

Portland Planning and Sustainability Commission

Tuesday, March 24, 2015

3:00 p.m.

Meeting Minutes

Commissioners Present: Andre' Baugh, Don Hanson, Mike Houck, Gary Oxman, Katherine Schultz, Howard Shapiro, Chris Smith, Teresa St Martin, Maggie Tallmadge

Commissioners Absent: Karen Gray, Michelle Rudd

Staff Presenting: Eric Engstrom, Deborah Stein, Michelle Kunec-North, Roberta Jortner, Leslie Lum, Brett Horner (PP&R), Sarah Huggins (PP&R), Peter Hurley (PBOT), Courtney Duke (PBOT), Dave Unsworth (TriMet)

Chair Baugh called the meeting to order at 3:05 p.m. and gave an overview of the agenda. *Commissioner Houck* is joining the meeting via Skype today.

Items of Interest from Commissioners

- *Commissioner Hanson* noted the SE Quadrant Plan process is continuing. He is serving as co-chair for the advisory committee, and last meeting is next Thursday to discuss the draft report.

Director's Report

Eric Engstrom

- This room will be remodeled over the summer, probably starting in July. This means that we will be scheduling Commission meetings in other locations, potentially some in the Portland Building and other locations in around the city.
- The next draft of the Economic Opportunities Analysis (EOA) has been published, and notices have been mailed for the April 28 PSC hearing. The EOA report was adopted by Council in 2012 but updated based on changing circumstances related to West Hayden Island (WHI). Council will consider this new draft along with the rest of the PSC's Comp Plan recommendation.
- Reminder that PSC members need to disclose external meetings. On May 12 we will ask you to briefly itemize and describe any meetings you may have had outside of the Commission meeting with stakeholders. This is important for transparency.
- Congratulations to *Commissioner Rudd*, who has been named as one of the nation's most influential black lawyers by *Savoy Magazine*.

Consent Agenda

- Consideration of minutes from 3/10/15 PSC meeting

Chair Baugh asked for any comments for the consent agenda.

Commissioner Smith moved to approve the Consent Agenda. *Commissioner St Martin* seconded.

The Consent Agenda was approved with an aye vote.

(Y9 – Baugh, Hanson, Houck, Oxman, Schultz, Shapiro, Smith, St Martin, Tallmadge)

Comprehensive Plan Update

Work Session: Eric Engstrom, Deborah Stein,

Documents:

- [Residential Densities Staff Report](#)
- [Housing Staff Report](#)
- [Centers and Corridors Staff Report](#)
- [Nonconforming Residential Densities and Uses Memo](#)
- [Nonconforming Uses Staff Report](#)
- [Nonconforming Commercial Uses Follow-Up Memo and Diagram](#)
- [Open Space Designations Memo](#)
- [ONI Responses to Community Involvement questions](#)
- [Testimony Memo 1 \(testimony received February 24 - March 9\)](#)
- [Final Testimony Memo \(testimony received March 9-13\)](#)
- [Proposed language for Policy 9.6: Transportation Hierarchy](#)
- [Transit-supported TSP investments in East Portland map](#)
- [TriMet testimony letter from November 2014](#)

Eric introduced today's session and reiterated the timeline. We expect the PSC to make its final recommendation on May 26. Today's conversations continue to be directional for staff.

Testimony is now closed. We collected approximately 4100 comments from the public that came from over 1000 individuals. PSC members have received links to all the testimony we've received, and staff is compiling a complete index of testimony received.

Commissioner Shapiro asked how the testimony will be shared.

- It will be distributed as a PDF with indexes. We have about 7 volumes/binders that include one copy of each comment, which commissioners can borrow to review.

PP&R

Brett Horner (PP&R), Sarah Huggins (PP&R)

PP&R has had a good relationship in working with BPS throughout the Comp Plan process. In November, PP&R submitted a memo with their comments on the Comp Plan. They commend the treatment of parks, open spaces and trails in the draft.

The main requests for modifications to the draft had to do with heightening the urban forest. PP&R supports the stronger language about the environment as proposed by BES. Staff has discussed recommendations with BPS already and support these recommendations.

There have been good robust discussions about trails as being managed by either PP&R or PBOT. We strongly support that it should be both. Trails are used for both recreation and transportation, so both bureaus have an important role in maintaining them, and we work closely to do so.

We appreciate BPS staff's developing additional language about trails and support this additional wording. PP&R supports the city greenways concept and the Green Loop concept in the Central City 2035 Plan as well.

PP&R also supports a proposed transportation improvement over Columbia Blvd from Cully to the Colwood Golf Course.

Regarding park and open space system development, there are proposed incentives to build close to open space, and PP&R wouldn't object to this proposal. New residents will have easy

access to these resources. We also support reuse of public right-of-way for the public good (e.g. community gardens, added tree canopy) especially, where we struggle to provide park and open space options.

Thank you for the work that has been done in developing the current language.

Commissioner Hanson asked about new home construction near developed parks. Is this a sliding scale for SDCs for building near those areas?

- We don't want to adjust the SDC methodology.

Chair Baugh also asked about the incentive for housing near existing parks versus park-deficient areas. Does this put a strain on getting parks into parks-deficient areas?

- This is about encouraging density near parks like we do with housing near transportation. We don't have anything specific as of yet.

