



MEMORANDUM

DATE: October 15, 2021

TO: Planning and Sustainability Commission

FROM: Eric Engstrom, BPS, Principal Planner
Joan Frederiksen, BPS, City Planner

CC: Andrea Durbin, BPS, Director
Cassie Ballew, BPS, City Planner - Urban Design
Design Commission

SUBJECT: Response to PSC Questions on the West Portland Town Center

The PSC received oral testimony about the West Portland Town Center Plan at public hearings on September 14 and 28, 2021. The September 28 date was a joint hearing with the Design Commission, who will be making a recommendation on the WPTC Character Statement.

On October 26, 2021 the Planning and Sustainability Commission will hold a meeting that includes a panel discussion with community partner organizations and a panel discussion with City bureaus on the Proposed Draft of the West Portland Town Center (WPTC) Plan. Prior to each work session staff will prepare information in response to PSC comments or direction to date. This is the first of these work session memos. Future work session memos may also include possible plan amendment proposals if directed by the PSC.

As the written testimony period is open through October 29, a separate memo has also been prepared to summarize testimony received through October 14, 2021. A final testimony



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summary memo will also be prepared after the close of testimony that reflects the totality of testimony received.

The PSC will have additional WPTC Plan work sessions on November 9 and November 30, with potential for additional work sessions to be determined.

Background

The WPTC Plan is a long-range land use and equitable community development plan that outlines a vision for a healthy, connected, and resilient town center and proposes actions and tools to prepare and respond to future growth and change and the diverse needs of current and future residents and businesses. The WPTC Plan includes shared community development actions, Comprehensive Plan and Zoning Map changes, a new West Portland Multi-cultural Plan District in the Zoning Code, a Coordinated Growth Strategy, an urban design framework and recommended priorities for infrastructure investment.

The WPTC Plan also builds on the important work of the [SW Equitable Development Strategy](#) (Metro, 2019) and [SW Corridor Equitable Housing Strategy](#) (BPS, 2018). Though these efforts encompassed the whole of the SW Corridor, they shed light on additional work and collaboration as well as actions and direction that further supports the communities most in need in the WPTC area.

The reality is that based on existing local and regional market dynamics and history, the WPTC area is presently facing displacement pressures, even without the previously anticipated light rail investments. A light rail investment here would have and will in the future produce outside displacement pressure on existing low cost housing and less economically resilient community members. This Plan and its related foundational plans, the SW Corridor Equitable Housing Strategy and the SW Equitable Development Strategy, seek to support community stability on a variety of fronts in the face of existing and future displacement pressure. The proposed Plan includes tools and actions to disrupt that displacement *as much as possible* through incentives and limitations on redevelopment of existing lower cost apartment housing. The Plan cannot assure elimination of displacement, which is a dynamic issue, but rather it attempts to minimize it while at the same time encouraging the creation of new housing to meet community needs and provide choices to remain in the area, including some regulated affordable apartment housing.

The Plan acknowledges that market investments in this area will take years to materialize in the absence of the light rail investment and given the significant transportation and stormwater challenges in the area. However, the Plan's proposed changes are intended to set the foundation for non-profit and government investments that will create a more stable foundation for the community going forward including in the face of increased displacement



pressure.

Staff responses to initial PSC Comments

The following section includes a series of staff responses to topics raised by PSC members. The responses are grouped into these themes:

- *Role of the WPTC Plan and related implementation*
- *Economic prognosis and feasibility*
- *Urban renewal areas or Tax Increment Funding (TIF)*
- *Zoning as tool to address anti-displacement and housing policy*
- *Affordable Housing*
- *Urban Design Framework*
- *Zoning Map Amendments*
- *Design Standards for RM1 and RM2*

It also includes additional responses to more specific questions posed by the PSC via email to staff which may not be covered in the thematic responses.

Role of the WPTC Plan and related implementation

Land use and community development plans such as this one are intended to be foundational and directional, setting the stage for subsequent implementation by a variety of interrelated jurisdictional and community partners. While it is understandable that there is a desire for certainty and commitment for the actions or elements in the plan, particularly given the level of need and degree of impact that not fulfilling the plan could have on more vulnerable communities, this plan cannot do that from the outset.

Adopting a plan is the start of a process to identify resources and funding strategies. A plan needs to have a level of detail that is realistic but also expresses the community desired changes and encourages decision makers to take steps in the direction of the vision. It is not the role of the plan to carry a budget but rather to provide a sense of how its elements can be funded and guide future budget decisions. In addition, it is common that elements of a plan often need further refinement to a level of implementation-ready detail, and further work to integrate them into established implementation processes or systems, including coordination and funding steps.

For example, transportation projects noted in the plan will need to go through a process within the Transportation System Plan update project to be evaluated for inclusion in citywide project list and future funding. That process can be influenced to some degree by the merits of the plan's vision, albeit against a backdrop of other citywide priorities. In a related fashion, the



community development actions in the plan are coupled with lead agencies or community partners that have agreed that it is realistic for them to either pursue funding for those actions or pursuing exploring the idea of the actions further. For example, with the public library site the Multnomah County Library has indicated a longer term interest in redevelopment of that site with mixed use including affordable housing. While active planning is not underway and funding is not available in the near term, noting this potential interest as an action in the plan helps create momentum towards that outcome.

The PSC also asked about what near-term actions might be expected to support the Plan. Below is a list of reasonably expected activities or actions related to the town center.

