipping channel and the Portland Airport. It is near the Columbia Boulevard Freight Corridor and the rail access abutting Columbia Boulevard. The current RF zoning on the site precludes use of the site for traded sector employment opportunities and is a liability to surrounding industrial properties because of the Site’s residential zoning. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.21 - Traded sector competitiveness. “Align plans and investments with efforts to improve the city and regional business environment for traded sector and export growth. Participate in regional and statewide initiatives.”

Policy Application to Site: The current land zoning of the Site hurts the competitiveness of the Site and surrounding vacant and underutilized industrial land in the area, which are identified in local and regional plans as a key area for traded sector and export growth. The Site is an island of RF zoning surrounded exclusively by Prime Industrial land in all directions. See Exhibit 6-1 in proposed Comprehensive Plan. Because of the proximity to the Portland Airport and key terrestrial shipping assets, this area is identified by Metro and the City as a unique opportunity for traded sector competitiveness. The surrounding industrially designated properties are a mix of smaller and large sites, ranging in size from .5 acres to hundreds of acres. Because of

the size required by most industrial users, a party looking to site infill, redevelopment, or intensification of use in this area would probably look to acquire multiple smaller parcels to enable consolidation. The presence of the RF zoned island in the middle of this industrial area makes these properties materially less competitive for potential traded sector uses. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.22 - Clusters. “Align plans and investments with efforts that direct strategic business development resources to enhance the competitiveness of businesses in traded sector clusters.”

Policy Application to Site: The RF zoning of the subject site hinders the competitiveness of the industrial cluster surrounding the Portland Airport by introducing a residential zoning in the midst of Prime Industrial land. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.23 - Trade and freight hub. “Encourage investment in transportation systems and services that will retain and expand Portland’s competitive position as a West Coast trade gateway and freight distribution hub.”

Policy Application to Site: Transportation fees and improvements associated with development around the Portland Airport industrial area is a key component to improving transportation infrastructure in that area. The Columbia Boulevard Freight Corridor, the Columbia River, PDX, and the nearby rail line are key links in this infrastructure. Having an RF designated property in the midst of this Prime Industrial land area hinders development in the area, which thereby discourages investment in the surrounding transportation infrastructure. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.28 - East Portland job growth. “Improve opportunities for East Portland to grow as a business destination and source of living wage jobs.”

Policy Application to Site: The subject site houses a small marina in East Portland. The RF zoning makes expansion of this marina or redevelopment of this property with abutting industrial properties impossible. The current zoning discourages business opportunities in and around this East Portland Site. This policy argues in favor of designating the Site Industrial Sanctuary.

“Industrial and Employment Districts

“Portland is the core of the region’s distribution and diverse manufacturing economy, including the state’s (and the Columbia River Basin’s) largest seaport, rail hub, and airport. Established “industrial sanctuaries” meet the needs of manufacturing and distribution firms for medium to large sites, and are buffered from housing. Other types of employment areas include flex space developments, incubator districts for emerging local businesses, industrial headquarters offices, and dispersed neighborhood employment areas. The businesses in these districts

are a primary source of Portland’s middle-wage jobs, upward mobility opportunities, and traded sector activity (See Figure 6-1).”

“Looking forward to 2035, new strategies are needed to expand capacity for employment growth while also meeting environmental and other objectives. The policies below call for new tools to accelerate brownfield redevelopment, make freight investments that expand market access and industrial land intensification, more effectively protect prime industrial land, and strategically expand industrial and flexible neighborhood employment areas.”

Application to Site: The introductory language for the Industrial and Employment Districts section of the Comprehensive Plan reflects the key asset of the Portland Airport and Columbia River for industrial and employment uses. It also notes the need to buffer industrial sanctuaries from housing and the need to protect Prime Industrial land. The Site is underutilized based on its proximity to the key assets of the Columbia River and Portland Airport. Further, the residential zoning of the property is a liability for surrounding industrial properties because of the potential for conflict between residential and industrial uses. This policy notes the need for buffers between such uses. This section argues in favor of designating the Site Industrial Sanctuary.

Policy 6.34 - Industrial land. “Provide industrial land that encourages industrial business retention, growth, and traded sector competitiveness as a West Coast trade and freight hub, a regional center of diverse manufacturing, and a widely accessible base of family-wage jobs, particularly for under-served and underrepresented people.”

Policy Application to Site: The current land zoning of the Site hurts the ability of the Site and surrounding industrial land to maintain and improve businesses and traded sector competitiveness in the area, which is identified in local and regional plans as a key area for traded sector and export growth. The Site is an island of RF zoning surrounded exclusively by Prime Industrial land in all directions. See Exhibit 6-1 in the proposed Comprehensive Plan. Because of the proximity to the Portland Airport and key terrestrial shipping assets, this area is identified by Metro and the City as a unique opportunity for traded sector competitiveness. The surrounding industrially designated properties are a mix of smaller and large sites, ranging in size from .5 acres to hundreds of acres. Because of the size required by most industrial users, a party looking to site infill, redevelopment, or intensification of use in this area would probably look to acquire multiple smaller parcels to enable consolidation. The presence of the RF zoned island in the middle of this industrial area makes these properties materially less competitive for potential traded sector uses. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.35 - Industrial sanctuaries. “Protect industrial land as industrial sanctuaries identified on the Comprehensive Plan Map primarily for manufacturing and distribution uses and to encourage the growth of industrial activities in the city.”

Policy Application to Site: The Site is surrounded by the Prime Industrial Areas of Columbia Boulevard and Portland International Airport. The Site is the only land not designated Prime Industrial area in the vicinity immediately to the northwest of the Portland Airport. See Proposed Comprehensive Plan Figure 6-1. The Site's RF zoning is a residential zoning. This poses a risk to the surrounding prime industrial area. If a residence or residences were sited on the Site in the future, this would likely be a source of conflict with surrounding industrial users or employers considering siting industrial or employment uses on the adjacent and nearby industrial lands. Further, the presence of the residential zoning of the Site by itself triggers additional requirements for surrounding industrial lands to mitigate potential impacts. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.36 - Prime industrial land retention. "Protect the multimodal freight-hub industrial districts at Portland Harbor, Columbia Corridor, and Brooklyn Yard as prime industrial land (see Figure 6-1) that is prioritized for long-term retention:

"6.36.a. - Strictly limit quasi-judicial Comprehensive Plan Map amendments that convert prime industrial land and consider the potential for amendments to otherwise diminish the economic competitiveness or viability of prime industrial land.

"6.36.b. Limit conversion of prime industrial land through land use plans, regulations, or public land acquisition for non-industrial uses, especially land that can be used by river-dependent and river-related industrial uses.

"6.36.c. Identify how regulations affect the capacity, affordability, and viability of industrial uses, and minimize those impacts.

"6.36.d. Strive to offset the reduction of development capacity as needed, with additional prime industrial capacity that includes consideration of comparable site characteristics."

Policy Application to Site: The Site is suited to bolster the Prime Industrial capacity as called for by Policy 6.36.d. The Site is surrounded by Prime Industrial land as shown in Proposed Comprehensive Plan Figure 6-1 and contains the same site characteristics as those surrounding industrial lands which make it well suited for Industrial zoning. Those characteristics suited for Prime Industrial zoning include, but are not limited to the following:

- Adjacent proximity to the Portland Airport
- Frontage along the Columbia River for potential future river-related use
- Adjacent proximity to existing Prime Industrial lands
- Availability of urban services, including multi-modal transportation facilities, water service, and sewer service in Marine Drive
- Proximate location to Columbia Boulevard Freight Corridor

- Proximate location to rail lines

This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.38 - Industrial land use intensification. “Encourage reinvestment and intensification of industrial land use, as measured by output and throughput per acre.”

Policy Application to Site: Several parcels abutting the site to the east and west are under an acre in size and would likely need to be consolidated to facilitate an industrial use north of Marine Drive. The presence of this RF designated Site in the middle of these small to mid-sized industrial parcels severely hinders the redevelopment potential in this area for industrial land uses. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.42 - Multimodal freight corridors. “Encourage freight-oriented industrial development to locate where it can maximize the use of and support reinvestment in multimodal freight corridors.”

Policy Application to Site: The Site is uniquely situated with access to existing multimodal freight corridors presented by the Portland Airport, Columbia River, Columbia Boulevard and nearby rail access. The RF zoning of the site prevents freight-oriented development on the Site and hinders freight-oriented development on nearby industrial sites. This policy argues in favor of designating the Site Industrial Sanctuary.

In addition to the industrial lands policies discussed above, assessment of the Housing policies in Chapter Six of the proposed Comprehensive Plan shows that the Site is not appropriate for RF or any other residential zoning.

Policy 6.49 - Residential and commercial reuse. “Facilitate compatible industrial or employment redevelopment on residential or commercial sites that become available for reuse if the site is in or near prime industrial areas, and near a freeway or on a freight street.”

Policy Application to Site: The Site is in the Middle of the Prime Industrial area surrounding the Portland Airport and Columbia Boulevard. Currently, the Site houses two marinas which are classified as an outdoor recreation use, which falls within the commercial umbrella of use categorization in the City of Portland’s Comprehensive Plan and Zoning Code. The properties abutting the Site are exclusively designated and zoned for industrial use and are included within the City of Portland’s Prime Industrial areas as mapped on Exhibit 6-1 in the Proposed Comprehensive Plan. Redesignating the Site to industrial will enable future development with an industrial use. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 6.52 - Neighborhood buffers. “Maintain and enhance major natural areas, open spaces, and constructed features as boundaries and buffers for the Portland Harbor and Columbia Corridor industrial areas.”

Policy Application to Site: This Policy reflects the need to buffer residential areas from industrial areas. The Site is currently designated residential and surrounded by Prime Industrial land near the Columbia Corridor and Portland Airport. There is no ability to insert a natural or other buffer between the Site and the abutting industrial properties. This policy notes the need for buffers between such uses. This section argues in favor of designating the Site Industrial Sanctuary.

“Goal 5.C: Healthy connected city

“Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe convenient affordable multimodal transportation.”

Goal Application to Site: The Site is an island of residentially designated land that has no nearby commercial amenities, public transit, town centers, or town corridors. The only opportunity for a resident to build a home on the Site would be to commute to work and to necessary commercial sites by automobile. The dearth of commercial uses such as grocery stores, dry cleaners, restaurants, and the like in the area around the Site would necessitate long automobile trips to accommodate a residential user on the Site. A residence on the Site would be a liability to the surrounding industrial properties, as a source of complaints for air, noise, and other impacts from employment and industrial uses. This policy argues in favor of designating the Site Industrial Sanctuary.

“Housing location

“The Portland Plan’s Healthy Connected City strategy provides policy guidance to expand opportunities for Portlanders to live in complete communities offering a mix of desirable services and opportunities. Housing that is located in a walkable neighborhood near active transportation, employment centers, open spaces, high-quality schools and various services and amenities enhances the general quality of life for its residents. Neighborhoods in Portland offer varying levels of opportunity (See Figure 5-1), with housing in high opportunity neighborhoods tending to be expensive compared to more affordable housing in areas that offer fewer opportunities. However, there are also small parts of Portland that are lacking in both opportunities as well as quality affordable housing units.”

The Site is designated as a Low Opportunity site on the Housing Opportunity Map, Figure 5-1 in the Proposed Comprehensive Plan. In fact, the Site is one of the furthest sites in that City from a medium or high scoring Housing Opportunity area. This is because of the dearth of appropriate services available to support housing in the vicinity of the Site. There are little to no commercial services, schools, transit opportunities, or usable open space near the Site.

Application to Site: The housing location introductory language reflects the importance of proximate transportation, open spaces, schools, and amenities to housing. The site offers none of these things because it is surrounded by industrial land. There are no convenience stores, bus stops, or schools within walking distance of the Site. This section argues in favor of designating the Site Industrial Sanctuary.

Policy 5.19 - Access to opportunities. “Improve equitable access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities in areas with high concentrations of under-served and underrepresented populations and an existing supply of affordable housing.”

Policy Application to Site: This policy reflects the importance of access to transportation, open spaces, schools, and amenities for housing. The site offers none of these things because it is surrounded by industrial land. There are no convenience stores, bus stops, or schools within walking distance of the Site. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 5.20 - New development in high opportunity areas. “Locate new affordable housing in areas that are opportunity rich in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities (see Figure 5-1: Housing Opportunity Map).”

Policy Application to Site: This policy calls on the City to locate new affordable housing near transportation opportunities, open spaces, schools, and amenities for housing. The Site offers none of these things because it is surrounded by industrial land. There are no convenience stores, bus stops, or schools within walking distance of the Site. The Site is designated as a low housing opportunity area by Figure 5-1 in the proposed Comprehensive Plan. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 5.25 - Housing cost burden. “Evaluate plans and investments for their impact on household cost, and consider ways to reduce the combined cost of housing, utilities, and/or transportation.”

Policy Application to Site: This policy calls on the City to evaluate costs imposed on households by housing policies. One of those costs is the anticipated money that is required when housing is sited in a location with no public transit options. The Site’s location on Marine Drive is not served by TriMet or any other public transit. There are no convenience stores, bus stops, or schools within walking distance of the Site, which will lead to long vehicle trips from the Site. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 5.33 - Compact single-family options. “Encourage development and preservation of small resource-efficient and affordable single family homes in all areas of the city.”

Policy Application to Site: This policy calls for compact housing in Portland. The Site is approximately one acre in size and two legal lots of record. If housing could be located on the Site, it would be at most two houses because of the RF zoning. This is an inefficient use of land and contrary to Policy 5.33. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 5.41 - Housing quality. “Encourage housing that provides high indoor air quality, access to sunlight and outdoor spaces, and is protected from noise, pests, hazardous environmental conditions, and materials.”

Policy Application to Site: The Site in the middle of a Prime Industrial area and near the end of one of the Portland Airport’s runways. The proximity to potential industrial uses, with the anticipated noises, smells, and emissions makes the Site inappropriate for residential use. Further, the necessary noise from the Portland Airport makes it unlikely that the Site can provide quality housing as called for by Policy 5.41. The Site routinely experiences noise exceeding 65 dBA. See attached Exhibit E, Airport Noise Contour Map. This policy argues in favor of designating the Site Industrial Sanctuary.

Policy 5.44 - Walkable surroundings. “Encourage active transportation in residential areas through the development of pathways, sidewalks, and high-quality onsite amenities, such as secure bicycle parking.”

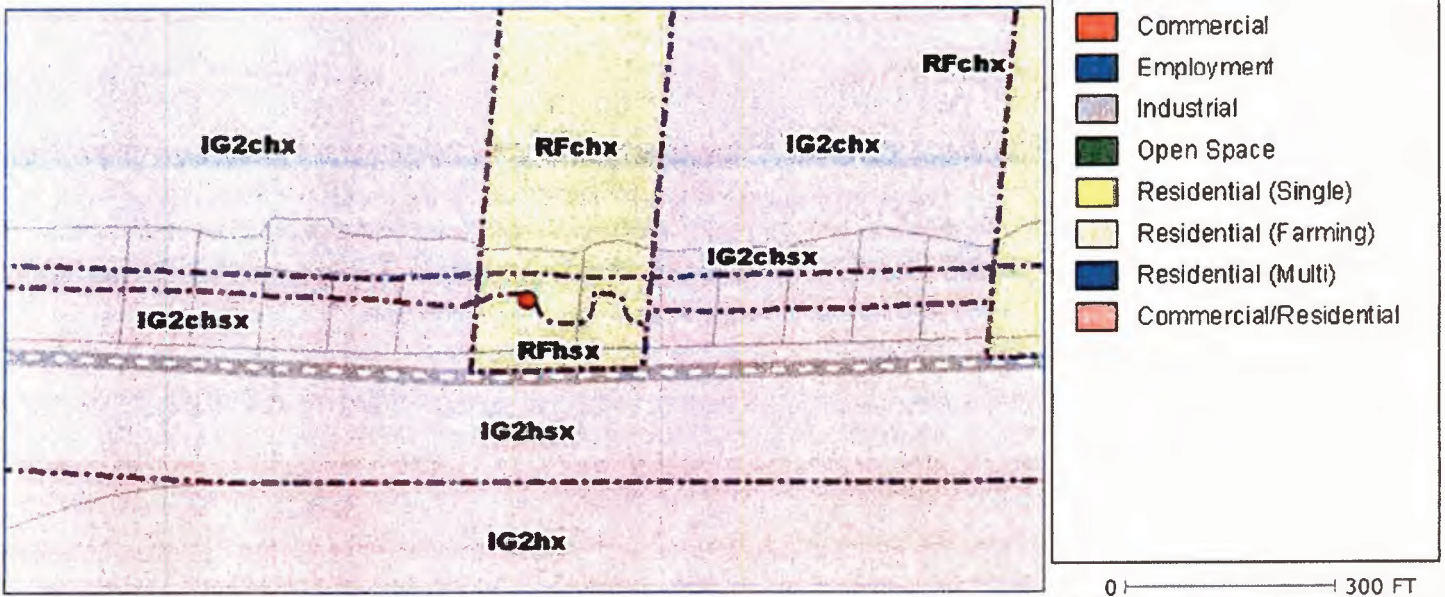
Policy Application to Site: The Site is only served by road without bicycle or walking pathways. See attached Exhibit B, Aerial Photographs. There is insufficient right-of-way and room in this area to add these amenities. This policy argues in favor of designating the Site Industrial Sanctuary.

Conclusion

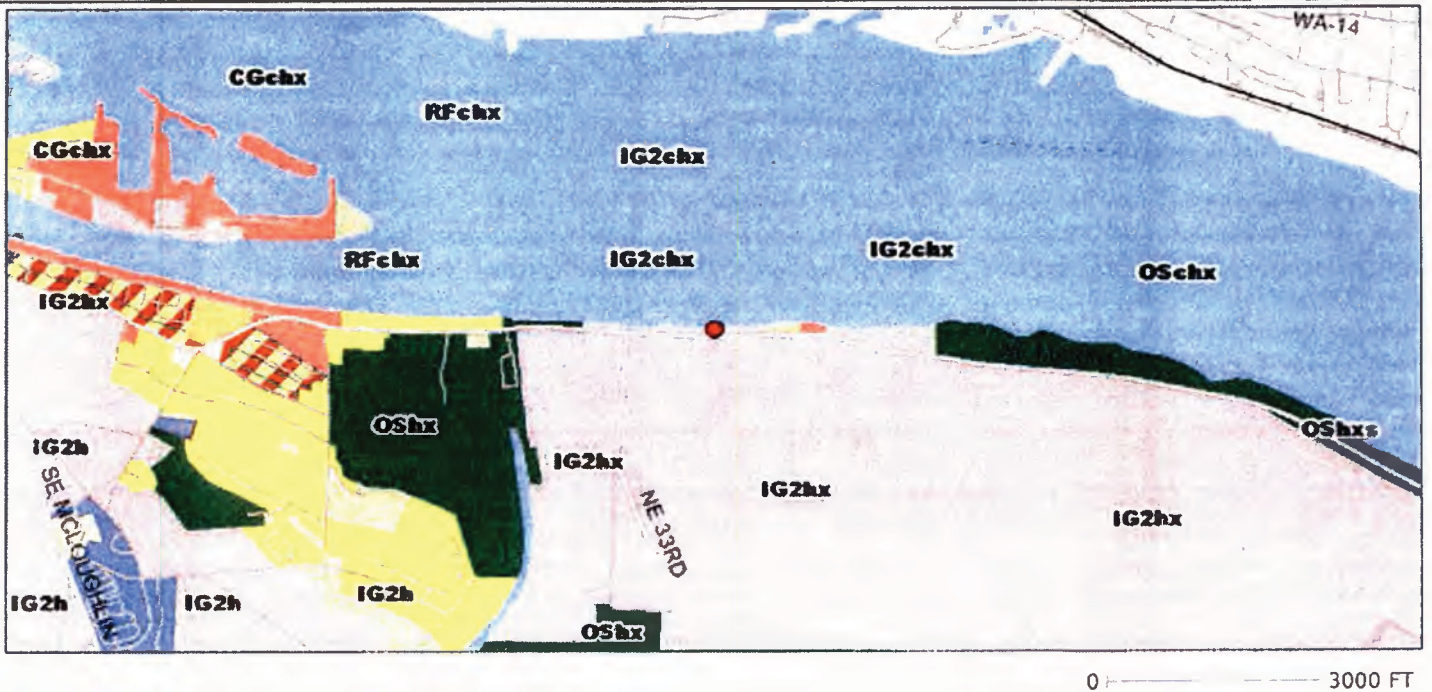
The Site characteristics of the property at 3333 and 3335 N.E. Marine Drive in Portland, as analyzed in relation to the appropriate Comprehensive Plan policies, show that the Site should be zoned industrial, with the IG2 zone being most appropriate to match the other properties surrounding the Site. This conclusion is largely driven by the multi-modal transportation assets proximate to the Site and the detrimental impact that the Site’s RF zoning on surrounding Prime Industrial land.

