

# Portland Planning and Sustainability Commission

March 10, 2020

12:30 p.m.

Meeting Minutes

**Commissioners Present:** Jeff Bachrach (arrived 12:48 p.m.; left at 2:45 p.m.), Ben Bortolazzo, Mike Houck, Katie Larsell, Oriana Magnera (left 4 p.m.), Steph Routh, Katherine Schultz (left at 2:30 p.m.), Chris Smith, Eli Spevak [one open position]

**Commissioners Absent:** Daisy Quiñonez

**City Staff Presenting:** Andrea Durbin, Joe Zehnder, Eric Engstrom, Nan Stark, Sallie Edmunds, Debbie Bischoff, Jeff Caudill, Ethan Brown; Dee Walker, Karl Arruda, Bob Kellett, Teresa Boyle, Courtney Duke (PBOT); Kate Carone, Kaitlin Lovell (BES); Maya Agarwal (PP&R)

**Other Presenters:** Dave Unsworth (TriMet); Josh Mulhollem (Lower Willamette Rulemaking)

*Chair Spevak* called the meeting to order at 12:31 p.m. and gave an overview of the agenda.

Documents and Presentations for today's meeting

## Items of Interest

*Commissioner Routh:* This evening is a Mayoral Candidate Forum hosted by YPT Portland and a number of other youth groups at the Clinton Street Theater.

*Commissioner Houck:* As you know, I have a number of South Reach issues to be discussed. But as a note here, we rescheduled the South Reach walk to Friday, March 20, at 1-3:30 pm. I also intend to do a boat tour around Ross Island – date TBD.

*Chair Spevak:* Reminder to PSC members to send their suggestions about how the PSC is going / things they'd like to see / other suggestions to Julie by the end of the week.

## Director's Report

Andrea Durbin

- Council updates: RIP tomorrow. Budget work session for BPS is Monday afternoon. Review of BPS decision packages (asks) and the Budget Advisory Committee letter.
- The DOZA 3x3 group will be meeting this Friday and next Monday to discuss the 35 issues you and the Design Commission have put into their hands to work through with staff.
- With Daisy's becoming a City employee, she will no longer be able to vote on the PSC. We are beginning a recruitment for the Youth Position and will be sharing the announcement broadly with local colleges, universities, and other institutions. There will be the standard application

process, which Julie will outline via email when we post and begin the recruitment in the next few weeks.

- COVID-19 re: upcoming PSC meetings. We plan to continue meetings as usual unless the City is closed / non-essential staff told to work from home. We are looking at options for all online/web-based meetings if necessary. Julie will send updates to PSC members and post online for the public if any meetings are canceled.

*Commissioner Schultz* asked for an overview of the amendments on the Residential Infill Project that will be discussed on Thursday at Council.

- Joe: Technical fixes including how height is measured on a property in commercial and mixed-use; deeper affordability; applying a disincentive of historic properties in conservation districts.

### **Consent Agenda**

- Consideration of Minutes from the February 25, 2020, PSC meeting.

*Commissioner Houck* moved to approve consent agenda. *Commissioner Schultz* seconded.

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

### **Street Vacation #8796: SE Lambert St, SE Malden Ct, SE Malden St, SE 89th Ave**

Hearing / Recommendation: Dee Walker, Karl Arruda, Bob Kellett (PBOT); Kate Carone (BES)

Dee provided a [Street Vacations 101 presentation](#) as an overview, particularly new PSC members. The City may vacate Street Area if such vacation would not interfere with reasonable access to waterfront or any transportation terminal. A set of criteria (Title 17) are reviewed to determine if a street vacation may be possible. The fee covers costs, but the program does not make money for the City.

There are City-initiated and non-City-initiated vacation petitions (slides 8-9).

*Commissioner Houck*: Regarding ownership, I've always assumed that the streets were the public realm.

- Dee: The City doesn't buy in fee title, so the abutting property owners does, but the City gets an easement over the area. but if it's not needed and we vacate that layer, then the ownership goes back to the property from where it came.

*Commissioner Smith*: Street vacations often come down to if extinguishing the public right would hinder transportation functions. These look mundane, but there can be interesting policy discussions involved. With South Reach, we may be talking further about.

*Commissioner Magnera*: Do you do analysis of the value by surrounding homes and/or displacement?

- Dee: Typically we don't currently. The property owners have a right to do that.

*Commissioner Magnera*: Do you notify people who are residing at or near the property?

