

**West Portland Town Center Plan
PSC Commissioner’s Amendment Discussion List
November 29, 2021**

Initial amendment ideas were requested from the PSC Commissioners in November. Amendment discussion topics shared by the PSC are shown in the table below along with related staff notes. These amendment topics will be discussed during the November 30 WPTC Plan PSC work session.

During the work session, for each amendment topic, staff will be seeking to clarify further input from the PSC including:

- Does the nominating commissioner still support development of an amendment as described/discussed? And what elements should be included?
- How many commissioners may support this amendment?
- Does the commission direct staff to develop an amendment as described/discussed?

No.	Topic	Description	Staff Notes
1	Subdistrict D Approach	<p>In Subdistrict D there is a concentration of existing low-cost apartments. These apartments are not protected as regulated affordable housing but have existing market rents affordable to those earning 80% of median family income or lower. The plan district regulations have several provisions that work together to promote preservation of these apartments at an affordable level.</p> <ul style="list-style-type: none"> • FAR limits are set to match the existing level of development, reducing the incentive to tear down and replace these units. • The ability to receive FAR transfers or use other bonuses is also limited for the same reason. • The only bonus option available here is the Deeper Housing Affordability bonus. In the RM1 zones this allows 10 feet of additional height and an FAR of up to 2 to 1 when at least half of units are affordable to households earning no more than 60% of regional median income. In the RM2 zones this allows 10 feet of additional height and an FAR of up to 3 to 1. Projects using the deeper affordability bonus can exceed the FAR limits. • FAR may be transferred from a Subdistrict D site to another site in the plan district in exchange for preserving existing housing as affordable units. The maximum amount of floor area that may be transferred is the unused FAR on the site, plus an additional FAR of 1 to 1. Sites receiving this FAR transfer qualify for 10 feet of additional building height. <p>Discussion of several aspects of Subdistrict D regulations was requested, including:</p> <ul style="list-style-type: none"> • Removing the FAR limits; • For new development that doesn’t involve removing existing units providing flexibility by not requiring the proposed additional affordable housing provisions; and • Allowing the sale of un-used FAR (up to the base allowance) without triggering affordable housing requirements. 	Based on earlier engagement and public testimony, the Subdistrict D provisions are supported and have been identified as a high priority by members of the SW Equity Coalition.
2	RM1/RM2 Standards	<p>33.595.275 contains a supplemental set of standards that apply in the RM1 and RM2 zones. They address residential entrances, street facing windows, operable windows, orientation to common areas, and exterior finish materials.</p> <p>Discussion of these standards was requested, with the aim of eliminating those that are least critical to urban form and/or expensive. Previous Commissioner comments framed this topic in the context of their potential to impede new housing development.</p>	Similar standards apply in the Design (‘d’) overlay citywide, but this code section makes them applicable to a broader area of the town center. This is related to where the ‘d’ overlay applies within the town center.
3	“d” overlay mapping	<p>The Design (‘d’) Overlay is applied to areas with mixed-use zoning, RM2 zoning, and to a limited number of RM1 sites that front on the Neighborhood Connectors that radiate from the town center.</p> <p>Discussion of the extent of proposed ‘d’ overlay mapping was requested.</p>	<p>The ‘d’ overlay is currently mapped to only the mixed-use zoned within the town center. The ‘d’ has been applied to the RM zones in the St. Johns and Hillsdale town centers, but not in the Hollywood, Killingsworth or Lents town centers.</p> <p>Maps of existing and proposed ‘d’ overlay areas in WPTC are provided as part of Nov. 29 transmittal package.</p>

