

Portland Planning and Sustainability Commission

July 13, 2021

12:30 p.m.

Meeting Minutes

PSC Commissioners Present: Jeff Bachrach, Johnell Bell, Ben Bortolazzo, Jessica Gittemeier, Katie Larsell, Oriana Magnera, Valeria McWilliams, Steph Routh, Gabe Sheoships, Eli Spevak, Erica Thompson

City Staff Presenting: Rachel Hoy, Bill Cunningham, Leslie Lum, Tom Armstrong, Donnie Olivera, Brian Landoe (Urban Forestry), Jenn Cairo (Urban Forestry), Patrick Sweeney (PBOT)

Guests Presenting: Megan Neill (Multnomah County), Jeff Heilman (Parametrix)

Documents and Presentations for today's meeting

Chair Spevak called the meeting to order at 12:31 p.m.

Chair Spevak: In keeping with the Oregon Public Meetings law, Statutory land use hearing requirements, and Title 33 of the Portland City Code, the Portland Planning and Sustainability Commission is holding this meeting virtually.

- All members of the PSC are attending remotely, and the City has made several avenues available for the public to watch the broadcast of this meeting.
- The PSC is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications.
- Thank you all for your patience, humor, flexibility and understanding as we manage through this difficult situation to do the City's business.

Items of Interest from Commissioners

Commissioner Larsell: I wanted to thank my fellow Commissioners on the building panel we had last session. The message that came through unequivocally for me was that the permitting process takes too long. We need to get that message out. Does the PSC leadership think that we should write a letter to the Commissioner-in-charge or the City Council to reiterate that message?

Commissioner Bachrach: Let me jump in as the liaison to DRAC. This problem is well recognized and Commissioner Ryan has formed a task force and it is high priority issue. It's been an issue for years, and it seems that the volume of complaints has only grown in recent years. I will report back to the PSC progress as I hear about it at DRAC.

Commissioner Bachrach: One thing that has come up at DRAC several times is a desire for another RICAP to fix some glitches in the code. It's been years and it would be very helpful to happen again soon.

Commissioner Routh: I want to raise the issue of the heat wave and how dire that was. It was the second most lethal disaster in Oregon's history. This, along with other examples, are testament to the impacts of climate change, and we, as the keepers of the City's Climate Action Plan, should be discussing this and

ensuring that our City is adhering to the climate goals. I also want to thank City staff and Portland Street Response for their help during the heat wave. I want to note that Portland is the second most inequitable Tree Equity Score. The heat wave also highlighted a lack of social infrastructure – half of those that died were alone. I'm excited about the work in East Portland we'll be hearing about today but I want us to look at how we're funding CBO's to build community capacity so that the City doesn't have to be the sole provider of this sort of care and service – that neighbors can be helping neighbors.

Commissioner Gittemeier: I want to talk about the Zenith Railyard expansion LUCS, which, if approved, would allow Zenith to expand their operations to ship fossil fuels through the City of Portland. I think that the PSC should write a letter to BDS asking that they deny the LUCS or require provisions that are in line with the Comprehensive Plan and our climate goals. Additionally, we should encourage BDS to consult with local tribes about this and other proposals.

Commissioner Bachrach: Not to discourage the idea of writing the letter, but keep in mind that the Land Use Compatibility Statement process does not allow BDS to make a discretionary decision. They are not in a position to do what you're requesting, which is to review the LUCS based on the Comp Plan goals. The LUCS is simply a review of whether the development is allowed under the Zoning Code. Writing a letter that tells BDS to essentially disregard the law would undermine creditability of this Commission.

Commissioner Gittemeier: To respond to that, while I agree that we shouldn't encourage BDS to break the law, I think the law has often been used to discourage activists from pursuing just outcomes that would benefit the community. In this instance, there is a legal basis on which to stand that is being supported by other advocacy groups. The law says that the Comp Plan policies should be considered, which historically hasn't been the interpretation and I think we should be pushing for that.

Chair Spevak: While I don't think that we want BDS to be considering the Comp Plan for all LUCS, it may be worthwhile to set a threshold for which do and to push the issue for consideration of major projects.

Tom Armstrong: Point of clarification that the current LUCS before BDS is for their air quality permit renewal rather than for the railcar expansion which was approved last spring.

Chair Spevak: Another point of clarification is that the reason this is coming to BDS is because DEQ told the City that the railcar operation is a change of use from the permitted prior use, which was an asphalt plant. DEQ wants the City to take another look at it.