- (BPS) Continue to coordinate and convene agency partners in support of Plan.
- (BPS) Develop an Accelerator Plan to advance selected actions in the plan related to public health using recently awarded CDC grant funds.
- (BES) WPTC Systems Development Plan, including stormwater and sanitary systems condition assessment and capacity modeling to be used to develop recommended improvements.
- (BES) Upper Woods Outfall Improvement and Culvert Replacement, ideally coordinated with Taylors Ferry Road improvements.
- (PBOT) Pursue Metro Regional Flexible Funding for Taylors Ferry Rd. (SW 48th to SW Capitol Hwy).
- (PBOT) Implement SW 35th Ave restriping for safe crossings and bike lanes.
- (PHB) Conversion of Portland Value Inn on Barbur to temporary shelter and future affordable housing with 80 plus units.
- (PHB) Conversion of area market rate apartment complex to regulated affordable housing with 100 units.
- (PP&R) Continue Sustainable Futures work and consideration of WPTC needs.
- (Prosper) Participate in community development activities, such as business and real estate surveys, in SW Corridor, pending funding.
- (ODOT) Work with the City to compile a fundable package of near term safety and transit access improvements on Barbur.
- (City/all) Explore new infrastructure funding tools and coordination efforts to support citywide growth and challenges.
- (BPS/TriMet/ODOT) Finalize a memorandum of understanding for further study of redevelopment opportunities, funding, and partnerships for the Barbur Transit Center site.
- (SWEC/CBOs) Develop a Community Energy Plan for energy conservation and generation to assist low-income households (PCEF funded).
- (SWEC/CBOs) Complete a Community Investment Trust feasibility study.
- (SWEC/UniteOregon) Complete a business inventory for SW Corridor, including WPTC, for consideration of business outreach and support actions.



Economic prognosis and feasibility

As part of the Town Center planning process BPS worked with consultants (Cascadia Partners) to better understand the housing and development market conditions in the area. This was done in two ways. First, the consultant ran a computer model that simulates development feasibility and predicts outcomes given different investments and zoning patterns. Second, more in-depth site specific analysis was done to test the feasibility of redeveloping the Barbur Transit Center.

Cascadia Partners ran the “UrbanFootprint” computer model and constructed several hypothetical proformas to test private sector feasibility of development in the CM2 and RM1 zones within the Town Center. The analysis was done in late 2020 and assumed current achievable rents and construction costs. They also hosted a developer round table to get qualitative impressions of the Town Center development market. Given current rents, lack of infrastructure, and lack of market activity in WPTC, there is consensus that market rate development will not happen in the near term even if zoning changes. Within the CM2 zone, rents would need to be 20-26% higher than they were in 2020 for development to be feasible. In the RM1 zone, rents would need to be 7-9% higher. Developers generally found the proposed zoning reward structure to be more challenging than rewarding, under current market conditions. While the changes in achievable rent described above are not likely in the next few years, they are more likely on a 10 to 20 year timeframe.

A significant factor impacting project viability is the cost of improving stormwater systems and sidewalks with development. To the extent that developers can be given SDC credits for street frontage improvements, that may help the financial feasibility of projects – particularly in the RM1 zone. Generally, credits are given for contributions to projects that are on the City’s SDC-eligible list – which are generally larger projects on collector or arterial streets, and not usually local streets.

Mixed use development in Portland has been most viable in areas of the City that are walkable and well connected to frequent transit. Based on this experience, we can predict that the most viable development projects will be along streets where the public has made improvements to the streetscape – such as along Capital Highway. The Town Center Plan includes several other similar street improvement projects – for potential addition to the Transportation System plan. Over time, if these projects are built, it will increase the number of sites where development makes financial sense, and also make the Town Center more walkable – supporting the higher rents necessary to justify development.

The Barbur Transit Center (BTC) analysis is [summarized in a short report](#). The site program for this redevelopment assumed mixed use development with five buildings, internal roads, a small



greenspace, and structured park-and-ride parking. Different scenarios assumed 230-617 housing units, some office space, and ground floor retail in some buildings. A multicultural community space like the Portland Mercado was also included in the program. Altogether the redevelopment requires about \$158M - \$186M of investment. A private sector project at this scale at the BTC site is not currently economically feasible. Achievable rents are not high enough to support the expensive site development costs, and the assumed need to convert TriMet surface parking to structured parking. Redevelopment of the BTC is likely going to require a public-private partnership where public agencies help fund and construct the plazas, internal roads, transit parking, and green space. Non-profit organizations would also likely be involved with development of buildings with regulated affordable housing, which would require subsidy. With those assumptions, and recent market conditions, there is an acceptable rate of return for the private sector involvement in a portion of the vertical development. Project feasibility likely also requires public subsidy to reimburse ODOT for the land value.

Urban renewal areas or Tax Increment Funding (TIF)

There was a question about the status and potential role of Urban Renewal in the Town Center. In Oregon urban renewal areas (URAs) generate a funding source known as Tax Increment Financing (TIF) which allows a city to issue bonds against future real estate tax collections. Money from the bonds can be used to fund eligible projects within the TIF district which can include things such as land acquisition, housing and commercial development and infrastructure.

As part of the SW Corridor Equitable Housing Strategy Prosper Portland did initial modeling of two TIF district scenarios for the corridor. One was for 932 acres and a second was for 498 acres, with the former generating a net of a bit over \$80M (no further modeling was performed on the smaller district). For many years, the city has used a so-called "TIF set aside" to ensure funds are used for affordable housing within a TIF district. In alignment with recent practice, for the SW Corridor modeling, a 45%-50% "set-aside" assumption was used which generated about \$40M for affordable housing with the remaining allocated between commercial/economic development at 40%-45% of total and 5-15% for transportation.

Current practice is to pursue a new TIF district only when there is both strong support from city council and the community. Those conditions have come together in the Cully neighborhood and in concert with the community Prosper is pursuing a potential TIF district there now. Prosper would consider pursuing other districts if the right combination of conditions came together. That said, state law limits the total area of TIF districts within a City to 15%. This means Prosper must be very deliberate about how that allowance is used. In the absence of a transformative light rail line (or some other significant pre-condition), there is less pressure to



pursue a TIF district in the southwest corridor right away. Even so, Prosper is open to continuing conversations with the community about one.

In addition to any possible longer term TIF related work, pending funding, Prosper is prepared to participate in and/or lead research efforts on community development related activities such as a business and real estate survey in the corridor.

