

Comprehensive (meaning long) Draft Comprehensive Plan Comments

From Mike Warwick, March 2015

Bona Fides

I was born in Portland, grew up on a farm outside Carlton and attended school in Eugene and Corvallis. I am about as “Oregonian” as you can get despite a short stint in the regional planning graduate program at the University of Wisconsin and the year I worked in Washington DC. I have been fortunate that my profession has taken me to every US state and all of the nation’s major (and many more minor) cities and provided for vacation time to visit major cities in Europe, China and Africa. My interest in planning has expressed itself in Portland as a long time member and former Chair of the Eliot Board and Land Use Committee, former Chair of PDC’s Oregon Convention Center and MLK Urban Renewal Advisory Committees and member of the Governor’s (and later Mayor’s) MLK Action Committee and recently, the NE Quadrant, Mixed Use and Institutional Advisory Committees for the current Comprehensive Plan. I was also one of the original organizers of the Eliot Neighborhood Association and active in the development of both the Eliot and Albina Community Plans.

I have lived in the Eliot neighborhood the last 35 plus years. I have seen it transformed from an area destined for ruination due to would-be home owners being “red lined” by banks to favor development for warehouses. Fortunately, the depressed value and dilapidated condition of the housing stock proved affordable for first time homeowners and renters willing to accept substandard conditions and brave gangs, drug dealers and prostitutes. At the time, these home buyers were celebrated as “urban pioneers” for restoring both historic homes and community and “bad” landlords were exposed in the pages of Willamette Week. Although currently vilified for “gentrification” by those ignorant of the history, the result was the creation of protective historic enclaves and revitalization along Mississippi and Williams that has earned favorable reviews by urban planners everywhere. This transformation was enabled by the combination of longtime minority homeowners and new residents who used the previous Comprehensive Plan to reverse the course Portland’s inner NE neighborhoods were on at the time. The current Comprehensive Plan process provides an opportunity to review the performance of the prior plan and improve on it with the new one.

Overall Impression of the Plan

Strengths of the Draft Plan

- The focus on “centers” and linking “corridors” and their relationship on a “rank order” basis appears to be derived from Central Place Theory, and rightly so.
- The notion of “pattern areas” appears to be based on “The Pattern Language,” rather superficially, but that is better than not at all.
- The concept of directing new development to centers and corridors specifically to preserve “unique [residential] neighborhoods” is critically important both to maintain *Portlandia* and to enlist public support.

- The focus on “fixing” the “mixed use” zone is also critical so as prevent further erosion of unique residential areas and enlist public support.

Weakness of the Draft Plan

- Clumsy use of statistics to justify social engineering.
- The “equity lens,” as applied in the Plan. It is fine as one of many decision making tools, but when it is used to justify certain zoning proposals and policies it will likely create the opposite outcome.
- Failure to address inappropriate Rx and Rh zones.
- Failure to address conflicts between neighborhood preservation (especially historic neighborhoods) and in-fill that leads to both destruction of neighborhoods and gentrification.

Specific Comments

Adopt the Plan NOW!

This plan is a significant and much needed improvement over the current plan. It must be adopted as soon as possible. Although there are some outstanding details, specifically regarding the proposed “mixed use” zone, additional delay for further debate is letting the perfect become the enemy of the good. It is worth noting, the “equity” lens when applied to this issue reveals it is the “have” neighborhoods who are asking for delay while the most impacted close in and “have not” neighborhoods will be the most damaged the longer the current plan and zoning remains in place.

Fix the Rx zone

Title 33 describes the Rx zone as a “Central City” zone. However, the current plan has pockets of Rx zoning outside the Central City. That should be changed immediately and the Rx zone should be restricted to the Central City as intended.

Bring the Rh zone into conformity with proposed “mixed use” zone heights, FAR, and step/set backs.

One of the goals of the current “mixed use” review process is to address neighborhood issues with recent infill development in the current C and E zones and transitions to R zones. This is an issue because the flexibility allowed in these zones was exploited by developers to the detriment of established neighborhoods and residents. Addressing neighborhood issues with the “loopholes” developers exploited won’t stop them so long as the Rh zone offers equally lax development options.