Zoning

Exhibit A - Zoning Map, page 1



Zone	RF (Residential Farming)	Plan District	Portland International Airport Plan District
Overlay	c, x, h	NRMP District	
Comp Plan	RF	Historical Resource Type	
Comp Plan Overlay		Historic District	
Zoning Map	1934	Conservation District	
Urban Renewal Area		Wellhead Protection Area	No





Aerial Photo

Exhibit B - Aerial Photos of Site, page 2

2012 / '11 / '10 / '09 / '08 / '07 / '06 / '05 / '04 / '03 / '02 / '01 6" / 2' / 4' / 10' / 20' Streets: Off Lots: On Dot: On



0 ————— 50 FT

Exhibit B - Aerial Photos of Site, page 3

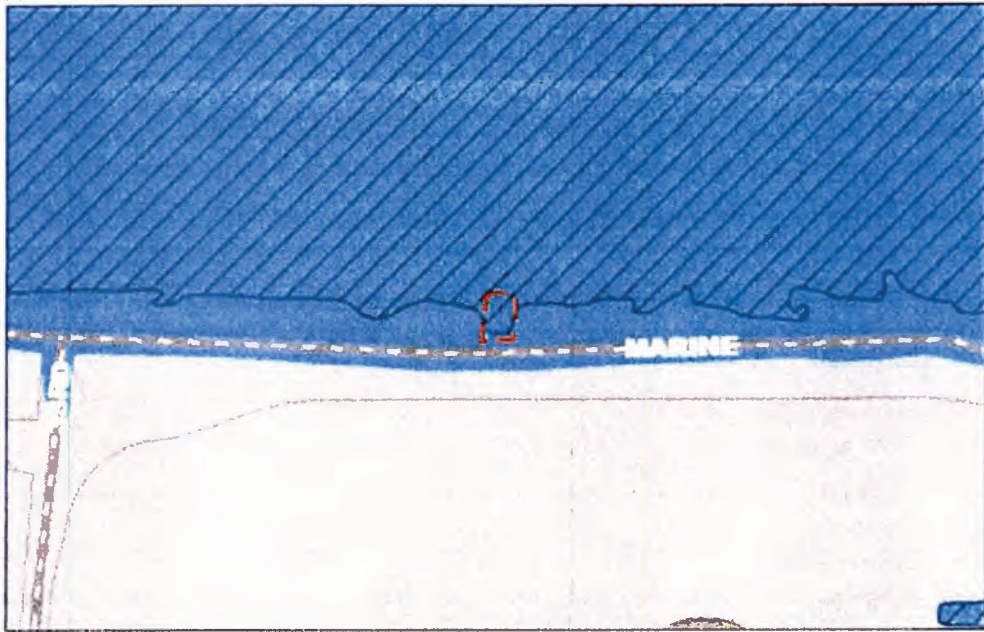
Aerial Photo (2011)



Exhibit C - Hazard Maps, page 1

Flood Hazards: FEMA Special Flood Hazard Area (SFHA) & 1996 Flood Inundation Area

Is this property within 50' of the SFHA? Yes



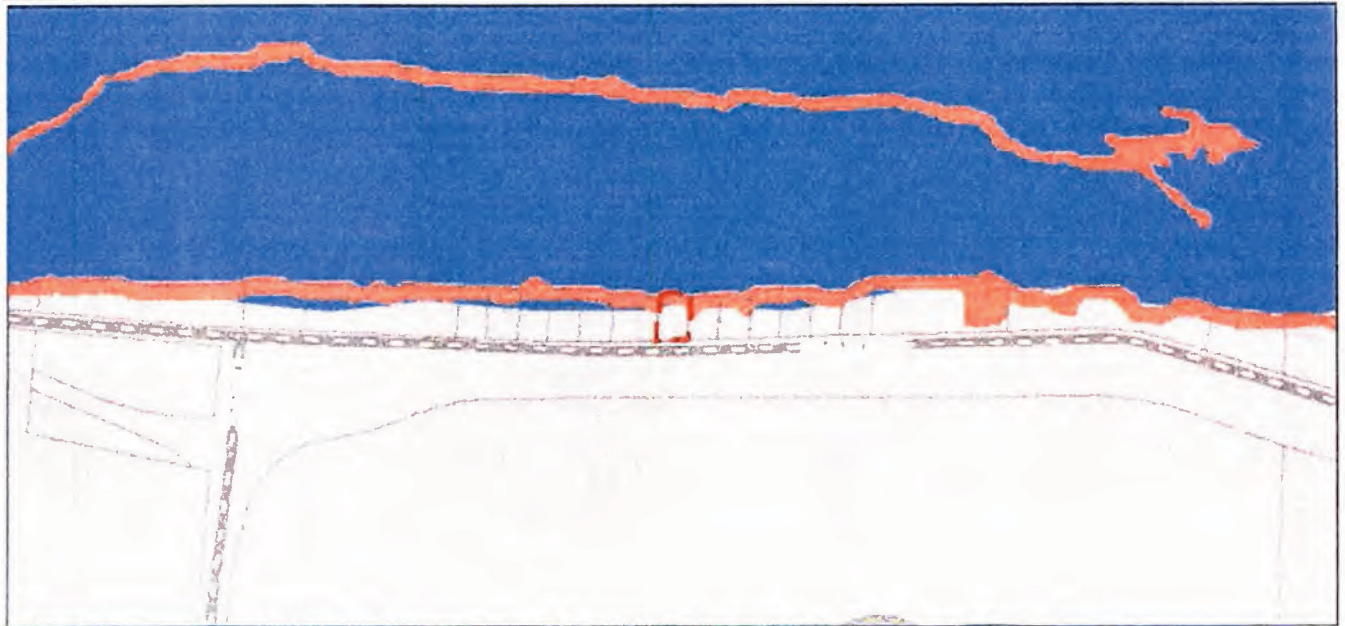
- special flood hazard area*
- 1996 flood inundation area

* also referred to as the 100-year floodplain

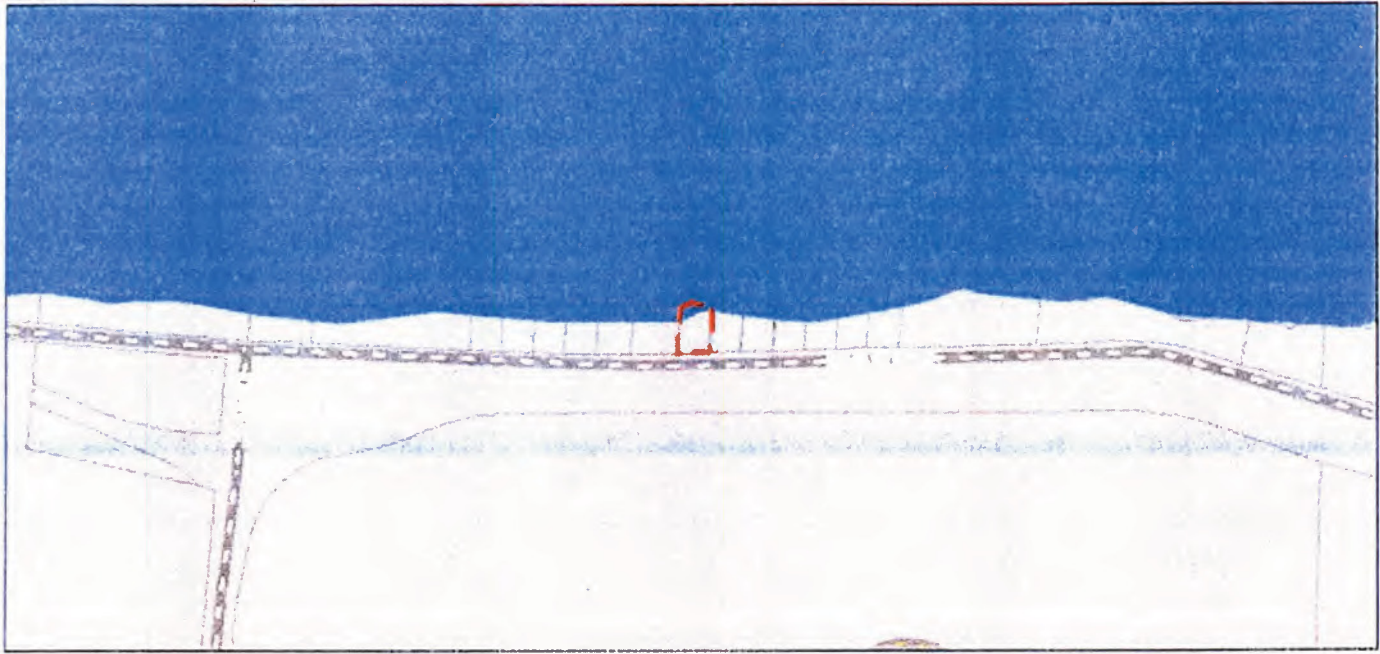
0 700 FT

Steep Slope (25%)

On Steep Slope Yes



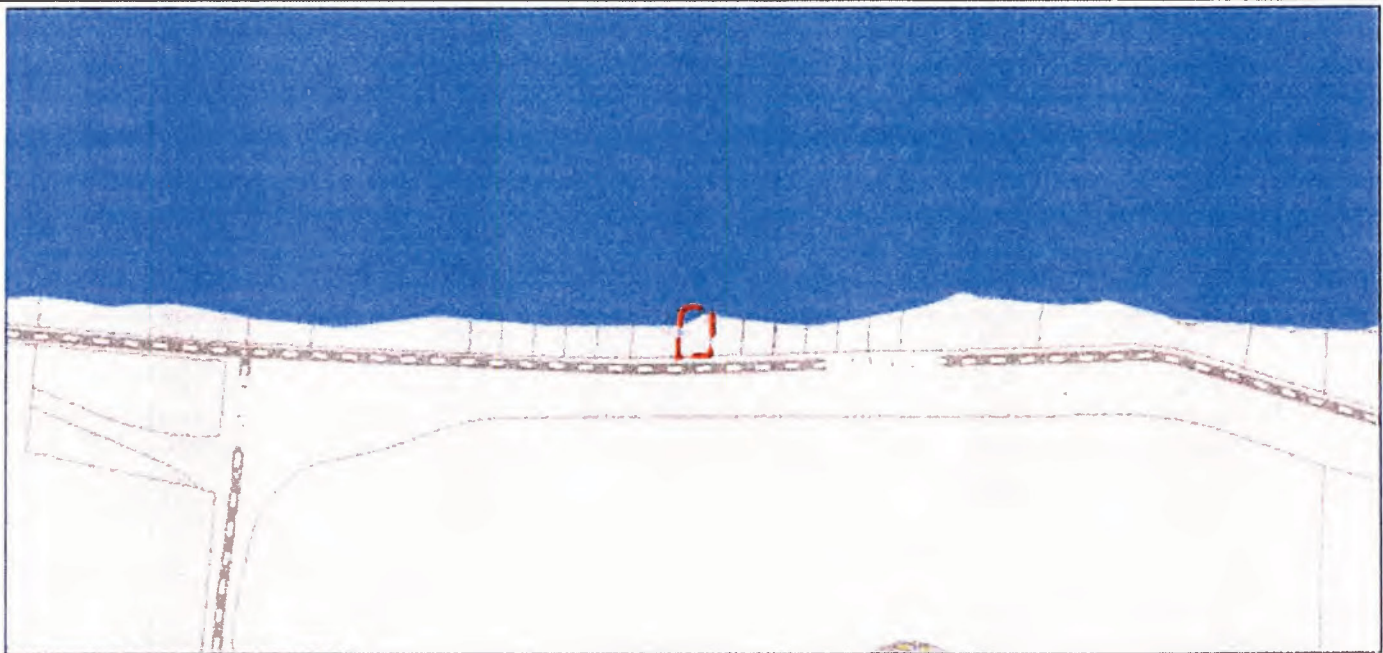
0 700 FT



0 |—————| 700 FT

Wild Lands Fire Hazard

Wild Fire Hazard | No



0 |—————| 700 FT

Earthquake Hazard

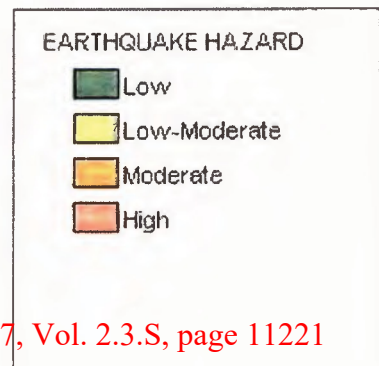
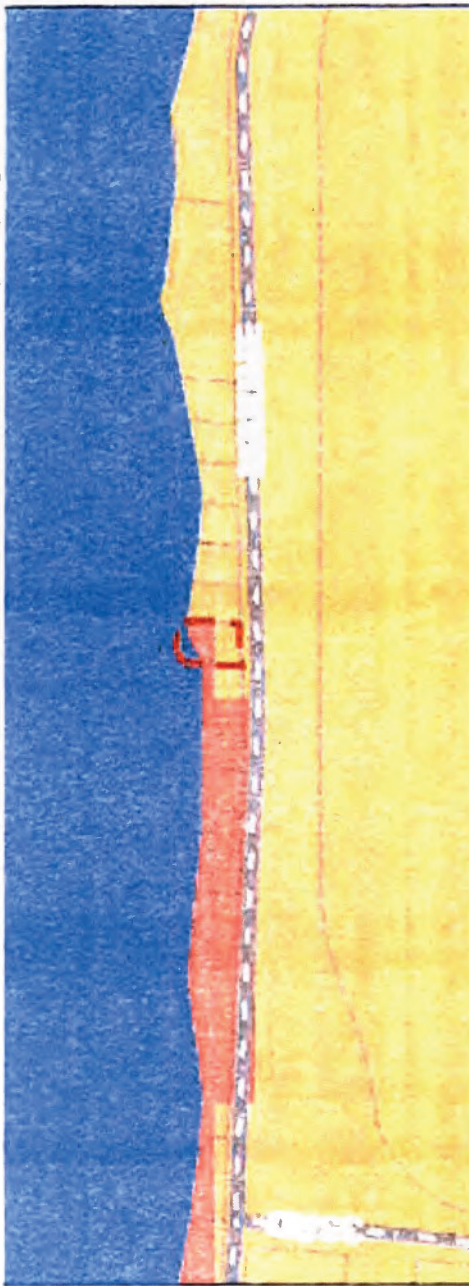
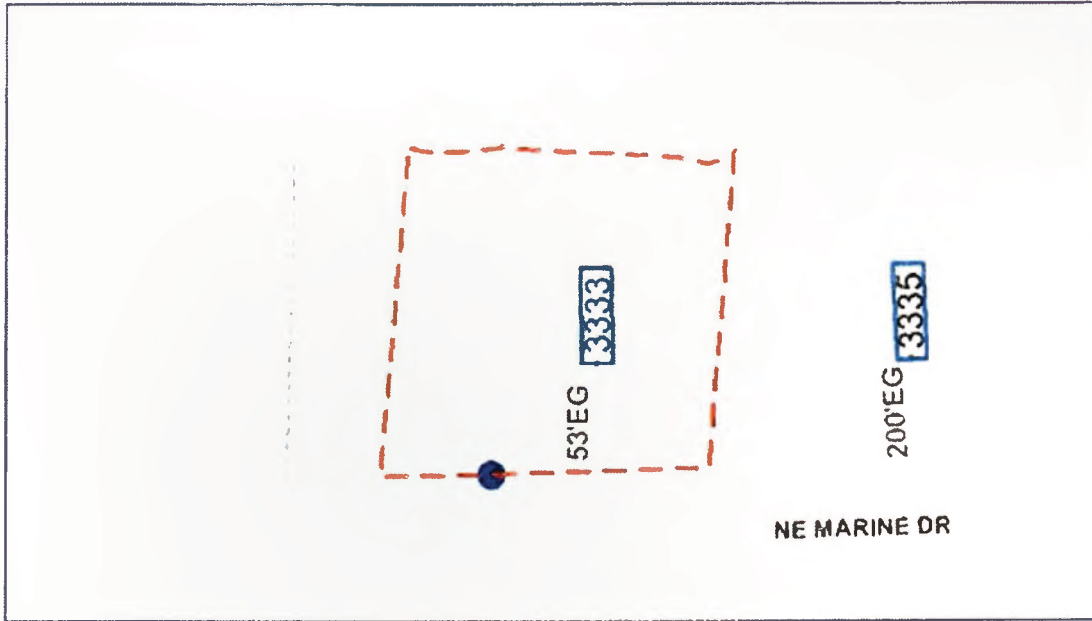


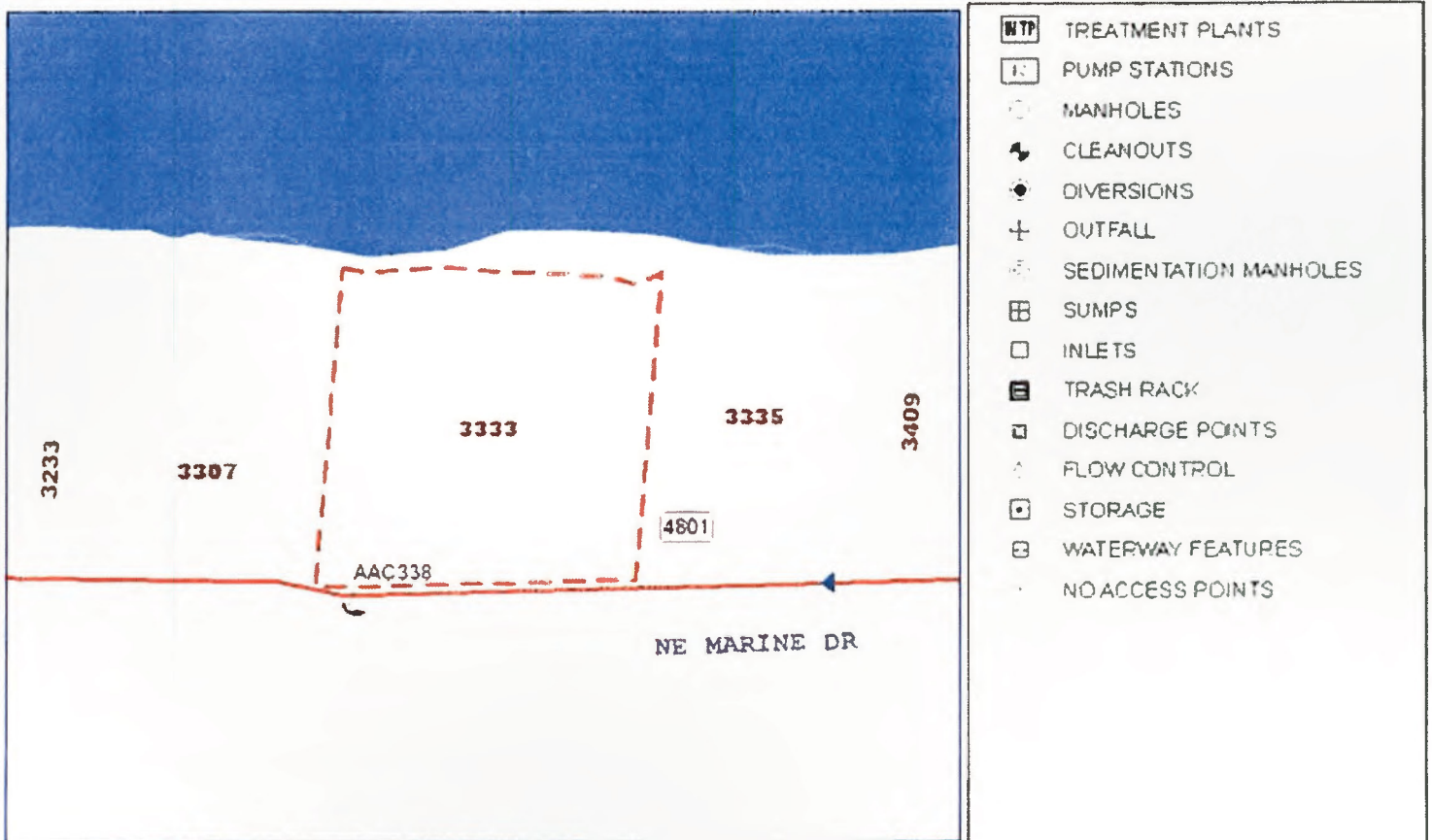
Exhibit C - Hazard Maps, page 3





This map depicts the approximate location of water facilities located in the public right-of-way; the actual physical location can only be established by requesting a free utility locate. Call the Oregon Utility Notification Center by dialing 811. Location of water piping on privately owned property is unknown to the Portland Water Bureau, and is shown for illustrative purposes only.

Sewer System



3333 NE MARINE DR - PORTLAND

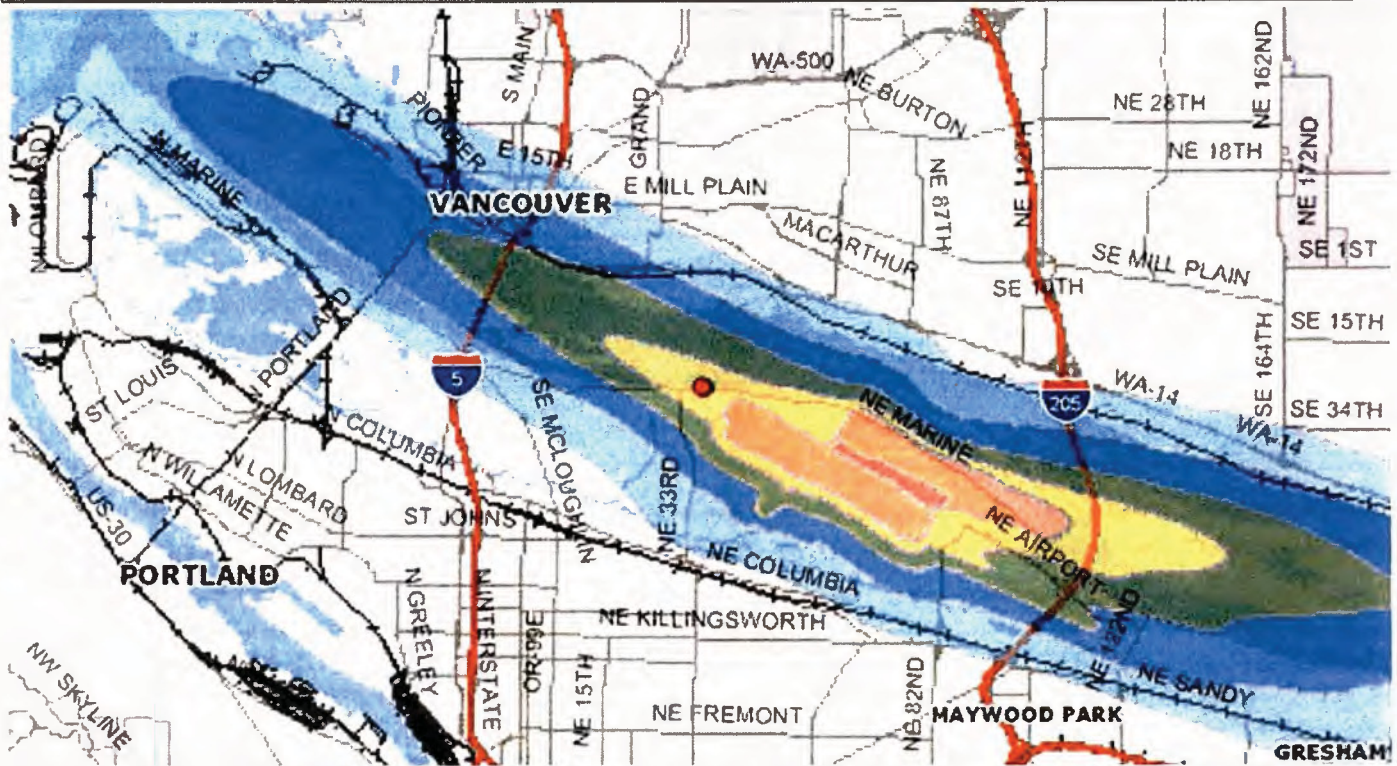
[Explorer](#) | **Property** | [Maps](#) | [Projects](#) | [Crime](#) | [Census](#) | [Environmental](#) | [Transportation](#)

[Summary](#) | [Assessor](#) | [Permits/Cases](#) | [Block](#) | [Schools](#) | [Parks](#) | [Development](#) | [Garbage/Recycling](#) | **Noise** | [Historic Permits](#) | [Water](#) | [Documents](#)

Portland International Noise DNL Contour

The contour is driven by the loudest aircraft that utilizes the airport on a regular basis. DNL (Day-Night Average Sound Level) - Noise contours are expressed using the DNL descriptor, which is the 24 hour average sound level, in decibels, obtained from the accumulation of all events over the period of a year, with the addition of 10 decibels to sound levels during the FAA defined nighttime hours (10 p.m. to 7 a.m.), when background ambient noise levels are typically lower. Ldn is another symbol for DNL.