Zoning as tool to address anti-displacement and housing policy

Based on PSC comments staff recommends that there be some discussion at a future work session about the use of zoning tools for implementation of anti-displacement policies. The WPTC Plan proposes to use the zoning code and map to encourage preservation of existing low cost housing by limiting redevelopment options unless new affordable housing is proposed. At the same time other proposed code provision incentivize the creation of new affordable housing through options for transfer of development rights, additional floor area and height.

As background, the 2035 Comprehensive Plan housing policies 5.10 through 5.16 and equitable development policy 3.3 all support mitigation for the impacts of development on displacement and housing affordability. These policies helped guide this town center planning effort and shape the proposed zoning tools.

Other community development actions in the Plan include efforts around workforce training, supporting BIPOC/local businesses, creating employment opportunities in the center, improving transit access, and working with community based partners to build the capacity of the area's under-represented communities to be more involved in future decision-making. All these actions can contribute to a more stable and resilient community in the face of displacement pressure.

The Plan responds to policy direction with regulatory tools to address the needs of community vulnerable to displacement in this area and the impacts expected from growth and change. This is not without recognition of the possible trade-offs with the proposed regulatory approach. The leading advantage is that it has the potential to disincentivize direct displacement. It may also provide some tools for affordable housing developers. Some disadvantages, though likely more limited in the context of the market environment for this area, is that these tools may not be economically feasible in the short term, may be perceived as punitive towards some existing property owners or may reduce perceived development capacity in the short term.

Worth noting as well is that this approach is not the only element of our anti-displacement efforts for WPTC or the Corridor. The zoning tools are used in tandem with the actions outlined



in the SW Corridor Equitable Housing Strategy (see more below) which stresses the importance of funding for acquisition of existing properties vulnerable to market pressures, or development of new affordable housing.

Throughout the planning effort as well as in testimony, the community and affordable housing providers in the area have repeatedly underscored the need to address near term and long term displacement as part of this plan.

Affordable Housing

SW Corridor Equitable Housing Strategy

Council adopted the SW Corridor Equitable Housing Strategy in 2018. The strategy was developed jointly with the City of Tigard. It set affordable housing targets for the corridor in anticipation of the SW Corridor light rail. There were two sets of affordable housing production targets – a base target and a stretch target. The base target assumed existing resources, and the stretch target assumed new funding sources would be required.

- Including both cities, the base target for the corridor was 850 homes, and the stretch target was 2,300 homes.
- For the Portland section of the corridor, the base target was 300-350 homes, and the stretch target was 1,050-1,400 homes. These targets included affordable units produced through new construction, rehab/preservation, and privately-developed Inclusionary Housing.
- The strategy also aimed to have one housing project at each of the ten future MAX stations.

The existing resources assumed in the base target were Tigard’s Urban Renewal District, existing tax credit resources, Portland’s Housing Bond, and private sector resources stemming from the Inclusionary Housing requirement.

The stretch target assumed new resources, including the Metro Housing Bond (which had not yet been adopted at that time), a new Urban Renewal District in Portland, land acquired by TriMet through an agreement we had with them to turn over excess land purchased for the light rail for housing, and a proposal to collaborate with nongovernmental philanthropic funds through the Network for Oregon Affordable Housing.

The largest of those potential sources was Urban Renewal, which was described above and not created in the corridor. Also, in 2020 the City Council declined to fund a proposal from the SW Corridor Equitable Housing Strategy to add City resources to a fund managed by the Network



for Oregon Affordable Housing. Lastly, the agreement with TriMet about excess land has not been implemented as planned, because they have not moved forward with the light rail project.

Housing Bonds

The Housing Bureau administers the Portland Housing Bond and the local share of the Metro regional Housing Bond, releasing funds for affordable housing through periodic requests for proposals. Nonprofit and private-sector housing organizations submit affordable housing project proposals in response. Opportunities are advertised through Notices of Funding Availability (NOFA) or Requests for Proposals (RFP), subject to available resources, and PHB aims to achieve a geographic balance in project awards across the city with particular focus on areas with little or no existing affordable housing.

The good news is that progress is being made towards the base goals of the Equitable Housing Strategy with three actions.

- The purchase of the Portland Value Inn on Barbur in the southwest part of the town center. In the near term, this site is being used as a homeless shelter through a collaboration with the Joint Office of Homeless Services, but in future years, the motel will be demolished and replaced with a new regulated affordable housing project. In a reflection of the SW Equitable Development Strategy goals, Metro and the City of Portland collaborated to identify and purchase this property using Metro bond resources. Once redeveloped, this one-acre site will likely produce 80 or more affordable units within walking distance to existing transit and planned MAX stations.
- PHB has recently announced a limited Bond Opportunity Solicitation with a focus on awarding affordable housing financing to: 1) supportive housing proposals and 2) projects located in SW Portland. The purpose of this solicitation, which is only open to recent applicants to PHB's 2020 and 2021 funding rounds, is to commit the City's remaining Portland Housing Bond while allowing development teams to only update those areas of their project that have changed since their last submission of application materials. Through this solicitation, PHB will invite two previous project submissions from SW Portland, and anticipates awarding funds to one of the two SW projects in January 2022.
- The Housing Bureau plans to convert a City-owned market-rate apartment complex very near the town center to regulated affordable housing in the coming years, with existing resources, yielding 100 newly-affordable units.



Urban Design Framework

The Plan includes a high level urban design framework in the form of two concept diagrams, the Land Use Growth Concept and the Circulation Growth Concept, and narrative about the future of the three main town center geographies – north, central, and south. The PSC shared feedback indicating that the framework may not be articulated strongly or clearly enough in the report. For upcoming work sessions where amendments are considered, if directed by the PSC staff can prepare additional materials that expand upon the elements and direction expressed in the diagrams and related information to better underscore the urban design guidance therein. In the meantime, a few highlights may help to orient the PSC to some of the main urban design elements and direction for the town center.

