

Portland Planning and Sustainability Commission

November 14, 2017

12:30 p.m.

Meeting Minutes

Commissioners Present: Jeff Bachrach, Andre' Baugh, Ben Bortolazzo, Mike Houck, Katie Larsell, Andres Oswill (arrived 12:43 p.m.), Michelle Rudd (left at 4:05 p.m.), Katherine Schultz, Chris Smith, Eli Spevak, Teresa St Martin

City Staff Presenting: Joe Zehnder, Eric Engstrom, Barry Manning, Marty Stockton, Nan Stark, Joan Frederickson, Leslie Lum, John Cole, Steve Kountz; Mauricio Leclerc, Liz Hormann, Sarah Figliozzi (PBOT); Alison Wicks, Prosper Portland

Chair Schultz called the meeting to order at 12:32 p.m. and gave an overview of the agenda.

Documents and Presentations for today's meeting

Items of Interest from Commissioners

- *Commissioner Larsell* noted that Dr Karen Grey, a former PSC members, was selected as the Oregon Superintendent of the Year. Also, I went to a joint event with a number of organizations with a discussion around the PSC and how the business customers felt about us. These organization often employ the missing middle in terms of jobs, so I want to be sure we're welcoming to them.
- *Commissioner Bortolazzo* attended the ULI meeting and the discussion around Measure M, an infrastructure measure passed by LA County. It is a huge package that includes lots of transit improvements. I think it's something to watch for in the upcoming years, particularly with TOD and affordable housing projects here.
- *Commissioner Spevak* noted that Portland hosted the Build Large, live Small conference last month. About half of the 390 attendees were from out-of-state. People are looking at Portland in terms of ADUs, but we'll soon be surpassed.
- *Commissioner St Martin* attended the OHSU summit on the opioid crisis with *Commissioner Larsell*. One take-away I had is that when we look at how land is used, we need to include clinics with transitional housing.
- *Commissioner Bachrach* attended the ADU conference and complimented *Commissioner Spevak* on the work. There are some regulatory tweaks that are still probably needed in Portland that would help lower the cost.
- *Chair Schultz* followed up on *Commissioner Larsell's* comments, so we want to be sure to talk through how we can break this barrier.

Director's Report

Joe Zehnder

- We will not have a PSC meeting on November 28, so our next (and last meeting of the year) will be on December 12.

Consent Agenda

- Consideration of Minutes from the October 24, 2017 PSC meeting.

Commissioner Smith moved to approve the Consent Agenda. *Commissioner Baugh* seconded.

The Consent Agenda was approved with an aye vote.

(Y10 — Bachrach, Baugh, Bortolazzo, Houck, Larsell, Rudd, Schultz, Smith, Spevak, St Martin)

Bike Parking Stakeholder Group

Briefing: Mauricio Leclerc, Liz Hormann, Sarah Figliozzi (PBOT)

Mauricio introduced the topic and reviewed the policies the PSC has already heard and adopted within other recent plans. Primarily those have been talking about auto parking (and limiting the use of it), so now we've been doing the efforts to look at the bicycle code.

Sarah noted the report from the Stakeholder Advisory Committee. The report formalizes the work of the committee and provides a roadmap to move forward. The background information and context about the conversations the group had, particularly in terms of implementation issues and moving forward are also included in the report.

Today marks the end of the formal work of the SAC. Now they'll begin to work with BPS staff as we work on the code and move toward adoption. In the next phase, we, PBOT, will begin an even closer partnership with BPS to conduct additional spatial and economic analysis of these recommendations, begin the code writing, and then move through the legislative process towards code adoption.

Our goal for the briefing today is to give a general overview of the work to date. Given where we are in the project, we will not go through each of the 30 recommendations, rather, we will highlight a handful of issues that the Committee grappled with and some examples of their recommendations.

From the community side, we have heard:

(1) There is not enough bicycle parking is being installed at new developments and redevelopments, with the exception of multi-family dwelling apartments.

- This is largely a product of a six-fold increase in bicycling in Portland since the vast majority of the bicycle parking amounts were updated 20 years ago.
- This commentary is about the general practice of providing the minimum required bicycle parking. These comments are not from the tenants of the projects developed or designed by the many firms that understand that the city's requirements are not sufficient and who install significantly more bike spaces based on their knowledge of tenants' needs, and in most cases the market demand.

(2) Code's design and spatial requirements have not kept up with the types of bikes people are riding today, and the new rack designs on the market.

(3) We hear that bike theft and security are of paramount importance to Portlanders.

We have seen and heard that to ensure equitable transportation options for all Portlanders, and to meet our City target of 25 percent mode split, safe and accessible bicycle storage needs to be a component of all new development and redevelopment. Also, it needs to be designed in a way that is usable and convenient.

In their 2012 report on Barriers to Cycling, the Community Cycling Center found that the lack of a safe and secure place to park a bicycle is a key barrier for bicycling as transportation or recreation. We also heard

through our own Community Survey and Online Open House, about the difficulties people experienced when they did not have dedicated, secure places to store their bicycle. We recognize that a code update isn't going to address all of the deficiencies in older buildings, but we are sharing these examples to highlight the importance of bike parking, especially for those who may rely on their bicycle as their main mode of transportation.

Commissioner Smith: It's easy for us when we think about bike parking to conceptualize the millennial in South Waterfront. But CCC gets to the diversity of communities in Portland, so thank you for their work.

