

Portland Planning and Sustainability Commission
Tuesday, July 10, 2012
12:30-3:15pm
Meeting Minutes

Commissioners Present: Andre' Baugh, Mike Houck, Lai-Lani Ovalles, Gary Oxman, Howard Shapiro, Chris Smith, Irma Valdez

Commissioners Absent: Karen Gray, Don Hanson, Michelle Rudd, [one open position]

BPS Staff Present: Joe Zehnder, Chief Planner; Eric Engstrom, Principal Planner; Al Burns, Sr Planner; Roberta Jortner, Sr Environmental Planner; Marty Stockton, Community Outreach Representative; Julie Ocken, PSC Coordinator

Other City Staff Present: Stuart Gwin, PBOT

Chair Baugh called the meeting to order at 12:41pm and provided an overview of the agenda.

Consent Agenda

- Consideration of [Minutes from 06/26/12 PSC meeting](#)

Chair Baugh asked for any comments for the consent agenda. *Commissioner Shapiro* moved to approve the minutes. *Commissioner Smith* seconded.

The Consent Agenda was approved with an *aye* vote.
(Y7 – Baugh, Houck, Ovalles, Oxman, Shapiro, Smith, Valdez)

Bird-Friendly Building Design Guidelines

Briefing: Roberta Jortner; Mary Coolidge, Audubon

Presentation: <http://efiles.portlandoregon.gov/webdrawer/rec/5047820/view/>

Documents:

- [Draft Resource Guide](#)
- [Media links](#)

In addition to the very brief announcement staff made at the PSC in May, there was also a well-attended presentation to the architectural community about the draft resource guide in mid-June.

The first edition of the report is now available on the Audubon website at http://audubonportland.org/issues/metro/bsafe/bfbdd/at_download/file. People have responded naturally to the issue with the realization that the built environment also provides habitat and potential risks for birds. There has been interest in the design community in the issue and the new resource guide.

Costs to development under these guidelines are a concern, but architects are still interested in learning more bird-friendly building, and particularly options that also meet energy efficiency and other design goals too. BPS Green Building staff has already made initial contacts with individuals working on the Lloyd EcoDistrict who have shown interest in exploring options for bird-friendly design options.

The issue is still not on the radar for most people, especially in Portland.

At this stage, with the first iteration of the guidelines, we are looking to vet the concepts and build awareness throughout the community. The intention is not to bring the guidelines forward as regulatory. However we will be considering the issue through the Comprehensive Plan and Central City planning efforts. For example, the Comp Plan Watershed and Environment PEG is looking at an initial framework that includes policies to support and reduce risks to wildlife.

We have great diversity of birds coming through Portland as it is a major north-south migration. There are 209 regularly-occurring species in Portland. Birds not only travel through or remain in Portland for their own needs; they also disperse seeds, pollinate plants, and help control insect, pigeon, and small mammal populations.

Over 1 billion birds die annually in the US due to window strikes, a cause of mortality second only to habitat destruction.

We're improving the ecosystem function of our city by preserving greenspaces, planting trees, naturescaping, installing ecoroofs, but we are not yet managing hazards.

Window strikes

- Can occur anywhere that unmarked glass is used
 - Glass is not perceived as a solid
 - Reflections create a habitat mirage
- Transparency: visibility of habitat on the other side of glass pane
- Songbirds migrate at night using celestial cues and are attracted into lit areas
- Strikes go undetected if you're not looking (scavengers, vegetation, awnings, maintenance crews, etc)

Surveys in Portland were done in conjunction with this project to get a gauge of strikes:

- Fall 2009 Pilot: dawn surveys of 44 buildings (downtown, Lloyd, LC Law School)
- Spring 2010-Fall 2011 monitoring
 - Four seasons of data on 21 buildings
 - 40-65 birds/season; WCC logs additional 200-300 intakes and calls/year
 - 36 species of warblers, flycatchers, sparrows and hummingbirds
 - 83 species of natives admitted to WCC (same time period)

The percent of unmarked glass on the façade is the strongest predictor of the magnitude of bird mortality at a building, particularly where vegetation is reflected. Typical design traps include unmarked glass walls, proximate banks of glass, and reflections in transparent or reflective glass.

