

# Portland Planning and Sustainability Commission

October 8, 2019

12:30 p.m.

Meeting Minutes

**Commissioners Present:** Jeff Bachrach, Ben Bortolazzo, Mike Houck, Katie Larsell, Akasha Lawrence Spence, Oriana Magnera, Steph Routh, Chris Smith, Eli Spevak (arrived 1:05 p.m.), Katherine Schultz

**Design Commissioners Present:** Julie Livingston, Jessica Molinar, Sam Rodriguez, Zari Santner, Don Vallaster

**Commissioners Absent:** Daisy Quiñonez

**City Staff Presenting:** Sandra Wood, Lora Lillard, Phil Nameny; Staci Monroe (BDS); Eric Hesse, Bob Kellett (PBOT)

*Chair Schultz* called the meeting to order at 12:32 p.m. and gave an overview of the agenda. She welcomed the Design Commissioners who are joining the PSC for today's DOZA briefing and will also be involved at the joint hearing on October 22.

Documents and Presentations for today's meeting

## Items of Interest from Commissioners

- *Commissioner Smith* provided an update on Vision Zero, including the handout provided to PSC members last week. We are not doing well this year – as of October 1, we have 40 traffic deaths, which is higher as of that date than any year in the past 5 years. Last year was relatively good.
- *Commissioner Larsell* attended a presentation by economist Kate Raworth last week. She is affiliated with C40, and BPS has been working with the C40 cities, so we'd like to hear about that at a future PSC meeting. I'll be attending the City Club event with a presentation by Anat Shankar.

## Director's Report

Joe Zehnder

- The Better Housing by Design hearing was at Council last week. They got through most testimony, but it will continue on November 6, and then we'll start the possible amendments discussion.

## Consent Agenda

- Consideration of Minutes from the September 17 and September 24 PSC meetings.

*Commissioner Smith* moved to approve consent agenda. *Commissioner Routh* seconded.

(Y9 – Bachrach, Bortolazzo, Houck, Larsell, Lawrence Spence, Magnera, Routh, Schultz, Smith)

Commissioners from both commissions introduced themselves.

## Design Overlay Zone Amendments

Briefing: Sandra Wood, Lora Lillard, Phil Nameny; Staci Monroe (BDS)

### Presentation

Sandra introduced the roles of both the Design Commission (DC) and Planning and Sustainability Commission. The DC recommends the design guidelines, and the PSC recommends zoning code amendments. Today's presentation is a culmination though still a work in progress that has been a project for about three years. We anticipate a City Council hearing after these meetings with the project and code going into effect mid-to-late 2020.

There are tools, approval criteria, as well as process improvements included in the proposal, which is why BPS and BDS and our two commissions are involved in the project.

Sandra walked through the timeline for where the project has been as well as the upcoming schedule for both commissions. The commissions will work side-by-side for today and the hearing on October 22, then they will work separately on creating their recommendations to Council on the specific parts of the proposal over which they have purview. The optional meeting noted on the handout for talking about the 'd' design overlay zone in practice is a placeholder for a "bootcamp" session for those who want to participate and might want a bit more background on the 'd' overlay.

The first work session for each Commission will be to formulate testimony to the other Commission. Written testimony will close on November 15 to let the public to continue to comment until then as well as to allow the commissions to share their testimony with each other. Commissioners are welcome to attend each other's meetings, and the PSC meetings are live streamed and archived on YouTube. The DC meetings are recorded on audio-only.

The DOZA Proposed Draft includes four volumes as highlighted on slide 5.

Lora presented some background on the basics of design review. All sites in the city have a base zone, and some sites have overlay zones (specific subjects) and/or plan districts (specific area in the city). Both are applied in conjunction with the base zone and modify them. They are sometimes additive and sometimes they replace base zone regulations.

The state allows discretionary design review in both the Central City and in Gateway.

The history of Portland's design review is shown with milestones on slide 9. Design review brought attention to the importance of conservation, special qualities (architectural, scenic) and promoting vitality.