The major urban form challenge is that the center of this town center is divided by large auto-oriented transportation infrastructure Interstate 5 and Barbur Boulevard. Adding to this division is that one of the few ways to traverse this divide is via an inhospitable and unsafe intersection (the “Crossroads”). In the short to medium-term we don’t expect that these structural divisions will be removed or that the Crossroads will become an entirely welcoming space, even with the addition of recommended interim improvements. Consequently, the plan anticipates that WPTC will be a bi-nodal center with commercial and civic services on main streets both north and south of Barbur, along with a strong central spine on Barbur and elements to draw activity and movement into and through the center, helping unify and strengthen the sense of place.

Central Barbur Corridor and North

Significant interventions are envisioned to create a more welcoming and walkable mixed use environment along and near Barbur, north of I-5. This includes a redeveloped, and catalyzing, Barbur Transit Center (BTC) site and a new realigned SW Collins main street. The 2013 Barbur Concept Plan acknowledged the difficulty of building a main street on a busy arterial, and suggested development of perpendicular main streets along Barbur. The new SW Collins alignment implements a version of that concept. The relationship between the SW Collins alignment, the surrounding topography, natural features and the redeveloped BTC creates a more cohesive framework for the center. The new street alignment helps create a clear walking route between the open spaces at Jackson Middle School and the natural area at Woods Park.

This northern node would be further supported by a reimagined Taylors Ferry frontage road featuring a promenade-like shared public space parallel to Barbur, and proximate to the Collins main street. This network of improvements in conjunction with the proposed Multicultural Hub Subdistrict, which is designed to retain and enhance the area’s cultural diversity, will revitalize the heart of the town center, north of I-5.

Thus, streets close to and perpendicular or parallel to Barbur will play a key supporting role in



creating welcoming, varied, and vibrant town center places while still extending civic energy to Barbur. The area north of the Barbur corridor is envisioned to transform over time from a predominantly single dwelling uses and poor street infrastructure into walkable area with mixed uses closer to the central area and multi-dwelling uses moving northward as well as along Capitol Highway and Taylors Ferry Rd.

South

In the area south of Barbur and I-5, Capitol Highway will be the main street with mixed use development and a civic campus of sorts with the elementary school, library, and a mosque all along or very near this spine. Existing multi dwelling areas will be extended towards Barbur and SW 35th. A small mixed-use live-work node at Huber and 40th will create more walkable service options for the area in conjunction with improved access and visibility for the existing I-5 pedestrian bridge that lands at the rear of the BTC site.

Connections

Throughout the town center area, the vision is to strengthen the “spokes” that go into the center and the connections across the central area. In the absence of a nearer term improvement plan for Barbur, the Plan recommends a series of improvements to other roadways (i.e., Taylors Ferry, Collins, Huber) that feed into the center from the surrounding areas, creating these spokes into the center. Aspiring to create a connective, way-finding, and welcoming network, a center-wide Green Ring will provide low-stress multimodal circulation options to access daily needs and services, as well as parks and schools. These elements help bring the center together both physically and socially.

Zoning Map Amendments

A question was raised about why we are limiting quasi-judicial up-zoning by individual property owners for a period of time. The existing 33.855 zone change approval criteria do require demonstration of adequate infrastructure based on the proposal or the allowed development capacity. However, the zone change approval criteria are applied to the development and to the site. And they are still constrained by constitutional principal of proportionality. They do not give infrastructure agency staff the ability to require a large system wide investment that addresses the total cumulative impacts. They can only realistically be used to address a small (proportional) share of the problem. In this case the small improvements that individual developers could be asked to contribute would not be sufficient to make the system function.

The WPTC area has significant deficiencies in both the stormwater and transportation, which are often interdependent and spread out over a wider area than just one site or its frontage. It can be detrimental in the long run if infrastructure improvements are designed and built in an



incremental way that only addresses the requirements of individual sites. By acknowledging and requiring additional planning to be in place, the proposed additional threshold standard provides a tool by which areas of future up-zoning can still be planned and rezoning can occur as sufficient system improvements are completed. Having plans in place that have considered solutions for the areawide infrastructure needs will provide staff the ability to better guide development proposals.

There is also a state requirement that land use plans be coordinated and consistent with public facility planning and infrastructure needs. Statewide Planning Goal 11 requires cities “To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” This goal has been interpreted to require that the City have plans that address infrastructure issues associated with planned growth. It would not be consistent with this goal to defer that planning to the development review process.

Design Standards for RM1 and RM2

The PSC posed a number of questions about the proposed standards in 33.595.275, Design Standards for RM1 and RM2, and staff offers some additional context here. These standards would apply to all sites zoned RM1 and RM2 in the plan district, whether they are or aren't assigned the Design overlay (d-overlay).

Initially, it was expected that the entire plan district would have the d-overlay, including all multi dwelling and mixed use sites. However, the BPS DOZA team recommended removal of the d-overlay from all RM1 and RM2 sites since many might not have development capacity sufficient enough to trigger the use of the d-overlay 33.420 Design Standards (being at least 35 feet high or having 4 or more units) and so having the overlay might cause confusion. Also, because the 33.420 Design Standards were created predominantly for larger or mixed use development in centers or along corridors, they might not appropriately address these somewhat smaller scale proposals in predominantly residential areas.

One result of these considerations was that in the development of the Proposed Draft the d-overlay areas were reduced, removing the overlay from most of the RM1 sites that did not front on a civic, neighborhood, or other major corridor. The proposal retains d-overlay for all RM2 sites since these have the potential for fairly intense development.

The second outcome of these considerations was to reflect further on the purpose of the d-overlay and the goals of the community. This led to the creation of a set of standards, in 33.595.275, intended to support a welcoming and people-centered place, where the built environment supports community resilience and diversity through the creation of durable, high-



quality buildings that are responsive to the needs of the area's residents. This is especially important as the center grows and goes through the sometimes patchy transition of moving from a lower to higher density area. Specifically, 33.420 Design Standards were analyzed in consideration of which would be most supportive of the residential areas of the center. Staff customized a small sub-set of the 33.420 standards that would be specific to the context of the plan district and included those in 33.595.275.