A number of other cities have bird-friendly building guidelines; some are voluntary and others are mandatory. Portland's first edition resource guide was a collaborative process between Audubon and the City with funding from the US Fish and Wildlife Service.

There are a variety of concepts to consider when thinking about bird-friendly design:

- Consider location and surroundings
- Treat glass: visual markers (2" x 4" rule)
 - Interrupt reflections, especially first 40' above grade and adjacent to ecoroofs
 - Treat transparency at corners, sky-bridges, atria
- Minimize light spill from building interiors
- Properly shield all exterior fixtures (full cut-off above 90 degrees)
- Eliminate unnecessary lighting 12-6am

A new LEED pilot credit addresses the above concepts.

Several research projects are looking at effective deterrents. There are patterns that provide a 90 percent deterrence but cover as little as 5 percent of the glass.

The guidelines emphasize synergies with other design objectives including

- Reducing solar heat gain
- Branding
- Creating privacy
- Carrying aesthetics
- Reducing vandalism

Cost effectiveness considerations and case studies are part of the Portland guidelines book as well.

Lighting design solutions to improve design, optimize useful light and minimize light spill include:

- Full cut-off shields above 90 degrees
- Eliminate vanity lighting and uplighting
- Reduce interior light spill
- Eliminate spotlights and searchlights during migration
- Use auto controls including motion sensors, photo sensors and timers

Regarding retrofitting, we would have design objectives at outset, which is more cost-effective. At this point, there is no standard at what point a building would need to retrofit.

Data shows that most bird strikes happen between 0 and 40 feet, so residential areas are also affected, especially in the Portland West Hills.

There is a big difference between natural bird mortality and window strikes: windows affect healthy birds and juveniles as well as older. Almost all birds in Portland's test were otherwise healthy and fit. There isn't a learning curve... usually the first hit will kill the bird.

Typical urban species and migratory birds both are affected by bird strikes. They are both passing through and nesting in the area. Bird strikes are indiscriminate, affecting primarily healthy birds. We're building a lot faster than birds can evolve.

Commissioner Houck proposed the PSC provide direction to BPS and City Council regarding Bird-Friendly Building Design:

The Planning and Sustainability Commission supports the continued integration of Bird-Friendly Building Design into the City's programs, including but not limited to: a) Language in the Comprehensive Plan policies, b) Central City 2035 policies, c) EcoDistrict planning, and d) Exploring a broadening of the city's requirements for sustainable practices in City buildings to address Bird-Friendly Building Design and Lights Out.

Commissioner Shapiro seconded.

Commissioner Valdez noted we need to proceed with caution and make it clear the intent is not to make this regulatory or mandatory, especially at this time.

The motion was approved with an *aye* vote, and *Chair Baugh* will sign a letter with this statement addressed to BPS Director Susan Anderson.

(Y7 – Baugh, Houck, Ovalles, Oxman, Shapiro, Smith, Valdez)

R/W #7415: Proposed Street Vacation of SE Ash St west of SE 74th Ave

Hearing / Recommendation: Stuart Gwin, PBOT

Document: [Staff Report](#)

The City is reimbursed only for cost of doing the vacation, but the right-of-way is owned by the adjacent property owner.

This ROW is between two single-family homes and abuts condo development. There is a concern about development by neighbors, but this is zoned R5, so the most aggressive thing that could be done is to build a single-family home.

The applicant will have to do a street improvement as per stipulation (curb cut and drainage to match existing). Until this is done, the land does not get transferred.

Testimony

- Judy Jacks: the petitioner from the north side of the lot. Both she and the neighbor to the south would be given half of the property. They have talked to neighbors and have the required signatures. This property has been vacant for years, and the City doesn't maintain it. Neighbors take care of it now, but there have been continued issues with trash being dumped, so they would like to have control of the property.

Chair Baugh closed the hearing.

Motion

Commissioner Shapiro moved to recommend that City Council approve the request for Street Vacation #7415 as presented in the staff report. *Commissioner Houck* seconded.