- Ideally, the Rh zone should be included in the new “mixed use” zones so as to reflect the “context sensitive design” being developed for these new zones (relating building height and mass to street scale, etc.).
- If the Rh zone continues as a unique zone, it must conform to the same height, mass and step/set back standards in the “mixed use” zone. If it remains an exclusive residential zone, nominally in predominately residential areas, additional bonuses for height and mass must not be allowed.
- The current height and FAR bonuses for proximity to “transit” should be reduced. The 100 foot height allowance should be reduced to 75 and the 75 foot limit

reduced to 50. The “1,000 foot from transit facilities” should be reduced to “within 100 feet from transit streets.” This will facilitate more dense development along transit corridors, while protecting nearby residential areas that may have pockets of Rh zoning. In this regard, the “1,000” feet allowance encompasses almost all of Portland’s “historic” districts. An Rh parcel in Irvington three blocks from Broadway could host a 75 foot tower in the midst of its Historic District. That makes no sense, yet, that is what is happening now at NE 7th and Russell.

Infill IS Gentrification. Stop it NOW!

The Plan misapplies statistics to justify density increases in neighborhoods to address perceived “affordability” and “gentrification/displacement” policies (see GP 3, 3.78 and 79). As currently practiced, this has the opposite effect. Rather than preserving existing family homes that are affordable to school teachers and city employees, current medium density and lot division rules encourage the demolition of this affordable housing stock and its replacement with infill projects that sell for two to three times prevailing existing home prices. THAT is gentrification! Worse, much of the new infill is insensitive to the neighborhood character and is gradually destroying what makes individual neighborhoods “unique,” both in terms of the scale and style of construction and the fabric of the neighborhood, primarily by eliminating front porches and back yards that facilitate “neighborliness.” That is impossible when the developer’s objective is to squeeze as much building on the subdivided parcel as possible. This practice flies in the face of the Plan’s “equity” goals. But equally important, undermining existing neighborhood character creates with the new residents an “uncaring” population that will have less concern about the welfare of former residents they displace. That strikes at the heart of the Plan’s equity goals, namely fair treatment of people.

Protect Portland’s Historic Neighborhoods, not just Individual Buildings

The plan offers little in the way of protection to historic “areas,” and scant protection to Historic Buildings. When it refers to historic preservation it adds the “when feasible” qualification (see GP4, 4.36). That is unacceptable. The Plan recognizes Portland’s unique neighborhoods are an asset. Many of the “inner” neighborhoods have architectural and commercial features that are characteristic of both each neighborhood and of Portland’s development history. Loss of this would leave Portland looking like most any other late 20th Century urban place; in other words, not unique and rather boring. This is highlighted by comparing new residential infill in inner neighborhoods with existing homes. Ugh! The same is true for new mixed use projects and existing commercial and historic mixed use buildings. On the one hand, it is unfortunate few of the older buildings remain, but on the other, the new buildings generally fill vacant or underutilized parcels so the loss isn’t as critical as in residential areas.

Several things should be done to protect Portland’s historic “fabric.”

- One is to provide a “buffer” between historic buildings and districts (including conservation districts) to ease the transition between new and historic structures. At present minimal set backs are required. I would propose the buffer be doubled if landscaped, but to allow this buffer area to be used for townhome type

- residences facing adjacent R zones instead of landscaping. That will put the buffer area to practical use that is more compatible with adjacent residences.
- Another is to provide assistance to elderly and/or poor building owners of historic and “contributing” buildings to properly maintain them, both to preserve them and to maintain current residents. This can prevent fire sale pricing that enables demolition for infill. It also furthers the Plan’s equity objective as many of the inner city owners are minorities and, obviously, most are elderly with fixed or limited incomes.
 - In designated “historic districts,” like Irvington, there is a great deal of uncertainty about what is and isn’t permitted that has generated backlash to the historic listing. Much greater clarity of both what is permitted and the approval process should be provided, essentially a “prescriptive path” or “community design standard” that removes some of the current subjectivity in the review and approval process. That would help alleviate some of the current concern in existing historic districts and facilitate transition of “conservation districts” like Eliot to full “historic district” status.