- Dee: We notify the owners of the properties. If it's being rented, we wouldn't know that.

Karl presented on the specific vacation request #8796. This is initiated by BES. He provided an overview of the area and the process.

Kate shared the “why” of the street vacation and restoration of habitat and floodplain along Johnson Creek.

## **Discussion**

*Commissioner Houck:* I have been following the BES work out there, which has had a fabulous positive impact. Willing seller program is positive.

*Commissioner Magnera:* What are effects on the apartment building? The three homes on Crystal Springs Blvd? Unregulated affordable housing in the area? What about displacement of the residents?

- Karl: Vacation itself won't have direct impact on the apartment complexes. It was reduced on 89<sup>th</sup> Ave to not impact the buildings. The floodplain project may impact them.
- Kate: We are in the early stages of planning the floodplain project and have just started outreach. We have tabled at events and are working with CBOs in this neighborhood. It will reduce flooding in some of the most vulnerable complexes.

*Commissioner Routh:* I see the facilitation of restoration of Johnson Creek. My desire for future proposals is we should quantify the criminal activity and crime-reduction, or it should be removed from the purpose statement. If we state something and don't explicitly state what the problem is, I am concerned we might further criminalize property.

## **Testimony**

[none]

*Chair Spevak* closed testimony at 1:11 p.m.

## **Motion**

*Commissioner Houck* moved to approve the staff report and forward the street vacation as presented. *Commissioner Bachrach* seconded.

*Commissioner Magnera:* I'd like to see more analysis and engagement to look at displacement issues that may come up with street vacations going forward. More specification is important for my decisions.

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

## **Southwest Corridor Conceptual Design Report**

Briefing: Eric Engstrom; Teresa Boyle (PBOT); Dave Unsworth (TriMet)

## **Presentation**

Eric provided an overview and introduced the project team.

Teresa highlighted the project milestones (slide 3). There isn't a formal action to be taken by the PSC.

Dave provided an overview of the project and the four project principles in design.

Affordable housing and anti-displacement are a primary concern all along. We are trying to do this project differently from what we've done in the past for transit projects. We are also working very hard to ensure this major public investment can be used by everyone.

The Southwest Equitable Development Strategy has been developed to identify and support more ways for low income and people of color to be able to live, work, and thrive in the corridor. Project partners have also pledged to identify sites for 950 affordable units along the corridor. And we have worked to avoid and minimize impacts to affordable housing along the corridor.

The project is much more than just light rail. It includes improvements for people using all types of modes: 10 miles of sidewalk, 6 miles of bike improvements, 2 miles of dedicated bus lanes, 2,000 parking spaces. We are thinking about a civic corridor and rebuilding the street for all. There are a number of improvements planned for pedestrian, bike, and limited park-and-ride spaces in Portland. It's also about thinking about the stations and access projects associated with the overall corridor project.

The project is committed to replacing the 1934 timber supported viaducts. The new structures will carry four auto lanes, light rail, and facilities for people walking and biking. Service connects into a transit mall.

The project team has been sharing the conceptual design report, and Teresa highlighted some of the comments (slide 21). TriMet will have completed about 50 sessions by the end of the feedback time on March 27. Next steps are shared on slide 22. Construction *may* start in 2023, but that is contingent on a number of pieces including funding.

The Barbur Transit Center, part of the West Portland Town Center, will be coming to the PSC later this year. We might have a park-and-ride here, and we're looking at how to catalyze the town center with commercial and affordable housing uses as well. The site is ODOT-owned with TriMet-leased, so we'd have to look at moving from a highway and parking use to other ways.

The [online survey](#) goes through March 27.

*Commissioner Bortolazzo:* Can you outline the MOU?

- Dave: When we buy property, we buy staging. We will look at Portland and Tigard to repurpose those for affordable housing. Up to 950 units along the corridor.

*Commissioner Smith:* We have a Task Force to track this project, particularly housing equity (Ben, Chris). We haven't met in a while, so we could either retire or reinvigorate it. I am the PSC liaison to the West Portland Town Center project. There are lots of opportunities and issues in the area. There is a significant West African population, so we are concerned about not displacing them. There are strikingly different equity outcomes and how we connect across Barbur Blvd. This project provides a big improvement, but no one asked about the reconstruction of Barbur in terms of auto lanes. I got a press inquiry about the reduction in parking and reduction in ridership estimate. I support the parking reduction, but why did that result in a decrease in ridership?