In terms of the bike requirements in Title 33, they are in 33.266. The bicycle parking code applies to new and redeveloped buildings (per the triggers in the nonconforming development chapter).

The code includes, location requirements, rack design standards, security requirements, and the amount of required bike parking depending on the category of use (office, retail, medical centers, etc). It also requires that bicycle parking is provided for two types of parking situations – with different location, amount and design requirements for the two categories, given their different needs. Short-term Bicycle Parking is for visitors, typically for people who need to lock their bike for less than two hours. The bike parking is usually uncovered, and located near a building main entrance. The focus on short-term bike parking is to be visible and convenient for use. Long-term Bicycle Parking is for residential, workplace, transit and student needs, where the bike is typically parked for longer than 2 hours. Long-term bicycle parking is covered and secure.

While Portland is one of the leading bicycling cities in the United States, in the past 10 years we have fallen behind. Portland's bicycle parking requirements for private development no longer reflect a platinum bicycling city, particularly as city after city has updated their code to reflect best practices in design and to reflect increases in actual and target bicycling rates.

The majority of the bike parking section has not been updated in the past 20 years:

- All required amounts of bike parking (except long term for multifamily dwellings) have not been updated since 1996.
- Security requirements, specifically what passes as adequate security measures.
- Location requirements for long term parking.
- Design details such as spacing and bike footprint.
- Requirements for nonconforming development.

Commissioner Smith thinks we've been chasing the problem but not really catching it. This work is long overdue, and I'm glad we're in the middle of it now.

Commissioner Houck noted his travel in Hood River and their west side planning program. It was my first time using an electric bike. It's now on my list. In terms of facilities, there was one required plug-in, but I think for people in my age category, we'll need to focus on accessibility facilities even more so.

Liz provided information about the SAC. In February 2016. PBOT convened a Committee representing a wide range of stakeholders from developers to architects to bicycle advocates. This Committee also included representatives from other City bureaus, this combination of stakeholder and technical group, was important because of the key role that BPS and the BDS play in developing and implementing code.

The Committee was tasked with addressing a very long and robust scope of work. The scope was developed out of issues raised and identified by staff, from the Committee members themselves, as well as from users of bike parking, and the development community that is tasked with building it.

Some of the major issues the Committee wanted to tackle during this process, include:

- 1) ensuring that there was enough bike parking,
- 2) to fix the current inconsistencies and omissions in code that has made implementation difficult, and
- 3) to address complaints from users regarding bike parking security concerns and usability issues.

Over its seven meetings, the Committee dove deep into these intricacies and issues of bicycle parking, and spent considerable time weighing the tradeoffs and compromises that needed to be made.

The Committee spent thoughtful time framing a set of guiding principles (slide 15). The Committee unanimously adopted these five principles to that set the foundation for the work to develop a full package of recommendations for updating the bicycle parking code. Data-driven and based on best practices from other cities.

Liz highlighted some of the 30 recommendations and themes (slides 17-24).

- Increasing flexibility
- Ensuring usability
- Providing an adequate amount of bicycle parking
- Increasing security standards
- Long-term bicycle parking in a residential unit

Square footage per employee depends: office = 350 square feet. There was a huge range, so we tried to pick a middle number. We wanted to have a way to determine how many employees are projected to be in an office space to use as a proxy.

Long-term bicycle parking in a residential unit is the one issue where the committee has not put forth a specific recommendation, but instead has directed staff to conduct more analysis. Currently, the code allows long-term bicycle parking spaces within residential units to count toward the required bicycle parking minimum. Staff and Committee members have reported a number of issues with these in-unit racks, including:

- Bicycle racks being placed in un-usable locations in the unit.
- Bicycle racks are removed and not returned when new tenants move in.
- Damage deposits being lost when wet, muddy bikes are parked in residential units.

Commissioner Spevak: In terms of the overall scope, I've had a multifamily project where I put long term bike storage in the individual unit. I wanted to put it in an attached garage, but that would have created a mixed-occupancy building, which triggers sprinklers and other BDS regulations.

- Liz: One of our next steps is to look at how our recommendations work with other parts of the code.

No other major city allows required long-term bicycle parking to be placed in the residential unit. And the Portland Bicycle Plan sets the policy direction to eliminate that provision within the zoning code. However, we heard from some partner bureaus that eliminating the provision of bicycle parking to be accommodated in the residential unit completely, would have an impact on housing availability and affordability in the city. Further analysis is needed, and the Committee agreed on the need to develop a compromise position to allow a certain percentage of required long-term bicycle parking to be accommodated in a residential unit, while the rest is located in secure, accessible bike parking space outside the unit.

This was decided with the understanding that staff at PBOT, BPS and BDS are about to embark on a more comprehensive analysis to study how the bicycle parking could be placed in spaces outside the unit, and how that will impact the cost of development, the number of units built and how space is used inside the building. This analysis will inform staff's ongoing work during the formal code writing and legislative process.

Next steps

- Staff will take the entire package of 30 recommendations and the considerable amount of information developed to work through the remaining implementation issues and begin writing the code update.
- PBOT and BPS will partner on a more comprehensive Economic and Spatial Impact Analysis of a number of the key recommendations.
- Concurrently, BPS and PBOT will partner on the formal code writing and legislative process.
- Continued outreach through the code legislative process and other venues.
- Staff and the Committee have also talked a lot about the need for a companion, Bicycle Parking Handbook that can provide much more detail and guidance than the zoning code.