Commissioner Thompson: I'm curious what the purpose of the Climate Emergency Declaration is if it isn't to take a stance on these sorts of issues and how they do or don't align us with Net Zero goals.

Commissioner Larsell: I'm in favor of the letter. Maybe to City Council and cc BDS.

Chair Spevak: Are there any Commissioners that would like work with Jesse on Drafting the letter and send a draft around next week? Commissioner Sheoships, Commissioner Thompson, and Commissioner McWilliams volunteered.

Director's Report

Joe Zehnder

DOZA Update: The code changes and amendments were approved on June 30. Generally, the changes from City Council were minor and included:

- Requiring larger affordable housing projects to have a DAR and changed the category of buildings that applies to
- Removed the requirement that the Design Commission include a Natural Resource and Sustainability Expert but added those skills to list of desired attributes in the description
- Changed the threshold for 60-foot or longer bridge to go through a Type III Design Review to 100-foot or longer bridges
- Added and optional Inner Main Streets Overlay to the code
- City Council did NOT change the PSC recommendation that 75-foot or smaller buildings can use design standards

The DOZA amendments will go into effect on August 1.

Howard Shapiro's Passing: I want to acknowledge the passing of a prior PSC commissioner. Howard was on the Commission from 2008 to 2015.

Consent Agenda

Consideration of Minutes from the June 22, 2021 PSC meeting

Commissioner Gittemeier moved to adopt the minutes and *Commissioner Routh* seconded the motion. The motion passed unanimously.

Title 11 Amendment Work

Brian Landoe, Jenn Cairo, PP&R

Presentation

I want to give you an update on some changes to Title 11 that are proposed. A quick background for new commissioners:

- Title 11 is the City's Tree Code that is implemented by BDS and Urban Forestry. BDS oversees trees in development situations.
- In 2020, City Council directed BDS and PP&R to develop a scope of work for additional updates to strengthen Title 11.
- Three Phase Scope of Work:
 - Phase 1 – Technical and minor Title 11 amendments (2021-2022) – We are here now
 - Phase 2 – Urban Forest Management Plan (UFMP) update (2022-2024)
 - Phase 3 – URMP-informed amendments (2024-2025)
- Community Guidance: There has been a broad range of community outreach and guidance that has been conducted between 2015 and 2020 that are informing the Phase 1 work.
- Phase 1 Goals:
 - Improve efficiency in regulation
 - Resolve inconsistencies within Title 11 and with other City Codes

- Amendment Examples:
 - Allow City Forester to approve removal of dead Heritage Trees
 - Clear up discrepancy between Title 11 and Title 33 regarding pruning trees in greenway zones
 - Allow certain extensions for Administrative Review processes
 - Include “public nuisance” definitions.

Discussion

Chair Spevak: As a point of clarification for new commissioners, the Urban Forestry Commission is the recommending body for the entirety of Title 11 and the PSC is also a recommending body for changes to the chapter on trees in development situations.

Earthquake Ready Burnside Bridge

Patrick Sweeney, Rachael Hoy, Megan Neill, Jeff Heilman

Presentation

Commissioner Bell: Declared a conflict of interest working as a subcontractor for this project.

Commissioner McWilliams: For transparency sake I want to declare that my husband works for the Multnomah County Transportation Department, though he’s not working on this project. I don’t think that it is a conflict, but I want to be transparent.

Rachael Hoy introduced the project. BPS staff have been participating on the Technical Advisory Committee, the Urban Design Advisory Group, and the Active Transportation Committee. PBOT is the lead managing the City’s interests on this project. In this next phase of the project of evaluation some of the potential cost reductions, we’ll continue to review the plan through the lens of the Comp Plan, the CC2035 Plan, and the Climate Action Plan.

Patrick Sweeney (PBOT) introduced this phase of this project. Last time we were here was in advance of a City Council briefing to accept the preferred alternative which was for the long span bridge with no temporary bridge. That was postponed and will be rescheduled but currently our team is looking at a range of cost reduction strategies and ways to attracting additional funding to make sure we get the right project built.

Megan Neill with Multnomah County presented why the cost reductions are being explored. The funding context is that the projected cost of \$800 million is too far apart from the secured funding for the project of \$300 million.