Commissioner Houck is pleased to hear that Parks disagrees with the notion of taking trails and putting them entirely with PBOT. Parks has excellent ecologists on staff to evaluate if trails are being put into appropriate locations. On March 10, Dawn Uchiyama (BES) referenced the agreement that BES has with PBOT regarding green streets and green infrastructure. I'm curious if there is a plan for a similar agreement between BES and Parks regarding integration of their work.

- We do have an MOU between the bureaus with protocols. We haven't done as much collaboration on right-of-way areas, but we want to get to this with both PBOT and BES. We are also updating the MOU, so that will be changing in the near future to reflect the rate payer realities.

There is a huge concern that the lawsuit and initiative that was trounced has had a chilling effect on these bureaus collaborating. We need more integration of green infrastructure efforts, so I'm hopeful the revised MOUs don't pull back on the great work you all have been doing.

Transportation

Peter Hurley, Courtney Duke

[Presentation](#)

Courtney discussed the transportation hierarchy policy and the right-of-way street vacations information.

Transportation Hierarchy

The 2009 CAP introduced the hierarchy concept, which was emphasized in the Portland Plan as well.

In the Working Draft Comp Plan 2013, there were comments and concerns related to freight and separating the movement of goods and people.

The Proposed Comp Plan Draft was released with changes to the policy reflecting comments and concerns, separating the movement of goods and people. The new version still had internal and external concerns about the policy and implementation.

Implementation of the policy still a conversation. There will be additional work during Task 5 in 2015 and in 2016 to assist implementation of the policy including classification review, classification modifications (street design), and modification of project design guidance and process.

Courtney shared the [amended language for Policy 9.6](#).

Commissioner Smith is generally supportive of not trying to slot freight movement into the hierarchy, but he's also skeptical about removing it completely. We want to facilitate both kinds of movement, but I would prioritize a freight truck over single-occupancy vehicles. And we don't want to remove active transportation (e.g. bike lanes) from freight districts. Our concern about moving freight can't be an excuse to ignore the active modes. I have a hard time with the addition of zero emission vehicles in the hierarchy; they take up the same amount of space even if they are using cleaner fuels.

- There is a policy about new technologies that references things like driverless cars.

Commissioner Schultz also commented on zero emissions vehicles. What about an option like in Los Angeles where these get to use carpool lanes?

Commissioner Oxman asked about the statement regarding all users' needs being balanced.

- The intent is to first look at a safe effective corridor in the same right-of-way for multiple modes. This addresses the concern that we might just move bicycles to an adjacent corridor before trying to make a street work for multiple modes. This will be corridor-specific work. The implementation phase is equally important as the overarching policy.

Commissioner Oxman: I support the hierarchical approach but wonder about keeping multiple modes together as a priority in and of itself. We may do better by separating some of the modes. I'm not sure about locking this in. What is the underlying purpose of combining the modes?

- We attempted to create a policy that clearly indicates that safety is a primary concern. There are many people who won't use the facility unless it feels very safe. As part of the policy, we want to find a design that does feel safe for all users. The parallel street option gets to this.
- Some of this comes from the civic corridor construct in the urban design plan to meet land use goals related to corridors. It's about destinations and access to them by all modes.

Commissioner Smith noted it is about the destinations. Regarding parking, we have an example at 28th Ave between Sandy and Stark. It was designated as a bike corridor but we couldn't get to removing parking on one side of the street to create a bike lane due to political and neighborhood opposition. Most curbside parking is for private vehicles, which is at the bottom of the hierarchy, but in reality, we have this as a big hurdle to change. The implementation tools need to support this. Also, the BTA testimony in response to Vision Zero was about under-carriage bars to provide more safety for bikes. We should have policy language included to explore this option.

Commissioner Houck supported *Commissioners Smith's* comments about connectivity and active transportation facilities in industrial areas.

Chair Baugh asked about the statement about "needs and safety". My concern is that transit options from an equity standpoint could impact where buses are aligned.

- Transit is third in the hierarchy. Successful corridors with sufficient access to transit is important (e.g. getting to Powell-Division and SW Barbur). PBOT is looking at how we provide appropriate improvements in corridors that is consistent with making people feel safe and having access to transit.

TriMet may make an investment that then limits other options they may have. Couldn't we add "vulnerable users at any level" should not create worse conditions?

Commissioner Tallmadge prefers "under-served" rather than "vulnerable". This is a different use of the word than "disadvantaged".

Right-of-Way Street Vacations

PBOT has put more codified language into Policy 8.43, but for the City Attorney is too much detail. We have now provided a broader statement rather than an action. This recommendation is intended to make sure the Comp Plan provides guiding policy (rather than actions or approval criteria). Street vacations are currently evaluated directly against Comp Plan policies and do not have a clear set of approval criteria in the Zoning Code.

Proposed updated language is on slides 8 and 9 of the presentation.

Chair Baugh asked why we don't have the criteria here.

- The City Attorney noted the criteria used for project selection is not adopted in the Comp Plan.
- The other issue in the original proposed language is that it starts to lay out criteria-like statements, but it's not a comprehensive list.

Commissioner Shapiro asked about "appropriateness of other public uses".

- Examples of this are a park, parklet, community gardens, utilities and stormwater facilities.

Peter responded to PSC members' questions about the projects and TSP list. This will be incorporated into a revised recommendations report that will be prepared by the end of April.

Chair Baugh had asked that staff show the timeframe of transit-supportive investments along three potential higher-growth corridors in East Portland.

On the [map](#), the cross-hatched light blue is the East Portland Access to Jobs and Transit project, a series of smaller improvements covering much of East Portland.