Commissioner Larsell: I noticed that East Portland is outside of the zone of intensive bike parking. I really want to dig into that and find out why you made that recommendation. There were no people representing East Portland on the committee. Also, Gateway Transit Center: does parking impact TriMet and the stations along the east side?

- Liz: Transit centers, park-and-rides and stations are specific in the code. But for existing projects, we can't make them increase the bike parking.
- Sarah: There is a project in the works to improve the amount of bike parking at Gateway.

Did you look at businesses in East Portland? Landforms are different.

- Liz: In some case studies, we looked at businesses throughout the city. We didn't dive into the intricacies just yet, but that is to come.

Commissioner Baugh: There is a relationship between affordable housing, security and costs. Bike mode splits are generally lower than the rest of the population. It seems like the economic analysis should show the costs and the benefits (e.g. CO2 reduction) versus just the costs to affordable housing. As we look at bike parking, how do we get it into some of the lower-income neighborhoods as a strategy? I don't know how the recommendations adapt to where you have lower-income neighborhoods?

Commissioner Smith: I had the honor of being the PSC liaison on the advisory committee. I want to thank all the staff and participants, particularly Sarah and Liz.

Commissioner Oswill: Has there been engagement with affordable housing providers so they can start thinking about it and providing it as an option?

- Liz: We started the process talking with staff at PHB, who have connected us with REACH and others providing affordable housing. I went and did some site visits to hear from project managers. As we move forward, we want to figure out how we can engage with residents more. But the relationships have started.

Commissioner Rudd: Regarding the economic analysis, does the concern include the possibility of fewer units being built? I'm concerned about that. The City invested in Smart Park. Do we have secure bike parking in those facilities?

- Sarah: Yes, the economic analysis will include whether there is a risk of production of fewer units. In some locations. Typically bike lockers. On a side track, there is an effort to increase these facilities.

Commissioner Houck: Owning a car is expensive, so if you don't need one, housing becomes more affordable. So we do need to be looking at both sides of the equation.

Commissioner Bachrach: You mentioned reaching out to building owners. What about private sector developers? They are also building micro-units and are cost-conscious, even if they're not receiving a subsidy.

Chair Schultz: Thank you for this work. As you're looking at it, in terms of design review process, it's out of place to show bike parking solutions during the design review process... how do we put it into code versus having it within the design review? In terms of affordability issues, I think another topic is the cost park. How do we figure this out and make sure people can have at least one free bike parking place in a building (both multifamily and commercial)? I also have lots of ideas about in-unit parking options that I'd like to share in the future.

2035 Comprehensive Plan Code Reconciliation Project

Work Session / Recommendation: Eric Engstrom, Barry Manning, Alison Wicks, Prosper Portland

Barry reviewed comments and input from the October 24 PSC hearing. Today we're talking through several items identified in testimony and from PSC members. Staff made recommendations about code language the PSC should consider recommending. Today we provided a staff amendments memo, which includes several additional amendments. Most of these are technical, minor amendments.

For discussion:

- Item 1: CR zone
- Item 2: Plan District FAR
- Item 3: LOS
- Item 4: Affordable Commercial Bonus
- Item 5: Title 11, Trees
- Item 7: Self-Service Storage Uses
- Item 8: Buffer Overlay Zone
- Item 9: Marquam Hill Plan District
- Item 11: Campus Institutional Zones

Items 6, 10 and other items heard in public testimony did not require PSC discussion.

Item 1: Apply CR Zone

- Larger policy issue – needs further study
- Coordinate with BDS to consider fees for Comprehensive Plan map and Zoning map amendments.

Commissioner Spevak: I brought up the question if we should make just a zone change or a Comp Plan amendment as well to bring properties into the CR zone. I'm comfortable dropping this request, which would mean a comp plan amendment and zone change would be needed to change from a residential zoning to CR, but with a recommendation in our letter to Council that a low-end ("Tier A") fee schedule apply to this situation. With this approach, we don't need to make any code changes from what staff has proposed.

Commissioner Bachrach: You can only be CR if you're existing? Or can you change into it without a historical use?

- Barry: The Comp Plan would have to underlie it first.

Commissioner Rudd: Would the recommendation be for a consideration of the application fee costs? My understanding is the fees are set to obtain cost recovery so I would want to see what the level of City subsidy to these applications is before actually supporting this.

PSC members are supportive of staff exploring this topic further before making a recommendation.

Item 2: Plan District FAR

Chair Schultz supports staff's recommendation as well as the idea of revisiting plan district allowances.

Item 3: Level of Service (LOS)

Eric reminded the PSC of the goal to remove the LOS verbiage in the 2035 Comp Plan language. In this package, we want to make sure all the places in the zoning code that touch this language are aligned, particularly in terms of transportation adequacy. *Commissioner Smith* noted he wanted to elevate the word “safety” and to further address the issue of how we’re implementation LOS, which used to be our primary way of addressing transportation adequacy. Slide 7 shows potential changes to respond to this request. There isn’t 100 percent concurrency if this is the right language, but long-term we will work with PBOT on operationalizing the different evaluation criteria.