- Dave: We don't change land use assumptions between the two. We are not looking at structured parking, so we aren't tied into that. We can't give two different assumptions based on Federal rules. They don't credit anticipated land use work.

*Chair Spevak:* The video navigation makes it look like we have just park-and-rides, but it would be great to show the buildings that could be constructed in those areas as well.

## **Expanding Opportunities for Affordable Housing**

Work Session / Recommendation: Eric Engstrom, Nan Stark

### **Presentation**

#### **Disclosures**

- *Chair Spevak:* I have been in conversations with one church in my neighborhood. There may be specific zone changes that I might need to bow out of.
- *Commissioner Bachrach:* I represent a church on the eastside that has a land use application pending. This won't have a direct bearing on them. I have talked with the City Attorney's office, but they have confirmed I don't need to recuse myself (though I will).

Nan reminded the PSC about the project and gave an overview of the testimony received at the February 10 hearing. 100 percent of the testimony was in support of the code and map changes. There are 5 points of criteria for map changes (slide 14).

Eric shared the [decision-making guide](#).

The first list of mapping decisions is a **Consent List (a)**.

PSC members are in favor of all 9 items on the Consent List.

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

**(b) Trinity Lutheran site.** *Commissioner Smith* moved to include Trinity Lutheran. *Bachrach* seconded.

(Y8 – Bachrach, Bortolazzo, Houck, Larsell, Magnera, Routh, Schultz, Smith. A1 – Spevak)

**(c) Remove Hacienda site.**

(Y8 – Bachrach, Bortolazzo, Houck, Larsell, Routh, Schultz, Smith, Spevak. A1 – Magnera)

**(d) Consent List of additions, items 1-9.**

Staff supports them all and proposes adding them to the package.

Eric provided an overview of the sites included (slides 18-28)

*Commissioner Smith* moved to include all on consent. *Bortolazzo* seconded.

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

**(e) Mt Scott COG.**

*Commissioner Smith* moved to include this property. *Commissioner Houck* seconded.

(Y8 – Bortolazzo, Houck, Larsell, Magnera, Routh, Schultz, Smith, Spevak. A1 – Bachrach)

**(f) Clay Property.**

Staff encouraged additional testimony on that, which PSC members received and forwarded from the MapApp.

*Commissioner Routh* moved to include the Clay Property. *Commissioner Larsell* seconded.

*Commissioner Routh*: One of the criteria is a pathway for community benefit. Non-profits have become proxy for community. But here we are mitigating for displacement and helping to create inter-generational wealth. This is for-purpose property, as a non-profit or community-based organization would be. This property sits well within the criteria if not within the letter.

*Commissioner Bortolazzo*: In general I agree. But it's our responsibility to be clear and consistent with the scope, and this is definitely outside that. It meets some of the criteria but then opens the door. I would favor looking into ways to how we can open this up in the future.

*Commissioner Larsell*: I understand and struggle back and forth. But I don't think this is setting any precedent if we include this one property.

*Chair Spevak*: I'm also torn. For the PSC consistency, it seems strange to have a selective code change for an individual. We are a policy-making body. This is something we could share with Council, who can make decisions for these more unique situations.

*Commissioner Magnera*: I think I'm torn as well on this one. But the arguments about scope are compelling here. I'm more in favor of including this conversation in our letter to Council and preserve what the PSC is intended to do. I'm a bit unsure about allowing this as a single exception, but it would be a catalyst for a future discussion.

*Commissioner Routh*: If this is removed as a proposal, I would love to see the PSC stating strongly that Council could deeply consider it. What might next steps look like to continue the trajectory at looking at a different scope?

- Nan: In the first group that went through the Discussion Draft, there are two instances of non-community-owned properties. As a bureau, we want to do map updates periodically, but it may not fit budget-wise.
- Eric: As we were finishing the Comp Plan, we talked with Council about a 2-3-year cycle of smaller-scale corrections of map changes. It's a staffing and budget question, so we have not yet initiated one of these projects, but that is a way to handle these types of things.

*Commissioner Schultz:* In my mind, it's more than just a mapping update. Certain neighborhoods need more outreach. But then we would want to include all individuals. I want to support these folks, but I would prefer to see our comments in our letter to Council instead of including this today.

*Commissioner Magnera:* I also have discomfort with an individual property owner. The benefits with working with an organization is how funds come to a project. An individual owner could see rezoning but then build unregulated affordable housing, so there is a bigger displacement risk possible.