Further, the calculus was that where there is no d-overlay on a site, this small sub-set of standards would promote people-supportive residential development. Where the d-overlay does apply, these standards could largely be used to meet the overlay related requirements. Applied in this way across the town center they provide opportunity for some uniform amenities/qualities that will help shape the long term character of the area.

Other PSC questions

	QUESTION	STAFF RESPONSE
Volume 1:		
1 ES	Goal 1D – Is this a reinvention of the 'd' overlay? Needed?	This is a high level plan goal and is not related to Design Review. It is appropriate in the context of this long range plan and is valued by the community. This also applies beyond individual sites to include the public realm.
2 ES	Goal 2D - #2 - If SWEC is being added for required notifications, perhaps this project can also grant SWEC the opportunity for free appeals.	Staff is unsure of whether that will be possible but would welcome that change. This is not something that BPS has unilateral power to implement. BDS and City Council would also need to consider this, including potential budget impacts. There is a larger issue that needs to be considered at a citywide scale - to finish the work Civic Life had initiated to evaluate the ongoing role of civic organizations and neighborhoods. Addressing this through this plan would be somewhat of a band-aid and may not result in any changes.



3 KL	A lot of political entities are named in the plan. Some are named as implementing agencies. What is the commitment of Prosper, TriMet, Parks, BES, IRCO, Worksystems Inc., PHB, Multnomah County Library to this plan? Before they were named in the Action Item tables, did they have to agree? What did that agreement mean in terms of commitment? Same for funding. Is there any commitment from Metro, Prosper for funding?	Yes, partners were consulted before being included. Generally, there are no commitments to funding implied, however the agreement to list themselves with an action can lead to possibility of funding or collaboration if the plan is adopted. Inclusion articulates that the item could be included in their work plan. Metro has and continues to fund the SW Corridor Equity Coalition (SWEC). A discussion of Prosper's role in evaluating a possible URA is addressed above.
4 KL	What kind of feedback have you received from developers - both non-profit and for profit? The plan relies on project developers in both sectors but there is little of their expertise visible in the plan.	As described above in the Economic Feasibility section, project consultants hosted a developer roundtable.
5 KL	Page 76. I see a soft word in here -- 'could' about the possibility of creating a SW Portland Urban Renewal Area? Why so tentative? What is the possibility and the pro's and cons. Would you advise SW activists to go this route?	This is discussed above in the Urban Renewal section of the memo.
6 KL	page 22. What kind of employment is being encouraged and who is doing the encouraging. You mention Healthcare, back office (define please) and call center.	The tool proposed to encourage employment is a zoning code provision that requires an employment subarea with the intent of creating conditions that favor broadly these kinds of uses. We're not at place yet where we are doing more proactive encouragement. If a TIF district were created, it is possible that those resources could be applied to this activity.



7 KL	<p>Why is the Transit center up for redevelopment? Don't people use it as a transit center? Does Tri-met agree with this -- is there a timeline on when they would give it up for affordable housing and a community center?</p>	<p>Yes, the Transit Center is used and expected to remain. TriMet generally supports creating denser less auto-oriented land use surrounding transit centers. They are looking systemwide for opportunities to convert surface parking facilities to other uses. It is best practice to include housing at light rail stations to promote ridership. The redevelopment would include a parking garage to continue the existing park and ride function, as well as bus circulation and stops. TriMet has agreed to continue planning, and redevelopment could occur in absence of light rail. There is a 4-page handout describing the vision for redevelopment. The City and ODOT and TriMet are negotiating an MOU to solidify commitments to next steps.</p>
8 KL	<p>I am worried that the community is going to have a difficult time advocating for this plan over the years that it is expected to need advocacy. a) Have you thought about creating an advocacy appendix with benchmarks to go along with the plan as a template by the community. (call me, if you wonder what I am asking for) b) I notice you have committed to 'staff level' coordination for 10 years. What does that mean? What if nothing is happening when you convene? What is your leverage. c) The action item sections should have 4 columns instead of 3. The new column would indicate what it looked like to complete the action. The fourth column would say -- this item is complete when 'criteria xxxx'.</p>	<p>This is why SWEC was created. In part to advocate for their priorities. They will set their priorities as to elements they want to push each year. The action chart has timeframes and agency leads to help advocates.</p>



9 KL	<p>I believe bonus trading was relatively new when I started on the commission. Is it a real market now? Please describe this market, how it works and how big and active it is. How many trades are done yearly and where? How successful is it in driving change? What are its constraints and weaknesses?</p>	<p>Transfer of development rights has been a component of the zoning code for many years. The two most active examples are in the Central City and related to historic resources.</p> <p>Commissioners can view examples in PortlandMaps, here: https://www.portlandmaps.com/advanced/?action=landuse. In the Advanced Land Use search function, search for "Inquiry" in the Category field. The results include a variety of examples.</p> <p>One pitfall of TDRs is that they transfer development to a different location. Sometimes neighbors of the receiving sites will perceive themselves to be burdened by the transfer if the sending site is not nearby. Some TDR regulations impose a geographic limit to how far the transfer can be sent, in order to more equitably balance benefits and burdens within a neighborhood.</p> <p>The benefit is that they can offer a mechanism to achieve a public benefit on the sending site.</p> <p>Current market conditions in West Portland would not support broad use of the transfers until property values rise more in this area (in response to infrastructure investment most likely).</p>
10 KL	<p>page 82 says "explore development of a coordinated street tree plan for the area in conjunction with High capacity transit improvements". I notice that BPS is the lead agency on this. Has BPS built in staff time for the tree plan, Action 7 on page 54 (Collins street) and 10 years of staff level coordination?</p>	<p>This timeline may need to be adjusted to medium-term; we didn't update this action with LRT delay.</p>