Commissioner Smith: We dealt with this same issue in the TSP a few weeks ago. LOS remains because Metro requires us to do this. But we’re trying to strike the balance of using LOS to highlight safety. I am trying to help broaden the toolkit for how they can measure success. This language comes close; I’d be happier if the word “only” were inserted into the last line. LOS is one of the evaluation factors, and I want it only to be viewed through a safety lens. This is consistent with language we recommended in the TSP.

Commissioner Rudd: So what happens if in my scenario I have LOS F, it’s safe because no one is moving but the cars are all idling so it is bad for the climate. In that scenario if you only consider safety, this still isn’t a solution.

- Eric: If the solution to this is additional road lanes, then you need to look at the safety of that mitigation level as your primary lens.

My initial response is that this is confusing enough to us, so perhaps it needs more wordsmithing.

Commissioner Bortolazzo: I agree in principle we should emphasize safety over capacity. But we may be taking out something that’s a clear and objective standard. So we still need to figure out layers of guidance, and I’m not sure safety is the direct substitute.

Commissioner Smith: Perhaps, then, we remove the last sentence of 2 and remove LOS in 1.

Commissioner Bachrach: Could you bifurcate the statement based on what type of road you’re referring to?

Eric: There is hesitation on prematurely removing LOS from the code before we have other metrics. We thought to keep LOS until we have clear sets of procedures for how you measure other items such as availability of bike network.

Commissioner Smith: We’ve been talking about LOS for 8 years, but we haven’t seen any movement on this.

Chair Schultz: To me, if everyone agrees with the concept that we want LOS to be based on safety first, then we could ask staff to come back with further updated language.

There is general agreement among the PSC about looking at LOS through a safety lens. Staff will return with further updated language at the December 12 PSC meeting.

Item 4: Affordable Commercial Bonus

This issue was outlined in the November 9 memo with the Prosper Portland draft program direction attachment for details on potential qualifying bonus items and other program details.

We still have affordable commercial, and we’ve been working with PP and a group of stakeholders to flesh out how this would work. The proposed code language is in response to that group.

Commissioner Spevak: I can see the logic of dropping the 25 percent to be more inclusive. I had hoped we would have a program description before we vote on this so we could see the percentages. I don't know how we evaluate the draft program without any numbers filled in yet. With the inclusionary housing bonus FAR, it's mandatory – so an in-lieu fee option makes sense for particular situations where it's not practical to provide the affordable units on-site. But the affordable commercial FAR bonus is elective, so an in-lieu fee is concerning. It's strange that Prosper Portland can, effectively, sell FAR under this proposal.

Commissioner Oswill: I share the same concerns. We need to be careful about how we use the density bonuses. With affordable housing, we have very prescriptive definitions. So while I respect the flexibility by administrative rules, I think this is too flexible. We need to be cautious to make sure giving density bonuses achieve goals we have.

Commissioner Baugh: I would chime in, too, that the in-lieu fee doesn't make sense here since it's an option. There should be standard that we then refine later. But the lack of definition around the flexibility is very concerning to me. This doesn't seem ready for prime time and our recommendation just yet.

Chair Schultz: I also have concerns. When we originally discussed putting a percentage in, we knew it might be an issue. I am not even sure this is ready to be in the code since we're still working on it. I'm not supportive of leaving it in and thinking we will work on it later through administrative rules with Prosper Portland.

Commissioner St Martin: I was on the committee. The 25 percent wasn't the magic, right number to make affordable commercial space be affordable in the long-term. Looking for this as a revenue generator to support the program is a different question. We're not there yet. In some of the economic analysis, putting the 25 percent in didn't prove that valuable. And the administrative costs could be high.

Commissioner Smith: I also served on the committee and agree with what's been said. Prosper Portland will have to do more work to design a program that will work. The program has to evolve over time, so administrative rules might be a better place to capture this. I want to have something in the code because I'm worried about losing the program, but the amendment isn't any closer than the current language.

Commissioner Spevak: If we do that, don't we as the PSC lose further input? It seems like some of the best prospects for affordable commercial are in some of the older buildings that aren't being permitted for anything right now.

Barry: Leaving the existing language as a placeholder is an option, and you could ask staff to continue to work on the language. The 25 percent was already adopted and is effect right now. So the PSC would have to take an action to remove this.

Joe: The idea of leaving a placeholder in the code doesn't really appeal to me. We can find other places to send the message. What you would be doing is leaving a provision in the code that, based on the findings of the committee, wouldn't be used, because there wouldn't be a program to administer it. Cleanest thing to do is let it continue to be developed.

Commissioner St Martin: The 25 percent is the amount of rent reduction. The conclusion was giving 25 percent rent reduction isn't necessarily the right answer.

Alison: This is just one piece of the larger affordable commercial framework. Access to space, leasing agreements, technical assistance, other tools. This is a program for businesses that align with our strategic plan. The committee findings about the flaws of the 25 percent are known. Is affordable commercial FAR

bonus a tool we want to use, and is this the right code language? The committee thought this could be a piece of the initiative, but we need to do more work on what the exact measurements are.

Joe: We can give staff more time to address these concerns and bring back another proposal. What I've heard is we need specificity and limits on how this would be used, as well as how it's linked to something that will be able to be brought to scale to be effective.

Chair Schultz: Let's select this item for further discussion at the December 12 meeting.

Commissioner Baugh: My concern is about administration. I want to know who and how this will be administrated.

Commissioner Oswill: The PSC is interfacing with the density bonus, so in addition to the question about fee in lieu, there is a calibration issue too. I am nervous about removing it entirely from code.