The dark green lines and dots are projects we're recommending be funded in the first ten years of the plan. They start to provide a network of safe, multimodal access to potential transit service improvements.

The light green lines and dots are projects we're recommending be funded in the second ten years of the plan. These additional investments provide are more complete network of transit access and mobility.

Commissioner Hanson asked about the Safe Routes to Schools symbols. Are these safety improvements?

- Yes. There is an extensive list that would be funded but not all are shown on this map.

PSC members had also asked whether staff is recommending any projects where there is an unconstrained segment separating two constrained segments, meaning we'd build two ends without the middle. Macadam was an example. The answer is no; we're not aware of any projects with constrained segments separated by an unconstrained segment.

There are some projects, such as regional trails, with both constrained and unconstrained sections, usually with the unconstrained segment on one end.

Commissioner Smith had requested a map view of which segments of regional trail projects are recommended for the constrained list, and which for the unconstrained list.

There is only one segment recommended for the unconstrained list, the outermost segment of the North Portland Greenway project.

As for the spaces between the trail segments, some are already built, but some are particularly challenging and will require additional planning to determine route alignments. Staff can add the segments that are on existing facilities to the map.

Commissioner Smith also asked if we have a recommendation for dealing with unimproved streets, such as the project mentioned by David Sweet of the Cully neighborhood at the February 24 TSP hearing.

Bureau staff met last week to discuss both unimproved streets and improved streets without safety shoulders. We are recommending we add a 10th citywide program called Alternative Street Design. This would be consistent with the Our Streets local funding recommendation to include approximately \$11 million over the next 20 years to provide a partial match for Local Improvement Districts (LIDs).

Commissioner Smith clarified that we did the policy work (Street-by-Street) and we came up with alternative design standards. But no one has used this yet. The City may have to build a few of these to show they are successful to the public.

Commissioner Tallmadge asked about unimproved street density. Is this residential plus those employed in the local businesses?

- The map on slide 15 shows literally the density of unimproved streets; it's locations where there are more significant concentrations of these streets.

Commissioner Hanson asked who would be motivated to do these streets. If someone was doing infill development, could you levy this?

- The alternative street approach hasn't been attempted much yet. We believe that property owners have incentives to do this, and we need a combination of development (improvements are made or property owners are committed to an LID) with enough property owners who see the value and participate in the LID. Flexible standards that are affordable are also very important.

Commissioner Tallmadge asked about coupling this with the economic make-up of the area and if there could be displacement associated.

- We are looking at similar base criteria for both the projects and programs lists. Whether a major project or citywide program, we use the same lenses (the 7 outcomes) as a framework for evaluation.

Commissioner Smith noted that the bigger policy question is that today the official City policy is that improvements are the responsibility of the abutting property owner. Are we shifting to the idea that the City has responsibility too?

Chair Baugh is supportive of an alternative streets policy. The bureau we're leaving out of this discussion is BES, which has funding to help defray some of the costs. We should see what BES can do to help as well.

In our revised recommendations, to be consistent with the West Hayden Island comprehensive plan land use recommendation, we will propose removing project 30019, West Hayden Island Rail Access and project 30062, West Hayden Island Rail Yard Expansion.

We are proposing to re-scope 116320, N Hayden Island Dr Reconstruction, to build a multi-use path and crossing improvements, but not rebuild street to accommodate heavy trucks.

Per *Commissioner Smith's* request, staff met to discuss how we might pull out City priority investments and individual projects from the larger CRC project to advance in the TSP. An example is extending light rail to Hayden Island via a local access bridge, both of which would

support Hayden Island development. Unfortunately, PBOT feels a local bridge and the Marine Drive interchange reconfiguration from the CRC are so intertwined that it would take extensive work to develop a separate project.

As a result, PBOT is proposing to attempt to resolve the CRC question using the 2018 RTP development process. In the interim, we would simply acknowledge the CRC projects on the Other Agency lists, not endorse or oppose them, with language proposing that individual smaller projects, be developed.

Commissioner Smith noted Metro is the only body holding onto the CRC. Could we push them to remove this instead of having to follow their lead? I want to finalize that the CRC is dead. I also want to help out Hayden Island and do the right thing.

- Recommending individual projects: we can recommend as a part of the next RTP along with a study that could help identify which components could be pulled out from the overall CRC project.

Commissioner Hanson asked if you leave the bridge in, does that impede measures that could help Hayden Island?

- You're moving away from this by redefining a package of improvements but not the full CRC.

PBOT and BPS staff need to make sure the transportation investments support the land use plan. We would propose narrative, in the studies section for example, that show the intent that the projects should not be tied to a potential future bridge. We want to pursue funding for infrastructure investments that are good for the island.

Commissioner Schultz noted that with major impediments getting to the island, perhaps the land use is incorrect.

- We will discuss this further later today. Land use and transportation have to relate and be consistent in the plan language.

We will defer the *Street Car* and *Green Loop* conversations to a future work session.

TriMet property

[Site Analysis Presentation](#)

Eric shared TriMet's testimony that was submitted on November 24, 2014 regarding station area zoning on SE 17th Ave. BPS made a recommendation that is at odds with TriMet's suggestions. The question is about sites in proximity to MAX stations on the new Orange Line. The question is about zoning to allow mixed-use or residential (TriMet's recommendation) versus employment use (BPS). Staff is currently working on criteria to determine which zones you would apply on which types of sites.