Within Contour Area	Yes / 55 DNL
---------------------	--------------

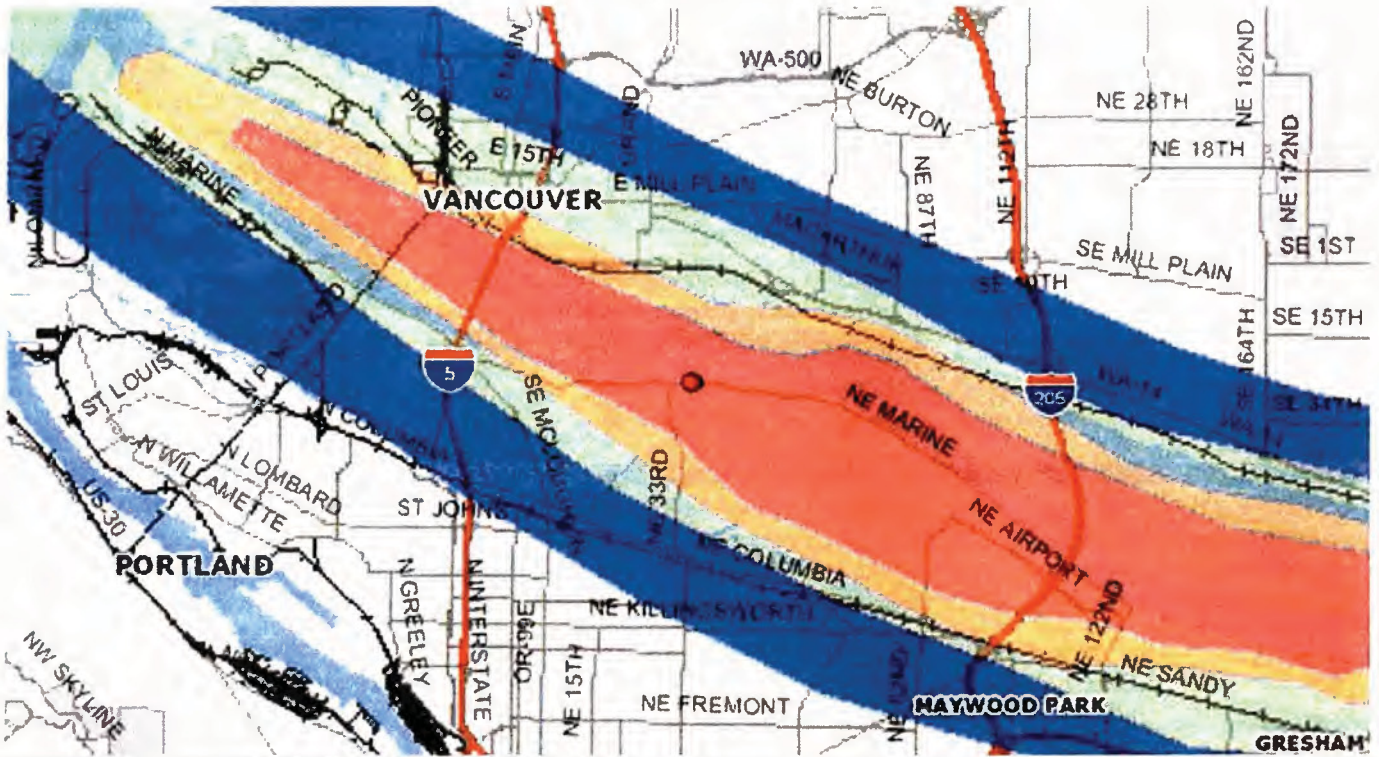


The Portland International Airport publishes a wealth of information related to noise management and other activities. The following link can be used to access more information: [PDX Noise Management Information](#)

Portland International Noise Events Above 65 dBA

Depicts the number of events above 65 dBA per day that a resident can expect given their location, based on an average.

Events Above 65 dBA	10
---------------------	----



The Portland International Airport publishes a wealth of information related to noise management and other activities. The following link can be used to access more information: [PDX Noise Management Information](#)

Portland International Noise Time Above 65 dBA

Depicts the time above 65 dBA in minutes per day that a resident can expect given their location, based on an average.

Time Above 65 dBA 60 minutes

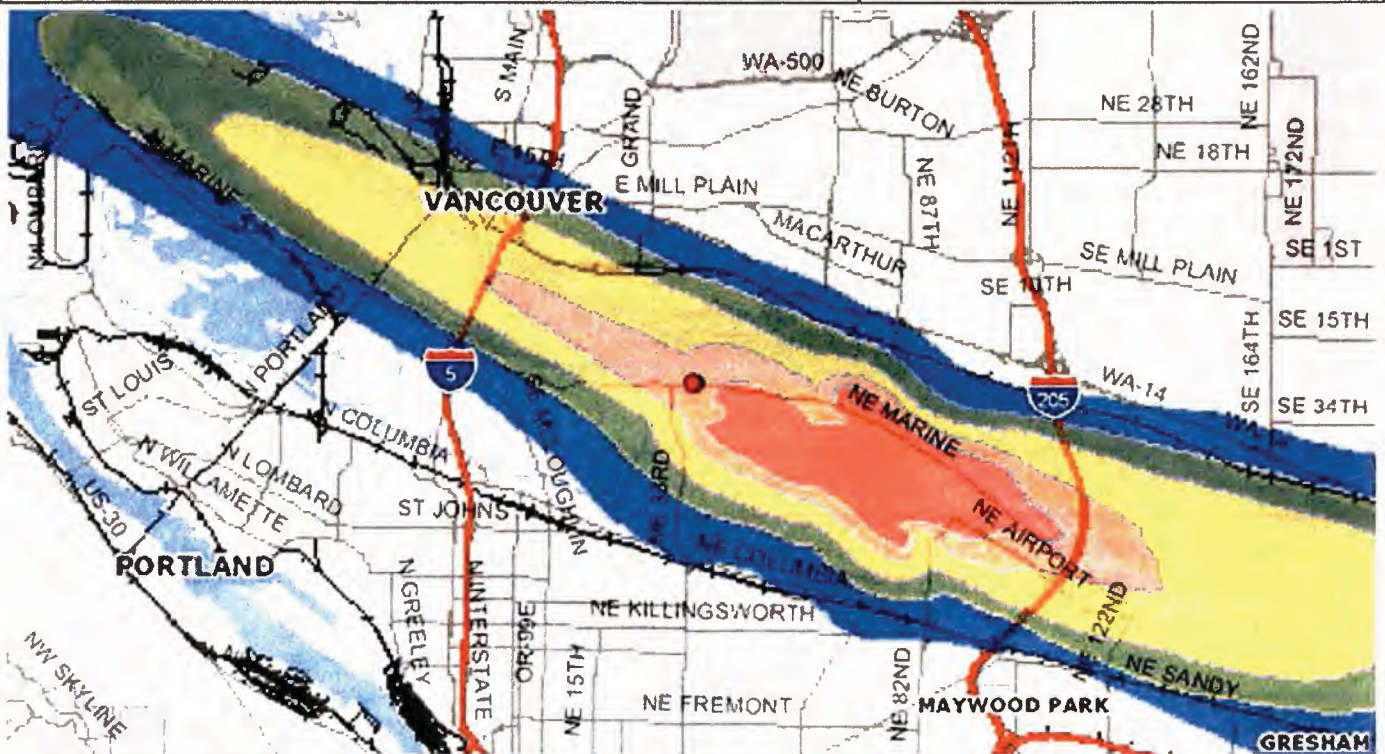


Exhibit E - Airport Noise Contour Maps, page 3

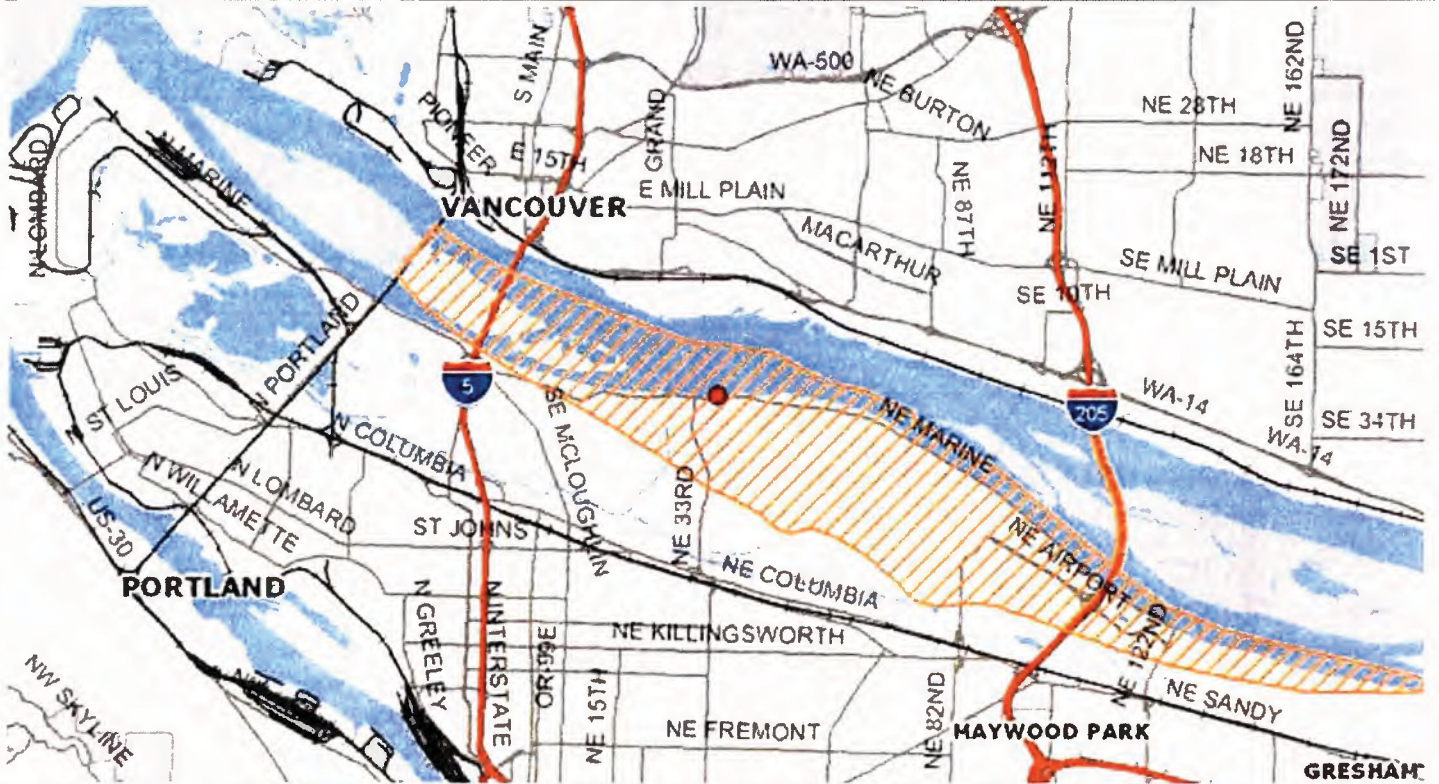
The Portland International Airport publishes a wealth of information related to noise management and other activities. The following link can be used to access more information: [PDX Noise Management Information](#)

Portland International Airport Noise Impact Zone

The Portland International Noise Impact overlay zone reduces the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport. The zone achieves this by limiting residential densities and requiring noise insulation, noise disclosure statements, and noise easements.

For more information refer to: [Portland International Airport Noise Impact Zone \(Zoning Code\)](#)

Within Noise Impact Zone	Yes
--------------------------	-----



The Portland International Airport publishes a wealth of information related to noise management and other activities. The following link can be used to access more information: [PDX Noise Management Information](#)

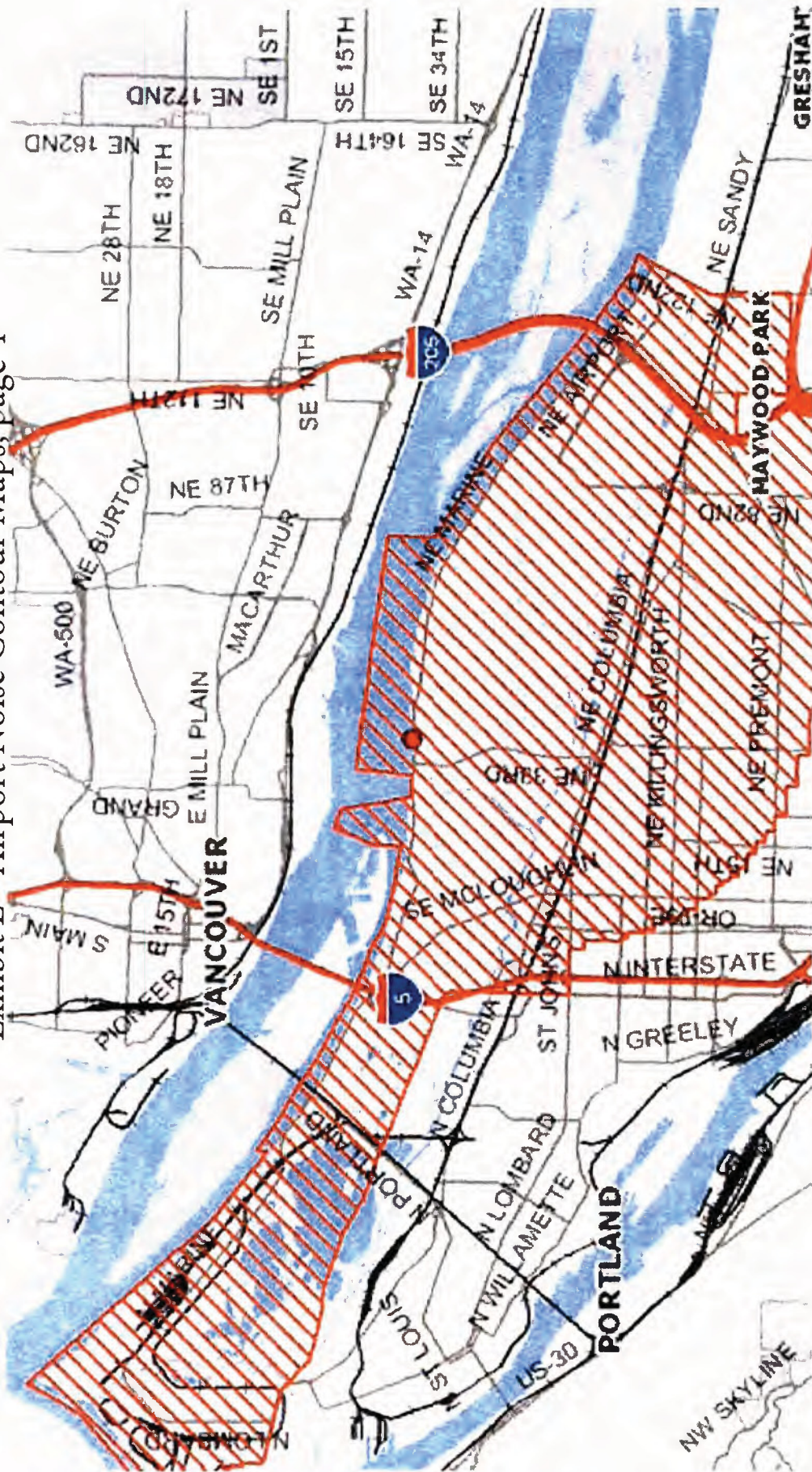
Aircraft Landing Overlay Zone

The Aircraft Landing overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structure and vegetation.

For more information refer to: [Aircraft Landing Zone \(Zoning Code\)](#)

Within Height Impact Zone	Yes
---------------------------	-----

Exhibit E - Airport Noise Contour Maps, page 4



City of Portland, Corporate GIS


7/31/2014

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF PORTLAND MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF PORTLAND EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF PORTLAND SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED BY THE USER OF THE APPLICATIONS. FOR UPDATED INFORMATION ABOUT THE MAP DATA ON PORTLANDMAPS PLEASE REFER TO [WWW.PORTLANDMAPS.COM](http://www.portlandmaps.com) FOR QUESTIONS ABOUT ASSESSMENT INFORMATION PLEASE CONTACT THE COUNTY ASSESSORS OFFICE IN YOUR COUNTY.



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Date: October 23, 2015
To: Planning & Sustainability Commission
From: Mike Abbaté, Director 
cc: Commissioner Amanda Fritz, Patti Howard, Tim Crail, Brett Horner, Kia Selley
RE: Comments and Concerns on the Employment Zoning Project

Dear Planning and Sustainability Commissioners:

Portland Parks & Recreation (PP&R) appreciates the opportunity to address the Commission and provide our concerns with this proposal. We thank you for listening to our concerns and we also wish to thank the staff at the Bureau of Planning & Sustainability (BPS) for making significant improvements to the original proposal, which we found to be quite harsh and without adequate consideration of parks and open space needs in the City.

Briefly, our remaining concerns are as follows:

I. PARKS AND OPEN SPACE SHOULD REMAIN A PERMITTED USE – a Comprehensive Map Amendment should not be required where parks and open space needs exist, regardless of zone.

Parks have long been a permitted use in each and every zone. They are a highly compatible use to all other uses, and should not be considered less desirable than other land uses. Once vacant land and open space is built on, it very rarely reverts back to landscape – it's essentially lost for at least several generations. There are several areas in the proposed overlay where current residents do not have half-mile access to a developed park. A 2-acre park, which is exempt, may not be adequate to serve these areas, and the parcel that is going to be acquired for a park may be much larger than 2 acres. PP&R does not divide up larger properties and allow development on the rest because doing so is in fact, a potentially very costly proposition due to the land division process. **We ask that you direct staff to remove the requirement for a Comprehensive Map Amendment for Parks larger than 2 acres.**

Administration
1120 S.W. 5th Ave., Suite 1302
Portland, OR 97204
Tel: (503) 823-7529 Fax: (503) 823-6007

www.PortlandParks.org
Amanda Fritz, Commissioner
Mike Abbaté, Director

Sustaining a healthy park and recreation system to make Portland a great place to live, work and play.



Ord. 188177, Vol. 2.3.S, page 11228

2. PROVIDE CLARITY ON NATURAL AREAS BEING EXEMPT FROM THE PROPOSED CODE CHANGES.

Metro has made it clear in their letter to BPS on September 4, 2015 that they consider all natural areas exempt from the proposed overlay and new regulations. Parks will request that City Council ask Metro to clarify their Title 4 language so this is clear to all – the current Title 4 language is very prohibitive. We would ask that the Planning & Sustainability Commission (PSC) also ask City Council to pursue this with Metro, as BPS staff have indicated they are unwilling to do so. In the interest of avoiding future lawsuits, we ask that Title 4 be made more clear of Metro's intent. **We would also ask that BPS make it clear in the Employment Zoning Project and overlay proposal that natural area acquisition is exempt.** Currently, this is only referenced in the "commentary" and not in the actual code language. The commentary also requires the Bureau of Environmental Services (BES) to confirm that the natural area provides stormwater enhancement and represents a "stormwater facility." Many other entities purchase natural area in the slough area, including the two soil and water conservation districts, Metro, PP&R, and others. BES is not always involved in a particular acquisition. What is required of these other agencies? The code language, as proposed, is unclear. All natural areas, and indeed most developed parks, provide stormwater function and represent "stormwater facilities," and thus all should be made exempt from the proposal.

We remind both BPS, PSC, and City Council that the Council reviewed and accepted PP&R's Natural Areas Acquisition Strategy in 2006, which prioritizes the Columbia slough area as an area of the City much needed for natural area land acquisition to improve and restore the City's environmental health, habitat functions, and to address climate change.

3. HAVE THE CITY COUNCIL REQUEST THAT METRO (AGAIN) REVISE ITS TITLE 4 LANGUAGE.

PP&R will also ask that the City Council ask Metro to revise the misguided Title 4 language so that a Comprehensive Map Amendment is not required for a developed park or natural area. We question why Metro has stipulated that natural areas are exempt, but other parks are not. The slough area is one of the only places left in Portland where larger tracts of land are available for parks. Limiting them to 2 or even 10 acres is too restrictive, and prohibits the City's ability to provide larger developed parks where needed. **We ask the PSC to support this request of Metro as well.** Metro has already revised the language in Title 4 once in recognition that it is too restrictive, and was not properly vetted for deleterious and unintended effects. We ask that you closely read Metro's September 4, 2015 letter and ensure that all final language in both the Portland zoning code and Metro's Title 4 provides clarity and consistency.