*Chair Spevak:* I agree with this, but at some point, we are taking faith that the sponsors will stick to building affordable housing.

*Commissioner Larsell:* I think in the letter we need to suggest an annual or biannual map review.

*Commissioner Houck:* I am assuming they are mostly 501(c)3s.

Eric: When doing map amendments, we can't attach conditions to site-specific changes. You could do this via one-by-one map changes though (with legal parameters).

*Commissioner Bachrach:* I understand the concern with encouraging or getting non-regulated housing. I don't want to lose site that when we encourage more housing, that's a good thing, even if it's not regulated affordable.

(Y2 – Larsell, Routh. N7 – Bachrach, Bortolazzo, Houck, Magnera, Schultz, Smith, Spevak)

## **Code Amendments**

### **(a) BDS Technical amendments.**

*Commissioner Smith* moved to include items. *Bachrach* seconded.

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

### **(b) Parking.**

This includes pages 4-13 of the Discussion Guide, but they are listed on the condensed sheet Parking Options sheet.

*Commissioner Smith:* I would be comfortable moving option C. I am curious about an appetite to Option E.

*Commissioner Larsell:* I would entertain Option E.

*Commissioner Houck:* I think E is a good hybrid

*Commissioner Schultz:* I generally support the concept, but is parking still creating issues for neighborhoods? I want more details and information about that before pushing this forward.

*Chair Spevak:* My question for E is also about projects going through conditional use now, you are potentially arguing about parking, but then you could remove it all the next day. We also dropped the threshold from Type III to Type II, so if you don't need the parking, there is a much more efficient way to do this outside of the project.

Eric: That is the basis of staff's concern. BDS will still negotiate how much parking is required via a conditional use permit, but then you could turn around the next day and get rid of it. Some number of the faith-based originations pre-date the Zoning Code and have status as if they went through a conditional-use review.

*Commissioner Smith:* 10 years ago, we had less than 350ppm carbon dioxide. I appreciate the thoughtful responses, but I move Option C. *Houck* seconded.

(Y8 – Bachrach, Bortolazzo, Houck, Larsell, Magnera, Routh, Smith, Spevak. N1 – Schultz)

### **Property Line Adjustments**

The two standards (regular lot lines and maximum lot size) are places where PLAs could come up.

*Chair Spevak* proposed that these two items (i. and ii.) be on consent.

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

iii. Testimony that you recommend legislatively that Council approve the Mt Scott COG PLA. The City's zoning code provides a path through with PLAs are adjusted, so staff doesn't support this automatic approval.

PSC members confirm staff's recommendation.

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

### **Expedited future zone changes or Comp Plan amendments**

Staff doesn't recommend a code change because we have procedural standards. A better way to do this would be for the City to reduce fees for such requests, or BPS would bundle collections of zone changes or Comp Plan amendments together to bring to the PSC like we did with this project... general map clean-up as a bundled project.

PSC members confirm staff's recommendation.

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

### **Housekeeping**

- Update zoning designations based on the Better Housing by Design designations.
- Page 2 edits.
- Update commentary to address the PSC's discussions.



PSC members confirm staff's recommendation.

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

*Commissioner Magnera* moved to recommend the EOAH project as we have amended it today, authorizing BPS to update the report and commentary to reflect our discussion, and translate the multifamily designations to the recently-adopted BHD nomenclature. *Commissioner Houck* seconded.

*Commissioner Bachrach* thanked staff and appreciates this type of project. We have authority, and if we use that to get more housing built, we are serving the community.

Thank you to Metro for the funding for this project as well.

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

## **River Plan / South Reach**

Work Session: Sallie Edmunds, Debbie Bischoff, Jeff Caudill; Courtney Duke (PBOT)

### **Presentation**

#### **Disclosures**

- *Commissioner Schultz* has recused herself from the South Reach project.

Sallie provided an overview of today's work session and past work the South Reach has done before the PSC. The memo responds to a number of questions from the PSC as well as three tables of amendments to the plan. Today we will discuss some of the topics related to Watershed Health and Resilience; Recreation; and Riverfront Communities. The full discussion about Tribal Engagement and Collaboration will be at the April 14 meeting.

*Commissioner Houck*: There are things on the list that I thought we'd just go through. Do we need to raise them individually today?

We will walk through all the items briskly since not all commissioners have reviewed the spreadsheets in full.