The 'd' overlay is used in areas of change and growth... what's there now and thinking about the future of the specific place.

There is a 2-track system in the design review, but there are some exemptions (e.g. meeting ADA requirements). New buildings and mid-to-large change are not exempt. In 'd' overlay outside the Central City and Gateway have the either/or system:

- Design plan check at the counter; or
- Discretionary design review if they want or if they can't meet one or more design standards. In going through design review, there are Type II reviews (staff) and Type III reviews (Design Commission review).

Slide 11 shows the difference between the objective Design Plan Check and the discretionary Design Review; slide 12 shows an example of the differences.

Phil talked about what's happened since staff developed the initial Design Overlay Zone Assessment project and the steps to getting to the Proposed Draft (slides 14-17).

Lora highlighted the values statements that grounded the team in writing the Proposed Draft (slide 19). There are about 12 proposals broken into 5 larger categories (slide 20).

A recommendation from the assessment was to clarify and revise the purpose statement to reflect growth and desired character. It is a tool for shaping areas that will have growth to ensure Portland is a city designed for people. Chapters 3 and 4 from the Comprehensive Plan are asserted in the DOZA purpose statement.

Phil highlighted the map of the d-overlay zone (slide 22). We are not proposing to expand the 'd' overlay here; that may come as a next step. We are proposing to remove the 'd' overlay from single-dwelling zones.

The focus is on what's exempt; design plan check; and how the types of reviews are different.

Thresholds outside the Central City:

- Exempt: residential up to 4 units from 'd' overlay. Expanding some facade and rooftop equipment.
- Plan check: in addition to current allowance for up to 55' tall, we are expanding to commercial only up to 40,000 square feet can use standards (currently 20k). in Gateway, we are proposing smaller-scale up to 35' tall can use design standards instead of a full review. If projects elect to go through design review, we've shifted the table (\$ value) to be about height and scale.

In the Central City:

- Residential does not apply to zones in the Central City.
- Limitation on types of facade improvements that may be exempt.

The process for reviewing projects is shown on slide 25, and sections 4b and 4c are further highlighted on slides 26-28.

Staci highlighted the administrative report in Appendix A that documents the tools to improve the process for all who participate in design review. For the public, there are information boards to ensure they can participate in a meaningful way. For the applicant, we've created a DAR information and submittal handout to clarify any inconsistencies in the process. For the DC, we adopted bylaws and hearing materials and have had a number of trainings. For staff, there are documents to save time and ensure consistency. There is an active workplan with additional improvements we're working on.

Lora shared information about tools for reviewing projects. There are 10 citywide design guidelines, which is 6 fewer than currently. There are 4 context guidelines (slide 30). There are 4 new approaches (context; quality and resilience).

Standards are also organized around the 3 tenants. They are on the clear and objective track, which live in Volume 2 in the code. Some standards staff felt were to be everywhere. Some are encouraged via optional standards with points (1-3 typically). This is a departure from the current approach, which tailors the design to context while still meeting the objectives of the 'd' overlay zone. Higher points are more costly and more difficult to achieve.

Future work are things that aren't in the proposal that may be topics the public may comment on. They all center around context. Slides 42-43 highlight these components, and they are elaborated on in Volume 1, Section 5.

*Commissioner Houck:* I read through lots of the material and thank you for the presentation. In the staff report in terms of public input, I noted a reference to the fact that people had talked about wanting more green infrastructure integrated into the proposal. How do we access public comments from the initial draft?

- Sandra: The MapApp is where testimony is and will be. In the Discussion Draft phase, we don't use the MapApp, so comments go directly to staff. The report is the most consolidated documentation of what we heard.

*Commissioner Santner:* In addition to public testimony, there was other testimony. How did you go about deciding which comments would be considered in the Proposed Draft? What filters did you use to reflect comments you received?