Thank you for your consideration of these very important issues to Portland Parks & Recreation.

October 23, 2015

Planning and Sustainability Commission
1900 SW Fourth Avenue, Suite 7100
Portland, OR 97201

RE: Proposed Zoning Change for Montgomery Park from EX to EG

To Whom This May Concern:

The Board of Directors of the Bill Naito Company do not agree with the proposed zone changes at our Montgomery Park site, specifically at 2701 NW Vaughn Street, or State ID # N1E29D. The zone change proposed is from EX to EG.

The Board views this proposed zone change as a downgrade in zoning that adversely affects the site's flexibility for future development, notably residential, live/work and mix use.

The Bill Naito Company owns approximately 20 acres of contiguous land that sits on a natural bluff that overlooks the Guilds Lake industrial area to the north and is integrated with a residential community to the south. We believe that the zoning for our site should remain at EX because of the substantial size of the location near the city's downtown core (approximately 20 acres), under one ownership, and which is already integrated with the residential community. Loss of the EX zoning and the residential aspects that it provides reduces the planning options for our site and potentially its value.

We appreciate your consideration.

If you have additional questions, please contact Marc Fazio at 503-517-4338, or mfazio@billnaito.com. Mailing address is: Bill Naito Company, 2701 NW Vaughn Street, Suite 323, Portland, OR 97210

Sincerely,

Marc A. Fazio
CFO
Bill Naito Company



October 23, 2015

Mr. Steve Kountz
Portland Bureau of Planning & Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Re: Additional Comments on Employment Zoning Project

Dear Mr. Kountz:

Metro appreciates the opportunity to provide additional input on the City of Portland's Employment Zoning Project as it continues to evolve. Metro previously submitted comments on the Discussion Draft in a letter from Chief Operating Officer Martha Bennett dated September 4, 2015. We have now had the opportunity to review the city's revisions included in the Proposed Draft, and we were pleased to see that many of our comments are reflected in the latest draft, including several revisions to the zoning map that we requested.

Our remaining concerns fall into two categories: (1) some specific mapping issues related to the location of the Prime Industrial (PI) overlay zone, and (2) the broader concern raised in our previous comments regarding impacts on future Metro open space acquisitions if undeveloped natural areas become a prohibited use within the PI overlay.

First, closer review of GIS maps showing the specific location of the PI overlay indicates that the city's PI mapping still includes approximately 111 acres of Metro-managed open spaces, primarily in the vicinity of and adjacent to the Smith & Bybee Wetlands Natural Area. The attached maps depict the mapping discrepancies. We request that these pieces of land be removed from the PI overlay zone.

Second, we remain concerned regarding one of our proposed amendments that was not addressed in the city's latest proposed draft. Specifically, Section 33.475.080 continues to prohibit "open areas" within the PI overlay, which may adversely affect important target areas for protecting wildlife and habitat.

The Natural Areas Bond measure, passed by the voters of this region in 2006, directs Metro to buy land to protect clean water and wildlife habitat. The Columbia Slough is an important target area identified in the 2006 Bond for protecting wildlife and habitat, and is located within the PI overlay. Since the Bond's passage, Metro has made significant investments in this target area, consistent with the Refinement Plan the Metro Council passed in 2007. Additionally, Metro has awarded grants to the City of Portland to support

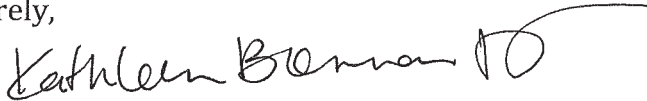
Mr. Steve Kountz
Portland Bureau of Planning & Sustainability
October 23, 2015
Page 2

their efforts to sustain and improve wildlife habitat along the slough. For example, Metro recently awarded a grant to the City for expansion of facilities at Whitaker Ponds Natural Area, which is located on the slough. The city's proposal to change open areas from an allowed use to a prohibited use in the PI overlay has potentially significant negative implications for Metro's acquisition program, which the voters expect to see realized.

As was submitted previously, Metro strongly recommends that undeveloped natural areas be an allowed use under 33.475.080, including both upland and riparian areas. Metro's position remains that undeveloped natural areas are intended for conservation, habitat protection, or stormwater functions in these zones and are not prohibited within an RSIA under Title 4 of Metro's Urban Growth Management Functional Plan.

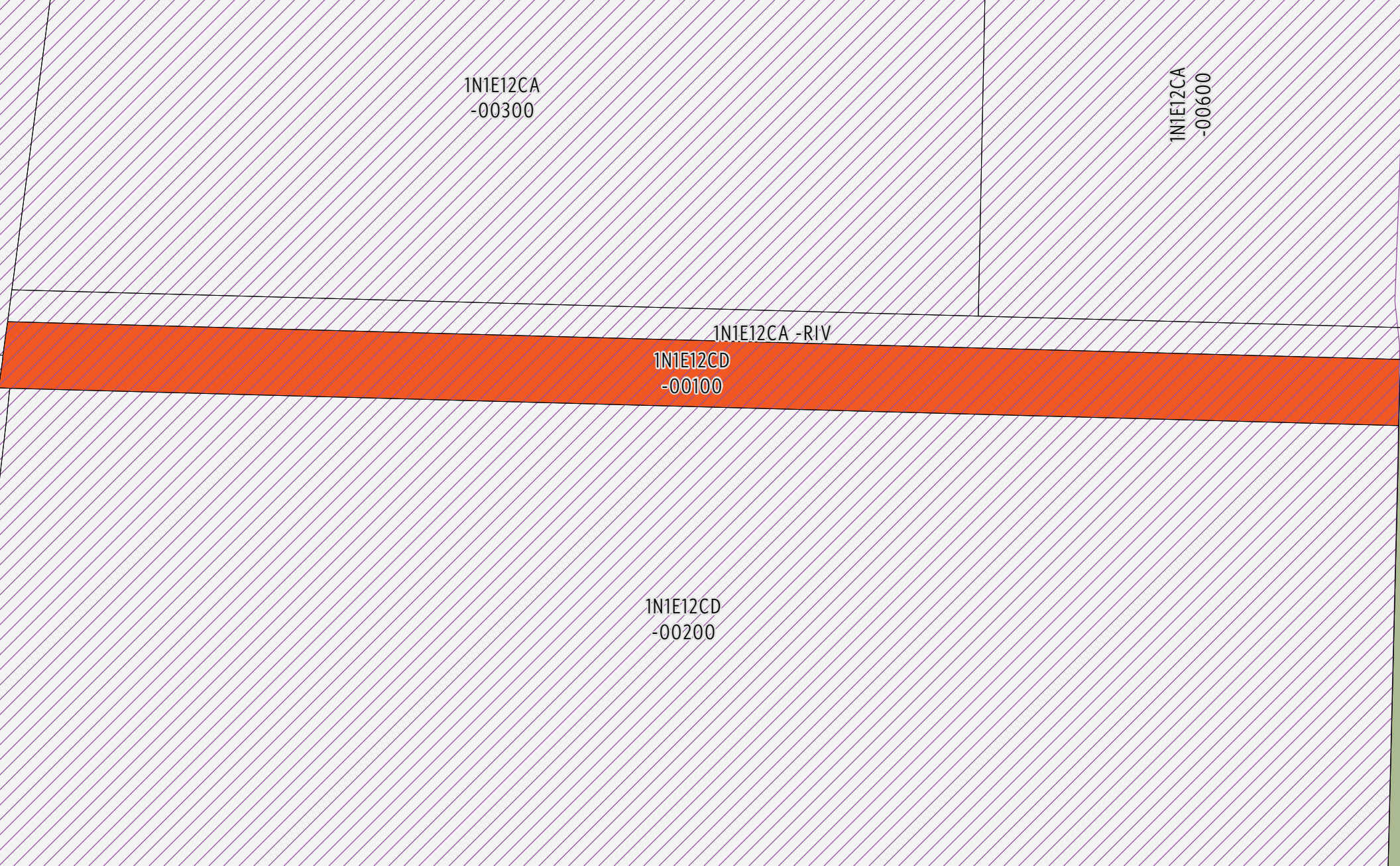
While we recognize the importance of protections for industrial lands, we remain committed to delivering the voter approved natural areas program as well. Because these natural areas would be undeveloped, we anticipate few conflicts with existing or future industrial uses or freight mobility. Thank you for the opportunity to provide Metro's comments in this proposal.






Sincerely,



Kathleen Brennan-Hunter
Director, Parks and Nature Department

cc: Martha Bennett, Metro Chief Operating Officer
Scott Robinson, Metro Deputy Chief Operating Officer
Lisa Goorjian, Metro Parks and Nature Planning Manager
Ted Reid, Metro Principal Planner
Roger Alfred, Metro Senior Assistant Attorney
Robert Spurlock, Metro Associate Planner








-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

1 - Broadmoor
0.45 acres

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-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

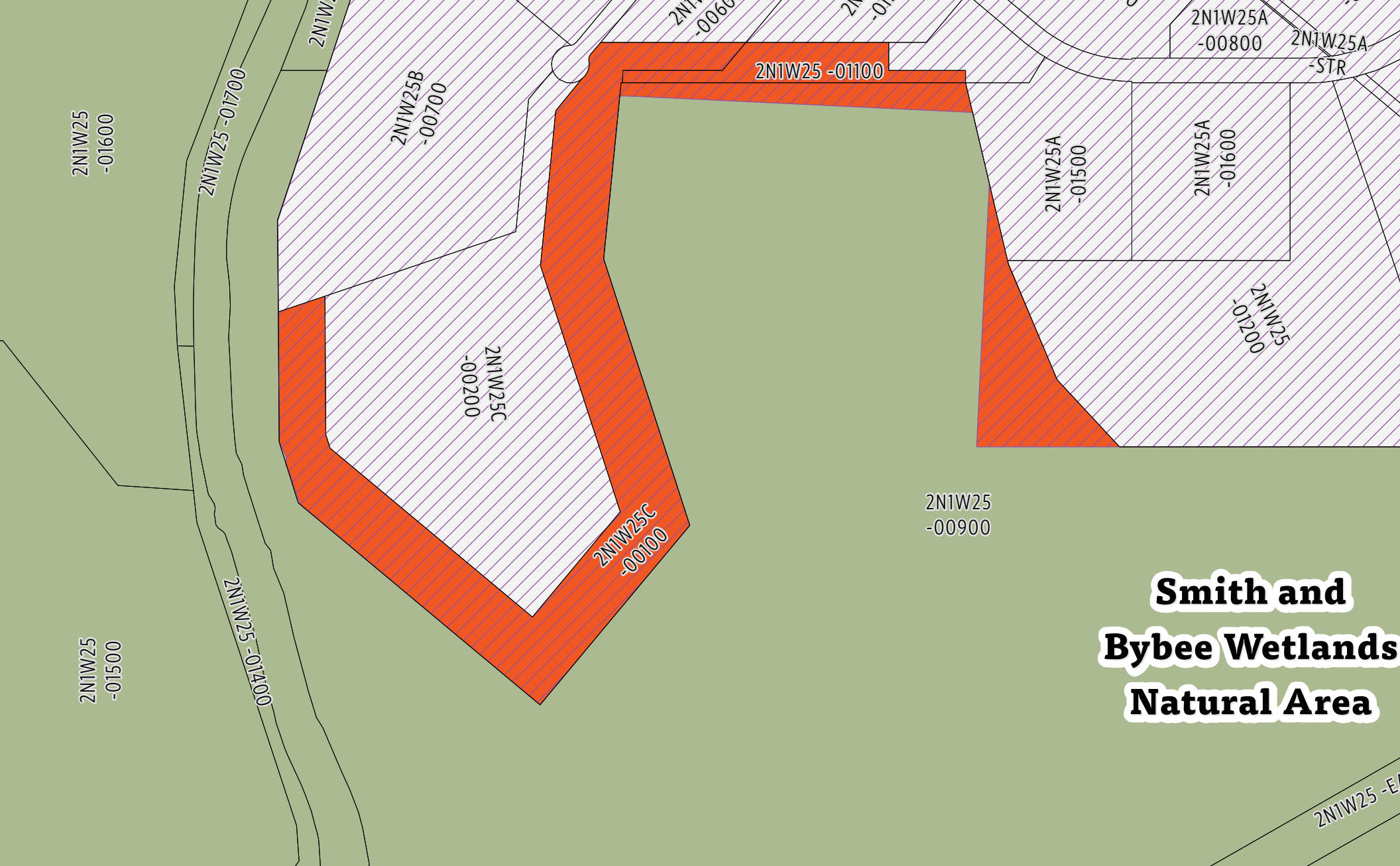
2 - Smith and Bybee Wetlands
2.48 acres



**Smith and
Bybee Wetlands
Natural Area**






-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

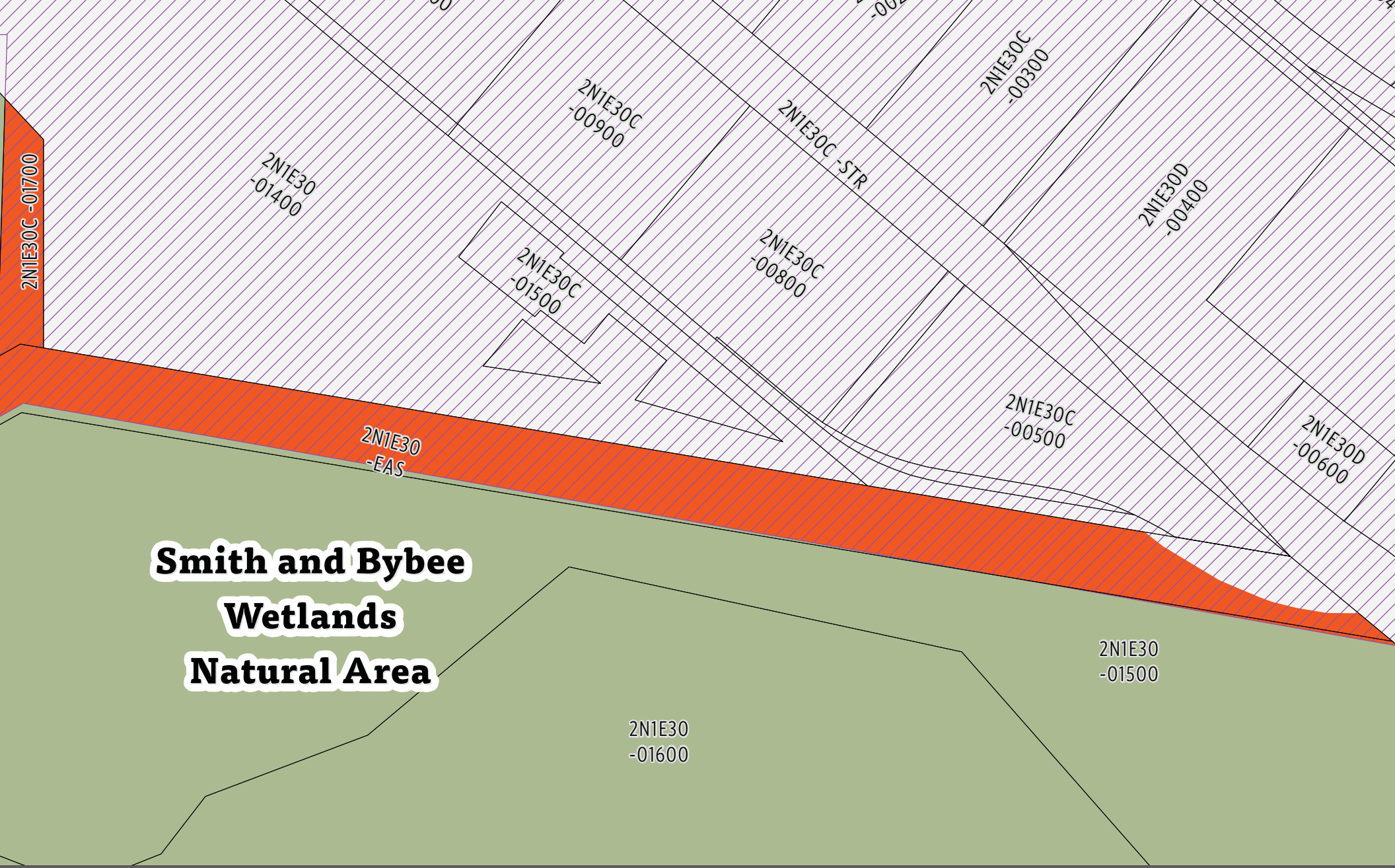
3 - Smith and Bybee We
0.34 acres



**Smith and
Bybee Wetlands
Natural Area**






4 - Smith and Bybee We
23.58 acres

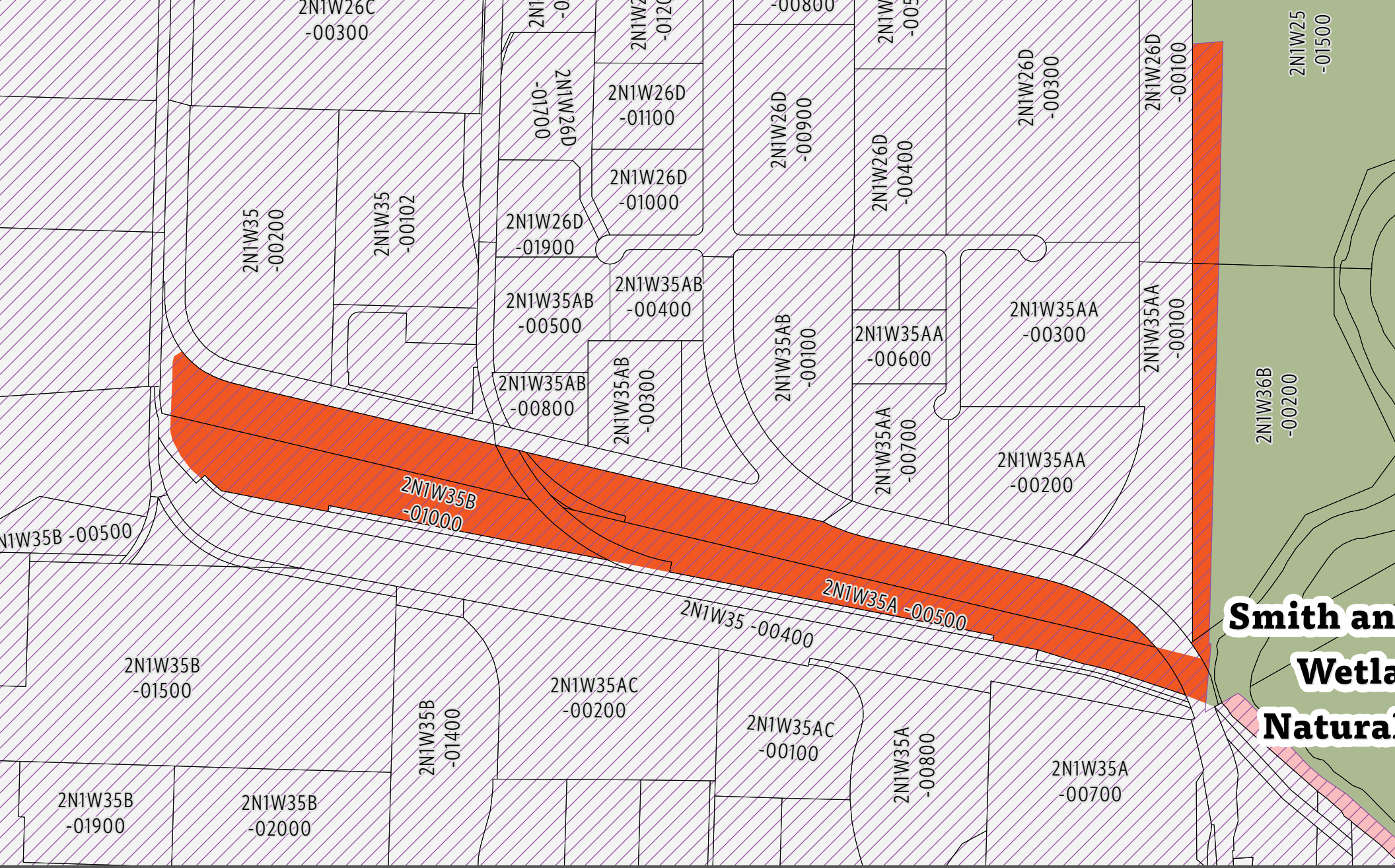
-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels








**Smith and Bybee
Wetlands
Natural Area**

5 - Smith and Bybee We
10.41 acres

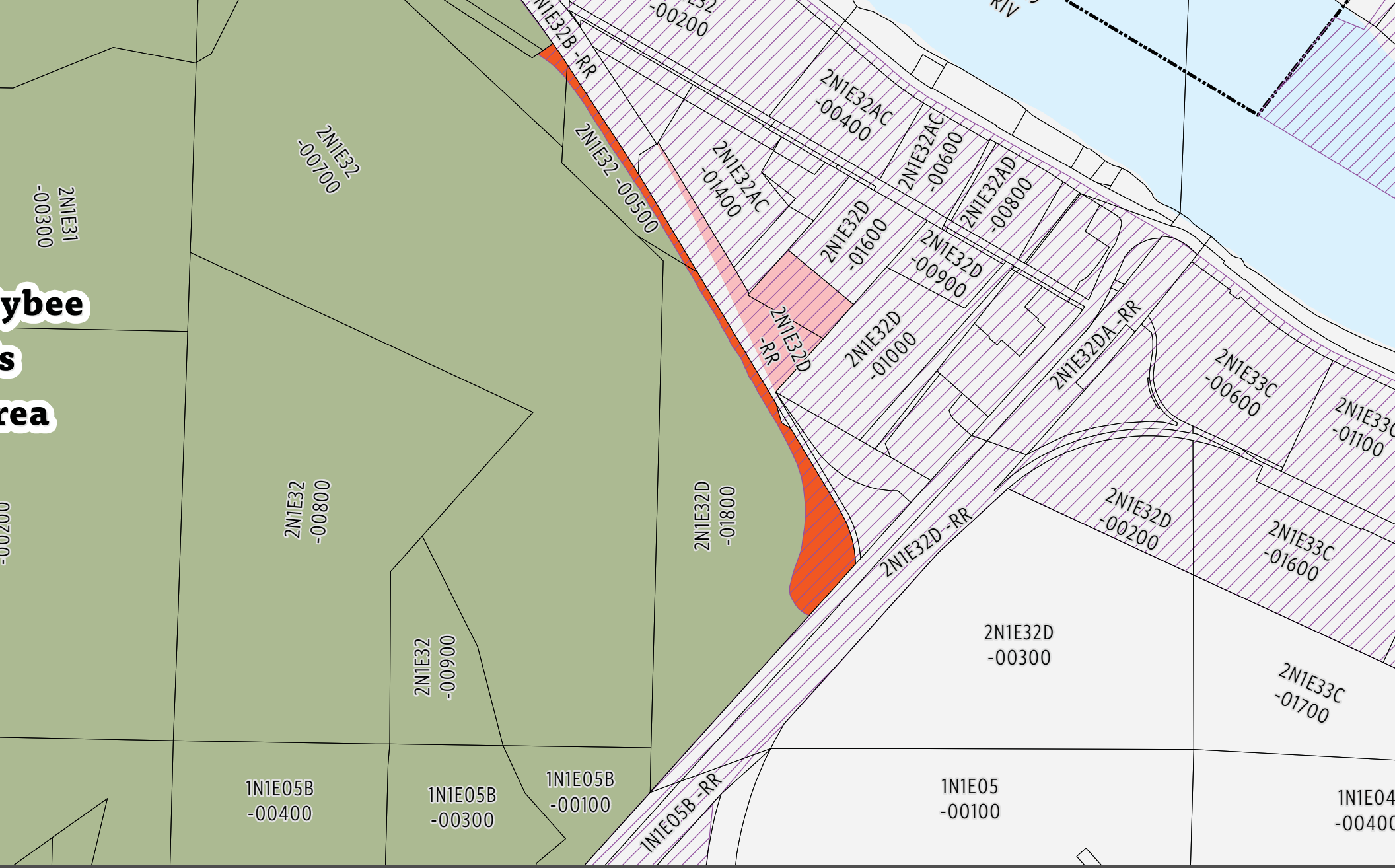
-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels



**Smith and
Bybee
Wetlands
Natural Area**






-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

6 - Smith and Bybee Wetlands
39.75 acres



8 - Smith and Bybee We

5.98 acres






-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

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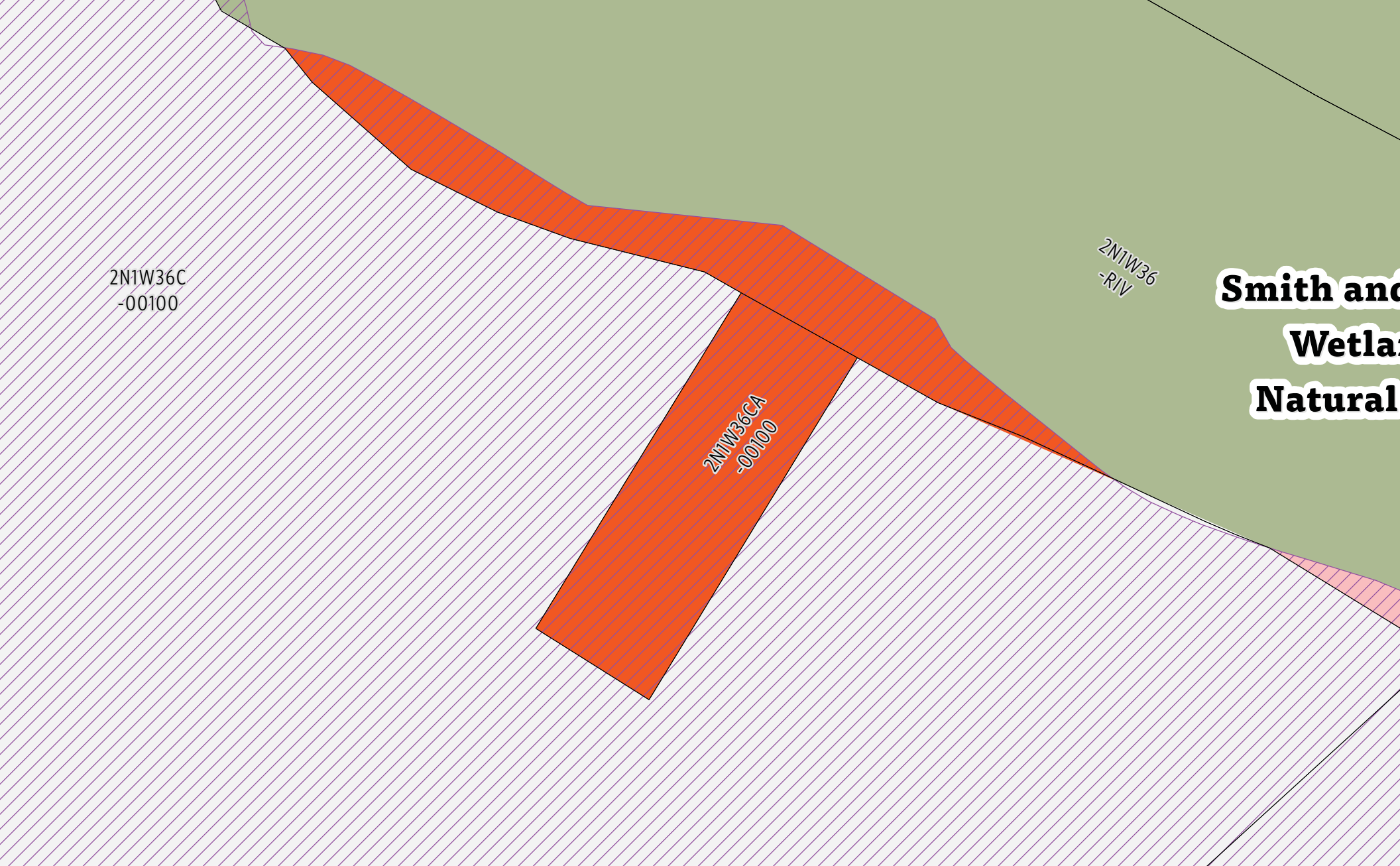
2N1E32
-00700

Smith and Bybee Wetlands Natural Area



-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

9 - Smith and Bybee W
6.22 acres








2N1W36C
-00100

2N1W36
-RIV

2N1W36CA
-00100

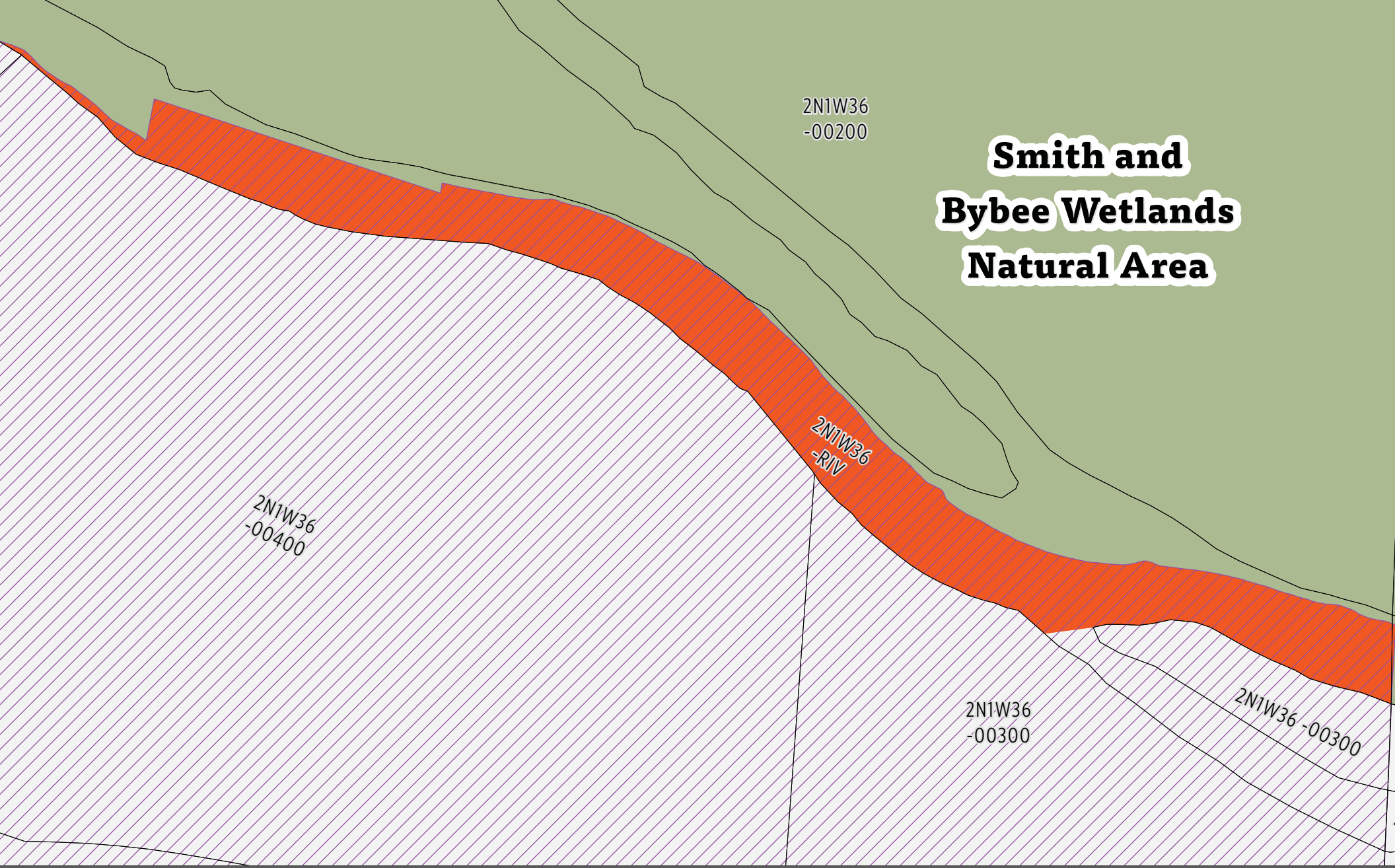
**Smith and Bybee
Wetland
Natural Resource Area**






-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

**10 - Smith and Bybee Wetland
0.16 acres**

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Smith and Bybee Wetlands Natural Area

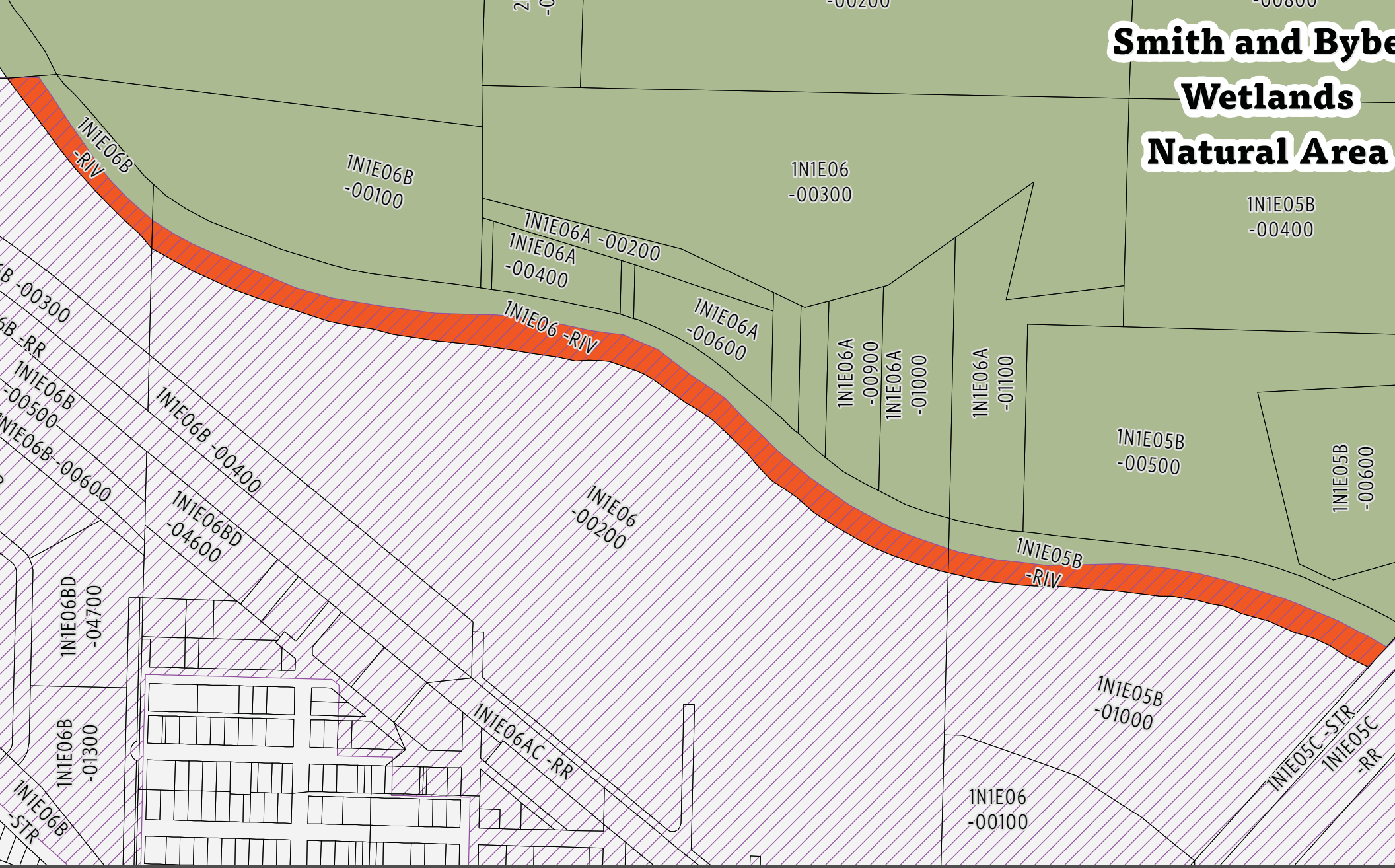







-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

11 - Smith and Bybee W
7.8 acres

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Smith and Bybee Wetlands Natural Area



-  Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Other Metro Owned and/or Managed areas within Proposed Prime Industrial Overlay Zone
-  Metro Owned and/or Managed Sites
-  Taxlot Parcels

12 - Smith and Bybee W
11.64 acres

Way Lee General Contractor, Inc.

5210 S.E. 26th Ave. Portland, OR 97202

(503) 234-0591 Fax: (503) 234-0592

October 23, 2015

City of Portland, Oregon
Bureau of Planning and Sustainability
1900 SW 4th Ave., Suite 7100
Portland, Oregon 97201-5380

RE: I-Zone Overlay

Dear Bureau of Planning:

Our family has owned property and operated businesses for over 50 years in the Reed Industrial Area bounded by SE Holgate, 28th Avenue, the East Moreland Golf Course, and the train tracks. I have enclosed an aerial photo for reference. There is no need for the proposed I-Overlay Zone proposed for areas the City considers Prime Industrial land. The area is fully developed for industrial use. There is no danger of outdoor activities, golf courses, or Home Depot setting up shop here.

One restriction in the I-Zone proposal is puzzling. NW Self Storage happens to be our neighbor and complements our industrial neighborhood. Additional self-storage competitors would not harm the neighborhood. The City should provide a reason why self-storage facilities threaten the industrial zone.

Instead of more restrictions, our industrial zone needs an overlay to allow more small scale exceptions. For example, it would be nice to have a small pod with four or five food carts rather than one here and another three blocks away because each address is limited to only one cart--if any. I doubt more than one pod could survive in our neighborhood, but there is a demand for one that could be supported by the industrial business in the neighborhood. The City needs to demonstrate why one of the uses it touts nationally as a livability feature should not be allowed in industrial areas. Certainly, people who work in our area should be afforded some of the same amenities that people who work in the downtown area have in abundance.

If you study the enclosed City hand out map of our industrial neighborhood (highlighted in orange) which also includes areas on both sides of the train tracks all the way to Powell Blvd, it is clear we are just a tiny island industrial zone in the City that is disconnected from all the major transportation routes except heavy rail. Other than Wayne Dalton Overhead Doors which has been located here for several decades, our neighborhood is not attractive to large industrial businesses. It is difficult for container trucks and heavy transport rigs to get in and out of our area, because of the surrounding streets and traffic outside our industrial zone. The I-Overlay may be needed in NW, NE, and North Portland, but it isn't needed here.

Please exclude our area from the I-Overlay zone. Our neighborhood is attractive to smaller industrial businesses that don't need these restrictions. If anything, we should be afforded the same overlay that has been given the Central Eastside District.

Sincerely,



Ken Lee

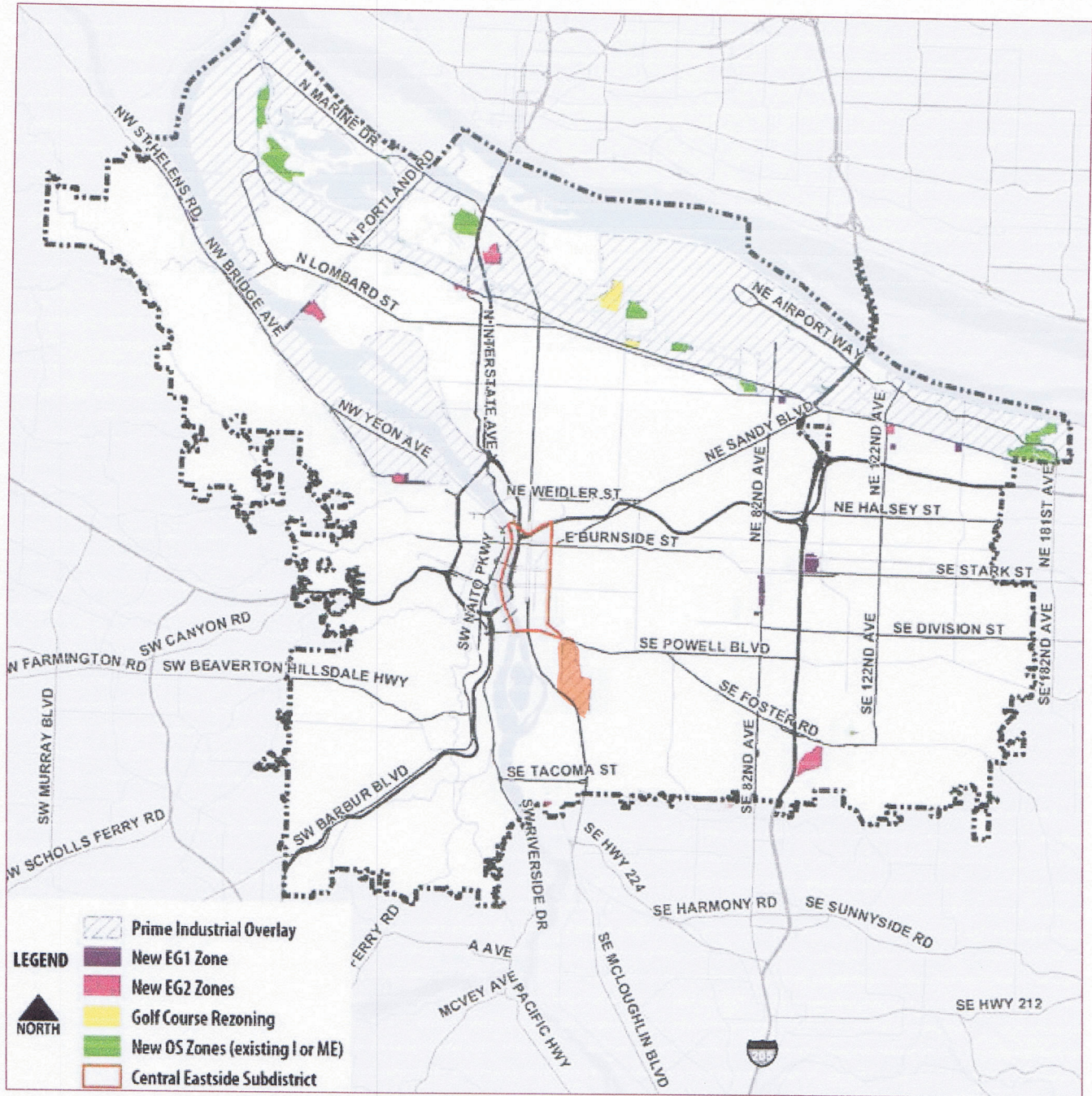
Aerial Photo

2013 / '12 / '11 / '10 / '09 / '08 / '07 / '06 / '05 / '04 / '03 / '02 / '016" / 2' / 4' / 10' / 20' Streets: OnLots: OffDot: On



0' 1700 FT

Preliminary Zoning Map Concepts



Project Schedule

Milestone	Public Engagement • Comments/Testimony
Winter 2014/Spring 2015 Prepare concept proposals and evaluate options	Stakeholder focus groups • Inter-agency review • Public outreach
Summer 2015 Discussion Draft review and refinement	Public review of Zoning Map and code amendments • Open houses • Inter-agency review • The public may provide comments to staff, who will use feedback to develop the Proposed Draft
Summer/Fall 2015 Proposed Draft review and refinement	Public hearing at Planning and Sustainability Commission • The public may testify in person or in writing to the PSC
Winter 2015–16 Adoption of plan	Public hearing at City Council • The public may testify in person or in writing to City Council



NOTICE OF A PROPOSED ZONING CODE AND/OR MAP CHANGE THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES

What does this mean for me?

You received this notice because a new zone and/or new zoning code language is proposed for your property. This may affect the permissible uses of your property as well as other properties with the same zone. These changes may affect the value of your property.

One of the properties that may be affected is your property at:

State ID #:

A new Prime Industrial Land zoning overlay ('I') is proposed on your property, which has a base zone of:

Your base zone is not proposed to change. The proposed 'I' overlay would reclassify parks and open areas as a Limited/Conditional Use, limit commercial outdoor recreation to no more than 20,000 square feet, prohibit self-service storage and major event entertainment uses, and prohibit future quasi-judicial Comprehensive Plan Map amendments.