Dave Unsworth (TriMet) noted SE 17th Ave is now a very different street with the inclusion of the new MAX line. At the old Advantis site, we don't need parking. Housing and daycare is important. We also have parking lots that will not change. Slides 7-9 highlight the suggested zoning and options that we'd like the City to consider to activate the stations and get them back to a good use as quickly as possible.

Commissioner Hanson thinks a buffer to the Brooklyn neighborhood is necessary. The flexible mixed use possibilities could help get to this objective at a 2-story building footprint.

Commissioner Shapiro commented that housing is important as well.

Commissioner Tallmadge asked about if there have been discussions about affordable housing locating in these areas.

- Other remnant sites may be a better option for affordable housing. We aren't looking at affordable units here.

Commissioner Smith asked about employment zoning. If we're trying to preserve industrial sanctuaries, we need firm boundaries, and the new MAX line seems like a good boundary. Also, what about the air quality issue?

- Union Pacific and TriMet will not be moving any time soon. Holgate and 17th are both truck routes.
- BPS is hesitant to put housing abutting industrial sanctuary zones. Holgate is a main truck route. This is designated as an employment zone in the current plan, which allows housing, but in the implementation planning it will no longer allow housing in an employment zone.

Chair Baugh commented on the noise factor and the rail yard. We have no control after the housing has been built. We have tried not to put people in proximity to rail areas, so I'm concerned about building housing here. This is a transit area, but we also should have affordable housing near transit stations as the policy states.

Commissioner Oxman asked if this is different from the development on Front Ave.

- It's not different, but those apartments and housing are already built.

Commissioner Tallmadge asked for more background information about conversations that have taken place about housing in these areas. And if there are already financial models we can review.

- TriMet certainly has done and supported affordable housing, for example on N Interstate. 17th Ave is a tough site, so it's more difficult to leverage development that suits the urban design. We can return with details for the PSC about where on the alignment we could look for other affordable housing options.

Commissioner Schultz supports this staying zoned mixed use. We can encourage affordable housing, but it's not part of the Comp Plan.

- *Chair Baugh* wants to provide direction for providing affordable housing.
- *Commissioner Oxman* is generally supportive. But what about zoning implications relative to noise and air pollution across the board? The second issue is a requirement for low-income housing in mixed-use zones more generally.
- *Commissioner Hanson* noted you can mitigate for the noise.
- This is part of the mixed-use discussion: if affordable housing is built in and required or is a bonus.

Dave shared the Growing Places brochure that TriMet has just produced about the Portland-Milwaukie Light Rail Transit Project.

Nonconforming Uses

Deborah Stein

[Presentation](#)

Deborah shared a decision framework to help PSC members make consistent recommendations about requested map changes to address nonconforming uses. This is based on methodology presented in the January 27 staff report, and further informed by discussion at the January 27 work session.

As attractive as it would be to have a tool that spits out a clear, unambiguous recommendation

for every case, this isn't possible because there are often case-specific locational and other factors that may need to be considered. Nevertheless, we've identified a few "clear paths to 'yes'" that we propose to apply to map change requests to address nonconforming commercial uses.

Where an answer is not a clear "yes," we've identified a set of factors that we propose you consider when evaluating the less straightforward situations. Any may override other factors; the more that apply, the greater weight they have in determining whether a "no" can be shifted to a "yes."

Slide 2 shows the clear path in Inner Ring and Inner Neighborhoods.

Slide 3 shows the slightly different path that would be used for Eastern and Western neighborhoods.

Factors in the gold box on slide 5 may shift a "no" to a "yes" or vice versa; the factor in the red box may shift a "yes" to a "no." Preservation isn't something that zoning can guarantee. A "no" decision doesn't mean the use cannot continue, if there is legal nonconforming status. If we're stuck on a decision, a "no" is fine, and there will be additional opportunities to revisit if we are able to establish a regular process to consider nonconforming and split zone situations through a legislative process.

Deborah walked through examples, highlighting the framework that the PSC had reviewed at the January 27 meeting.

- SE Stark and 14th on the NE corner: staff still recommends yes based on this criteria.
- SE Stark and 14th in the middle of the lot: staff revised their recommendation to a no. We are addressing some of Buckman's concern of having monolithic development across a full block.
- SE Harold in Lents: this is in the middle of a block, on a city bikeway, not on a corridor and not on a corner. It fills a gap in services provided to the neighborhood. The neighborhood supports it. We could go either way on this one, but it might suggest a yes. The zoning here is R5, so the potential contrast could be quite different from the current profile.
- NE 53rd and Halsey: This is situated on a bus line (#77 Halsey, not frequent service) and on a recently improved bikeway (on 53rd). Neighbors oppose applying a mixed use designation here. They believe current situation (legal NCU status) is appropriate for the restaurant to continue without having it be redeveloped as mixed use.
- SE 162nd and SE Foster Rd sites: we said no to the property owner's request because site constraints (location in a flood plain) would be exacerbated by redevelopment (mixed use). It's a pretty rural portion of Foster.

New examples shared today:

- SE Belmont location: staff recommends no new mixed use because while this is on a corridor and across from another mixed use site, it is not on a corner and could completely change the block.
- SE 52nd and Bybee in Brentwood Darlington: staff recommends no based on neighborhood opposition and the fact that the market may not be ready, especially considering that it's across the street from properties that have commercial zoning but still developed with houses.