*Commissioner Houck*: I submitted a number of trail amendments as did the 40-Mile Loop. I would like to see the list of amendments and comments from PP&R.

*Commissioner Magnera*: What will we cover on April 14 about tribal engagement and archeological resources? I do have concerns we didn't have testimony addressing historically whose land this has been and how we can honor and address this. It's a concern when engagement gets talked about third-hand, and I want to make sure the issues are well-grounded and we're aware of the wholistic nature.

- Sallie: We didn't have testimony, but staff has been working closely with the Tribal Relations staff and City Attorney. We can invite Laura John next time for this discussion. We can also invite Judy Bluehorse Skelton to join us if she's available.

*Commissioner Houck:* I would add we had lots of involvement with the tribes when we were working on West Hayden Island. I think there will be significant interest in both cultural and environmental issues from the tribes.

### **Brooklyn Riverfront Access**

Information on this topic in memo under Recreation B.3, and in Table B, item B-8.

Testimony from the Brooklyn neighborhood requesting prioritization of studying and completing safe pedestrian and bicycling access to the Springwater Corridor Trail. Currently, this project is unfunded and a low priority to PBOT and PP& R. Staff does not propose any changes to the Proposed Draft because of the status of the projects in these plans.

*Commissioner Smith* had asked to move this from years 6-20 to 0-5 years in support of the neighborhood's goal of bike connectivity. Given the response, I'm curious if 6-20 actually means anything... or if it could mean never. Is that just aspirational?

- Courtney: As a bureau, we have a similar question. These are recommendations but not binding. The study of the crossing (not the project itself) has been in the TSP for a while. It doesn't fit our project prioritization criteria, so there hasn't been a push to do the study yet. A study does not always mean there is a project to follow. The next major TSP update will be in the next 2-3 years, so the financial plan will probably be in 2022. For full access, we have to cross McLoughlin (an ODOT-owned street), so there are many components to this work.

Maya Agarwal: The project on the PP&R CIP list is on a street farther south near SE Boise. The issue is that the alignment would have to go through Ross Island Sand and Gravel, which isn't a priority or funded at this point. Funding and design is more of the issue at this point. There are ways to advocate for this to be a priority, for example, through Southeast Uplift. There is also the budget process.

### **Non-conforming development (A1, A2, A3)**

The allowance for vertical expansion in the setback allows for existing structures within the setback to remodel and be able to meet the existing flood hazard requirements of Title 24, Building Code (i.e., elevating the first habitable floor above the base flood elevation). In locations like the SW Miles Place neighborhood, older one or two-story homes could not be substantially remodeled without the ability to add height to meet the flood hazard requirements.

Limited seawall reinforcement activities are proposed to ensure that existing development that is protected by a seawall can make minor upgrades to maintain necessary protections flood events. BES has the Willamette Land Acquisition Program (WLAP), which aims to implement projects to support the City's Portland Watershed Management Plan. A willing seller program is a part of this program. A ranking process identifies high-priority properties for purchase. Purchases of key properties along the Willamette would be considered if they are identified as high priority.

Staff recommends the allowance for vertical redevelopment and seawall reinforcement. The Proposed Draft includes an action item to investigate the potential for a willing seller program for the South Reach.

*Commissioner Houck:* We're going to have more substantive conversations about the setback and recapturing the floodplain. We need to be thinking more like 100 years out, not just 25-30. So I really think we need to be thinking much longer-term, particularly in the face of climate change. What would be the situation for repeated flooding (SW Miles is particularly vulnerable)?

- Ethan: We are considering ways to address repetitive loss properties in the update to Title 24, which is a separate process outside the Zoning Code.

### **Tree Landward of Setback (A5)**

Staff recommends maintaining the 6-inch dbh tree replacement threshold, which is applied in all other environmental zones. Consistency in regulations across the City is important, and reducing the threshold to 3 inches would increase BDS and Urban Forestry workload through increased permits, etc.

*Commissioner Houck:* I move we adopt the amendment as recommended. I don't think we need to be consistent throughout the city, and it is appropriate here to change the diameter to 3 inches in this area. The properties included are on the river to the east side of highway 43.

*Commissioner Bortolazzo:* Aside from inconsistency, what is the issue with going below 6 inches?

- Jeff: Increasing the burden on BDS and e-zone and Urban Forestry. More process and enforcement (which is another issues we'll talk about).