Chair Schultz: I don't want to leave language in the code since we know it basically doesn't work. We need to get rid of the 25 percent. And if PP is going to administer the rules, let's have some definitive information that you're moving this forward, even if we don't have exact numbers right now.

Item 5: Title 11, Trees

Proposal:

- Exempts several zones outright that allow 100 % lot coverage with no required landscaping: CX, EX, CS, CM, IG1, IH zones.
- 11.50.040 Tree Preservation Standards: applies to all sites 5,000 SF or larger and with 85% or less existing or proposed building coverage.
- 11.50.050 Tree Density Standards: required tree area is based on use (Option A), or sliding scale in Option B.

The recommendation is to remove CS and CM reference in code. UFC supports this. Provides some level of exemptions from preservation standards.

Commissioner Bachrach: Currently in CS and CM, they are exempt from trees and landscaping requirements. If you're CS or CM today, you'd likely be CM2 or CM3 in the new zoning. So now I have landscaping requirements, but the tree exemption goes away, and we're putting new development requirements. I'm wondering why we're adding extra development requirements to these particular zones. What kinds of projects will be effected by this?

- Barry: Typically the projects would be ones that are trying to develop more densely on a site but are not covering 85 percent or more coverage of the lot. If we remove exemptions, we are concerned that there isn't a one-to-one replacement option. The new CM2 and CM3 zones applied is different from the current CS and CM zones. Barry provided examples about exempted areas staff considered.

If you do more than 85 percent building coverage on a lot, you are exempt from tree preservation. In terms of tree density, you have a reduced scale, all the way down to zero, depending on your coverage over 85 percent. If I'm a building on the site, and I have a parking lot you'd have to include trees on the parking area.

Commissioner Rudd: We're talking about preservation. Are these sites that tend to have a significant number of trees we're trying to preserve or does this perhaps look bigger than it actually is?

- Barry: It really depends.

It would be helpful to see what we're talking about in terms of scope. I'm not envisioning lots of trees on a commercial lot. Landscaping double-counts for trees in the future, so this may look scarier than it really is.

Commissioner Bortolazzo: On the surface, this issue looks a bit antithetical to concentrating density where we want it. But this 85 percent threshold addresses this; in denser areas, you could go beyond the 85 percent coverage and be exempt.

Commissioner Spevak: This is doing the best we can with the one part of the toolkit we have purview over, so I support the amendment. But trees in the ROW is the other issue where there is substantial possibility for increasing tree coverage.

Commissioner Houck attended this morning's Council meeting about ROW and that private property owners are responsible for maintaining them. Council put together a task force to see if the City should be responsible for the maintenance instead. I really thought this item here would be a no brainer for PSC approval today. If we are reopening it, I'd like the Urban Forester and UFC members here to respond to some of the questions.

PSC generally supports this item. It will not need to come back with added language or input.

Commissioner Bachrach: The question has to be to make sure the regulations are achieving the goals we're after.

Commissioner Houck: I'm hopeful in the future we have a conversation about removing exemptions from other zones.

Item 9: Marquam Hill Plan District

Include this Area F in the plan district. By virtue of limits in the plan district, then commercial parking would be prohibited in Area F.

Commissioner Spevak: This responds to my question for this item. Thank you.

Item 7: Self-Service Storage

Commissioner Spevak: Designating areas for CM3 were extremely walkable areas, so I think that we should prohibit self-storage in these areas. Someone could go through a zone change request if they really want a self-service storage facility on CM3-zoned land.

Staff will return for further consideration.

Item 8: Buffer Overlay Zone

Commissioner Smith provided the background about the large amount of testimony the PSC heard from the Willamette Heights neighborhood.

Steve noted that the concerns about removing the buffer overlay were that the trees screen from noise, air pollution and provide separation to the industrial area below. But in this area, we have steep slopes (approximately 60 percent behind the building), which is the most significant constraint to industrial development in the buffer overlay. The Environmental Conservation c overlay overlaps the b overlay on this site. The c-overlay addresses testimony concerns by limiting grading, tree removal, and development, requiring the owner to avoid, minimize, and mitigate impacts. In contrast, the b-overlay only applies a 20-foot rear building setback (shown in red) that could be reduced to 10-foot with L4 landscaping. The main effect of the b-overlay width is in prohibiting outdoor work area, which is also prohibited by the c-overlay. With the proposed IG1 setback expansion to 10 feet, the b-overlay requirements are made redundant or substantially exceeded by other parts of the zoning code.

PSC members support staff's recommendation.

Item 11: Campus Institutional Zones

Commissioner Spevak: Campus housing is often limited, so I supported the original staff recommendation for more density.

John explained the limited application of this code. There are only about 2 dozen single-family lots citywide whose lots abut a Campus Institutional zone. On the opposite side of the coin, the amount of activity on these institutions and the impact they may have on residential neighborhoods to provide more density didn't seem to warrant more density for this particular code section (as opposed to the Residential Infill Project).

The PSC generally is in support of the original staff recommendation. We won't go forward with the amendment on this particular item.

Items from the Code Reconciliation project that will come back for further discussion at the December 12 PSC meeting:

- LOS language
- Affordable commercial
- Self-Service Storage

Before the December 12 meeting, staff will highlight the changes to the code language in today's memo.