11 VV	TriMet Bus #43: although this is not a frequent service bus line, is it possible to confirm with TriMet whether the issues raised in public testimony of lack of service are based on the current frequency or is the service not adequately working for this bus line?	May need additional clarification as to question. Currently #43 is commuter line with weekday rush hour service only. Community has expressed desire for more hours of service, particularly on weekends and possibly also frequency. TriMet evaluates its services on a regular cycle. Service hours and frequency are in part based on existing density and ridership. As the town center grows that will be a factor in future service planning. It is worth noting that because of COVID and the delay in light rail, an increase in service on this bus line is unlikely to occur in the near term.
12 VV	Engagement post-WPTC adoption: could you confirm that with each change proposed on page 106, there is a requirement to provide ongoing communication/notification (or will there be ability to influence design or other elements) for these projects? Is there a sense of how much each of the proposed projects will cost?	Yes. There will be a public process to formally decide if the recommended projects are a priority with the upcoming TSP update. Once a project is selected to move forward it is PBOT's practice to do public involvement related to the design. Cost estimates are very preliminary, but underway.
Housing affordability:		
13 ET	I brought up at the briefing a few weeks ago some of my questions and potential concerns around how the community benefits, namely affordable housing and services, are being realized in the plan. Eric, at the briefing you mentioned that just because something is zoned for increased density doesn't mean it will happen and you pointed out some of the challenges for private development in this area. Given that, I want to better understand how the bonuses and transfers are set up to encourage that private development, since that seems to be the primary mechanism for realizing these	Economic feasibility and the expected pace of development is discussed above in the memo.



	benefits	
14 ET	o Did you confer with the existing market rate affordable unit owners to determine what would essentially entice them to convert to regulated affordable? Is the transfer bonus enough? My concern is that no one will take advantage of this and the market rate prices will gradually become unaffordable	The work did include a developer round table and an economic feasibility analysis, and the bonuses were developed in light of that analysis. Bonus structure is not the only way we are trying to preserve this housing. Staff acknowledges this is first time trying this type of encouragement/bonus structure and welcomes PSC discussion.
15 ET	o Similarly, did you confer with market analysts and/or developers on the bonus offerings to ensure that community services/affordable housing are viably achieved this way?	See above
16 ET	o How are FAR transfers currently working elsewhere in the city? What takeaways/lessons do you have about these programs and how many participants do you reasonably expect in WPTC?	See TDR response earlier.
17 ET	It seems a TIF might offer bigger benefit to private developers to secure some of this. What are the next steps for advancing that?	This is discussed above in the Urban Renewal section of the memo.
18 KL	The language in the plan does not speak of PHB as a partner but as a possible place for funding. PHB funds projects through a competitive process that pits this plan's projects against the rest of the city. Is there a way to weight West Portland projects to give them a greater possibility of receiving PHB funding? (ie; vets get more points when they apply for certain jobs)	This is discussed above in the Affordable Housing section of the memo.



Anti-displacement		
19 VV	<p>Anti-displacement of BIPOC homeowners/renters/businesses: there were a few public comments around displacement, I think that there are various tools that are being deployed to incentivize affordable housing.</p> <p>Could you please confirm that the tax increases in the WPTC due to zoning changes won't be more than the annual 3% max unless the property owner redevelops or otherwise improves the property?</p> <p>Could you also add information about the programs for seniors who need to have their property taxes frozen because they're on fixed incomes? (although we are assuming that most homeowners have fixed rate mortgages, so they are less likely to experience large fluctuations in housing costs)</p> <p>Could you also share information on the culturally specific organizations that PHB contracts with to do foreclosure prevention? What is the total funding in these programs? Regardless of the WPTC, is there funding for this kind of program to be scaled up city wide?</p> <p>Could you also provide information about potentially linking anti-displacement of renters with the new funds coming from the regional long term rent assistance program?</p>	<p>The County Tax Assessor does not re-assess property based on a zoning change alone; but they may re-assess if a property owner redevelops the property consistent with the new zoning, or if they introduce a new use of the property (such as adding a retail use to an existing home).</p> <p>We will follow up RE the tax programs for seniors, and PHB programs (we do not have that information yet).</p>



<p>20 VV</p>	<p>I haven't been able to find specific information for anti-displacement for culturally specific businesses, could you point where in the document I could read more on this?</p>	<p>Though the regulatory side of the proposal includes provisions that promote creation of new commercial spaces that could be more accessible to smaller and culturally specific businesses, there are no proposed tools for retention of existing culturally specific businesses. On the community development side of the plan, there are actions under Goal 1C (starting on page76) that would support these businesses.</p> <p>The Plan also builds on the SW Corridor Equitable Development Strategy (SWEDS) from 2019 that includes strategic actions to support disadvantaged small business. See pages 11-12 of that report.</p> <p>Additionally, SWEC is launching a business and workforce development effort and workgroup this fall to connect with, better understand and support WPTC and SW Corridor BIPOC and immigrant owned businesses. The workplan for this effort is still taking shape but includes a dedicated PSU fellow who will help inventory existing BIPOC/immigrant corridor businesses and the completion of a Community Investment Trust (CIT model: https://investcit.com/) feasibility study with MercyCorps NW</p>



Infrastructure phasing:		
21 ET	The phased approach to upzoning has raised some questions for me. Why is a ZMA prohibited for Phase II properties? As part of the ZMA process, applicants are required to demonstrate how they will address/mitigate traffic and stormwater impacts, and service adequacy. If someone can infiltrate or flow-control stormwater on-site (and wouldn't this be required anyway?), why should they not be able to do a ZMA demonstrating as much? I would like to understand more about the BES challenges and why these can't be addressed by applicants willing to bear the costs.	This is discussed above in the Zoning Map Amendments section of the memo.
22 ET	Also, a ZMA is one more step for developers adding cost and time which we've heard is a project development challenge. Anything we can do to streamline the upzoning once BES and PBOT have done their thing seems advisable. Is there any reason why the city would not want to take a uniform approach to aligning the zoning to the comp plan?	Ideally the City would go back as sub-area plans or improvements are completed and up-zone specific areas through a legislative process. This provision in some ways acknowledges that there may be delays in coming back with a legislative process to align zoning with newly established stormwater or transportation planning and allows property owners to move forward without further city action beyond establishing needed plans.