- Lora: We got lots of comments that we felt were outside the scope and what warranted more, deeper public conversations. That fell into Section 5. We considered the values statements and the purpose statement.
- Phil: There was a balancing about some things that people wanted to be applicable to be required as a standard and if it really would be possible for every situation.
- Sandra: When developing the proposals, we didn't want to relitigate things that have recently been adopted at Council (e.g. mixed-use zones). We've been closely watching what mixed-use did as well as Better Housing by Design, which we're trying to not duplicate efforts or opposing that proposal.

*Commissioner Spevak:* In the design overlay zone, there could be equity issues based on which commercial districts are (or are not) covered by the 'd' overlay. I was intrigued by staff's review of Seattle's zoning. Long-term, if there were a way to have a table with thresholds at which design review

applies, by zone designation, that might be a welcome alternative to using (and inevitably modifying) a mapped 'd' overlay.

- Lora: Something we did for the thresholds was rejiggering them, so they weren't based on valuation. All thresholds where 'd' exists were made the same. Slide 23 highlights like projects in different areas of the city will be able to go through a Type III review, whereas today they aren't.
- Sandra: In Seattle, they don't have a 'd' overlay map. When a project hits a certain threshold, it goes through review. Community members noted the different economic factors throughout the city. Property owners outside the Central City were concerned about having an extra overlay.
- Lora: In mixed-use and multi-dwelling, CM3 or RM3 automatically come with a 'd' overlay.
- Phil: The two-track system does factor in to why we didn't go wholesale like Seattle does. They have a review process for many more projects than we do.

*Commissioner Vallaster:* I think it makes sense to have a height and square footage threshold, but on the eastside, 80,000 square feet seems quite large. How did you decide on the thresholds?

- Phil: Lots of the thresholds are based on what's been built recently. A larger scale shopping center or big box could trigger this as well. On the flip side, we are cognizant of what the limit is for a plan check versus a Type II or Type III review being triggered.

*Commissioner Bachrach:* You mentioned one of the objectives is to streamline the process. Can you give examples of where what you're proposing will reduce the cumbersomeness and timeline for the process? For larger, non-exempt projects, will they see any noticeable streamlining of the process?

- Phil: Building a triplex and Gateway building smaller additions can now go through and meet a small set of additional standards instead of going through a full review. The assessment wanted a larger number of exemptions. We still have standards as an option.
- Lora: Process improvements on the administrative end were aimed to clarify and make the process more accessible and easier for decision-makers. In the tools themselves, we have reduced the number of guidelines from 16 to 10 to make it easier to look at what may need to be deliberated on by the Design Commission.

*Chair Livingston:* Thinking through future work that has been outlined, administrative improvements have been substantive. This is good and becoming better public process. We will continue to talk about context. There are standards and districts that are the DC's approval criteria, but there are community resources as well. Community resources are highlights to be available to applicants, but those are not our approval criteria. So I don't understand the overlap to ensure all the planning efforts are brought forward in the context of what we have to work with in the hearings room for DC.

- Lora: In the Proposed Draft, there is the list in Guideline 2 we added. Similar to anything on the list, if you notice your context, if it doesn't meet the guidelines, that will have to be rectified, similar to community sources that might lead you astray. The list is part of discussion for deliberating on what is context. But the base zones and guidelines are what you're held accountable to.
- Sandra: Context is one of the tenants. When local context is saying something about Guideline 2, there are still other 9 guidelines that we're still trying to advance with every project. In an ideal world, we'd have something like a character statement for each area. But for area plans, some were adopted many years ago, and they have changed since then.

*Chair Schultz:* I find this concerning. The delay between conversation with unique neighborhoods is going to create tension points for DC. How long is interim? How long do the neighborhood plans stand? Are they overwritten? Still in place? My concern is that we're still "getting there", but we don't know how long this interim period will be.

- Sandra: The 2035 Comp Plan adopted goals; for neighborhood plan goals that are contrary, the Comp Plan supersedes. But Section 5 in the report gets to this discomfort.