2035 Comprehensive Plan Map Refinement Project

Work Session / Recommendation: Marty Stockton, Nan Stark, Joan Frederiksen, Leslie Lum

Recusals:

- *Chair Schultz* on Pepsi Site (Item #46) [this is a consent item]
- *Commissioner Rudd* on Trinity Episcopal Cathedral (Item #2)
- *Commissioner Bachrach* on Central City Concern (Item #22)

Marty: As noted in the memo and table, there are 11 discussion items today, as well as 36 consent items. Staff will walk through the discussion items then ask for a vote on the package if we get to that point today; we can also come back at the December 12 meeting if necessary.

First category of discussion items is PSC identified sites for further map refinement. These are items that do not fit in the Map Refinement Project categories.

Item 2: 147 W/ NW 19th Ave (R140878)

Marty: We received testimony from Trinity Episcopal Cathedral for the zoning for a parking lot just west. Currently RH and want to go to mixed use (CM3d). Staff supports this map change.

Joan highlighted the request from RH to CM3d. This is an appropriate location, close to the Central City, to facilitate redevelopment of this parking lot to support the ongoing cathedral uses.

There was also a request to consider a Master Plan. This would be a code change in the NW Plan District. We haven't determined if this would be an efficient way provide the holistic approach the church intended in their request.

Chair Schultz: Is there anything that precludes them from going through a Master Plan process? Is there a mechanism in the code by which they can opt to go through City review of a master plan?

- Joan: They could do a Master Plan themselves with the neighborhood, and it doesn't necessarily have to be codified. I think it is likely they can also choose to go through a conditional use master plan process.

Marty: What staff would like to hear from the commission is whether there general support to change the zoning on the surface lot. Staff is also interested in hearing from the PSC if we should further explore whether or not we should codify the Master Plan option in the NW Plan District (not for a recommendation today).

Commissioner Smith: To clarify, the neighborhood is aware of the request but hasn't chosen to weigh in.

- Joan: We haven't heard directly from the neighborhood. My understanding from Trinity is that they have met with them.

I'd support a coordinated planning process with the other institutions in this district. It would be a great benefit to the community.

Commissioner Baugh: I'm not in favor of moving this forward because we're likely coming back to the Master Plan idea, particularly around parking and mode split issues. I'm more concerned about the Master Plan process and getting to a more holistic solution.

- Joan: Staff would be willing to come back, but it's unlikely that before December 12 we would be able to have all those conversations.

Commissioner Bachrach: The zone change is a helpful first step. I will support staff on this one.

Chair Schultz: I'm generally supportive but a bit concerned we haven't heard from the neighborhood. I also want to understand how all the institutions are sharing the parking lots. I generally support this.

PSC generally supports the CM3d recommendation. We would like to hear how the conversation about moving a Master Plan forward goes.

Item 3: 4306-4308 N Gantenbein Ave (R130855, R680753, R680752)

Request to go from R2.5a to Commercial Mixed Use 2. Staff supports an alternative recommendation of R1a on this currently-vacant site. There was of conversation and concern for property owners who stated the intent that they'd do affordable housing. For legislative map changes, it's either a change or not; we cannot add conditions to require affordable housing. For quasi-judicial map changes, there are no criteria about affordable housing, and consequently the City cannot make conditions of approval requiring affordable housing at this time.

Nan highlighted some of the zoning issues with this site and outlined why staff did not support the initial request of CM2 zoning: 1) Gantenbein is not a commercial corridor, and there is no mixed use zoning on the west side of Vancouver in this area; 2) there is adequate mixed-use zoning along the N Vancouver and N Williams corridors; and 3) this property owner is not currently involved with the Portland Housing Bureau for a potential affordable housing project at this site.

Commissioner Smith: I was interested in the comment that people aren't currently involved with PHB and how that effects the affordable housing criteria.

- Marty: This is a criteria BDS established with PHB to expedite processes during the housing crisis. We're applying that criteria here as well.

PSC members are supportive of staff's recommendation.

Item 4: 126 WI/ NE Alberta St(R298093)

R2.5a to R1a. This is a very similar request to Item 3. It's the surface parking lot just north of the church. They are not directly working with PHB on affordable housing.

Commissioner Bachrach: How many more units could they potentially get if we accept their request?

- Marty: Currently 1 unit per 1,000 square feet of site area. You could do amenity bonuses for 50 percent on top of that. The Better Housing by Design project is moving more toward a form-based code, so there may be more density potential in R1 going forward.

PSC members are supportive of staff's recommendation.

Marty: This next set of discussion items covers situations reconciling where there has been recent development or current permit activity in the pipeline.

Item 9: 4708 NE Sandy Blvd, 2351 NE 51st Ave, 5036 NE Sandy Blvd, 2305 NE 51th Ave
CEd to CM3d

4708 NE Sandy has a current Design review in for new construction of mixed use building with 144 residential apartments over commercial space. The other one is the Taco Time site at 5st and Sandy. They have permits in to construct a new 6-story, 85-unit apartment building.

This stretch of Sandy in the Hollywood district was adopted as Commercial Employment zoning in the recent Comprehensive Plan process but the development that is coming through now is more at the CM3 level. So we are proposing CM3d for both of these. *Chair Schultz* noted this is basically a situation where we downzoned so we're putting things in alignment with the updated code.