Chair Baugh restated the motion, and the motion passed.
(Y7 – Baugh, Houck, Ovalles, Oxman, Shapiro, Smith, Valdez)

Comprehensive Plan Factual Basis - Various Reports

Hearing / Recommendation: Eric Engstrom; Al Burns; Marty Stockton; Roberta Jortner

Presentation: <http://efiles.portlandoregon.gov/webdrawer/rec/5047821/view/>

Documents:

- [Public Participation Phase IV Progress Report](#)
- [Infrastructure Condition and Capacity Report](#)
- [Natural Resource Inventory Update Report](#)
- [Natural Resource Inventory Report](#)
- [Significant Scenic Resources Map](#)
- [Significant Natural Resources Inventory Map](#)

Most of this is a clean-up session of fact-gathering. The Planning Commission adopted a workplan with 5 tasks for Periodic Review in 2008; this is Task 2 - collection of facts. There have been 27 background reports that have come to the PSC through hearings over the past few years to inform the Portland Plan and the Comp Plan update. Now we send the background documents to the State for their acknowledgement that they are the confirmed as the basis for future decision-making.

Today's hearing includes a combination of 3 reports and a total of 51 maps:

- Public Participation Phase 4 Progress Report, July 10, 2010
- Natural Resource Inventory, June 2010
- Infrastructure Condition and Capacity, December 14, 2010
- BLI CON 01 Rural Lands, June 5, 2012

- BLI CON 02 Open Space Zones, June 5, 2012
- BLI CON 03 Environmental Overlay Zones, June 5, 2012
- BLI CON 04 Historical and Cultural Resources, June 5, 2012
- BLI CON 05 Significant Scenic Resources, June 5, 2012
- BLI CON 06 Publicly Owned Land, June 5, 2012
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- BLI HAZ 06 Air Exposure Risk 2005, June 5, 2012
- BLI HAZ 07 Air Exposure Risk 2017, June 5, 2012
- BLI INF 01 Improved and Unimproved Streets, June 5, 2012
- BLI INF 02 Neighborhoods Major Street Connectivity, June 5, 2012
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- BLI NRI 13 Special Habitat Areas, June 5, 2012
- BLI NRI 14 Riparian Relative Resource Value, June 5, 2012
- BLI NRI 15 Wildlife Relative Resource Value, June 5, 2012
- BLI NRI 16 Combined Relative Resource Value, June 5, 2012
- BLI NRI 17 Significant Natural Resources, June 5, 2012

Four Community Involvement Committee (CIC) members - Stan Penkin, Alison Stoll, Jason Barnstead-Long and Judy BlueHorse Skelton - provided a final report on Phase IV, as well as a review of the public participation throughout the Portland Plan process and what will continue through the Comp Plan process. This is the 3 year anniversary of the CIC; they have held 29

monthly meetings, numerous sub-committee meetings and have participated throughout the Portland Plan meetings and events.

The CIC had 5 measurable goals for their work throughout the Portland Plan process, which were accomplished.

Phase IV evaluation: Phase IV has mostly been positive despite the extended time. This final phase seemed too long and less focused, but provided limited review time for the final draft of the Portland Plan. The focus of CIC work was about how to testify, promotional videos, ads in community newspapers and the use of track changes in the last version of the draft. If this phase could have been condensed, that would have helped. There was a ton of information provided throughout the process which made it difficult, but in Phase IV, people were tired of the process.

The CIC appreciated the PSC's input to staff about updates to the draft plan. They noted the Portland Plan must continue to involve all Portlanders. A highlight was testimony from youth through the YPP and MYC. Portland Plan staff maintained relationships with community organizations such as DCL partners and non-geographic groups, which was renewed for Phase IV and will continue through implementation. Lessons learned will shape the Comp Plan update process. Communication dropped off a bit in this phase as well, which was a detriment to the work that had been done in previous phases.

The Comp Plan update can bring the Portland Plan to life. Also IGAs, budget instructions and partnerships will continue the good work the Portland Plan has laid out. The public needs to understand these efforts and how they can help.

Improved consistency and scheduling of events to maintain awareness would produce even better results. We should expand and carry on the collaborative relationships from this process. It is essential that the input and methods to gather input be common reference for years to come.

The CIC expressed some concern with the PEG process in that it is short time frame, and meetings all are hosted in downtown versus in the community, which is a concern in terms of policies being top-down (or at least perception of this). The timeline for Comp Plan update input from general public is very rushed. Regardless of the drafting time, there needs to be enough time on the back end for public review process.