There are several funding opportunities that could help fund the project, including:

- Federal Transportation and Infrastructure Package
- Federal RAISE Grant
- Potential Future Transportation Bond Measure
- Multnomah County Vehicle Registration Fee (secured)

Approach to Cost Savings Measures

- Cost reductions
- Establishing a cost cap

Guiding Principles

- Move forward with recommended Long Span Replacement Alternative
- Ensure the Purpose and Need is met
- Maintain the County's equity lens
- Fiscal responsibility

Cost Saving Measures:

- Bridge-specific Changes
 - Bridge types
 - Bridge widths
 - Approach span lengths
- Property impacts / ROW acquisitions
- Connections to Skidmore MAX and Eastbank Esplanade
- Aesthetic Enhancements
- Delivery Method

Cost Saving Measures NOT Pursued

- Reduce seismic design criteria
- Eliminate potential for future streetcar
- Reduce to three vehicular lanes
- Eliminate capacity for oversized and specialized haul vehicles
- Reduce bike/ped width to less than 12-feet
- Remove the crash-worthy barrier between vehicle lanes and the bike/ped space

Commissioner Routh: Is the Burnside Bridge part of the oversized freight route?

Neill: It is not.

Commissioner Routh: if not, then why include that?

Neill: In the event of an earthquake, the Burnside Bridge would be the only operable bridge and we want to allow for oversized freight to cross the river.

Savings details:

- Changing the girder type, to save \$5-10 million
 - DAR was held with the Design Commission, which supported the girder style
- Refined cross section – savings of \$140-165 million
 - Would reduce the width of the bike/ped lanes and also possibly remove a lane of traffic to four vehicular lanes.
 - There are a variety of cross-section land width allocations being explored.
- Changes to the approaches (savings of
- ROW savings (\$5-10 million)
 - May not need to acquire new ROW for streetcar access
- Connections to MAX and Esplanade

- Currently the connections are stairs
- County wants to make the connections ADA accessible
- There are number of options being considered, ramps, elevators, a bridge level crossing

Discussion

Commissioner Routh: For clarification, are the reductions including an option with no ramps?

Commissioner Routh: I just want to put in a pitch for bike users. I think ramps are non-negotiable for cyclists (recognizing the difficulty of value-engineering), especially considering our emphasis on increasing bike (and pedestrian) mode share to meet our climate goals. Elevators are not enough to meet peak hour capacity.

Commissioner Thompson: I saw seismic, resilience, emergency response, and transportation needs as the goals for the cost-savings. I want to ask where the city's goal of climate needs fit in there? Could bringing this lens into the goals impact some of the choices, such as lane widths or other options? I think alignment with this should be baked in.

Jeff Heilman: While seismic resilience is the primary goal for this project, there were a number of other factors that were incorporated, including climate change and greenhouse gas emissions.

Commissioner Thompson: As far as the design options that are being used, can you talk more about the data that is being used to inform those decisions? I'm also concerned about equitable considerations for users.

Neill: We could give more information when we come back with a more detailed presentation next time we are here to brief you on the data and outreach.

Commissioner Thompson: Finally, I just want to point out that some of the aesthetic reduction options included safety and lighting as well, and I want to make sure that safety is not being cut under the guise of aesthetics since perception of safety makes a difference.

Commissioner McWilliams: Were the guiding principles informed by outreach and then the cost-saving options based on that feedback? What was this based on? Will weighing of the options be based on upcoming community engagement? What are the touch points for engagement?

Neill: The guiding principles were primarily developed by the County leadership including Commissioners and executive staff at the County. These ideas have been vetted through our Community Task Force, which is comprised of a broad group of community-interests and residents as well as agency partners. We'll be taking the findings and the decision to the public, but the real outreach will be around the draft EIS in the spring and there will be an open house and opportunities to comment.

Joe Zehnder: I wanted to add some emphasis on the ped/bike access on the east side of the bridge. Given the increase in bike/ped mode share in the central city, I want to point out the importance of redundancy of the infrastructure. Maybe at your next briefing you can tell us if there is there consideration being given to bike/ped throughput when looking at the ramp/elevator options?

Chair Spevak: If there were an earthquake and this was the only crossing, wouldn't the bridge be repurposed for oversized-freight as needed? I bring this up to question whether that is a consideration that could be demoted in the bridge design now.

Neill: That certainly could be the case but as the bridge owner we don't want to include design elements that would make that impossible to do in the future.

Chair Spevak: I wonder if the value-engineering is premature? Could the funding be found if given more time? Is it worth the compromises?

Jeff Heilman: There is some flexibility in the NEPA process to revert back to the original concept if more funding comes through in the next year or two.