- Staff feels that CE is more of an auto-oriented zone than what we'd like to see here going forward. So we'd ask you to consider a map change to CM2 here. This has gone through 3 years of process with RCPNA, so this addresses the sites in the pipeline and reconsiders the zoning as requested.

Chair Schultz asked to clarify that this is basically a situation where we downzoned and now we have processes in progress based on what the code is today and where it is going in 2018 and so we're putting things in alignment with the updated code.

- Marty: That is the whole intent of this set of discussion category
- Staff feels that CE is more of an auto-oriented zone than what we'd like to see here going forward. So we'd ask you to consider a map change to CM2 here. This has gone through 3 years of process with RCPNA, so this addresses the sites in the pipeline and reconsiders the zoning as requested.
- Item 9 is specifically about changing the two sites that are in for review to CM3.

PSC members are supportive of staff's recommendation for the zone change to CM3.

Staff has also recommended the CEd area be changed to CM2d for PSC discussion. This had not been discussed with the neighborhood. It's zoned CG now.

Chair Schultz: Has CM2d ever been discussed with the neighborhood?

- Nan: This hasn't been discussed with the neighborhood. Through the Mixed Use Zones Project, the zoning was changed from CG to the comparable zone of CE.

Commissioner Bachrach: I'm comfortable with where you're going. I think it makes sense, even if the neighborhood didn't get full attention. I'm also wondering if we might want to send a letter to the neighborhood association as an FYI. CM2 sounds like a compromise, so why not CM3?

- Nan: It comes down to the neighborhood and wanting to be sure they have plenty of information and notification and opportunity to talk about this.

Commissioner Smith: Staff would support CM3 if they ask for it in front of Council?

- Yes.

Commissioner Baugh: I'm uncomfortable doing a change without involving the neighborhood. They are usually very involved in planning processes.

Commissioner Rudd: Has there been outreach to the individual property owners in this proposed change area?

- No.

Commissioner Larsell: I agree that we need to be more involved before making a zoning change.

Marty: Currently zoning allows for 65-foot tall buildings. With the new Comp Plan, this gets reduced by 20-feet. So, we're uncomfortable and that's why we want to raise this with you. Property owners received at least 5 public notices during the Comp Plan process, but no one came forward. This is Mixed Use Civic Corridor Comp Plan zoning.

Commissioner Smith: Would it be reasonable compromise for us to include in our transmittal letter to City Council that if the neighborhood were in concurrence, the PSC would be supportive of CM2 or CM3?

- Nan: This seems like a good approach. Abutting property owners will be the ones most concerned. The property owners would be getting greater entitlements than what they currently have, so it's not likely they would oppose. We have expanded our notification so that property owners as well as property owners and residents of sites within 100' of proposed map changes receive a notification letter.

PSC members agree with staff's recommendation with the caveat that the PSC's Council letter will support the neighborhood's requests if they have them.

Items 10 and 11: 5350 SE 18th Ave, 1731 SE Insley St, 5301-5313 SE 19th Ave

5236 SE 1th Ave has contacted SMILE per the Neighborhood Contact requirements for a proposed development of 18-units. This area north of Insley, could be discussed by the PSC for a map change from the adopted R2.5ad to R1.

Commissioner Bachrach: I'm fine with this proposal. I'd like to call attention to the fact that Council downzoned from RH to R1.

Chair Schultz: Following the line of thinking of the last item, I think we should reach out to the neighborhood and have Council consider it.

PSC supports staff's recommendation of changing the properties from R2.5 to R1d and for including a reconsideration of the area to change the full area to R1d in the transmittal letter.

Marty: This last set of discussion items are in the Technical and Policy Priority category. Most of the technical changes are related to split-zoning, non-conforming commercial, bureau coordinated and overlay map

corrections. Policy priority items specifically relate to the need to coordinate with our affordable housing providers.

Item 12: 815 N Fremont St, 705 N Fremont St

You heard considerable testimony on. In the Proposed Draft these two properties are proposed to go to CM3d zoning. Currently have an adopted zoning of CM2. Staff supports the requested change to CM3d for 815 N Fremont St, and retaining the existing CM2d zoning while removing the “a” overlay for 705 N Fremont St. The adjacent lots to the west and to the south have adopted zoning of CM3. Fremont is slated to be upgraded to a Neighborhood Collector.

Staff recommends the proposed CM3d zoning as currently included in the Proposed Draft as Map Change #1799.

Nan highlighted the testimony the PSC heard opposing the upzoning to CM3. These properties have been looked at over the course of the Comp Plan update and were changed as part of a proposal to upzone Fremont from Mississippi to Vancouver. Instead the Comp Plan only adopted changes to Mixed Use-Urban Center and CM2 zoning for four properties along this section of Fremont, including the two that we are discussing now. Everything else stayed at R2 and R1. The owner of 815 N Fremont initiated the Map Refinement Project request, but staff thought it would be appropriate to upzone both properties. Neighbors are concerned about the bulk and height allowed by CM3 zoning going up against R2.

In response to testimony, I spoke with both property owners. PCRI said they would not be developing to the CM3 entitlements, so were happy to stay with CM2. The property owner of 815 NE Fremont is the main driver for this request; that property abuts a single-family unit.

Commissioner Smith: Could you clarify the step-down effect difference to the abutting neighbors as well as how the working with PHB applies to this?