I'd like to see come from BPS staff is what the list of neighborhoods that need the next step is. I want to say, "this is work that has to happen" and not just a piggy-back on other projects. We're going to be in this cycle about what neighborhood context looks like in certain periods continually.

*Commissioner Magnera:* In looking at the map, specifically on Fremont, Williams, Alberta and MLK, I don't see the 'd' overlay preserving the local character and identity of these areas. As a displacement analysis been part of the conversation? I'm also curious about analysis of demographics of who gets to develop in different areas in the city.

- Sandra: As far as displacement risk analysis, we are trying to measure potential change communities will see. We did not do this for DOZA, but we had an in-house discussion. The based zone set the economics, not an overlay zone.
- Lora: We have not done an analysis of who can develop where. We did have 3 architectural teams work with us, but it doesn't quite get to the heart of this. We can bring the consultant back to our conversations during your work sessions if that would be helpful. We were thinking about the goals we have for the different areas, which have such a role for designing for people, responding to context, thinking about quality and resilience, without adding a large cost.

*Commissioner Magnera:* Is an analysis of who can develop and what impact that has on rents possible? Does the 'd' overlay interplay with other work?

- Sandra: We don't know what the baseline is, but this could be a future conversation.
- Phil: Appendix B shows impact on housing affordability. From a regulatory standpoint, providing opportunities for MWESB and others to bid on projects, have meaningful opportunities is more about process and programmatic.
- Joe: The appendix is our first cut at this information. We asked early on about how much more design review adds to the cost of development. Staff will get together with you and look at the economics. Design review doesn't seem to be the big economic increase, particularly outside the Central City.

*Commissioner Rodriguez:* The point system was presented, but it's very new and cutting edge. How much testing has there been? What's the worst design that could occur?

- Lora: One of the tests we did was have a project go through a Type II that was denied then went through some iterations with DC. We had staff look at it through the lens of the standards, and it also didn't meet them. Since then, we haven't done much testing, but it was a way to review an actual site that wasn't passing. We can continue to do this.

*Commissioner Rodriguez:* Allowed materials is also concerning because materials are always changing and improving. When and how can we review new materials? On a CM2 site, we found some flaws, so what is the process for things we might not be able to test that we find along the way to monitor and evaluate going forward?

- Sandra: We're always open to feedback on how design review is working so we can adjust accordingly.

*Commissioner Smith:* A guiding principle is about resilience. We have an affordability housing crisis. Is there anything in the process that tames and quells costs and make things more affordable?

- Phil: One of the standards we added is the idea of providing an incentive for affordable commercial.

*Commissioner Larsell:* This is a big systemic change. I was wondering if you have measures for once DOZA is in place to see how it's working. Looking at the threshold diagram, I'm curious about how many projects go through each pathway and how that would change in the future. In terms of using character for neighborhoods, they are changing, particularly in East Portland. Those neighborhoods do need some character statement to see what they want to be.

*Commissioner Bortolazzo:* In terms of the alignment with City review process (slide 27), it seems to imply you could get to a land use review hearing sooner than pre-DOZA. We you able to quantify the reduction time?

*Commissioner Vallaster:* As far are the relationship between the two commissions, can there be more broad discussions and outreach at the PSC that have a big impact on the community but that DC doesn't have purview over (e.g. FAR)?

*Commissioner Routh:* I'd love to talk about the menu of options and information about the weighting and methodology for things that may not have made this list.

*Chair Schultz:* About neighborhoods and character, the same things applied so design districts – it will be confusing to have things running parallel time-wise. We're just adding confusion to a system that is already confusing. There's been conversation on the PSC about height being discretionary or not. I'd like to see something about why it's still discretionary so we can decide if it's a discussion item or not.

Sandra: In terms of next steps, read the proposals we've gone over today. Read the testimony (see the MapApp cheat sheet). And the public hearing is on October 22 at 5 p.m. Written testimony will stay open until November 15. Finally, let Julie and Staci know if you're interested in the smaller group session.