### **Riverbank Vegetation**

- The consistent removal of riverbank vegetation, especially along the western bank, keeps this key habitat area from reaching full maturity and limiting the ecosystem benefits vegetation can provide.
- The requirement to plant ½-inch caliper trees is inconsistent with the allowance to remove trees less than 1½-inch dbh. Property owners can plant ½-inch trees and then remove them before they reach 1½-inch dbh.
- Enforcement has, in many cases, been ineffective and penalties should be stronger, especially for repeat offenders. We will discuss these considerations more generally in a few slides.

### **Enforcement (A8, A9)**

Staff recommends what's in the proposed draft: the updates ensure the preservation of riverbank vegetation. The requirement to plant ½-inch caliper trees increases species availability and survivorship, while reducing costs.

Enforcement has been ineffective in many violation cases along the river. Resolution of some violation cases have taken a number of years to reach resolution. City should monitor and require documentation of survival of trees required to be planted for extended amounts of time. 3- and 5-year periods have been proposed. Penalties should be increased, especially in cases of repeat violations.

*Commissioner Magnera:* You note issues with resources – where do those resources potentially come from re: maintenance and enforcement? What are we sacrificing?

- Jeff: Costs related to BDS enforcement, which we'll review next. We are proposing to review the full enforcement process.

*Commissioner Houck:* This is **the** issue. We have an issue that happened 4 years ago that hasn't even been resolved. A10 gets at the heart of this. What period of time are we talking about here? I'm ok with ½-inch. But what do you propose to affect A10 to enhance enforcement?

- Kaitlin: BES has boats on the Willamette River at least once a month. We want to increase the visibility for violations to see how it could work with BDS and BPS staff to do enforcement

checks. It's still the same process to call in a violation and make a recommendation to BDS. It would be up to BDS about how they want to pursue enforcement.

Andrea: Director Esau (BDS) is interested in coming to the PSC to meet and talk with you all. So this could be an item for discussion with her.

*Commissioner Houck:* As we do in many cases, in our letter to Council, there should be a robust conversation and highlights about this issue and what needs to be done to correct it.

Sallie: We can convene a meeting with enforcement staff to discuss a plan, resources, recommendations, etc for the April 14 discussion.

### **Vegetation and Scenic Resources**

There is a tension, especially in the South Reach area, between natural resource protections and the preservation of scenic views. Generally, the goals of the River overlay zones and Scenic overlay zones do not always align.

Growth of trees and other vegetation can block the view corridors of viewpoints and scenic corridors.

Designated scenic corridors should protect views along the length of the corridor, especially on the west side of the river.

Staff recommends keeping the Proposed Draft proposals, including allowance to prune and remove vegetation within viewpoint view corridors. The City's scenic corridor designation goal is "to preserve and enhance the scenic character along corridors, and where possible, scenic vistas from corridors."

Additionally, staff has proposed updates to the landscaping standard that would allow for more flexibility in the location of trees in the river setback. Trees in the Proposed Draft proposals could be clustered to allow for access to views between public viewpoints, as desired.

*Commissioner Houck:* In the staff report as regards Scenic Corridors it states, "...are intended to maintain scenic qualities of the corridor itself through tree preservation".

*Commissioner Houck:* regarding viewpoints, I suggested an amendment to be specific that it's City-designated viewpoints (not personally-designated viewpoints).

- Jeff: Yes, we protect City views, not private views. For South Reach, there are about 25 viewpoints, which are all documented.

*Commissioner Houck:* On A11, there is a ½-mile long stretch of river where trees get cut down every year. Are we looking at cumulative diameter inches? Or individual? Looking at what we lost has to be a cumulative measure. I want to be explicit about this.

- Jeff: Yes, this is what we're looking at as cumulative. You have to go through river review if you don't meet the criteria.
- Ethan: We have language relative to diameter-inches elsewhere in the code. So if we include "cumulative" here, we'd have to address that change across Title 33.

If tree removal is measured cumulatively, that works for me.

*Commissioner Houck* proposed his amendments to A5. *Commissioner Smith* seconded.

Commissioners are generally supportive of A5.

### **B1 (Waverley Country Club)**

Based on numerous testifiers, you expressed interest in learning more about the WCC site and annexation into the City.

The site is in unincorporated Clackamas County, Portland's urban services boundary, and City does not have agreement to do planning for unincorporated Clackamas County urban pockets like it does with Multnomah County (and our river planning for the Riverdale/Dunthorpe area). In 2018, City applied "shadow" Comp Plan map designation of Open Space, for when the site annexes into the City. Annexation is usually voluntary by the property owner.