The PSC would like to hear from CIC members throughout the year, especially if they feel things are not going well so PSC can hopefully make adjustments, especially in the Comp Plan update process. At each step of Periodic Review, the CIC's role is to report out on lessons learned, so there is a continued opportunity to think through and adapt to community involvement process.

The Natural Resources Inventory (NRI) highlights features, functions and values. We use this information to make determinations of significance for natural resources. The PSC has already recommended that City Council adopt the NRI as part of the Comprehensive Plan Factual Basis (updated NRI also required in Periodic Review Work Plan). Today staff is introducing additional documentation to be adopted along with NRI background report. For this documentation, staff worked closely with Metro and scientists and technical reviewers from academic, state, and federal agencies, environmental organizations, and consulting firms. Reviewers included *Commissioner Houck*.

The project report includes more information on the scientific basis, methodology, and technical review process the City used to develop the inventory. This project report has been

vetted a number of times, most recently as documentation provided in conjunction with the Airport Futures project.

The additional background NRI maps address:

- Natural Resource Features (streams, wetlands, flood areas, vegetation, steep slopes
- Riparian Function Scores (flood storage, microclimate and shade, channel dynamics, etc.) and Aggregated Relative Ranks
- Wildlife Habitat Attribute Scores (patch size, interior habitat, proximity to other patches and water), Special Habitat Areas, and Aggregated Relative Ranks

These maps roll up into the combined rank map for the NRI that was a layer vetted as part of the Buildable Lands Inventory work. Each map can inform future planning discussions regarding impacts of development and other changes. These maps are not regulatory - they are used as a resource for factual basis for when Council adopts for staff to evaluate choices for the Comp Plan update. Any future regulatory changes would be done through a separate legislative process.

Commissioner Houck did the first Goal 5 inventory in 1982 in the field, which shows how far we've come with mapping efforts. A huge amount of modeling and reviewing is an advancement since Metro Title 13 in 1995. We have updated aerial photos and have LIDAR to map streams and topography, which added many miles of stream network based on the improved data. Staff reviewed more scientific studies, including studies conducted for Portland and other urban areas. These were used to refine the model criteria, including to hone patch sizes. The City also updated information on wildlife species in Portland. This is state-of-the-art work.

The Scenic Resources Inventory Map is adopted by ordinance. None of the features have changed (mountains, bridges, skylines), only some of the reference points, e.g. street names have changed. When the new bridge is complete, we will have to update this; the Sellwood Bridge replacement may also require an update.

The other maps have been recommended over the course of two years. The only edits staff has made to those that are displayed around the room have been to change the maps names to say "Comprehensive Plan," employ a consistent map date and frame, and to rearrange the map sequence into a more logical order.

The Public Facilities Report is the last report for review and consideration. This report includes existing conditions of road, water and sewer infrastructure to the extent they affect the BLI and housing. In Task 3 (alternative analysis) other facilities plans will look at green infrastructure and parks, which goes over and above what the State requires.

There is a cultural resources map that came to the PSC earlier. Staff worked with tribal sovereigns to identify cultural sites, but this map is exempt from disclosure under the public records act. The cultural resources map that the commission approved in an earlier meeting, is informed by the excluded map, but only displays areas where recognition is required before ground disturbing activities may begin. The commission noted that it would be valuable to know what landscapes are culturally significant as well (not just sites and resources).

Testimony

No public testimony was offered.

Chair Baugh closed the hearing.

Motion

Commissioner Smith moved to recommend to City Council the 3 reports and 51 maps before the PSC today:

- Public Participation Phase 4 Progress Report, July 10, 2010
- Natural Resource Inventory, June 2010
- Infrastructure Condition and Capacity, December 14, 2010
- BLI CON 01 Rural Lands, June 5, 2012
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Commissioner Shapiro seconded.

Chair Baugh restated the motion, and the motion passed.
(Y6 – Baugh, Houck, Ovalles, Oxman, Shapiro, Smith)

Staff will work on a draft transmittal letter from the PSC regarding all adopted background review reports in the statement to City Council. The PSC's BLI letter is included in this transmittal.

Adjourn

Chair Baugh adjourned the meeting at 2:40pm.