- Barry: If you're abutting R2, I believe the step-down is to 45 feet within 25 feet. For CM2 properties, where the maximum is 45, you wouldn't be stepping down much at all; for CM3, where the maximum height is 65 or 75 with a bonus, it's a bit more significant

Commissioner Baugh: There have been contacts from both properties with PHB.

- Nan: Yes, as far as I know they have.

Commissioner Smith: Given the volume of opposing testimony, I'm a bit less than receptive, particularly if PCRI isn't asking for it. The affordable housing argument seems weaker on the privately-owned property. This feels very marginal to me as a proposition.

Commissioner Baugh: Just speaking to the PCRI property, I'm a little disappointed that PCRI wouldn't develop to the maximum, because that's their business. If we're going to do this, we should allow everyone to the full potential. Our policy would encourage us to take it to the maximum potential and I would support us changing both to CM3.

Chair Schultz: Just to clarify, it's a big jump in construction costs. I imagine it has to do with the higher cost of construction when going from 5 stories to 6 and all wood to a hybrid of concrete and wood construction, and possibly with the step-downs and setbacks they may not get enough units to justify the cost.

Commissioner Spevak: Another explanation is that it's a community-based nonprofit not wanting to infuriate the neighborhood.

Chair Schultz: So the staff recommendation is to change both properties to CM3.

- Marty: That is the Proposed Draft recommendation that came out in September.

So retaining what's in that document.

- Nan: The current staff recommendation is to change only 815 to CM3.

Chair Schultz: We are going to vote on the Proposed Draft staff recommendation to change both properties from CM2 to CM3.

PSC generally supports staff's Proposed Draft recommendation to change both properties from CM2ad to CM3d.

Item 21: 10006 SE Ankeny St, 10010 SE Ankeny St, 10060 SE Ankeny St (Cascade Behavioral Healthcare)

Staff proposal is for no change. Following the 2035 Comprehensive Plan employment goals and policies, BPS changed the zoning from EX to EG1 to meet employment land supply needs and to increase opportunities for living wage jobs in East Portland. Nonprofit organizations will not increase the tax base, which could undercut the tax increment financing for the Gateway Urban Renewal District. There are other sites, zoned residential and commercial mixed-use in the larger Gateway District that could be available.

Leslie noted the new Comp Plan designation is EG. The request is for changing from EG to EX or CM3 so they can build housing there. There is currently a clinic in Parkrose, and their lease ends in 5 years. So they want to relocate to here. They say they'll have about 50-60 living-wage jobs for the clinic facility. We want EG here because we want more employment jobs here in Gateway. Additionally, we have testimony from neighbors that are against the request because they want the land to remain for employment. This is acreage that supports the employment land supply, and if we do a map change, we might have to reopen the employment opportunity analysis that was adopted with the Comp Plan.

Commissioner St Martin: This is exactly something we need to think about now, no matter how inconvenient it is. The opioid crisis is as bad as the affordable housing crisis. We should think hard about it.

Commissioner Baugh: I'm sympathetic, but its location is where we need living-wage jobs. 2 acres doesn't sound like lots, however, 2 acres in East Portland is a significant issue.

Steve clarified that there isn't a Goal 9 issue with rezoning. But there is a Comp Plan policy to encourage living-wage job growth in East Portland, where there is already lots of housing capacity but not employment lands.

Commissioner Smith: A preferred policy outcome would be to find an EX parcel in Gateway and build there. Did they address this?

- Leslie: They didn't address this in their testimony.

Commissioner Larsell: This is a tough one. Should we be asking that this land is being marketed and considered by Prosper Portland. I tend to go with the staff recommendation on this.

Chair Schultz: The concern I have is that they haven't even purchased this land. So we could sit here and change it, and the whole deal could fall through. I'm leaning towards no change, as staff suggests.

PSC generally supports staff's Proposed Draft to have no change on this parcel. Promoting this in the letter seems appropriate.

Items 23 and 24: 4400 NE Broadway St, 4265-4275 NE Halsey St

Staff supports the request to go from RXd to RHd for the entire area.

Staff further supports recommendations to the Code Reconciliation Project, amending Map 120-12 RH Areas with Maximum FAR of 4:1:

- West of NE 45th Ave: Include the RH zoned properties
- East of NE 45th Ave: Delete the RH zoned properties

Commissioner Spevak: On the current zoning map, this area is surrounded on 3 sides by commercial zones. I'm wondering if this should just be CM2 or CM3. It's close to a transit stop. The existing development is nice apartments, which I think will be there for a long while.

- Marty: This is also a great area for housing, so if we go to CM3, the project could be totally non-residential. With the existing RX, we can have both active retail space and housing. That's the main concern and consideration.

Commissioner Spevak: Thank you for that clarification.

PSC members support staff's recommendation.

Item 40: 2525 WI/ NW St Helens Rd, 2425 NW St Helens Rd

Joan: This is an item we heard lots of testimony about and discussed in the Code Reconciliation Project. Staff still supports removal of the buffer "b" overlay here and across the city in employment and industrial zones.

PSC members support staff's recommendation.

Commissioner Smith moved to recommend the Map Refinement Project to City Council as amended by PSC today, including the items on the provided consent list and items noted for inclusion in the PSC's letter to Council. *Commissioner Baugh* seconded.

(Y10 — Bachrach, Baugh, Bortolazzo, Houck, Larsell, Oswill, Schultz, Smith, Spevak, St Martin)

Adjourn

Chair Shultz adjourned the meeting at 4:27 p.m.