Deborah also noted that a "no" decision does not make a use go away; saying no when you're stuck is completely fine. There will be additional opportunities to revisit these nonconforming uses and split-use zoning. There is nothing we'd decide through zoning that would preserve a one-story building; there is an opportunity to redevelop at a higher scale.

Commissioner Smith: in a nonconforming situation is it more difficult to get financing?

- It is harder to get funding at least to maintain the existing building.

If this process seems to work for the PSC, staff will go back and reapply the criteria with the new tool to reaffirm or change their original recommendations. There are a number of cases that we reviewed that we did have to go to extra factors to consider.

Commissioner Schultz thinks this is helpful. I would like to add to the additional factors a scale comment, which is as important as neighborhood support. I want to be sure the neighborhood fully understands what they're supporting. If it's R5 and in a gray area, we should leave the nonconforming and not change to mixed-use.

- This makes it a more objective evaluation. "Neighborhood support" is not always a helpful criterion, simply because neighbors may not be aware of the requested change. So, it's informative but shouldn't be a deciding factor in the way that more objective locational factors can be. *Commissioner Hanson* confirms.

Commissioner Smith met with Buckman neighbors, and they disagree with staff judgment at most of the steps staff has provided. The staff work does clarify things, but the question for me is when we can apply this process versus when this should come through a hearing. As we get to some of the fine cases, they deserve individual attention instead of being done in bulk.

- If we had the legislative process, there would be a hearing. This bulk process helps with the costs to the applicant.

Commissioner St Martin likes the decision matrix. People need to know about the neighborhood support factor so they can get this support if they need/want it. People need the same level of awareness.

- We don't want to weigh this too heavily. The on-going program that staff is suggesting would help this process.

Commissioner Houck likes the approach since it standardizes the thought process.

Chair Baugh confirmed the staff approach and methodology.

Staff will put the recommendations into a chart to share with the PSC to show the applicability to each case.

Commissioner Oxman: Can we include short-term options on this chart so it's clear what the options are when we say no?

- Yes.

Residential Densities

Deborah Stein, Roberta Jortner

[Presentation](#)

There are three topics of down-designations in today's discussion.

Natural hazards, drainage concerns and infrastructure constraints

The intent of down-designating in these areas is to avoid exacerbating existing problems, and reduce future risks, costs, and impacts to public health and safety, infrastructure and property.

There are areas in the SW Hills, Linnton and SE near Powell Butte that could experience significant additional development under the current Comprehensive Plan and zoning, and that are also prone to landslides, wildfire, earthquake damage and/or flooding. These areas have

steep slopes, poorly draining soils, and limited stormwater systems, or are in the floodplain. These areas also have poor street connectivity and few if any sidewalks. They are generally not near existing or planned urban centers and are adjacent on one or more sides to lower density areas, and city/county boundary, and/or publicly owned open space.

BPS has consulted with a number of City bureaus to develop and refine this proposal. In addition to limited stormwater systems, most of these areas have water supply and sanitary sewer limitations, and improving infrastructure is relatively costly especially in steep terrain with open channel streams. In addition, the emergency response times to many of these areas is relatively long, and additional growth and associated congestion in steep areas with narrow windy roads makes emergency response and evaluation more difficult. Staff also visited these areas to assess the landscape first hand, and to confirm that the proposal would be sensitive to neighborhood character and compatible with surrounding uses.

The proposal supports the overarching policies in the draft Comprehensive Plan, including investment to support growth in centers and corridors, to reduce infrastructure service disparities affecting under-served and under-represented communities, and to improve community resilience. The proposal also is consistent with state law that sanctions local ordinances to protect public health and safety, including reducing risks associated with natural hazards. The proposal will help reduce future risks, but additional investments, regulatory improvements, community partnerships will be needed to fully implement these policies.

The PSC received testimony from about 30 people who live in or near the proposed down-designation areas. More than 95 percent of affected property owners who received public notice of the change did not submit testimony.

Of the 30 individuals, about half support and half oppose the proposal. Opposers are concerned about reduced development potential and property value, or impacts on City housing policies and the UGB. Some said they don't plan to develop but feel that changing the existing density is not fair. Some don't dispute the proposal, but asked to be excluded based on property-specific circumstances.

Individuals supporting the proposal are concerned about the impacts of existing **and** future development on neighborhood character, stormwater runoff, loss of trees, landslides, and stream erosion. BES, PBEM, PF&R and the Urban Forestry Commission submitted letters in support for the proposal, as have Powellhurst-Gilbert and Linnton neighborhood associations, and the Audubon Society of Portland. Several individuals and organizations said they felt the proposal did not go far enough to address development impacts and recommended expanding the down-designations or applying additional regulations.

Suggestions from BDS and PBOT have helped shape the proposal, and the revisions staff is recommending today. We're still working with PBOT and may recommend a few more tweaks to address LID issues before the PSC takes action in May.

The staff recommended changes include:

1. Boundary refinements to omit existing non-dividable lots, which are not affected by the proposal.
2. Several changes based on testimony and on additional staff analysis: For example, staff recommends omitting several lots along SE 152nd Ave that are part of a completed LID, and where the City assessed fees based on the number of lots allowed under existing zoning. Another example is a property staff propose to exclude because it is almost completely developed with a manufacturing business, and where potential residential redevelopment of the site even at the current density would improve stormwater conditions and tree canopy.
3. Staff is also recommending two additional changes in response to testimony submitted

after the staff report was published. One change would omit six properties at the southernmost tip of the down-designation area near Council Crest. These lots are within a half-mile from the Hillsdale town center and benefit from recent water system and road repaving improvement. Three of the lots are currently not dividable and the others are slightly less steep than the very steep properties just to the north of these properties. The second change would add two properties to proposed down-designation area just south of Powell Butte. These lots are similar to the rest of that area, which is in the Johnson Creek 100-year floodplain, and which flooded in 1996.