## **Transportation System Plan**

Briefing: Eric Hesse, Bob Kellett (PBOT)

### Presentation

Eric introduced the project on the update of the 2035 Transportation System Plan (TSP).

Bob noted the PSC hearing on Tuesday, November 19, at which time the PSC will also vote on their recommendation to City Council. The public is invited to submit testimony via the MapApp between now and then.

The first two stages of creating the TSP were part of the state periodic review process for the 2035 Comp Plan. This update amends a small portion of the 2035 TSP. We are adding and changing just a few new things including policies, classification, major projects, and supporting chapters. Several planning projects have been adopted to implement the Comp Plan, including PedPDX; Enhanced Transit Corridors

Plan; Growing Transit Communities; and 2040 Regional Transportation Plan. So these updates will help get us consistent with the other more recently-adopted plans.

Bob reviewed the TSP in comparison and relationship to other plans (slide 6).

Bob walked through the proposed amendments in each section.

Policies to be updated: 9.22, 9.68, 9.69, 9.49; relabeling Chapter 2 objectives to be labeled as sub-policies for consistency between the Comp Plan and TSP.

*Commissioner Smith:* Thank you staff for meeting with me before today's briefing. One thing I want to highlight is around the new mobility section. I agree this area has and will continue to change, and in general I like the changes. A specific piece of language, which is not new, in subsection (a) at the top of page 28. I fully agree we need to understand what's on the streets, but I want to focus in on the last clauses "with appropriate privacy controls". It's not clear to me yet this is synched up with the Smart Cities privacy ordinance, but this may be a concern a bit later in the process. The two tables are much clearer now, so thank you for that. And I hope this is the last time we vote on something with Level of Service (LOS).

- Eric: We are working closely with Smart City PDX on this and know privacy is important. Metro and ODOT are revisiting mobility standard as well.

*Commissioner Spevak:* Could we extend the city's data-collection provision not just to new-mobility service, but also to other vehicles that use the public right-of-way (e.g. cars)?

- Eric: Waze is a source of data here, and we are looking at this and other sources to give insights and protect privacy too.

Classification edits:

- Pedestrian Priority Network (slide 15).
- Bicycle classifications (slide 16-17).
- Housekeeping relative to bicycle; street design; and emergency response.

*Commissioner Smith:* I am jealous of PedPDX. It took us 7 years for the Bicycle Master Plan. When we had the conversation in the TSP, we talked about reexamining classifications. Some are reflected based on the Metro classifications. But Sandy is still missing as a Major City Bikeway (though I'm happy Foster has been). Sandy Blvd has the highest classification for all uses except bicycles. So I will definitely be proposing an amendment to make Sandy a Major City Bikeway.

*Commissioner Spevak:* Sandy is part of my commute, and I welcome this amendment that *Commissioner Smith* is suggesting.

*Commissioner Magnera:* How does parking factor in?

- Bob: In the existing TSP, there are parking sections, and I can provide that information to you. Parking is in relation to everything else but not proposed to be amended in this TSP update.

Major projects and programs:

- Amendments to the existing 2035 TSP Projects (slide 21).
- New 2035 TSP Projects (slide 22).



Bob noted that projects related to the Southwest in Motion (SWIM) project have not yet been approved by City Council, so they are not included in this update.

*Commissioner Smith:* I've heard disappointment that SWIM has been delayed at Council. Do we know when Council will hear that?

- Bob: Possibly early December.

*Commissioner Smith:* The project list is something we talked about lots before. How do we know these follow the same scoring principles as we did in the Comp Plan? Can you please share the scoring and methodology before the hearing?

- Bob: Certainly we can share this with the PSC.

Supporting Chapters: edits as shown on slide 24.

Bob reiterated the schedule and timing for the TSP project as well as links to the MapApp and the project website.

## **Adjourn**

*Chair Schultz* adjourned the meeting at 3:24 p.m.

Submitted by Julie Ocken