Resilient Communities

Resilience in the face of natural hazards is a worthwhile objective; however, it is impossible to accurately anticipate all hazards and their potential impact. Further, it is impractical to protect against all risks. Even the scope and scale of impacts from identified risks, such as a major earthquake, are difficult to predict. Protecting against the most extreme events presents unnecessary burdens as does imposing protective codes on all areas irrespective of likely risk. Regardless, even if this is done following best practice, the actual event may have more dire impacts than expected and, more likely, some other, unexpected event, will be more damaging. Rather than placing faith that these events can be known and planning accordingly, Portland should have a “Plan B Plan”; a Plan for what should and could happen after a significant loss of public and private infrastructure. Should downtown be rebuilt after a major quake in light of the risk posed by future quakes and rising sea levels? Should residences on slide prone hills be rebuilt? Rather than just repeating the prior development pattern, Portland should consider what a more resilient community would look like if redevelopment in the riskiest areas was prohibited. A Plan B Plan isn’t needed in this Plan, but the concept should be introduced.

Preserving Existing Neighborhoods is Essential to *Portlandia*

Portland’s reputation for friendliness is inherent in our urban fabric, not our water. That fabric includes residential characteristics like front porches and back yards that facilitate neighborliness. The Plan will affect neighborhood character through both “form” and “design.”

Form - The Plan has a vision more clearly rooted in the “language” of urban planning than previous plans. This contrasts to prior Comp and Neighborhood Plans that often seemed focused on “problem solving.” The hierarchy of “centers” and linking “corridors” is consistent with natural development as

described in Central Place Theory. This approach will be highly successful to the extent these natural tendencies are accommodated in the revised “mixed use” zones as applied in centers and along corridors. Equally important to the success of centers and corridors is healthy adjacent neighborhoods to support them. Most of Portland’s neighborhoods fit this definition; however many of the healthiest neighborhoods are being undermined by inappropriate infill that is unraveling the current neighborhood fabric. Portland neighborhoods owe their uniqueness and the city its reputation for friendliness to features like *front porches and back yards that facilitate neighborliness*. New infill typically replaces single family homes with town homes and the front porch is replaced with a second floor balcony where residents literally “look down upon” longtime residents. Back yards are replaced with roof gardens where neighbors are further isolated. As noted previously, this kind of in-fill also increases gentrification that further isolates in-fill residents from long time neighbors by income level. The net effect is that new residents are uncaring about their current and recently displaced neighbors. That is a serious equity issue.

Design and Design Process - The “Goal” to focus development so as to protect existing residential neighborhoods’ “character” is critical to public acceptance of the plan and credibility of future development decisions. That is lacking in the existing comp plan as well as current the development decision process, both land use and design reviews. The proposed Plan’s effort to address it is only the first step. Much more needs to be done to provide land use and design processes with “levers” the public (via neighborhood associations) can use to accommodate their interpretation of “neighborhood character.” If the goal (3A) is “A city designed for people,” much needs to be done to change the current land use and design procedures so the city is designed “by the people,” rather than the current goal of enriching developers. The major implementation challenge is whose view of neighborhood character should prevail. At present, it is that of developers who generally have no relationship to or within their target neighborhood. The result is development that doesn’t fit in in terms of scale or design. It tends to be too big and follow a design template dictated by financial considerations instead neighborhood character. The end result to date has been essentially the same building with minor variations on the same materials. No effort is being made to echo existing buildings, at least for large multi-family and mixed use projects. For all of the apparent variety of new construction along North Williams, if you had dirty glasses it would look like the same boxy building is replicated along its length and the same as along Belmont, Division and so on. Sadly, the current “design review” process enables this because the Design Commission is composed to fellow architects who use a similar design style and palette. The injection of true neighborhood aesthetics from impacted neighborhoods is sorely needed.

Pattern Areas - The concept of “pattern areas” included in the Plan is welcome, at least to the extent it draws on “A Pattern Language;” if so, it is superficially

applied. For example, the “inner” pattern area extends to east 82nd. Portland’s inner NE areas don’t extend much past 33rd and are distinct from the inner areas of SE Portland. More granularity in the application of “pattern areas” based on the era of development and age of housing stock is necessary. If that IS reflected in the final plan, it should be embedded in the “design review” process or “community design standards.”