Commissioner Hanson confirmed that the intent of the proposal is to make targeted changes to unique clusters of dividable lots that have constraints that are more ubiquitous than the areas.

- Other tools would be needed address these issues, such as limits on impervious area.

Commissioner Oxman asked how many lots would be affected by the proposal and whether the proposal to down-designate from R10 to R20 would make the lots undividable.

- There are about 935 lots in the proposal. On the west side the proposal is primarily to change the land use designations from R10 to R20. On the east side the proposal addresses a mix of R5, R7 and R10 lots, and would take them to R20 for the most part. Some of the lots affected by the proposal are already not dividable but most are dividable. Under the proposal many lots would become undividable and many would remain dividable, but could not develop as much as they can currently.

Commissioner Oxman also asked whether long emergency response times were a primary basis for this proposal.

- The proposal for each area was based on multiple factors. Emergency response is important but is not the only factor.

Commissioner Houck was surprised there aren't more properties included in the proposal. He strongly supports downzoning these properties which is a reflection of the on-the-ground realities of the areas and environmental issues.

PSC members are in agreement with the staff proposal.

Residential area fronting on a truck route

This is a specific site in St Johns on the northwest edge of Lombard St. Freight use takes a shortcut from N Columbia through the St Johns neighborhood of N Fessenden/St Louis area to avoid having to drive all the way around the "horn" to Lombard. Fessenden/St Louis was never classified as a truck route. St Johns and Cathedral Park neighborhoods are surrounded by industrial uses. Neighborhood activists organized to get freight off this "illegal" cut through.

The original staff proposal was to down-designate to R5 to minimize potential health hazards and correct some commercial non-conforming use situations. Public testimony in included people who objected to down designation because of existing multifamily complexes and two bus lines that travel down this stretch of Lombard.

Staff now suggests changing the original proposal of down designating to R5 to R2.5. With this change, there will be no nonconforming cases.

Commissioner Schultz: If we don't want to build more housing along the corridor, shouldn't we keep the R5 as originally proposed?

- There are a number of duplexes that exist now that would be in conformance with R2.5. We would keep the existing R1 and R2 but change the rest of the corridor to R2.5.

Chair Baugh asked about if it makes a substantial difference to zone R5 instead of R2.5 and the

duplexes that are there currently.

- Nonconforming residential densities have some limits about how it can be rebuilt and financed. They could continue as duplexes if the zoning is changed to R5.

Commissioner Smith asked why we wouldn't just let the market settle this out.

- *Chair Baugh* noted that there is lots of lower income housing that has been built there, so it's lots of people without too many choices.

Commissioner Hanson noted we want to move freight here, but you don't want to increase curb cuts where people are backing out onto the busy road. With R2.5 or R5, there will be a similar number of curb cuts at the street, so I don't think it would intensify this.

PSC members confirmed the proposal to rezone as R2.5.

Distance from centers and corridors, and prevalent lot pattern

Areas in this bundle proposed for change are relatively distant from centers and corridors and may lack improved sidewalks (such as a portion of Brentwood-Darlington, which is designated R2.5 but is predominantly developed at an R5 density).

R2.5→R5: Large portions of Mt Scott-Arleta and Brentwood-Darlington are designated and zoned R2.5, even areas farther from transit. Here, lots are all dividable under the R2.5 designation because they are twice the size that the designation allow. However, to date most lots are 5,000 sq ft or larger with detached single-family homes. These areas are distant from services and amenities and lack a complete sidewalk network.

Here, development is predominantly built at R5 density. But with current Comp Plan designations, these lots could be redeveloped with 2 units each, double the existing density. This level of density isn't supported by services, amenities or a complete sidewalk network. Staff recommends R5 here to better match the prevailing development pattern.

Testimony from area residents strongly supported the down-designation proposal as it recognizes the traditionally larger lot sizes in the area and, while still allowing for some new development, it lessens the intensity of future development. Other supporting testimony emphasized the area's lack of easy access to local amenities, such as transit and commercial services. Additionally, development is often not required to provide sidewalks and other infrastructure improvements that other closer in neighborhoods must have to accommodate higher density. Individuals testified in opposition to the Mt. Scott-Arleta and Brentwood-Darlington proposal and other inner eastside down-designation proposals because it places limits on the available housing stock and choices, and ultimately may contribute to further decline in housing affordability.

R5→R7: This group includes areas that are designated R5 in the current Comprehensive Plan, but are zoned R7 and/or predominantly platted with approximately 7,000 sq ft lots. This group includes portions of Eastmoreland, Reed, Portsmouth, Kenton, Brentwood-Darlington, and pockets in East Portland (Lents, Centennial, PGNA, Hazelwood).

The proposal to down-designate based on prevalent lot pattern originated with a 2011 request by the Reed Neighborhood Association for a subdivision known as Reedwood.

This is a mid-century subdivision the covers approximately 30-40 percent of the neighborhood and is fairly uniformly platted with 7,000 sq ft lots and designated R5. The neighborhood's proposal is intended to reduce redevelopment pressures that would alter the well-preserved mid-century style and scale of this subdivision (following a 2008 land use case in which a zone change and land division resulted in 3,000 sq ft lots).