Commissioner McWilliams: How is sustainability being incorporated into the bridge design. For example, I know the Sellwood Bridge is Green Roads certified. Can you talk a little bit more about that?

Megan Neill: We are looking at Green Roads certification for this project and are applying now. We're hoping to achieve a Gold rating rather than Silver.

Heilman: Sustainability is certainly a key part of the design. We did have Green Roads involved early on in the project, which is not typical.

Commissioner Routh: I'm happy to write a letter.

East Portland Community Projects

Briefing: Bill Cunningham, Leslie Lum

Presentation

Bill Cunningham introduced the project and *Leslie Lum*, who is also here today. This project is comprised of a series of efforts in East Portland, which is the City's most diverse area, has a number of infrastructure and services deficiencies, and is increasingly facing displacement pressure.

The three efforts we're focused on today:

1. East Portland Equitable Investments Advisory Group – an inter-bureau advisory group looking at coordinating efforts and approaches
2. Unite East Portland Summit – an event that happened on June 30 that was a community corollary to the EBAIG work
3. Parkrose Community Plan

Origins

- East Portland Action Plan (EPAP): Grew out of community support to increase public investment in East Portland
- In 2015, EPAP came up with Involuntary Displacement Prevention Recommendations
- Changing demographics in East Portland is towards a majority community of color population

- For the purpose of this discussion, where talking generally east of 82nd Avenue, north to river, south to the boundary with Clackamas, and east to the Gresham border.

Response:

- East Portland Bureau Advisory Group (EBAG):
 - Funded by mayor for cross-bureau coordination
 - To look at what lead to, cause, and exacerbate displacement
 - Lead to a summit that was held in June
- Unite East Portland Summit
 - Learning about issues and priorities for BIPOC and immigrant communities
 - Community Partners: Black and immigrant community partners
 - Over 300 completed surveys in five languages
 - Focus groups in multiple languages
 - Community asset mapping
- Summit
 - Over 250 participants with breakout groups in 9 languages
 - Priorities and issues from the community
 - Affordable housing, rent assistance, homeownership
 - Access to jobs, business opportunities
 - Public safety
 - Childcare
 - Homelessness
 - Parks/community gardens

PSC Perspectives

Commissioner Larsell: I was impressed by the summit and thought it was kind of fun. I love seeing people interacting with each other and the City. I wasn't very surprised by the priorities and issues that came out of that.

Commissioner Routh: I agree that it was very meaningful to hear from so many different people speaking in different languages. There's a lot of wisdom that was in that room, and so I think that this is great community development work to link those community groups to this work. It's critical for this work to be grounded in community needs and priorities to see it lead to something useful and implementable.

Commissioner Larsell: I think this is a great beginning. I am interested in hearing about what support there is being offered from the other bureaus and City Council. How can these needs and ideas be channeled into actual projects?

Commissioner McWilliams: I want to raise a point that there are different ways of providing public safety, such as here in Lents by the Portland Street Response. There are concerns about PPB and their responses, and so I want to point out that the community's desire for public safety may be different from how that is currently being addressed.

Commissioner Sheoships: I just want to point out that these issues are not new, so there is a need to for action to address resident's basic needs and human rights.

Cunningham: We heard from participants similar concerns that are being raised here: what are we going to do with this input.

East Portland Summit – Next Steps

- Recommendations on near-term actions
- Next steps for an updated planning framework
- Presentations to PSC, Planning and Development Bureau Directors, and City Council to raise the voices of East Portlanders
- How does it inform an East Portland Racial Equity Plan?

One key thing about the Summit group is that there was a large number of participants who haven't participated in the past, so we're hearing new voices with new energy. I also know that Katie has brought up the idea of an East Portland Anti-Racism Equity Plan, and we should explore where the overlaps are.

Commissioner Larsell: I definitely think there is an overlap there. I think it's important that if half of the population is POC, then we need to have an East Portland Anti-Racism Plan to help lift up that part of the community and will have benefits for the entire community.