Equity/Affordable Housing

Inequities are a critical social problem; however, municipal efforts to address them in the US have a mixed record at best, because housing affordability has many root causes that local governments cannot affect to any significant degree. Over the long term, housing affordability is an employment issue. Healthy, diversified economies promote home ownership and housing choice. Changes in policies can increase housing affordability far more effectively than changes in zoning. But, some of those policies intersect with zoning and this Draft Plan:

- The Plan should identify neighborhoods that lack affordable housing options, say areas with fewer than 15% of units meeting “affordability” metrics. Portland typically concentrates low income housing in inner N/NE neighborhoods where public resistance (and wealthy donors to Council persons) is low. It lacks the political will to force wealthy neighborhoods to shoulder a fair share of this responsibility. The absence of data on the distribution of low income units enables continuation of that policy, which is shameful.
- Similarly, the Plan should identify areas where employment options are likely to exist for non-college educated residents. This survey should not ignore opportunities for “menial” jobs such as building and household cleaning, child care, family food servicing, and so on. Portland’s wealthy enclaves can provide jobs as well as its industrial sanctuaries. Affordable housing should be located to provide employees close to these potential jobs, rather than in race segregated project in the inner city.
- The Plan should recommend that City policy prioritize its housing strategy to ensure equitable access to housing city wide with the bulk of new units in proximity to employment opportunities.

The Plan should recognize that focusing on new units will not address pressing current needs for affordable housing and should recommend programs and policies to preserve existing housing units that provide the bulk of rental units today. Those should include disincentives for in-fill projects that increase average housing costs over previous home value/rental levels, preservation of housing stock that suffers from deferred maintenance due to homeowner/resident income and/or age challenges and strategies to secure long-term affordability agreements upon land transfers, such as freezing property taxes in exchange for rent regulation.

The Plan should carefully consider so called “inclusionary zoning” implemented by fiat or through incentives. Portland’s housing market is not as constrained by geography like San Francisco and larger metro areas like LA where commute times are barriers for

housing choice. If Portland adopts complicated or onerous affordable housing requirements, new units will be built in the surrounding communities instead. The irony is that Portland's current housing policy concentrates low income units in job poor areas is fine so long as they are close to light rail. The assumption is residents are just a light rail trip away from productive employment. However, this is a two-edged sword. If Portland and the Plan insists on onerous affordable housing requirements in new housing, or worse, rent control, new units will be built outside Portland, but on light rail lines, so those residents can commute into Portland for work. That kind of policy would produce few affordable units and simply chase new residents to the area out of Portland. Portland will lose both the density new development can provide AND the affordable housing it hopes to get.

Some of the proposed measures can work. Density bonuses in exchange for affordable housing might be attractive in high rent neighborhoods and in "new" neighborhoods, like the Pearl, South Waterfront, Chinatown/River District and potentially the Lloyd and PSU districts. These are areas where new housing development is highly profitable for developers, such that the "benefit" for providing affordable housing without subsidy will be less likely to deter construction due to somewhat lower profitability. Consequently, affordable housing requirements should not be incorporated into the zoning code, rather they should be mandated in "plan districts" where wholly new neighborhoods will be (and are being) created.

New Industrial Land

"Free" Industrial Land - Portland has a fairly high manufacturing base for its size. That suggests new industrial land will be required to accommodate a growing population with manufacturing jobs. However, it isn't obvious what the "industry" of the future will be. 3-D printing may reduce the need for large manufacturing sites and allow "manufacturing" to occur in office buildings (which is common in New York City). Regardless, large "campus" sites are needed to attract most current Fortune 500 companies and corporate HQs. One of the first places Portland can look for "new" industrial land is in-house. Specifically, the properties in Lower Albina used by the Water Bureau and Albina Yards for vehicle parking should be repurposed for manufacturing use. Those vehicles can and should be stored outside the urban core. This would be essentially a "free" source of industrial land.

"New" Industrial Land - A second source for industrial land is also just beneath the City's nose; outdated rail yards. The Pearl rose from rail facilities that were out dated. The SP yard in Albina and the Brooklyn Yard are also past their "pull by" date, but their owners don't want to spend the funds to replace them with modern facilities in Clark or Clackamas County, or even east Multnomah County at this time. They are replacing similar inner city yards elsewhere however. Portland needs to put pressure on the railroads to vacate these sites. And, while it is at it, it should be working to reroute rail lines through town that currently divide communities and interfere with rational urban development.

Don't "waste" industrial sites/ no MLB! - There are two sure ways to lose industrial land. One is to allow housing development, because housing and industrial uses don't mix. The second is to site a low intensity use, like sports arenas on land that could otherwise host three shift manufacturing or warehousing. The single best thing the new Plan could do for inner-city jobs is prohibit development of new sports facilities in the Central City (which included Lower Albina).