Commissioner St Martin is generally supportive. She also noted these larger lots can still build ADUs to help support density.

R3→R5: A large portion of Wilkes is designated R3 in the current Comprehensive Plan. Other portions of the neighborhood have a variety of lot sizes and development types, however, and some infill is possible at the currently allowed density. Staff has proposed amendments to the July proposal including:

1. Apply the R5 to the Summerplace subdivision only, because it is predominantly platted with 5,000 sq ft lots and there is little or no opportunity for redevelopment at R3 densities.
2. Retain the R3 designation elsewhere in Wilkes where it now exists.

PSC members generally support the staff proposal for down-zoning these areas.

We also have a proposal for down-designation in Eastmoreland that are included in this larger grouping of proposals under the same heading. Here concerns are about preserving the neighborhood's historic and cultural resources include streetscape, diversity of architecture and landscape quality and maturity.

Smaller homes on larger lots are most vulnerable to being redeveloped because land values are so high.

We've received the largest volume of testimony from Eastmoreland residents than about any other residential area. The vast majority expressed support for a down-designation for the entire neighborhood, not just the portion staff had originally proposed. The NA is currently conducting a poll of neighbors and it appears that participating neighbors have expressed overwhelming support for the down-designation.

After the last staff memo came out, we also received a lot of testimony from the South Burlingame neighborhood in SW Portland asking to be treated in the same way as Eastmoreland because of similar lot patterns and concerns about underlying historic lot lines that enable redevelopment on smaller lots.

Concordia neighborhood has also weighed into this conversation and has requested down-designations.

Today, we don't have a proposal for the PSC to consider. Staff will return in a coming work session with a proposal after describing some of the issues of concern we've heard.

This includes concerns about "truth in zoning". Prior to 2002, R5 meant that 1 lot was allowed per 5000 sf of site area and each lot needed to be 5000 sf. In 2002, density was decoupled from the lot size standards. So the density remained the same, but the lot size was decreased. This allowed for greater flexibility when subdividing land and encourages preservation of existing houses and trees in a tract, where they have greater chance of being successfully preserved.

The R5 "confirmable" lot example is a reason the Eastmoreland NA is concerned.

Staff are in the process of reviewing the analysis they used to propose the original down-designations. We will also review the Concordia and South Burlingame testimony that has come in recently.

Commissioner Hanson commented on the boundaries of Eastmoreland. Near 39th Ave, the neighborhood changes. What is the perimeter of the neighborhood, particularly the edges? There are probably not too many lots there that are under 7000 sq ft. Would these be out of conformance? Is there a downside to going to R7 from the City's perspective? I think it helps

protect character, and I'm not opposed to going to R7.

- In the original proposal we noted where the lots were more consistently smaller where we wouldn't propose going to R7. We will revisit this but don't want too many spot areas.

Commissioner Oxman asked about allowable lot size and square footage.

- We will review this and provide the information for the PSC.

There are many voiced concerns about scale of new homes being larger and taking up so much of the lot: we are proposing to look at this through an upcoming single-family residential project about compatibility and scale.

Chair Baugh is concerned about when we look at the first set of neighborhoods we see a lack of services, so there is a reason to down-zone. The reason is less clear in the Eastmoreland case. Are we trying to fix the tear-down-and-build-bigger concern that the neighbors have? Is the Comp Plan the right tool to address this problem? This is a neighborhood that is well-served, so I'm looking for a rationale about why we want to downzone here.

- We want to treat like situations in like ways. The initial request came from Eastmoreland, but we then looked at similar places and tests to see where else this could apply, which we can continue to do.
- *Commissioner Schultz* wants to confirm that we are consistent in the application of the down-designations and zoning throughout the city.
- *Commissioner Smith* noted this is an equity issue/lens as well.
- *Commissioner Shapiro* is sympathetic to having distinctive neighborhoods.
- *Commissioner Hanson* noted South Burlingame has physical constraints that are very different from Eastmoreland. I'm in favor of making the Eastmoreland change because it applies zoning that is already there on the ground. I'm resistant to changes that R5 has. Similarly, Concordia is a different situation.
- *Commissioner Tallmadge* wants to make sure we look at the infrastructure limitations that should take priority over existing development patterns.

Commissioner Houck: Is it possible to come to any conclusions to arrive at preservation of urban canopy in these measures? Tear downs and rebuilding of larger houses is not the only issue related to infill and density issues. We are losing urban forest canopy, and I'd like an assessment of how this work might result in saving more trees during the development process.

Putting aside the lot issue, the development standards between R7 and R5 zones are virtually the same (size and setbacks).

Staff will update the work session schedule to include this topic at a future meeting.

Centers and Corridors

Eric Engstrom

This is a follow-up from the January 27 PSC conversation. At that time, we talked about the large-scale urban design framework, where density would occur in the city over time, and distribution of centers and corridors.

Hayden Island center

[Presentation](#)

This relates back to the CRC conversation and transportation projects planned in the area. I-5 is the largest of these projects, which is technically still on the RTP but almost definitely won't be built in the TSP timeline. So the feasibility of the land use is in question here.

The green dashed line on the map (slide 2) represents high-capacity transit to Vancouver, which would have been light rail with a station on the island via the CRC. There is bus service, but it's not to the scale that light rail would have provided.