Other zoning regulations also apply to this property that are not proposed to change at this time. For more information, please refer to www.portlandmaps.com or call 503-823-0195.

Why are these changes proposed?

The City of Portland is updating its Comprehensive Plan, a 20-year plan for the development of the city. You may have received a letter last year about proposed Comprehensive Plan changes to the designation of your property. This zoning proposal is the next step to carry out that plan.

How can I learn more about this proposal?

1. **View the interactive Map App** at www.portlandmaps.com/bps/mapapp on any computer, tablet or smart phone and click on the **Employment Zoning proposal**. All Multnomah County libraries have public access computers. Type the property address to see proposed Comprehensive Plan map designations and zoning changes that may affect your property.
2. **Attend an information session** (brief presentation and Q&A) **or drop in to chat with City staff at a location near you** (staff will answer your questions one-on-one).
 - **Information sessions and drop-in hours:** Check online at www.portlandoregon.gov/bps/58191 or call 503-823-0195 for a schedule.
 - **¿Español? Spanish language drop-in hours:** Tuesday, October 27, 2015, 4:30 – 7:30 p.m. at Midland Library. ¿Desea que le respondan sus preguntas en español? Un representante encargado de planificación que habla español mantendrá el "horario de oficina" el día martes 27 de octubre de 2015, desde las 4:30 p.m. hasta las 7:30 p.m., en la biblioteca Midland Library ubicada en 805 SE 122nd Ave., para responder a sus preguntas acerca de esta correspondencia, el Plan Integral y los cambios de zonificación. Si no puede venir durante el horario de oficina, nos complacerá poder responder sus preguntas por teléfono. Comuníquese con el 503-823-0195 y solicite un intérprete.
3. **Ask City staff a question.** We are happy to help. Call 503-823-0195 or email us at pdxcompplan@portlandoregon.gov.

The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings. If you need special accommodation, translation or interpretation please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 711.

How can I provide feedback to decision-makers?

You may testify about proposed changes to the Planning and Sustainability Commission (PSC) in the following ways:

Testify in person at the PSC public hearing.

You may speak for 2 minutes to the Commission, and your testimony will be added to the public record.

PSC Employment Zoning Project Public Hearing

Tuesday, October 27, 2015 at 3:00 p.m.
1900 SW 4th Avenue, Room 2500, Portland, OR

To confirm the time and date, check the PSC calendar at www.portlandoregon.gov/bps/35452

Testify in writing between now and October 27, 2015.

You must provide your full name and mailing address.

- **Email:** psc@portlandoregon.gov with subject line "PSC Employment Zones Testimony"
- **U.S. Mail:** Portland Planning and Sustainability Commission, Employment Zones Testimony, 1900 SW 4th Ave., Suite 7100, Portland OR 97201
- **Map App:** www.portlandmaps.com/bps/mapapp, click on the "comments" form and provide your testimony



From: Donald Mattersdorff <donald.mattersdorff@mattersdorff.com>

Sent: Friday, October 23, 2015 4:59 PM

To: Planning and Sustainability Commission

Subject: PSC Employment Zones Testimony

To the members of the Planning and Sustainability Commission,

I represent the owners of a warehouse at 3430 SE 20th Avenue. Recently I received a notice in the mail of the proposed zoning change for this address to "prime industrial". I went online and read up on the subject, and I am writing now to voice my complaint. May I say first of all, this notice is very late in coming to the affected property owners. I would expect several months of notice at a minimum for such a dramatic change.

I won't even debate whether it is a good idea for the city to take steps to preserve industrial jobs. That discussion appears to be over in Portland, although reasonable people will still differ on the merits of the argument.

However, I think it is foolish to reserve such vast swaths of Portland's land area to industrial purposes. I was shocked by what I saw on the map. The proposed area to be protected with the "Prime Industrial" designation is far out of proportion to importance of the goal of preserving industrial jobs. I notice that you propose to designate most of Portland's waterfront along both the Willamette and Columbia Rivers. Is that wise? Do you not think that there are better uses for this land which might be found? You are placing these large sections of Portland in a zoning straitjacket which will deter enterprise and job creation for many years, until the rule is lifted.

Secondly, it's a mistake to protect any close-in land at all for industrial purposes. In my own lifetime, I remember when the south waterfront and large stretches of Macadam Blvd. through the John's Landing area, were primarily industrial. Those areas have changed entirely to office, retail and residential. Why? Because office, retail and residential are much higher uses, and as Portland grew, the demand for those uses became strong. The creation of the South Waterfront was enormously positive for Portland economically. It attracts the people whom we want to attract to create growth. It would never have happened if "Prime Industrial" zoning had been in place. As Portland continues to grow and prosper, it will see additional demands for close-in residential, which could be satisfied by any of the areas close-in on the east side and near the Brooklyn Rail Yards which you propose to designate Prime Industrial.

Thirdly, the new Orange Max line passes right through the Brooklyn Rail Yards. There are two stops in the area which is now proposed for "Prime Industrial". This is a small area, close to Reed College and other leafy neighborhoods, with one of the better high schools in Portland (Cleveland High School) close by, which is ideally suited to residential. Thanks to the Orange Line, new residents to the area would be able to commute into downtown Portland in a matter of minutes. It violates all common sense, not to mention sustainability in creating a community where people live close to their work, to take steps to protect industry here. I find it hard to

believe that many industrial jobs are protected anyhow. The warehouse which we own provides employment for two people. The northern end of this zone, close to Powell Blvd and Cleveland High, and before the tracks widen out into a real rail yard, are absolutely not suited for Prime Industrial.

In summary, I find the scope of these zoning changes to be an absurd over-reach on the part of the PSC, and I implore you to reconsider. We have made huge investments in infrastructure and public transit to create a live/work city. We have been very successful and have created a vibrant city with a national reputation. These proposed changes take us in the opposite direction, especially with regard to the close-in neighborhoods on the east side of the Willamette and the around the Brooklyn Rail Yards.

Thank you.

Sincerely Yours,

Donald Mattersdorff

(510) 842-6060

donald.mattersdorff@mattersdorff.com

www.mattersdorff.com

To: Planning and Sustainability Commission
From: Urban Forestry Commission
RE: Employment Zoning Project
Date: October 22, 2015

Dear Members of the Planning & Sustainability Commission,

The Urban Forestry Commission was recently briefed about the Zoning Code amendments that are being considered as part of the Employment Zoning Project. While we recognize that stronger code language for industrial lands is needed to support economic growth, we are very concerned about some proposed changes that will adversely impact the City's ability to provide sufficient open space and recreation programs for the public, and preclude opportunities for increasing the forest canopy.

The Urban Forestry Commission concurs with several points made by the Audubon Society of Portland and the Parks Board. Specifically;

The Project proposes to limit parks and open space areas to just two acres or less, serving only employees and residents within the industrial overlay zone. Restricting public facilities and open space to serve a specific class of users is counter to the equity goals that the City promotes. Not only does this curtail the types of parks and recreation activities that serve the public, it also limits the types of trees and consequently, the city's ability to gain canopy in the areas where it is needed most; places where trucks, impervious surfaces and blacktop prevail. We are well aware of the rapid loss of Portland's large and most ecologically beneficial trees. And, we are well aware of the challenges we face with density goals. Parks have historically been and must continue to be one of the places where Urban Forestry staff have the ability to plant and maintain very large trees. We request that parks and open space are permitted uses in all zones and do not require mitigation.

The draft Comprehensive Plan includes visionary goals and strategies that encourage neighborhood parks, recreation facilities

and open space within industrial areas, and specifically within the Willamette North Reach and the Columbia Corridor. The Plan also encompasses a systems thinking approach to development that promotes enhancing and sustaining forest canopy, creating climate resiliency, and serving all Portland residents equitably with safe access to natural resources within minutes of their homes. We would like to see the employment Zone Project take a holistic planning approach that addresses both employment and environmental needs. We request that all lands rated as high, medium or low in the natural resources inventory be removed from the prime industrial land overlay until all of the natural resource inventory can be updated.

On behalf of the Urban Forestry Commission, thank you for taking our strong concerns into consideration as you finalize the Employment Zone Project.

Sincerely,

Meryl A. Redisch,
Chair, Urban Forestry Commission



PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Date October 22, 2015

To: Planning & Sustainability Commission
Bureau of Planning & Sustainability

From: Judy BlueHorse Skelton, Chair, Portland Parks Board

Re: Proposed Industrial Land Overlay Regulations

On several occasions over the past two years, the Portland Parks Board has submitted comments to the Portland Bureau of Planning and Sustainability (BPS) on elements of the City's Comprehensive Plan Update. We were aware that BPS was undertaking several Early Implementation Projects, even while the Comprehensive Plan itself is still under public review. We only recently became aware, however, of Zoning Code amendments adversely affecting the City's ability to provide parks, open space and recreation programs proposed as part of the Employment Zoning Project. We wish to advise the BPS and the Planning and Sustainability Commission of our significant concerns with the proposed Code amendments and with the overall planning direction taken by the Project. We also wish to recognize that, in response to community concerns, BPS has made substantive and important improvements to the original proposed Code amendments. We also acknowledge that stronger protection for industrial lands is needed both to support job growth and economic prosperity, but also to respond to State direction related to its periodic review of the City's Comprehensive Plan.

Concerns

We have identified at least five (5) major concerns about the Employment Zoning Project and proposed Code amendments. We note that other groups share identical or similar concerns, including Audubon Society of Portland, Verde, East Multnomah Soil and Water Conservation District, Columbia Slough Watershed Council, and Urban Forestry Commission.

Portland Parks Board

Judy BlueHorse Skelton, Chair

Tonya Booker • Kendall Clawson • Patricia Frobes • Kathy Fong Stephens

Ian Jaquiss • Dion Jordan • Andy Nelson • Jim Owens • Linda Robinson

Gladys Ruiz • Christa Thoeresz • Sue Van Brocklin

Julie Vigeland • Mauricio Villareal

Ord. 188177, Vol. 2.3.S, page 11253

1. *The Employment Zoning Project represents planning in a vacuum.* Rather than planning holistically and concurrently for what visually appears to be about 15-20% of the area of the City of Portland, BPS proposes to prioritize economic development over other land uses and community goals. The Project essentially makes industrial uses sacrosanct in a large portion of the City and precludes (except through intentionally onerous exception processes) other land uses, including parks, recreation facilities and open space. This single use approach to zoning is old school land use planning; we have not planned like that for decades and for good reason -- it doesn't and has never worked except in spot-zoning applications. Why BPS is not planning and zoning concurrently for industrial uses, natural resources and other land uses in the North Reach and Columbia Corridor areas is not explained. As noted in Audubon Society of Portland's August 28, 2015 comments: "This approach is inconsistent with the Comprehensive Plan public involvement process which sought to address natural resources and industrial land demands in tandem...and the draft Comprehensive Plan itself which recognizes the interconnectedness between industrial lands policies and the natural resource policies."

2. *The Employment Zoning Project conflicts with Comprehensive Plan policy direction.* Nothing in the Proposed Comprehensive Plan Update suggests that parks, recreation facilities and open space be discouraged or prohibited within industrial areas. To the contrary, the Comprehensive Plan specifically directs the opposite:
 - Economic Development Policy 6.39.e: Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales. (*Current language that is apparently in error; BPS's edited language would substitute "from" for "for".*)

Note: We have been informed that this is a typo and this policy was actually intended to prevent the siting of parks on prime industrial land. We support the uncorrected policy language and strongly oppose a policy that prohibits the siting of parks in any zone. This is a significant change in long-standing City policy that has not been discussed outside the Employment Zoning Project; it was certainly never brought before the Parks Board. To use an Early Implementation Project with a limited topical focus is an inappropriate way to effect such a significant policy change and smacks of trying to sneak something through the back door.

Other Comprehensive Plan policy direction encourages parks, recreation facilities and open space within industrial areas, and specifically within the Willamette North Reach and the Columbia Corridor:

- Guiding Principles Environmental Health: Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain ecosystem services of Portland's air, water and land.
 - Urban Form Policy 3.72: Recreation. Improve conditions along and within the Willamette and Columbia rivers to *accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland's riverfronts for passive and active recreation activities* that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage. (emphasis added)
 - Urban Form Policy 3.79-81: Enhance the role of the Columbia River (Willamette River) for river dependent industry, fish and wildlife habitat...*recreational uses*. (emphasis added)
 - Design and Development 4.72: Access to Nature. Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major features, including: Water bodies such as the Willamette and Columbia Rivers, Smith and Bybee Lakes, creeks, streams and sloughs...
 - Economic Development goals and policies "intent": Ensure parks, trails, natural areas and a healthy environment continue to protect the City's quality of life that attracts and retains businesses and work force.
3. *Although now dropped, the Employment Zoning Project had earlier proposed a draconian mitigation concept that would have set a terrible precedent. Parks have historically and appropriately been a permitted use in all zones. The draft concept to offset the loss of industrial land associated with new parks and open space through an \$8 per square foot represented requiring the public to pay a surcharge for having a public facility or resource. It is very difficult to not translate this as: "You can have a park anywhere except in an industrial area unless you're willing to pay double for it." Again, Audubon Society of Portland has submitted a more detailed and technical argument in opposition to the proposed offset requirement.*
4. *While the Employment Zoning Project promotes equity and environmental justice, it cannot achieve such when it limits or precludes access to parks, recreation*

programs and open space for all of Portland's citizens. The Project proposes to limit parks and open space areas to two acres or less, serving only employees and residents within the industrial overlay zone. Restricting public facilities and open space to serve a specific class of users is the antithesis of equity and contrary to the goal to provide all Portland citizens with access to all types of park facilities. Again, it is hard not to translate this as: "You can have only a small neighborhood park intended to serve the employees of nearby industrial businesses, but no facilities that serve surrounding neighborhoods or the City as a whole." Parks and open space of any size have always been permitted outright across the City. It is certainly not equitable to now impose a size and type restriction in a single zone and to target public facilities and open space to a limited but worthy class of users. It is not how we plan for parks in this City.

5. *The Employment Zoning Project represents a lost opportunity to expand and improve riparian areas, open space and public access along the City's two major waterways.* Rather than expanding public access to the rivers that define this City, the Project, as previously noted, proposes to restrict the size and types of public facilities within the industrial areas that front our rivers. This is an opportunity lost not only for recreational uses but for the protection and enjoyment of cultural and natural resources that will be extremely difficult and costly to achieve in the future. Given the timeframe between Comprehensive Plan updates, it will likely be 20+ years before we can re-engage in a public conversation on how to make the two rivers more a part of the City rather than walling them off to public access and use. As an example of the single-use focus of the Project, there is no review of the adequacy of existing riparian buffers, despite the following Comprehensive Plan direction:

- Willamette River Watershed Policy 7.39: Riparian corridors. Increase the width, quality and native plant diversity of vegetation buffers along the Willamette River. (Also, Columbia Slough Watershed Policy 7.45.)
- Willamette River Watershed Policy 7.40: Connect upland and river habitats. Enhance habitat quality and upland connectivity between the Willamette riverfront, the Willamette's floodplains and upland natural resource areas. (Also, Columbia Slough Watershed Policy 7.47.)

Requested Actions

The Parks Board appreciates BPS's efforts to address concerns raised by the Parks Bureau and interest groups and recognizes that the Project has greatly improved, from a parks and open space perspective, from earlier versions. Nonetheless, we remain concerned with the general approach taken to industrial land planning and potential effects on the City's ability to serve its citizens with a full range of parks, recreation programs and open spaces. Based upon the concerns outlined here and raised by other groups, the Parks Board respectfully requests:

- Table the Employment Zoning Project as currently proposed and instead engage in holistic and comprehensive planning for the North Willamette Reach and Columbia Corridor that addresses recreation uses, environmental overlays and open space zoning along with employment zoning.
- Continue to recognize parks and open space as permitted uses in all zones and delete the requirement for a Comprehensive Plan amendment for parks and open space larger than two acres.
- Delete any requirement that parks, recreation facilities and open space are to be designed to serve only employees and residents within the industrial overlay zone.
- As requested by Parks Bureau staff, clarify with Metro staff that natural areas are exempt from the proposed overlay and new regulations and request that the 10-acre maximum in Title 4 for a developed park specified in Title 4 without a Comprehensive Map Amendment be removed.
- As part of holistic and comprehensive planning for the North Willamette Reach and Columbia Corridor, review the adequacy of existing riparian buffers per Comprehensive Plan direction.

Jennifer Lombard
General Delivery
Portland, Oregon 97208

Planning and Sustainability Office
1900 SW 4th Ave #7100
Portland, OR 97201

October 22, 2015

Dear Sir or Ma'am,

Please consider this suggestion for reclaiming the space where Mary's Club, the strip club at SW Broadway and Stark, is now located. How such a "club" ever came to exist is confusing to me; public nudity is against the law, so why aren't the dancers put under arrest until the place has to close down? What is missing in the neighborhood is a small neighborhood grocery, not a convenience store with neon signs and cheap banners but a grocery with a good produce section, a deli, and household items that people might need that they don't want to walk all the way to Safeway for.

A grocery at that site would be a step that is in keeping with improving that neighborhood and a boon to the people who live there in place of an embarrassing blight. A really nice gesture would be to offer the women who dance at Mary's Club jobs at the store.

Thank you for considering my idea. For your attention I remain

Cordially yours,

Jennifer Lombard

Oct. 22, 2015

Dear Members of the Portland Planning and Sustainability Commission:

I represent Kevin Flanigan, owner of Schooner Creek Boat Works located at 3255 N. Hayden Island Dr.

We strongly object to applying the proposed Prime Industrial Overlay Zone to our site. This overlay zone would reduce and/or eliminate our ability to develop the site as we have planned. One-half of our site is developed with Schooner Creek Boat Works, which is an allowed use in the Industrial Sanctuary. We intend to develop the remainder of the site with land uses that would enhance the current use of the site and address our riverfront opportunities. We have detailed architectural drawings for our plans and have been working with a number of public and private entities who have shown support for these plans.

Additionally Hayden Island has limited development opportunities because it:

- Has no rail access
- Has limited truck access
- Has a shortage of parking
- Can be accessed by only a single bridge.

Further, the street that accesses our site is a dead end with no proper turn around.

While we support the general concept of protecting the Industrial Sanctuary, this is not the right site for increasing land use restrictions as proposed in the Employment Zoning Project.

Thank you for your attention to this matter.

Sincerely,
Laurie Wall, Planning and Development Consultant
laurieawall@yahoo.com
503-200-0011
7904 SW 4th Ave.
Portland,OR 97219



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Michael Jordan, Director

October 22, 2015

FILE COPY

Planning and Sustainability Commission
1900 SW 4th Avenue, Suite 7100
Portland, Oregon 97201

Dear Commissioners:

Thank you for the opportunity to provide comments on the Employment Zoning Project proposals. I appreciate the invitation to participate in your briefing earlier this month, to answer questions about Bureau of Environmental Services' interests in the Columbia Slough.

I also want to express my appreciation to Susan Anderson and her team at the Bureau of Planning and Sustainability for including Bureau of Environmental Services in the Comprehensive Plan Update and their support of integrating green infrastructure and watershed health considerations with land use planning and urban design.

You have a daunting task before you - to determine how to balance equally important public goods, namely, how to meet long-term job needs and long-term environmental needs within a constrained area. The Columbia Corridor plays a critical role in Portland and the region's economy and many Portlanders benefit from the family-wage jobs located there. With projections for a high demand for industrial land in the future, there is an obvious need to protect industrial land capacity and to find ways to increase jobs within the limited footprint of the Columbia Corridor.

The Columbia Corridor also has critical environmental challenges. In this part of the city, on-site stormwater infiltration can be difficult due to high groundwater and the slough channels act as the stormwater conveyance system. Water temperatures are high and many channels lack the trees or other vegetation they need to shade and cool the water, or provide habitat to sensitive and threatened species.

The Recommended Comprehensive Plan Policies provide guidance for balancing these public interests. Policy 6.49 specifically speaks particularly well to the city's aspirations:

Ph: 503-823-7740 Fax: 503-823-6995 ■ www.portlandoregon.gov/bes ■ Using recycled paper ■ An Equal Opportunity Employer

The City of Portland complies with all non-discrimination laws including Title VI (Civil Rights) and Title II (ADA).
To request a translation, accommodation or additional information, please call 503-823-7740, or use City TTY 503-823-6868, or Oregon Relay Service: 711.

Ord. 188177, Vol. 2.3.S, page 11260

Policy 6.49 Industrial Growth and Watershed Health. Facilitate concurrent strategies to protect and improve industrial capacity and watershed health in the Portland Harbor and the Columbia Corridor Areas.

Environmental Services supports the following provisions of the Proposed Employment Zoning Project that help implement this policy:

- Limits to conversion of prime industrial land to uses that can and should be accommodated elsewhere, especially housing and retail uses
- Recognition that BES' green and natural infrastructure are critical parts of our infrastructure system that are needed to manage stormwater and protect water quality in the slough
- Allowance for environmental mitigation for development impacts that occur in the Prime Industrial Overlay (including Superfund mitigation)
- Enhanced landscape requirements for future golf course conversions to industrial uses, , including native plant requirements

These provisions complement Environmental Services' efforts to address environmental challenges in the slough through targeted acquisitions and restoration of sensitive riparian and wetland properties, often in partnership with Portland Parks & Recreation, Metro and conservancy organizations.

Coordinating Land Acquisition

We support BPS' efforts to ensure that City of Portland land acquisitions do not have an undue impact on industrial land supply. Environmental Services' staff will confer with staff at Planning and Sustainability during our acquisition processes. We will also work in good faith to subdivide and sell portions of properties that are not needed for stormwater or water quality purposes. To ensure a fair and coordinated process, **we suggest that BPS consult with all relevant City of Portland bureaus about their acquisition priorities within the Prime Industrial Area.**

Environmental Services expects to continue a modest acquisition program in the slough area. Over the next 20 years, we estimate that the bureau will purchase about 100 acres, predominantly with identified natural resources, with the purpose of protecting or restoring natural functions. We also anticipate having a conservation easement program, which will maintain the development potential of privately-owned industrial parcels, while allowing BES to use our acquisition funds more effectively. We are hopeful that this program will be successful. However, it is unlikely to protect more than a small proportion of the resources.