<p>23 ET</p>	<p>Green ring (TSP 90048) project: Could you confirm that the Green ring project will address the various issues raised in public comment around the Barbur, Taylors Ferry Road and Capitol Highway intersection with I-5? From my reading, I think it does, but would like to confirm. I'd also like to understand why the project is in the 20-30 year timeline? Is it correct to assume that projects like TSP 90064.1 and 90069 are part of the improvement towards the Green ring project?</p>	<p>The Green Ring is a new project recommended for inclusion in the TSP and will be comprised of street segments throughout the town center. Development of all the segments of Green Ring will ultimately create a low-stress multi modal circulation network in and around the town center, improving access to commercial services, schools and parks.</p> <p>Other TSP projects, like 90064.1 (Taylors Ferry), will incrementally build the Green Ring though other additional work to complete connections will need to be done. Thus, while the full Green Ring is in the 20-30 year timeframe, segments of it are expected to be built sooner through other projects. Improvements that will form one section along Capitol Highway are under construction and are slated for completion next year. In addition, an important segment - on SW Galeburn and SW 40th connecting to the Barbur Transit Center I-5 pedestrian bridge - is recommended for the nearer term (0 to 10 year timeframe).</p> <p>The Green Ring does not go through the "Crossroads" intersection and will not address the concerns articulated in testimony around the intersections of Barbur, Taylors Ferry, Capitol Highway and I-5. That intersection is covered in another TSP project (#90069) that needs to be funded and constructed to address safety and circulation concerns.</p>



Volume 2: Zoning Code		
24 ES	33.595.040 – Is there precedent elsewhere in Title 33 for this sort of prohibition against seeking quasi-judicial up-zones? Elsewhere in the city, if someone wants an upzone, isn't there the possibility that BES, PBOT or another bureau would say "no way" based on infrastructure limitations – or require the developer to pay a potentially huge amount to bring infrastructure up to standards? It seems strange to create a special rule here, particularly if doing so might suggest that in other parts of the city, BES/PBOT would be more amenable to up-zones. Maybe just leave it out?	This is discussed above in the Zoning Map Amendments section of the memo.
25 ES	33.595.130 – How different is this from the 'm' overlay? If similarly, consider just applying the 'm' rather than creating custom code.	Staff proposes applying the standards directly within the plan district in order to make it easier to find relevant standards in one place.
26 ES	Transfer of FAR (p. 20-21) – What would the duration be for the 60% MFI affordability covenant? I know this is the sort of thing that ends up being covered in Title 30, but the affordability period makes a huge difference to project feasibility, sometimes even more-so than income level – so it seems fair to provide some specificity on this for PSC review. Also, what's an estimate for what transferrable FAR would be worth? My instinct is that its value pales in comparison to the subsidy amount typically needed for long-term regulated affordable housing – in which case this provision will only get used by affordable housing non-profits (or for-profits) that were going	The standard term is 99 years. As noted in response to questions about the economic feasibility of development, we had a consultant run economic scenarios to gauge the value and costs associated with the zoning and the various incentives. Current market conditions would not support broad use of the transfers until property values rise more in this area (in response to infrastructure investment).



	to make the apts regulated affordable anyway.	
27 ES	33.595.240 Required affordable commercial - What's the up-front and long-term cost to the developer of meeting the affordable commercial space standard? Examples from elsewhere in the city where developer have opted into this project (it's elective elsewhere, I think)? Does Prosper guarantee a tenant? Making this mandatory (rather than elective) makes this feel like a commercial version of IH. And that makes me worried that it could suppress development if the economics aren't studied carefully – especially if the 'carrots' of IH (E.g. SDC waivers, limited property tax abatement) aren't similarly available. I doubt that offering up a small FAR bonus is worth very much.	<p>In many cases ground floor commercial spaces in mixed use buildings remain vacant for some time, and buildings are often financed primarily based on the residential side. The optional version of this program in the base zone has not yet been in effect long enough to evaluate but Prosper Portland has confirmed that it has been used several times.</p> <p>We will follow up with more information on the Prosper tenanting process (we do not have that information yet).</p>
28 ES	33.595.260 D. – Should “private street” be added to this list?	Possibly - we need to look further into why we left that out.