4	Urban Green Features	<p>33.595.280 requires features in commercial and mixed-use areas (Subdistricts A and B) that integrate green elements into the urban environment. Projects that add more than 10,000 square feet of floor area must choose one of three things:</p> <ul style="list-style-type: none"> • Native landscaping area • Space for large trees • Ecoroof <p>Discussion of these standards was requested, including consideration of more flexibility within the standards to help address heat island impacts/climate resilience, potentially by adding more options such as cool roofs, or solar.</p>	<p>There are optional standards within the 33.420 Citywide Design Standards which address the issue of roofing materials to decrease urban heat island impacts. Most notably, an EcoRoof (QR21) standard, and a Reflective Roof Surface (QR23).</p>
5	Affordable Commercial	<p>33.595.240 requires developments with more than 10,000 sf of new commercial space within Subdistricts A and B (excepting the Employment focus areas) to set aside a 1,000 sf affordable commercial space that is enrolled in a Prosper Portland administered program that supports businesses led by owners from communities of color and marginalized individuals. There are several options within the program, including on-site tenanting, a fee-in-lieu, and use of off-site space.</p> <p>More information was requested on the use of the current voluntary version of this in the existing code. Questions included what are developer's perspectives and up-front costs, and what are the specific program requirements.</p>	<p>A copy of the Prosper Portland administrative rules for this program are included in the November 29 transmittal package.</p> <p>Our understanding is that the voluntary program has been used once, with the applicant choosing the fee-in-lieu option.</p>
6	Other Standards that exceed base zoning standards	<p>Commissioners asked for more clarity on where/how proposed development standards exceed those applied to the base zone, and in other town centers. In addition to the standards mentioned above, the plan district includes the following other standards:</p> <p>Commercial Corridor Standards in 33.595.250</p> <ul style="list-style-type: none"> • Location of vehicle area. Limits the percentage of the frontage that may be used for vehicle areas. The same standard is applied to all other neighborhood center and town center main streets (though in this case the more restrictive 30% number matches the inner-Portland standard – 50% is used in other centers and corridors farther from the Central City). • Trees between the building and the street on Barbur. • Ground floor windows. This increases the percent of the ground floor façade that must be in windows. • Entrance frequency. This requires more frequent building entrances. <p>Residential Corridor Standards in 33.595.260 apply on Taylors Ferry, Capitol Hwy, Huber and 35th. Both of these are designed to improve safety on these key streets that connect the town center to surrounding neighborhoods.</p> <ul style="list-style-type: none"> • Driveway limitations. • Parking and vehicle access for attached houses. <p>Setbacks in 33.595.270</p> <ul style="list-style-type: none"> • Minimum rear building setback. This precludes buildings in the rear ¼ of the site, and requires certain improvements (landscaping, garden plots or play area). • Freeway setback. This adds setback and tree requirements to sites abutting I-5, to reduce exposure to noise and pollution. <p>Retaining wall design is regulated by 33.595.290. This standard requires larger street facing retaining walls (over 4' high) to be articulated and step back from the street, while providing some integrated landscaping.</p>	<p>The same vehicle area standard is applied to all other neighborhood center and town center main streets (though in this case the more restrictive 30% number matches the inner-Portland standard – 50% is used in other centers and corridors farther from the Central City).</p> <p>The tree standard is unique to this town center.</p> <p>The same window and entrance standards are applied to all other neighborhood center and town center main streets.</p> <p>These standards are unique to the town center, though the zoning code is used to regulate driveway access in many different situations.</p> <p>The same rear setback standard is applied in multi-dwelling zoning in East Portland, but the improvement requirements are unique to this plan district.</p> <p>The freeway standard is unique to the plan district.</p> <p>This standard exists elsewhere in the code today but has not been used in other town centers.</p> <p>Topography in this town center is likely to necessitate use of retaining walls for efficient site design.</p>
7	Anti-Speculation Tax	<p>Consideration was requested of an Anti-Speculation Tax as an additional tool.</p>	<p>Article IX of the Oregon Constitution prohibits real estate transfer taxes – this tool is essentially illegal here.</p>

8	Tenant First Right of Refusal	<p>Consideration was requested for a ‘Tenant First Right of Refusal’ mechanism.</p> <p>This is a tool that Commissioner Eudaly had been exploring during her tenure in City Hall. It includes elements such as: advance notice of a rental unit sale; right of first refusal, for tenants or other entities; exclusive rights for certain purchasers to make an offer for a designated period of time; or preempting private sales and requiring owners to sell the property at fair market value to a specific buyer.</p>	<p>This proposal has been dormant in City Hall. There is no current office working on it, that we know of.</p>
9	Land Trusts	<p>Consideration was requested for additional tools to encourage land trusts.</p>	<p>Metro, as part of the SWEDS project provided funding in 2019 to Proud Ground, to explore establishment of community land bank organization.</p>
10	Urban Design Framework	<p>Based on feedback given during the joint hearing with the Design Commission, staff is preparing several changes to the narrative and graphics that describe urban design in Volume 1.</p>	<p>Details will be sent to the commission in December.</p>