Protecting Natural Resources

Unfortunately, acquisition and conservation easements are not enough to protect critical resources. Most of the Natural Resource Inventory's (NRI) high- and medium-ranked resources are found in narrow ribbons along the slough and its side channels. Given this configuration, acquisition is not the best tool for protecting resources. Unfortunately, more than two-thirds of them (about 750 acres) lack adequate environmental protection zones, unlike all other major

tributaries in the city. (The attached map shows the natural resources in the Prime Industrial Overlay.)

The most effective tool for protecting critical natural resources is the environmental protection zone. We recognize that any consideration of updating the environmental zones in the Columbia Corridor needs to examine economic, environmental and equity issues in tandem. Fortunately, the Airport Futures Plan included an ESEE (Economic, Social, Environmental and Energy analysis) and applied updated e-zones to Port of Portland and City of Portland lands. **We recommend updating environmental overlay zones in the remaining properties within the Airport Plan District consistent with the ESEE.**

Most of the western portion of the slough lacks environmental protections (except on public land). Addressing the situation is admittedly complex. We understand that it will take time to develop a plan to determine how to balance City's economic, equity and environmental goals for that area. Until such an effort is complete, **we recommend temporarily waiving the Prime Industrial Overlay's prohibitions on natural areas on properties with NRI-ranked resources.** Our concern is that the overlay zone provisions will make it infeasible to conduct environmental restoration on sites that don't have active industrial uses. Delaying implementation to a date certain in the future would provide the City with an incentive to complete the work on environmental protections in the airport and western slough areas as previously mentioned.

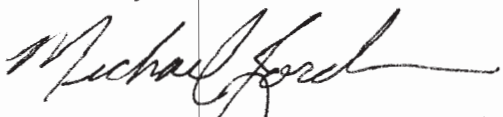
Cleanup Items

References to Environmental Services' "**stormwater facilities**" should be changed to "**stormwater and water quality facilities**" to reflect the functions that BES infrastructure provides.

The definition of infrastructure is evolving, which causes confusion about what constitutes open space uses, natural areas or basic utilities. To avoid problems during permitting processes, we ask that Bureau of Planning and Sustainability, Bureau of Development Services and Bureau of Environmental Services work together to **review zoning code and related references** to determine whether changes are needed to clarify the infrastructure functions of stormwater and water quality facilities on BES-owned natural areas and restoration sites.

Again, thank you for considering our concerns and recommendations. Please let me know if my staff can be of assistance during your deliberations.

Sincerely,



Michael Jordan, Director
Bureau of Environmental Services

Shirley Simmons
216 SE 30 Ave
Portland, OR 97214

To the members of the Planning and Sustainability Commission:

I would like to forward a few comments about the Prime Industrial Lands overlay proposed for the Comprehensive Plan.

1. Update the ezone before or at the same time as the PI is applied. E zone updates been delayed too long and the delays have caused numerous conflicts, costs and confusions. Do it now. This broad (blanket) PI overlay should not be implemented before the ezone updates.
2. Neighborhoods and residents need clean air and water as much as jobs- in fact workers and their families cannot take and hold jobs if they are unhealthy. EQUITY for the environment and its functions and its protection is at least as important as "jobs". Both are infrastructure. Open space and green areas keep workers and families healthy.
3. I saw a presentation about PI jobs---- there were numerous shaky assumptions in that presentation. Both the types of jobs and the income earned in the Columbia Corridor were misrepresented. And the fact that many of the workers come from Clark County or elsewhere in Portland and the metro areas was not documented. It was disingenuous.

Thank you for the opportunity to comment.

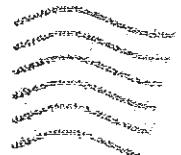


Shirley Simmons

Cc: BPS director

PORTLAND OR 970

21 OCT 2015 PM 1 L



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PLANNING BUREAU
2015 OCT 26 A 10:27



October 21, 2015

VIA FEDEX
AND VIA EMAIL AT psc@portlandoregon.gov

Portland Planning and Sustainability Commission
Employment Zones Testimony
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Re: Kin Property #3004 - 2720 NW 35th Avenue, Portland, OR (“Property”)
State ID#: 1N1E29BD 1300

PSC EMPLOYMENT ZONES TESTIMONY

Those certain zoning modifications affecting the Property and the permissible uses thereof, which modifications are proposed by the Planning and Sustainability Commission for the City of Portland (the “Commission”) in conjunction with the Commission’s “Comprehensive Plan.”

Ladies and Gentlemen:

We write as managing agent for Mascot LLC (“Owner”), the owner of the above-referenced Property. We are in receipt of the Commission’s “Notice of Proposed Zoning Code and/or Map Change” dated September 21, 2015 (the “Zoning Notice”). The Zoning Notice sets forth the Commission’s intention to introduce a new Prime Industrial Land zoning overlay (the “I Overlay”), which I Overlay would “reclassify parks and open areas as a Limited/Conditional Use, limit commercial outdoor recreation to no more than 20,000 square feet, prohibit self-service storage and major event entertainment uses, and prohibit future quasi-judicial Comprehensive Map Amendments.”

As the representative, and on behalf, of Owner, we hereby express our opposition to the establishment of the I Overlay and/or any reclassification or modification to the Property’s current base zone of IH. Any modification to our current base zone may depreciate the value of the Property, including by impacting the future use thereof.

The Property is currently leased to Bushnell’s Warehouse and Trading Corp. (“Tenant”). It is Owner’s contention that Tenant’s operations from the Property are in compliance with the current zoning of the Property; and, further, that such use would not be in violation of any restrictions imposed by the I Overlay. In any event, if the Commission ultimately establishes the I Overlay despite Owner’s objection thereto, and to the extent that the Commission determines that Tenant’s use of the Property would violate the I Overlay despite Owner’s assertion hereinabove, then we, on behalf of both Owner and Tenant, hereby demand that Tenant’s operations at the Property be “grandfathered in” so as to allow Tenant’s continued operation in its ordinary course of business.

This letter is not intended to set forth an exhaustive list of claims, damages, demands or other concerns that Owner has with respect to the I Overlay or its impact to the Property. Owner hereby

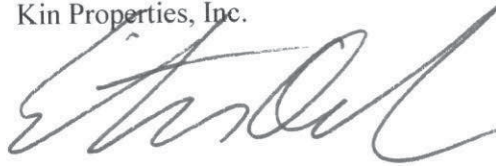
expressly reserves any and all rights to add, amend or modify any demands made, or matters stipulated, herein; and reserves any and all rights and remedies available at law and in equity with respect hereto.

We will not be present at the Commission's hearing scheduled for October 27, 2015 at 3:00 p.m., and we ask that our letter be shared with all in attendance and placed in the Public Record of the proceedings. We further request that you share this letter with all members of the Commission and any and all relevant government officials.

We appreciate your prompt attention to this matter. You may feel free to contact me at 561.620.9200 x184 or via email at eovadia@kinproperties.com in order to discuss our concerns.

Sincerely,

Kin Properties, Inc.



Eitan Ovadia*
Assistant General Counsel

cc: Bushnell's Warehouse & Trading Corp.
c/o Mark Harris, General Manager
at mharris.bushnells@comcast.net
(w/ Zoning Notice enclosed)

Jeffrey Sandelman
Allen P. Lev, Esq.
Andrew Schreier
Lee Cherney
Brett Burstall

*Member of the Georgia Bar, only
Authorized House Counsel of Florida

OF YOUR PROPERTY AND OTHER PROPERTIES

What does this mean for me?

You received this notice because a new zone and/or new zoning code language is proposed for your property. This may affect the permissible uses of your property as well as other properties with the same zone. These changes may affect the value of your property.

One of the properties that may be affected is your property at:

State ID #:

A new Prime Industrial Land zoning overlay ('I') is proposed on your property, which has a base zone of:

Your base zone is not proposed to change. The proposed 'I' overlay would reclassify parks and open areas as a Limited/Conditional Use, limit commercial outdoor recreation to no more than 20,000 square feet, prohibit self-service storage and major event entertainment uses, and prohibit future quasi-judicial Comprehensive Plan Map amendments.

Other zoning regulations also apply to this property that are not proposed to change at this time. For more information, please refer to www.portlandmaps.com or call 503-823-0195.

Why are these changes proposed?

The City of Portland is updating its Comprehensive Plan, a 20-year plan for the development of the city. You may have received a letter last year about proposed Comprehensive Plan changes to the designation of your property. This zoning proposal is the next step to carry out that plan.

How can I learn more about this proposal?

- 1. View the interactive Map App** at www.portlandmaps.com/bps/mapapp on any computer, tablet or smart phone and click on the **Employment Zoning proposal**. All Multnomah County libraries have public access computers. Type the property address to see proposed Comprehensive Plan map designations and zoning changes that may affect your property.
- 2. Attend an information session** (brief presentation and Q&A) **or drop in to chat with City staff at a location near you** (staff will answer your questions one-on-one).
 - **Information sessions and drop-in hours:** Check online at www.portlandoregon.gov/bps/58191 or call 503-823-0195 for a schedule.
 - **¿Español? Spanish language drop-in hours:** Tuesday, October 27, 2015, 4:30 – 7:30 p.m. at Midland Library.
¿Desea que le respondan sus preguntas en español? Un representante encargado de planificación que habla español mantendrá el "horario de oficina" el día martes 27 de octubre de 2015, desde las 4:30 p.m. hasta las 7:30 p.m., en la biblioteca Midland Library ubicada en 805 SE 122nd Ave., para responder a sus preguntas acerca de esta correspondencia, el Plan Integral y los cambios de zonificación. Si no puede venir durante el horario de oficina, nos complacerá poder responder sus preguntas por teléfono. Comuníquese con el 503-823-0195 y solicite un intérprete.
- 3. Ask City staff a question.** We are happy to help. Call 503-823-0195 or email us at pdxcompplan@portlandoregon.gov.

The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings. If you need special accommodation, translation or interpretation please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 711.

How can I provide feedback to decision-makers?

You may testify about proposed changes to the Planning and Sustainability Commission (PSC) in the following ways:

Testify in person at the PSC public hearing.

You may speak for 2 minutes to the Commission, and your testimony will be added to the public record.

PSC Employment Zoning Project Public Hearing

Tuesday, October 27, 2015 at 3:00 p.m.

1900 SW 4th Avenue, Room 2500, Portland, OR

To confirm the time and date, check the PSC calendar at

Testify in writing between now and October 27, 2015.

You must provide your full name and mailing address.

- **Email:** psc@portlandoregon.gov with subject line "PSC Employment Zones Testimony"
- **U.S. Mail:** Portland Planning and Sustainability Commission, Employment Zones Testimony, 1900 SW 4th Ave., Suite 7100, Portland OR 97201

OF YOUR PROPERTY AND OTHER PROPERTIES

You will receive a notice for each property that you own that may be affected by a proposed zoning code and/or map change. Therefore, if you own multiple properties you may receive more than one notice.

S HRANNSI 33431



MASCOT LLC & KIN PROPERTIES
185 NW SPANISH RIVER BLVD #100
BOCA RATON FL 33431-4230

RETURN SERVICE REQUESTED

Notice of Zoning Code and/or Zoning Map Changes

City of Portland, Oregon
Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, Oregon 97201-5380
P514



U.S. POSTAGE PITNEY BOWES
ZIP 97204 \$ 000.391
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Presort
First Class Mail
Combas Price

This is a public notice about proposed zoning changes that may affect your property. For more information, call 503-823-0195 and ask for an interpreter.

Este es un anuncio público sobre los cambios al aprovechamiento del terreno que puedan afectar a su propiedad. Para obtener más información, comuníquese con el 503-823-0195 y solicite un intérprete.

这是一则关于可能影响您的财产的拟定土地使用变更的公共通知。如需更多信息，请致电 503-823-0195 并要求提供一名译员。

Đây là một thông báo công khai về các thay đổi trong việc sử dụng đất được đề xuất mà có thể gây tác động đến tài sản của quý vị. Để biết thêm thông tin, vui lòng gọi điện thoại đến số 503-823-0195 và yêu cầu một thông dịch viên ngôn ngữ.

Это публичное извещение о предлагаемых изменениях порядка землепользования, которые могут повлиять на принадлежащую вам собственность. Для того, чтобы получить более подробные сведения, позвоните по тел. 503-823-0195 и попросите соединить вас с устным переводчиком.

Kani waa ogaysiis dadweyne oo ku saabsan isticmaal dhuleed oo la soo jeediyayo laga yaabo in uu raad ku yeesho hantidaada. Waxii macluumaad dheeraad ah, wac 503-823-0195 waxaanaad codsataa turjubaan.

このお知らせは、提案されている土地利用の変更を公に通知するものです。この変更は、あなたの所有地に影響を及ぼす可能性があります。詳細については、503-823-0195 までお電話のうえ、通訳をご要請ください。

ນີ້​គឺ​ជា​ការ​ប្រកាស​សាធារណៈ​អំពី​ការ​ផ្លាស់​ប្តូរ​ក្នុង​ការ​ប្រើ​ប្រាស់​ដី​ដែល​បាន​ផ្តល់​ដំបូង​ឱ្យ​អ្នក ដែល​អាច​មាន​ឥទ្ធិពល​លើ​សម្បត្តិ​របស់​អ្នក។ ប្រសិនបើ​អ្នក​ត្រូវ​ការ​ព័ត៌មាន​បន្ថែម ទាក់ទង​នឹង​ការ​ផ្លាស់​ប្តូរ ទូរស័ព្ទ​ទៅ​លេខ 503-823-0195 ដើម្បី​សុំ​អ្នក​បក​ប្រែ​ភាសា។

මෙය පුද්ගලිකව ප්‍රකාශ කළ යුතු ප්‍රකාශනයක් වන අතර එහි අර්ථ දැක්වීමක් වන්නේ ඔබගේ භූමියට හෝ ඔබගේ භූමියට සමීපව පිහිටි භූමියකට කෙරෙන යම් කිසි වෙනස්කම්වලට එරෙහිව ඔබට හැකිවනු ඇතැයි සිතවීමයි. වැඩිදුරටත් තොරතුරු සඳහා 503-823-0195 දුරකථන අංකයට කථනාන්විතව කතා කරන්න.



East Multnomah Soil and Water Conservation District

October 21, 2015

Portland Planning and Sustainability Commission
1900 SW 4th Ave., Suite 7100
Portland, OR 97201

Subject: EMSWCD comments on Employment Zoning Project

Dear members of the Portland Planning and Sustainability Commission:

Please accept the following comments from the East Multnomah Soil and Water Conservation District (EMSWCD) on the Employment Zoning Project.

EMSWCD's mission is to help people care for land and water. To accomplish this, we collaborate with government agencies, non-profit organizations, community groups, and residents to improve and protect soil and water-related resources in areas lying east of the Willamette River centerline within Multnomah County. Within the urban part of our service area, among other efforts, we assist partners with protecting priority natural resource areas and providing equitable opportunities for people to access natural areas, particularly in underserved communities. One recent example is EMSWCD's contribution of \$1,000,000 towards the City's purchase of the Colwood Golf Course site for the establishment of the Colwood Natural Area.

In general, EMSWCD understands the City's desire to protect important industrial land in Portland to provide for the region's industrial land needs, including making better use of existing industrial lands through densification and re-development of brown field sites, rather than converting new areas to industrial uses. There are, however, important natural areas in the North Reach and Columbia Corridor industrial areas, particularly along the Columbia Slough, that function as wildlife habitat and corridors, help manage stormwater, and provide recreational opportunities for the communities of north and northeast Portland. These natural areas and natural resource values cannot, for all intents and purposes, be replicated anywhere else and deserve protection and restoration.

We have concerns that the proposed industrial overlay zone is overly restrictive and will place an undue burden on the protection and restoration of new natural areas. This planning initiative would be a good opportunity to recognize important environmental and natural resource areas and exclude them from the industrial overlay zone. Addressing industrial concerns, while not addressing environmental concerns at the same time, only serves to perpetuate conflicts between industrial and environmental interests.

EMSWCD welcomes the initial changes to the Employment Zoning Project from the discussion draft, including: excluding existing parks from the industrial overlay zone; allowing stormwater facilities as identified by BES; and allowing for the off-site mitigation of natural resource impacts in prime industrial areas. In addition, we support excluding the industrial capacity off-set requirement for the establishment of new parks and natural areas in the industrial overlay zone.



In addition to the above, the EMSWCD:

- 1) Does not support the two acre size restriction on parks, especially for areas near (less than 0.5 miles) underserved communities currently without adequate access to parks and natural areas. Requiring a comprehensive plan amendment to establish a park larger than two acres places an undue burden on the establishment of new parks and natural areas and the ability to meet park and natural resource protection goals.
- 2) Supports all areas identified as high or medium natural resource value in the City of Portland Natural Resource Inventory, regardless of current protection status, being excluded from the industrial overlay zone, or be an allowed use without any size restriction or mitigation requirements for new natural area establishment.
- 3) Supports concurrent updates of the environmental overlays with the industrial overlay for the North Reach River and Columbia Corridor. In doing so, important open space and natural resource areas that should be protected can be identified and future conflicts over the use of those areas minimized.

Thank you for considering these comments.

Sincerely,

Jay Udelhoven, Executive Director
East Multnomah Soil and Water Conservation District



Oregon State Office
808 SW 3rd Avenue
Suite 570
Portland, OR
97204

T: 503-228-6620
F: 971-244-0518
www.tpl.org

October 19, 2015

Mr. Steve Kountz
Portland Bureau of Planning & Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Re: Draft Employment Zoning Project

Dear Mr. Kountz:

I am writing on behalf of The Trust for Public Land to comment on the proposed Employment Zoning Project.

The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come. We work across the country, including in the Portland metropolitan area, and have recently partnered with the City of Portland on park and natural area acquisitions that have helped improve citizens' access to parks, addressed ecological goals, and contributed to the City's investments in green infrastructure.

We also recognize the critical importance of maintaining an adequate supply of employment land in Portland, especially in prime industrial areas. As a case in point, we recently worked with the city, neighborhood and advocacy groups, and a private landowner to facilitate the rezoning of a portion of the former Colwood National Golf Course to industrial land, and the acquisition by the city of the remaining portion as parkland, habitat, and open space. This was a complex project that entailed thoughtfully balancing the competing needs of employment, park access for an underserved neighborhood, and protecting and restoring habitat along the Columbia Slough.

We strongly support balanced approaches to economic development and environmental protection and applaud the Comprehensive Plan's efforts to accomplish this balance. That said, we are concerned about the proposal to make certain parks and open uses a conditional use in the new Prime Industrial overlay zone. In our view, this further heightens already substantial hurdles to providing parks and natural areas in part of the community that has significant natural resources, restoration potential, and underserved communities.

The simple fact is that much of Portland's best industrial land also has important natural resource values that, even if currently impaired, are essential to the long term viability of Portland's natural resource base. Given existing funding constraints around natural areas acquisition and restoration, we are concerned the proposed changes – namely the conditional use requirement and a conceptual mitigation mechanism – would hinder the City's ability, and that of related organizations such as ours, to make the kind of investments that will ensure long term resilience and community benefit.

It would be unfortunate if a planning exercise intended to promote one very important value – industrial employment lands – hampered equally important goals. We are concerned this will be the case, and prefer to see the City focus on incentivizing compatibility of industrial development with natural resource protection through targeted acquisition and restoration, rather than zoning constraints.

We appreciate the opportunity provide comments and support the city as it undertakes the critical task of ensuring an appropriate supply of employment land, balanced with other essential goals of the Comprehensive Plan.

Sincerely,



Nelson Mathews
Oregon State Director
The Trust for Public Land

DEAN M. SHYSHLAK, ESQ.
ATTORNEY AND COUNSELOR AT LAW
10490 S.W. EASTRIDGE AVENUE, SUITE 110B
PORTLAND, OREGON 97225
OFFICE TELEPHONE: (503) 296-7900
CELL TELEPHONE: (503) 347-1571
FASCIMILE: (503) 641-8598
EMAIL: shyshlaklaw@yahoo.com

October 19, 2015

Portland Planning and Sustainability Commission
Employment Zoning Testimony
1900 S.W. 4th Avenue
Suite 7100
Portland, Oregon 97201

Re: Subject: PSC Employment Zones Testimony

**Effected Properties: 13509-13517 N.E. Whitaker Way
Portland, Oregon 97230
(State ID# 1N2E23AC 500)**

and

**13519-13521 N.E. Whitaker Way
Portland, Oregon 97230
(State ID# 1N2E23AC 400)**

To whom it may concern:

I am writing on behalf of the owners of record for the above-referenced real properties: my sister, Kym-Marie Harris and myself, individually, and Galicia Property Holdings, LLC, which is an entity jointly owned by my sister and myself. Unfortunately, due to a prior commitment I am unable to personally appear at the public hearing on the proposed zoning changes and therefore respectfully request that this letter be entered into the public record on this matter.

Our primary concern involves the proposed prohibition against self-service storage as defined in Title 33.920.260 of the City of Portland's Planning and Zoning Code (the "Code"). As currently worded the Code has the potential to materially and detrimentally effect the use and value of our properties. Although at the moment we have no tenants which fall within the definition of self-service storage, we have had these types of tenants in the past and are likely to have such tenants in the future.

Based upon our concerns I had a phone conversation with Steve Kountz, who is the Project Manager for the proposed zoning changes. I posed to Mr. Kountz various hypothetical tenant scenarios and whether the proposed uses would be allowed if the self-service storage prohibition was adopted. His responses were less than satisfactory to alleviate our concerns and he also promised to consult with his colleagues and get back to me as to one particular scenario which I will address below, but as of the date of this letter I have received no follow-up response from Mr. Kountz. In addition, since my conversation with Mr. Kountz there is another hypothetical tenant scenario which upon further reflection has raised concerns.