<p>29 ES</p>	<p>Various proposed standards would increase costs of commercial and/or housing development in this plan district. Collectively, would these suppress development? (Or, to put it another way, would they mean that nothing gets built until rents get even higher)?</p> <ul style="list-style-type: none"> - 33.595.250 E – Ground floor windows 40% -> 60% - 33.595.270 B 2. a. – Not only do you have to increase the rear setback (to 25%), but you have to spend extra \$ to furnish it. I’m not totally sold on the mid-block outdoor area concept (picked up from BHD, I presume). But if it’s going to be required, why not let it just be someone’s back/side yard? - No residential windows facing the street [33.595.275.C.3] - 5% -> 30% of facade is window/doors [33.595.275.D] - Effectively mandatory ecoroofs? [33.595.280] - IH not only for affordable housing, but also for small commercial spaces? [33.595.240] 	<p>This is discussed above in the Economic Feasibility section of the memo.</p> <ul style="list-style-type: none"> - 33.595.250.E is the same as the "m" overlay that applies to all centers – it is just moved here in the interest of eliminating the need to consult another layer of code. - 33.595.270 B 2. a. - Furnished or otherwise programmed common open spaces provide an additional supportive resource for residents, in particular elders and families with young children. <p>Given the scope of redevelopment projects it is unlikely to be a significant addition to cost but will add much value and utility for residents. A landscaped space with seating is one of the options.</p> <ul style="list-style-type: none"> - 33.595.275.C.3 – see below - 33.595.275.D – see below - 33.595.280 – see below - 33.595.240 – Yes, in limited circumstances
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30 ES	33.595.270 C. – It seems like most of the intent of the minimum rear setback is based on highway noise. If that’s the case, why not just use “C” and drop “B” to provide more site layout flexibility on sites where highway noise isn’t a big concern?	<p>There are two separate, unrelated, setback provisions in 33.595.270. Standard 270.B aims to support rear open area on deeper lots to carry forward some of the existing open area patterns and applies to RM1 and RM2 zones in Subdistrict C. Standard 270.C is intended to buffer highway noise/impacts and applies in Subdistricts A and B which are largely mixed use zones.</p> <p>Standard 270.B is also a response to the green and forested characteristics of the area and promotes the continuation of that by keeping mid-block greenery. We may want to consider amending the purpose statement to mention this.</p>
31 ES	33.595.275 C. 1. – I’m not sure how to interpret “At least 50 percent, or four, whichever is more” in a situation where there are 3 units.	Noted. Additional clarification can be added to address situations where there are less than 4 units proposed.
32 ES	33.595.275. C. 2. – Isn’t there already a 10’ front yard setback to take care of this issue? For who’s benefit are a. – e.? These standards would prohibit the types of rowhomes found in many cities. e. is problematic for ADA.	<p>Yes, there is a standard 10-foot setback for RM1 and RM2 zones. The minimum 6-foot setback helps address the situations where the code allows an exception, but staff may want to reconsider the necessity of calling out a setback. (See also discussion of 33.595.275 above in memo.)</p> <p>The standards are intended to benefit the residents in the ground floor apartment units.</p> <p>A development would need to include two of the options to meet the standard. While these standards are geared to multi dwelling buildings, townhouse developments can also meet these standards.</p> <p>Staff will also revisit standard 275.C.2.e to ensure no accessibility issues exist and if merited will offer an amendment for PSC consideration.</p>



33 ES	33.595.275. C. 3. – Is this needed? Lots of times rooms designated as bedrooms are actually used for home office. And even if being used as a bedroom, there are design solutions (high window sills, shades...) to address privacy concerns.	Potentially not. However, bedrooms situated next to the ground-level street reduce resident livability and limit the activity between the public and private realm. (See also discussion of 33.595.275 above in memo.)
34 ES	33.595.275.D – This adds costs and probably decreases energy efficiency. How essential?	Not essential but does improve the quality of public realm by breaking up large facades and residential experience by encouraging views and interaction with street or outdoors. (See also discussion of 33.595.275 above in memo.)
35 ES	33.595.275.E – What’s the objective with this requirement – that isn’t already covered by fire safety and egress (granting that I think they require 5sf, not 6sf)? Is QR13 optional or required in Design Standards?	QR13 is an optional design standard.
36 ES	33.595.275.G – Is QR15 optional or required in design standards?	QR15 is a required 33.420 Design Standard.
37 ES	33.595.280.C – Based on east-side build-out of smaller mixed-use sites (e.g. 100’x100’x 4-5 stories), it seems unlikely that there’d be room for 30’ landscape strips or large on-site trees. If that’s correct, this effectively requires ecoroofs. I do like ecoroofs – but would be concerned about making this effectively mandatory for wood frame building types. It certainly increases costs.	Many of the parcels in the Town Center are deeper than 100 feet and have more irregular shapes than are typical in inner East Portland. There are also topographic and grade challenges on some sites that make some areas on some sites harder to develop. We think that makes it realistic to expect the other options can be used in many situations.



38 VV	<p>Concern about tree canopy: could you confirm that 33.595.280, 33.595.280 and 33.700.060 are the zoning codes that will address conservation and addition of tree canopy in any commercial and mixed-used development?</p>	<p>Tree requirements for development situations are found in Title 11, Chapter 11.50, Trees in Development Situations.</p> <p>There are a number of layers related to tree preservation and replacement for all development including in mixed use zones. While trees are encouraged to be retained the allowed building coverage (up to 85% of the site in case of WPTC/Western Pattern area), intensity of mixed use development programs, and site development realities make it very difficult to keep existing trees or make space for larger trees on sites.</p> <p>Consequently, the provisions of 33.595.210 (transfer of FAR), 33.595.230 (bonus height) and 33.595.280 (option of space for large trees to meet Urban Green Features) are intended to encourage preservation and make room for the addition of large trees that will contribute to the tree canopy.</p>
39 VV	<p>Density and disruption of urban wildlife/views: To my understanding the impact or disruption of urban wildlife/views from residential areas is minimal to none, based on 33.595.230, 33.595.230 being applicable to commercial/mixed-use zones. The upzoning on residential zones is maxed out at three-story buildings (page 44 on "upzoning for inclusion"), is this correct?</p>	<p>The base zone height allowances for the RM1 and RM2 zones are 35 and 45 feet respectively. However, all the residential areas will be eligible for bonus height options if affordable housing is proposed, and these would allow 45 and 55 feet of height (4 to 5 stories), again respectively for RM1 and RM2.</p> <p>The bonus height provisions in 33.595.230 apply solely to the MU zones in Subdistricts A and B. These subdistricts are an expansion of MU zones in areas previously predominantly single dwelling residential.</p> <p>The concerns noted are likely about the changes to zoning and the heights allowed compared to existing development.</p>



Self Storage		
40 ES	<p>33.284 Self Storage - If I'm reading this correctly, this would be a city-wide change – not just limited to this plan district. Although I like the idea of limiting self-storage uses near transit, I'd be concerned about changing the rules city-wide through a small project like this one – without providing notice to affected property owners who would otherwise have no reason to be tracking this project. Context is that the PSC had some pretty extensive conversations not long ago about self-service storage uses, and it would be reasonable to expect that this is now settled. It'd certainly be possible to change these rules within this plan district. And maybe that's all that's being proposed here; I could be mis-reading it.</p>	<p>The proposed change is a Citywide change, made at the request of TriMet during light rail planning process. Notice of the proposed change was sent to potentially impacted property owners citywide.</p>