The Proposed Draft recommends applying the River General and River Environmental overlay zones to the WCC site when it annexes into the City. Based on testimony, staff proposes a new action (R5C) that has City bureaus investigating and pursuing approaches and incentives for annexation of this property into the City, in the next five years.

PSC members are supportive of the staff recommendation.

### **B4 Parks Enforcement**

Staff recommends revising Action R1H "Identify funds to improve education about, enforcement of, and compliance with rules in City-owned parks, natural areas and trails in the South Reach."

*Commissioner Magnera*: Can you include something about equity? I worry about the word "enforcement". We need to be tracking who is being impacted more. What do we view as degradation? We need a balance in the process.

- *Commissioner Houck*: I agree, but we also need to get a handle on what's happening to natural resources that needs to be addressed regardless.
- *Commissioner Routh*: We will continue this conversation on April 14 in our work session as well. Enforcement should not include implementing sweeps in my opinion.

### **Boater Safety (B3)**

Boater safety and reducing conflicts in the seasonally boater congested South Reach has been an important topic during South Reach planning and reflected in testimony received and interest from the PSC.

The Proposed Draft contains objectives and actions that seek more education and enforcement. One action is geared toward increased funding and staffing of the Multnomah Co. River Patrol that enforces boating rules on the river. Multnomah County Commissioner Meieran is supportive of boater safety and offered minor edits to Action R11C (see item B3 on the worksheet).

The State of Oregon sets boater rules in the river. The Marine Board (OSMB) has provided a handout that discusses its current rulemaking process in the lower Willamette. Existing boating regulations and the boating rule development process. The OSMB convened a rulemaking advisory committee to provide input on possible new boating rules for the lower Willamette including the South Reach area.

Recommendations to the OSMB is anticipated to happen in 2020, with the rules going into effect in 2021.

Josh Mulhollem, from for the Lower Willamette Rulemaking is here today, from the OSMB, and can answer any questions you might have. I let Josh now that the PSC is interested in providing comments on proposed recommendations (anticipated out this summer) and Josh thinks the OSMB will be pleased to hear from the PSC.

Staff recommends amending Action R11C for increased funding to augment County river patrol.

*Commissioner Houck:* I have to ask if you see OSMB taking up the issue of no-wake zone expansions?

- Josh: The rulemaking process and concepts the committee evaluates do involve some sort of additional regulations, potentially around Willamette Park to the Holgate Channel area.

*Commissioner Houck:* On the issue of docks, I know there is concern about the proliferation about the number of docks on the South Reach. What kind of coordination is there between the Marine Board and City bureaus? Encouraging river use should spotlight the issue of docks and their environmental impacts.

- Kaitlin: There have been some initial conversations about ones in disrepair. But our intention is to keep existing docks in place and not increase the number. Where these are at odds with fish recovery, there is intention to do good work but not many places to do it.
- Josh: From OSMB, proliferation of docks is an ongoing concern. At the State level, we are talking about expansion of docks be minimized to the extent possible.
- Jeff: We are meeting with the OSMB in this process. We are saying that new residential docks cannot be in shallow-water habitat, and there is a maximum off 200 feet.

*Commissioner Houck:* Things missing in Table B – I'm just making sure we'll discuss the trail amendments on April 14.

- Yes.

#### **Table D Riverfront Community Amendments**

**D1a** to match the Zoning Code edits that were passed in the Better Housing by Design project.

**D1b** is a clean-up of a Zoning Map amendment also to be consistent with BHD.

**D2** is about bus service. We are aware that bus service to, along, and through the South Reach is inadequate. We only had an action about 1 bus line, but there are 3 lines (19, 35, 99) that need further service enhancement. So this just updates the action to include all service enhancements that would be necessary.

*Commissioner Smith:* I want to talk about being consistent with TriMet system improvement plans. I want to be consistent in our equity work. Are these already in a TriMet improvement plan?

- Debbie: Yes. We've had comments from a number of people. This is for purposeful trips, not just recreation. They have been adopted in the service improvement plan.

PSC members are generally supportive of items in Table D.

The River Plan / South Reach will continue on April 14 to discuss trails; enforcement; and tribal engagement.

**Adjourn**

*Chair Spevak* adjourned the meeting at 4:17 p.m.

Submitted by Julie Ocken