Leslie Lum: One thing that came out the Unite Oregon Summit was advocacy for the stimulus money to go largely towards East Portland

Parkrose Community Plan: Historic Parkrose is one of the Prosper Portland's NPI's, which are local community development agencies. The new director was interested in a visioning process. BPS staff secured an ODOT TGM grant to create the plan

Purpose:

- Community building
- Capacity building
- Plan for Parkrose community with implementation steps
- Bureau involvement to help get started

Topic Areas

- Housing/Anti-Displacement
- Jobs
- Transportation
- Placemaking and Connection to Nature
- Emergency Preparedness

Engagement efforts rooted in the BICOP community

- Youth workshops
- Adult workshops
- Community Working Groups
- Open House

Engagement Efforts

- Relief that BIPOC have a voice and people are paying attention to needs in Parkrose
- General confirmation of the 5 topic areas
- Additional interest in Community Safety and Public Health

Next Steps

- Open House on July 20
- Sandy Blvd Safety – Transportation Analysis

- Community Recommendations
- Parkrose Community Plan (fall/winter)

Commissioner Magnera: Considering how many of the Black Portlanders have been displaced to East Portland, how has a pro-black lens been used in this work?

Leslie Lum: I like to use the metaphor of shipbuilding for a plan, and the majority of the people participating in these conversations – the shipbuilders – are from the black community. The Parkrose community are the ones creating the plan and we're just supporting them.

Commissioner Thompson: I have a question about the 82nd Avenue project that will be a big investment on that corridor. While this investment in East Portland is clearly overdue, how is displacement being addressed?

Leslie Lum: Part of what the EBAG was doing was coordinating these kind of things – transportation and housing and community.

Commissioner McWilliams: Is this committee keeping track of the multiple projects happening in East Portland?

Bill Cunningham: A big piece of the purpose of the EBAIG is to coordinate the different projects and groups and processes in East Portland – we're trying to be as “un-siloed” as possible.

Commissioner Magnera: What action would you like to see the PSC to take to support this work? Is there a letter we can write? Or is it better to stay quiet and not get ahead of the community?

Leslie Lum: I think that one thing to consider is that budgets are tight and resource allocation matters, so trying to influence that is one way the PSC can help.

Bill Cunningham: I also think it's important to let Unite Oregon and the community to lead this process.

Commissioner Routh: We're here in any way we can best support community based on what community is saying.

Commissioner Larsell: I was going to suggest a letter, but hearing that maybe we should let the community lead, I'm rethinking that. I think that maybe we wait but not scrap the letter idea. We can use our influence to make sure that all this great activity results in some change.

Legislative Updates

Briefing: Donnie Oliveira, Tom Armstrong

Presentation

Donnie Oliveira presented the legislative updates. As a reminder, each winter City Council sets the legislative priorities each year, and this year's priorities included:

- Eliminate racial disparities
- Improve police accountability

- Stabilize individuals and families
- Support Portland businesses and nonprofits
- Advance environmental justice to build an equitable future
- Preserve and enhance local authority

Where BPS shows up in this process:

- We support the community leadership in what bills they want to see advanced
- We provide technical assistance
- Support the Office of Government Relations

Tom Armstrong: The memo we submitted includes the planning bills that were passed this year. A lot of the work that we've done here at the City level was pulled up into state law and applied statewide, such as the work with affordable housing and community-based organizations and the Shelter to Housing Continuum work.

Significant items you will be seeing in the next year:

- SB 458: Middle housing land division bill. This will be wrapped into RIP2.
- SB 8/HB 2008: Expands on our work to make it easier for CBO's to provide affordable housing. It doesn't quite match up with our work, so we need to update the zoning code and it also includes provisions for deeper affordability options
- Remote Access Options Bill: Requires cities to continue offering remote access to public meetings
- Brownfield Legislation: To encourage and facilitate cleanup in the form of a forgivable loan/grant program
- EV Parking: Gives local authority to require EV parking

Donnie Olivera presented the sustainability statewide legislation:

- HB 2021: Commits Oregon to 100% carbon-free energy by 2040 and a suite of projects to support that objective
- HB 2475: Energy Affordability Act
- HB 2842: Healthy Homes Act
- HB 2180: Closing the gap for EV charging in buildings
- HB 2165: an investment for PGE and Pacific Power to focus on transportation sector investment to meet climate goals
- SB 582: Recycling Modernization Act – sets up a standardized recycling program statewide and also to improve the recycling materials that come in and can better be reclaimed for manufacturing purposes

Other Business

Commissioner Bortolazzo: My family and I have decided to move to Italy for a year, so I will need to step down from the PSC and as a vice chair. The next meeting will be my last meeting.

Chair Spevak: We'll miss Ben and we will need to elect a new Vice Chair. If you're interested, contact me.

Chair Spevak: Led a toast to Joe for his final PSC meeting.

Adjourn

Commissioner Spevak: Adjourned the meeting at 3:27

Submitted by JP McNeil