Right now, the Comp Plan draft has a neighborhood mixed use designation in the area currently zoned CG (general commercial).

Unlike the zoning pattern in other areas, this is a broad swath of contiguous zoning that is the same. Staff is asking if we want to keep the neighborhood center designation on the map.

Commissioner Smith asked if this center designation is supportable without transportation improvements. Do we have to down-zone, or are we just prevented from up-zoning?

- There had been a moratorium to build on the island (more about retail than residential). That has been lifted now. Centers are supposed to be transit-served. Also there is no secondary emergency service route to the island.
- PBOT doesn't think we can separate the local bridge project from the CRC.

Possible scenarios on Hayden Island are:

- Keep the neighborhood center designation until the RTP in 2018.
- Make a decision to move on.
- Support the eventual construction of the bridge and rail but acknowledge the timing issue.

The City can't stop development that is allowed by right. So the current zoning and lack of a path forward raises questions about the mismatch.

Commissioner Schultz: If we have a clear transportation issue, why are we trying to make this a neighborhood center today?

- *Commissioner Hanson* noted there was a Hayden Island Plan that had alternative circulation options and articulated more of a grid on the island. Did that get erased?
- That is still the zoning code. But this effectively allows a mixed use center without a transit center.

Commissioner Smith noted we aspirationally want a neighborhood center, but we know we can't support it without transportation improvements.

Chair Baugh asked if it makes sense for us to preserve the plan (because it's still in the RTP) even though the bridge won't be built.

- The plan says there is going to be a bridge.
- *Commissioner Schultz*: But is this the place that needs to be a neighborhood center just because of the bridge?

The original motivation for the neighborhood center designation was the expected light rail extension. There is a considerably higher level of density allowed in the zoning today. The neighborhood wants the streets improved and a more walkable area, which could be more easily accomplished with the neighborhood center designation.

Commissioner Schultz noted it doesn't mean we need a neighborhood center to have mixed use zoning.

- If it's not a center, we might change the zoning because it's a huge swath.
- *Commissioner Schultz* is supportive of this dispersed/general commercial instead of the very intense commercial use.

Commissioner Schultz wants to understand today's zoning to see if it is appropriate or needs to

change.

This is neighborhood commercial and general commercial right now. We could retain the current designation but change the zoning with a note that the trigger to up-zone would be based on the availability of infrastructure improvements and service availability. We don't want interim development that would preclude what's desirable going forward. There isn't a commercial zone we could put here now without transportation improvements.

We will indicate that the neighborhood center is not ripe yet. Staff will flesh out the land use implications of this determination.

Inner Powell and Macadam

Presentation

These are two different mixed use corridors, but both are inner neighborhood corridors. Originally the Powell area was proposed as an urban center and Macadam was proposed as civic corridor.

For Macadam, staff has suggested it as an urban center because streetcar investment is dependent on raising revenue along it. Powell-Division is the proposed bus rapid transit corridor, which is less reliant on connection to property redevelopment and is not as much as a full streetscape change.

These are both mixed use with a variety of zones allowed. Civic corridors are better for urbanizing old highways (e.g. Barbur, Powell). The urban center is more designated for the inner-most areas.

Commissioner St Martin asked if the Powell area would be transitioned into an urban corridor at some time. Macadam feels more urban, so I'd support the difference in the two designations.

- A civic corridor can be quite urban.
- *Commissioner Schultz* would support the opposite.

Is it incongruous to have two different designations on these similar corridors?

- *Chair Baugh* has a hard time making a distinction because they are trying to do similar things in terms of development.
- ODOT prefers the civic corridor designation for Powell.
- *Commissioner Hanson* thinks of these as two different places in terms of physical siting.
- *Commissioner Schultz* wants to understand how one designation changes the character of the area versus the other. They could be designated the same.

Chair Baugh: Would you look at the designations and make different investments?

- Investments likely would come down to what the actual zoning is. It depends on what policies you want to have these streets share. It is a different suite of policies.

Commissioner Schultz asked about the words: corridor (linear) versus center (more of a location).

Throughout the plan, we refer to policies that reference the two different types of streets.

PSC members support the staff recommendation of the two different designations. Staff will provide a follow-up memo with the suite of policies that apply to each designation.

Sugar Shack site

This is at Killingsworth/Cully/Columbia. Staff originally recommended an employment designation but got testimony to change it to mixed use. It's next to the commercial area, but the Living Cully partnership is proposing affordable housing development here. So it could be a redevelopment area. The tradeoff is that it directly abuts the industrial sanctuary, but you could orient the housing development to Killingsworth. There is flexibility in way the site could be developed.

PSC members support the change to mixed use for this site.

Full versus half-block zoning will be discussed at a later work session.

Wrap Up

We have held over the following topics for future discussion:

- full block/half block zoning discussion.
- streetcar and transit
- Green Loop
- Residential lot pattern decision (proposed down-designations)

The next Comp Plan work session is on April 14. We will update that agenda based on today's hold overs. We also have a work session on May 12. There is an EOA hearing on April 28 and the revised Growth Scenarios hearing on May 12 as well. May 26 may be a work session and vote or just a continued work session.

The red line version of the plan and map (based on staff getting through and reviewing all the testimony) will be released on April 28. We will have an update at the April 14 meeting about the revised schedule.

Commissioner Schultz noted that if the strike-through deadline slips, we may not want to vote on the May 26 meeting.

Adjourn

Chair Baugh adjourned the meeting 7:58 p.m.