The hypothetical tenant scenario I discussed with Mr. Kountz and which he promised to get back to me on involves the situation of renting one of my spaces to multiple tenants who have the shared use of the rented space for storage of personal items like car collections, boats and recreational vehicles (or perhaps their portion of the inside of the warehouse is defined). Initially Mr. Kountz indicated that this type of use would be prohibited but he then said he wanted to consult with his colleagues over this scenario. We have had tenants in the past who have rented our spaces for this type of use and likely will have tenants in the future who would also like to rent our spaces for this type of use. From my interpretation of the Code this type of use could be considered as being prohibited and if in fact this type of use is prohibited then it will have a material and detrimental effect on the use and value of our properties.

The additional hypothetical tenant scenario which has raised concerns deals with renting of our spaces to one tenant who exclusively used our space for either personal or business storage, especially because we have had this type of tenant in the past and would like to have the ability to continue to have this type of a tenant in the future. The Code defines characteristics of self-service storage as follows: "Self-Service Storage uses provide separate storage areas for individual or business use. The storage areas are designed to allow private access by the tenant for storing or removing personal property." I can easily envision how this language could be construed to forbid us from renting space to one individual for either their personal or business use storage and if so it would have a material and detrimental effect on the use and value of our properties.

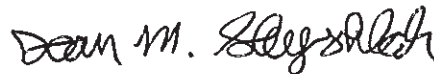
Lastly, from my conversation with the City of Portland it is the city's position that the proposed zoning changes will result in additional job creation. Perhaps, but not as concerns the property which is owned by Galicia Property Holdings, LLC and located at 13509-13517 N.E. Whitaker Way, Portland, Oregon 97230. Situated on this property is a commercial warehouse which is divided into two, separate rental units consisting of approximately 5,000 square feet each of warehouse space with some additional office space. My father built this building in the late 1980's and since that time my family has rarely had a tenant who had more than one or two employees. Quite simply this building and the rental spaces within this building is not designed for a multi-employee type of operation so if the proposed zoning change is adopted it would materially and

detrimentally effect the type of tenant we could rent to in the future not to mention diminish the value of our properties.

In conclusion, I respectfully request that the proposed zoning change, in particular the prohibition against self-service storage not be adopted by the Portland Planning and Sustainability Commission. Alternatively, if the commission feels compelled to impose a prohibition against self-service storage then the language contained in the Code should be amended to clarify and provide specifically for the types of uses I have mentioned in this letter. Should the commission however decide to adopt the prohibition against self-service storage than it is my opinion that such a change in zoning constitutes an unlawful taking of our properties under both the United States and State of Oregon Constitution and likely will require me to bring a legal action for compensation as a result of the diminished value of our properties.

Thank you in advance for your consideration of our comments and concerns.

Very truly yours,



Dean M. Shyshlak, Esq.

cc: Kym-Marie Harris
Galicia Property Holdings, LLC



October 13, 2015

Planning and Sustainability Commission
1900 SW Fourth Avenue, Suite 7100
Portland, Oregon 97201

Dear Chair Baugh and Commission Members:

The Portland Business Alliance (Alliance) appreciates the opportunity to comment on the Employment Zoning Project. The project is a step in the right direction toward meeting growth capacity shortfalls in the Portland Harbor, Columbia Corridor and dispersed employment areas in the city of Portland. We commend Bureau of Planning and Sustainability (BPS) staff for their attempt to achieve more efficient use of industrial land and mixed employment areas.

The Employment Zoning Project proposes map and code amendments such as a prime industrial overlay that better align land use with middle-income job growth. The project is absolutely critical to preventing the extraneous conversion of prime industrial land which is a significant generator of middle-income jobs, particularly for those with less than a four-year college degree. As the Alliance's *Middle Income Jobs Report* shows, our region has regained jobs lost at the low- and high-end income levels, but we have not regained all middle-income jobs lost during the recession. In addition, BPS' own report, *The Industrial Middle of Portland's Changing Income Distribution*, finds that communities of color and East Portlanders frequently rely on jobs on industrial lands. The middle-income jobs that industrial and mixed employment areas generate are significant for achieving an equitable city as previously outlined in the adopted *Portland Plan*.

Since the last comprehensive update, the city of Portland has lost about 1,000 acres of industrial land that have been converted to other land use designations. We understand that market forces evolve and play a significant role in driving demand for different types of development, whether it be residential or industrial for example. This project strikes the right balance between ensuring that there is an adequate supply of industrial land and still preserving the right to a legislative zone change. In other words, the project discourages conversion but does not absolutely restrict it. For example, the mitigation fee proposed does not prevent one from converting industrial land but will cause people to pause and consider carefully the opportunity cost and value of conversion.

While we appreciate strategies such as brownfield redevelopment and golf course conversion to address our shortage of industrial and mixed employment areas, these options are aspirational at best and do not reflect market realities. It is, therefore, critical that the pragmatic amendments proposed in the Employment Zoning Project be made to protect our limited supply of industrial land.

The Employment Zoning Project will also help offset policies that hinder an adequate supply of industrial land and the potential for development within the proposed 2035 Comprehensive Plan.

We understand, for example, that strategies to update environmental zoning in the Columbia Corridor and harbor industrial districts, are estimated to reduce industrial development capacity in these areas by about 150 acres.

The Employment Zoning Project not only attempts to make up for this shortfall but also addresses the need for habitat protection and enhancement and improved access to public open space.

Thank you for your consideration of these comments.

Greater Portland's Chamber of Commerce

Sincerely,

A handwritten signature in black ink that reads "Sandra McDonough". The signature is written in a cursive, flowing style.

Sandra McDonough
President & CEO

cc: Portland City Council
Susan Anderson, Bureau of Planning and Sustainability

10-13-15

PORTLAND PLANNING AND
SUSTAINABILITY COMMISSION
EMPLOYMENT ZONES TESTIMONY
1900 S.W. 4TH AVE SUITE 7100
PORTLAND, OREGON 97201

PROPERTY ADDRESS 6040 NW 60TH AVE 97210
STATE 10# ~~AVENUE~~ NW 1300 3000
BASE ZONE 1H USAGE-RESIDENTIAL
SINGLE FAMILY

I AM WRITING IN REGARD TO THE CITY'S
20 YEAR PLAN. NW 60TH AVE IS A
"RESIDENTIAL" STREET WITH APPROXIMATELY
7 RESIDENCES AND OTHER LOTS. IT HAS
NEVER BEEN USED AS INDUSTRIAL EXCEPT
FOR 2 LOTS THAT CONNECT TO THOSE
FRONTING SALTZMAN ROAD. ONE NEW HOUSE
HAS BEEN BUILT ON SALTZMAN AND 2 ON
NW 60TH HAVE BEEN SOLD TO YOUNGER
FAMILIES. IT IS MINUTES FROM ST. JOHNS,
THE PEARL DISTRICT, NW 23RD AVE. AND
DOWNTOWN. ALL UTILITIES ARE IN
INCLUDING SEWERS. TRANSIT IS
AVAILABLE ON HY. 30 (ST. HELENS ROAD).
SALTZMAN ROAD IS HEAVILY USED BY
CYCLISTS, JOGGERS, FOOT TRAFFIC AND

VEHICLE TRAFFIC. CARS PARK ALONG
THE BOTTOM OF SALTZMAN AND PEOPLE
ON THEIR LUNCH HOUR WALK UP AND
INTO FOREST PARK.

I AM REQUESTING THAT YOU LOOK AT
THIS SITE AND GIVE CONSIDERATION TO
REMOVING THE IH ZONING. I BELIEVE
THE OWNERS OF THE PROPERTIES WOULD
WELCOME IT. FINANCING FOR IMPROVEMENT
TO THEIR PROPERTIES IS OFTEN VERY
DIFFICULT TO SECURE.

I APPRECIATE YOUR TAKING THE TIME
TO READ AND CONSIDER THIS REQUEST
IN YOUR 20 YEAR PLAN.

I HAVE HAND WRITTEN THIS AS I DO
NOT HAVE ACCESS TO A COMPUTER AND
AM NOT ABLE TO ATTEND A MEETING
DUE TO HEALTH PROBLEMS.

VENMA M. DEPPA
7407 SE 20TH AVE
PORTLAND, OREGON 97202
503-235-5402 Home Phone



Date: October 11, 2015

Re: Audubon Society of Portland Comments on Employment Zoning Project

From: Bob Sallinger, Conservation Director, Audubon Society of Portland

To: Portland Planning and Sustainability Commission

Dear Members of the Planning and Sustainability Commission,

Please accept the following comments from the Audubon Society of Portland regarding the Employment Zoning Project. Audubon opposes the requirement in the proposed prime industrial land overlay which would require that conversion of industrial land be simultaneously mitigated with conversion of other land use types to industrial use, cash payments into an industrial land fund or financial investments in industrial infrastructure.

Audubon is supportive of the general approach that the Draft Comp Plan takes to industrial lands

In general, Audubon is supportive of the approach that that PSC recommended draft of the Comprehensive Plan takes regarding industrial lands. Specifically we support an approach that focuses primarily on intensification of use of the existing industrial land base, clean-up and return to productive use of contaminated brownfield sites and limiting up zoning of industrial lands for other uses, rather than conversion of open space and natural areas for industrial uses. We applaud the PSC for recognizing that we need to make better use of the industrial lands that we already have rather than destroying additional natural resource areas along our already severely degraded urban river system.

Audubon is deeply concerned about the proposed prime industrial land overlay

We believe that the Employment Zoning Project goes too far in terms of limiting the ability to protect natural resources on lands that would be covered by the new prime industrial land overlay. The employment zoning project would establish a new "prime industrial land overlay" across much of Portland Harbor and the Columbia Corridor which would require that any new natural areas established within this overlay be mitigated by either 1) an equal number of new acres of industrial lands, 2) an \$8/square foot charge toward an industrial land fund or 3) new investments in industrial transportation infrastructure. This would dramatically increase the cost to protect natural areas and for all intents and purposes prevent the establishment of any new natural areas within the prime industrial land overlay zone. Additionally, the new overlay zone would prohibit altogether the establishment of any new active parks greater than two acres in size within the prime industrial land overlay without a Comp Plan

amendment. This would functionally prevent the establishment of any new parks. Neither restriction is appropriate.

While we agree that it is important to exercise caution in protecting the industrial land base from both conversion to other uses and a proliferation of non-industrial activities within industrial zoned lands, it is not appropriate to treat industrial lands sacrosanct at the expense of both the environment and the surrounding community. It is important to recognize that the lands along North Portland Harbor and the Columbia Corridor are not only prime industrial land, but also among our most important and severely degraded natural resource lands. It is also important to note that interspersed among these industrial lands are communities, many of which are park deficient. The new prime industrial land overlay would make it difficult if not impossible to remedy either of these situations.

We believe that the policies currently in the draft Comp Plan combined with the five year Goal 9 reviews are sufficient in and of themselves to serve as a significant barrier to indiscriminate conversion of industrial lands without the draconian measures that would be implemented with the prime industrial land overlay.

The proposed Prime industrial land overlay would create a perverse incentive for industrial landowners to up-zone their properties.

It is important to note that much of the recent up zoning has occurred on industrial land has been done at the direct behest of industrial land owners. These lands have not somehow been “taken from industrial interests” as much of the rhetoric around this issue would suggest. Rather many industrial interests have been more than willing to convert their own lands when there was money to be made. Recent examples include: Terminal 1, Cascade Station, South Waterfront, Hayden Meadows and the Pearl. This has set-up a dynamic in which industrial land owners cash out existing industrial land through up zoning to more lucrative uses and then turn around complain about a lack of industrial land. The proposed prime industrial land overlay creates the ironic unintended consequence of actually promoting this type of behavior in that, now when the industrial community supports conversion of industrial lands to other uses, it will also have more leverage to simultaneously demand greenfield sites to compensate for the lands they are converting---a win/ win for industrial landowners at the expense of the community and the environment.

Moving forward with updating industrial land overlays while postponing updating natural resource overlays in the North Reach and Columbia Corridor is inconsistent with the Comp Plan

We are deeply disappointed that the City has chosen to move forward with new zoning in the North Reach and Columbia Corridor in a piecemeal fashion that prioritizes addressing industrial land concerns now while delaying natural resource issues to a later date. This approach is inconsistent with the Comprehensive Plan public involvement process which sought to address natural resources and industrial land demands in tandem (in fact Audubon served on the joint industrial lands/natural resources subcommittee that developed many of these concepts) and the draft Comprehensive Plan itself which clearly recognizes the interconnectedness between the industrial lands policies and the natural resource policies. We do not understand why the City would now deviate from a strategy that

recognizes that industrial land issues and natural resources need to be addressed holistically, comprehensively and concurrently in favor of a new approach that treats them in isolation and frontloads industrial concerns while delaying natural resource concerns

Recommendations:

- 1) **First and foremost we urge the PSC to eliminate the mitigation requirement from the prime industrial land overlay.** The policies in the draft Comp Plan and the five year Goal 9 reviews should be sufficient barriers to preventing frivolous conversion of industrial land without the draconian mitigation requirements included in the prime industrial land overlay. The city and industrial landowners should take the conversion of industrial lands seriously, but establishing a punitive mitigation scenario in which the community is forced to either convert other types of lands to industrial use or pay massive sums of money into industrial land and infrastructure funds, when lands are converted to meet legitimate community needs does not serve the best interests of the community.
- 2) **We urge the City to simultaneously update environmental overlays in the Columbia Corridor and North Reach concurrent with any changes that are made to industrial overlays:** It simply does not make sense to update the industrial lands and employment zoning in the North Reach and Columbia Corridor without concurrently designating what new areas will be protected for open space and particularly natural resource value. The only way that the public can truly understand and evaluate the implications of the significant zoning changes that are being considered on industrial lands is if it can simultaneously evaluate new zoning proposals that would be applied to protect natural resources. While the Economic Opportunities Analysis (EOA) does include provisions that would accommodate expanded environmental zones in both the Columbia Corridor and North Reach, this in no way guarantees that these protections will ever actually be adopted and industrial interests have repeatedly signaled their intention to oppose expansion of natural resource protections if and when they are brought forward. The City has an historic opportunity to resolve long standing conflicts between employment lands and natural resource protection in the North Reach and Columbia Corridor, but that will only happen if both are addressed concurrently. To do otherwise is to deliberately set up a scenario in which it will be significantly more difficult to come back later and add new environmental protections. In fact, we expect that some industrial interests will quickly turn around and use the designation of “prime industrial land” as a basis for arguing that the environmental zoning updates should not move forward at all. This repeats an historic pattern in the North Reach and Columbia Corridor where the sequential designation of industrial lands prior to environmental protections has been later used as a basis to justify opposition to natural resource protection.
 - a. **Airport Futures:** Even if the City does not move forward with comprehensively updating environmental overlays concurrent with establishing prime industrial land overlays, it should move forward with the long delayed environmental overlay updates included in the Airport Futures Plan. The Airport Futures Plan included an ESEE (Economic, Social, Environmental and Energy analysis) to determine where to apply environmental protection and conservation zones within the Airport Plan District. However pending completion of the Economic Opportunities Analysis, the Airport Futures project applied

updated e-zones to Port of Portland and City of Portland lands, but not to other parts of the plan district. Now that the EOA has been completed, there is no reason to further delay implementing the environmental overlay zones in the rest of the Airport Plan District consistent with the ESEE.

- 3) **If the City retains the mitigation requirements in the prime industrial land overlay, it should include the following provisions:**
- a. **All storm water facilities as defined by the Bureau of Environmental Services within the prime industrial land overlay should be designated as an allowed use and exempted from the prime industrial land mitigation requirements.** Our understanding is that this change is already being recommended by staff and we appreciate that recommendation.
 - b. **All lands identified as high, medium and low natural resource value within the City of Portland Natural Resource Inventory (NRI) within the North Reach or Columbia Corridor should be designated as an allowed use and exempted from the prime industrial lands mitigation requirements.** The City, Metro and NGO stakeholders have all identified natural resources that require increased protection either through fee simple acquisition or increased regulatory protection in order to restore the North Reach and Columbia Corridor to ecological health. Ideally the City would establish new natural resource protections concurrent with establishment of the prime industrial land overlay (see recommendation # 2). However, given that the city wants to take these steps sequentially and likely with a multi-year gap before the nature resource zoning updates will occur, it should exempt all high, medium and low rated natural resource lands from the prime industrial land overlay mitigation requirements until the natural resource zoning updates can be completed.
 - c. **All new parks established of any size within a half mile of a park deficient community within the prime industrial land overlay should be an allowed use and be exempted from the prime industrial land overlay mitigation requirement.** There are several park deficient neighborhoods interspersed with the lands that would be covered by the prime industrial land overlay. The city should ensure that the prime industrial land overlay does not preclude these neighborhoods from reaching a basic level of service for parks and openspace.
 - d. **The City should ensure that its prime industrial land overlay excludes all lands that have already been converted for use as parks or natural areas:** Our understanding is that there are several sites that the current proposed prime industrial land overlay maps mistakenly designate as industrial when in fact they have already been acquired as parks or natural areas. Both Metro and Portland Parks have identified some of these sites. These errors should be corrected.
 - e. **Mitigation required for natural resource impacts on prime industrial lands, under federal, state or local mandates should be designated as allowed uses and be exempted from the prime industrial land overlay mitigation requirements.** Our understanding from staff is that this is the intention of the revised code. If this is the case, it should be clarified and made explicit. We are particularly concerned that the city

retain the ability to adopt environmental regulations that go beyond federal and state regulations without triggering the offset requirements. We also want to ensure that any requirements specifically associated with ESA, Clean Water Act Superfund, NRDA and any requirements to meet Fema floodplain insurance programs are exempted from the offset requirement.

- 4) Golf Course acreage should not be converted to industrial use.** Audubon does not support the rezoning of portions of golf courses for industrial use. Large contiguous open space parcels are rare and uniquely valuable. The prior Comprehensive Plan explicitly recognized the importance of permanently protecting these parcels as open space. The current proposal to convert portions of these properties to industrial use is not driven by a strategic approach to land use planning, but rather by a dogmatic adherence to eking out marginal acres to meet address a goal 9 industrial land deficit. The limited job gains from converting portions of these parcels to industrial use are outweighed by their value as open space and they should be preserved in their entirety for this purpose. To the degree that any conversion does occur, it is essential that the city put in place strict provisions that ensure that real job targets will be achieved on these sites. If the City does allow conversion of golf course acreage, we urge it to consider zoning other than IG2 which virtually assures low density industrial development. In addition the set backs (25 feet) and plantings proposed for the buffer areas are insufficient and should be expanded to better protect natural resources and neighborhoods.

We strongly urge the PSC to eliminate the mitigation requirement associated with the new prime industrial land overlay. While preservation of industrial land is important, the city also needs to flexibility to adapt to changing economic and community needs and to accommodate multiple community goals. The new prime industrial land overlay locks the city into a rigid structure that places the protection of industrial land above all other community objectives, will make it significantly more difficult to protect and restore natural resources in the North Reach and Columbia Corridor and will perpetuate a cycle of environmental degradation and land use conflict in these areas of the city.

Thank you for your consideration of these comments.

Respectfully,



Bob Sallinger
Conservation Director
Audubon Society of Portland

From: James Winkler [mailto:jhw@winklercompanies.com]
Sent: Wednesday, October 07, 2015 11:20 AM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: PSC Employment Zones Testimony

I am the managing member of Madrona Cutter LLC which owns the property located at 6845 N Cutter Circle on Swan Island. On or about September 22, I received notice of a proposed zoning code and/or map change that may affect the permissible uses of our property. I contact the bureau and asked to speak with planner dealing with this matter and have not received a return phone call. Due to my travel schedule, it is unclear I will be able to attend the October 27 hearing to give verbal testimony and am writing this email to record my opposition to the proposed overland ('I') that would limit certain uses of the property and prohibit self-storage and major event entertainment uses. Should the current tenant leave the property we have developed contingency plans for possible re-uses of the property and wish to maintain the current IG2 zone without additional overlays limiting the economic value or uses to which the property can be put.

Thanks for considering our view.

Jim

--

James H. Winkler

Winkler Development Corporation
210 SW Morrison Street, Suite 600
Portland, OR 97204

jhw@winklercompanies.com

tel: 503.225.0701

fax: 503.273.8591

www.winklerdevcorp.com

From: kim moore [mailto:rchrisbost@hotmail.com]
Sent: Monday, October 05, 2015 4:58 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: PSC Employment Zones Testimony

RE: 6135 NE Bryant St
State ID: 1N2E18AA 100

Current Overlay: RF

Proposed Overlay: "I"

To Whom It May Concern:

At this point, I am NOT interested in adding the proposed "Industrial" overlay to my above referenced property for the following reasons:

1. The industrial overlay would decrease the value of the surrounding homes, including mine, 25 percent.
2. The industrial overlay may increase property taxes to an unknown tax amount that may force myself and other property owners to sell our beloved properties.
3. Also, city of portland has also required all property owners at my above referenced address and other abutting property owners to hook up to city sewer and water, which cost us as home owner a substantial amount to keep our properties. The City of Portland also installed a pumping house that we (all the property owners that live in the general area) paid for, which is located off of NE 63rd Avenue at the end of the road.

Sincerely,

Full Name:
Rose Christina Fredrickson
Mailing Address:
P O Box 1110
La Pine, OR 97739
503.484.7181

From: Bob Schatz [mailto:bob@allusaarchitecture.com]
Sent: Wednesday, September 23, 2015 3:30 PM
To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: PSC Employment Zones Testimony

Hello

I just received notice that you are proposing to change the zoning of my property from EX to EG1. I purchased the property with intentions on developing the land and understanding the allowed regulations that came with the property. It appears that if the property was to change zones then it would remove potential development that I currently own. For example the height regulation would be reduced from 65 feet to 45 feet, the front setback increased from 0 to 5 feet and the coverage changed from 100% to 85% and I would have a required landscaping regulation that I currently don't have.

These changed restrictions would reduce the development potential of my land and thus reduce the value. I urge you to consider property owners like myself to have the ability to retain the zoning regulations we purchased into and consider future property owners to be regulated by the proposed changes. Either that or I would feel the need to be compensated for the reduced value.



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