



## PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

Date October 22, 2015

To: Planning & Sustainability Commission  
Bureau of Planning & Sustainability

From: Judy BlueHorse Skelton, Chair, Portland Parks Board

Re: Proposed Industrial Land Overlay Regulations

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On several occasions over the past two years, the Portland Parks Board has submitted comments to the Portland Bureau of Planning and Sustainability (BPS) on elements of the City's Comprehensive Plan Update. We were aware that BPS was undertaking several Early Implementation Projects, even while the Comprehensive Plan itself is still under public review. We only recently became aware, however, of Zoning Code amendments adversely affecting the City's ability to provide parks, open space and recreation programs proposed as part of the Employment Zoning Project. We wish to advise the BPS and the Planning and Sustainability Commission of our significant concerns with the proposed Code amendments and with the overall planning direction taken by the Project. We also wish to recognize that, in response to community concerns, BPS has made substantive and important improvements to the original proposed Code amendments. We also acknowledge that stronger protection for industrial lands is needed both to support job growth and economic prosperity, but also to respond to State direction related to its periodic review of the City's Comprehensive Plan.

### Concerns

We have identified at least five (5) major concerns about the Employment Zoning Project and proposed Code amendments. We note that other groups share identical or similar concerns, including Audubon Society of Portland, Verde, East Multnomah Soil and Water Conservation District, Columbia Slough Watershed Council, and Urban Forestry Commission.

### Portland Parks Board

*Judy BlueHorse Skelton, Chair*

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1. *The Employment Zoning Project represents planning in a vacuum.* Rather than planning holistically and concurrently for what visually appears to be about 15-20% of the area of the City of Portland, BPS proposes to prioritize economic development over other land uses and community goals. The Project essentially makes industrial uses sacrosanct in a large portion of the City and precludes (except through intentionally onerous exception processes) other land uses, including parks, recreation facilities and open space. This single use approach to zoning is old school land use planning; we have not planned like that for decades and for good reason -- it doesn't and has never worked except in spot-zoning applications. Why BPS is not planning and zoning concurrently for industrial uses, natural resources and other land uses in the North Reach and Columbia Corridor areas is not explained. As noted in Audubon Society of Portland's August 28, 2015 comments: "This approach is inconsistent with the Comprehensive Plan public involvement process which sought to address natural resources and industrial land demands in tandem...and the draft Comprehensive Plan itself which recognizes the interconnectedness between industrial lands policies and the natural resource policies."
2. *The Employment Zoning Project conflicts with Comprehensive Plan policy direction.* Nothing in the Proposed Comprehensive Plan Update suggests that parks, recreation facilities and open space be discouraged or prohibited within industrial areas. To the contrary, the Comprehensive Plan specifically directs the opposite:
  - Economic Development Policy 6.39.e: Protect prime industrial land for siting of parks, schools, large-format places of assembly, and large-format retail sales. (*Current language that is apparently in error; BPS's edited language would substitute "from" for "for".*)

*Note: We have been informed that this is a typo and this policy was actually intended to prevent the siting of parks on prime industrial land. We support the uncorrected policy language and strongly oppose a policy that prohibits the siting of parks in any zone. This is a significant change in long-standing City policy that has not been discussed outside the Employment Zoning Project; it was certainly never brought before the Parks Board. To use an Early Implementation Project with a limited topical focus is an inappropriate way to effect such a significant policy change and smacks of trying to sneak something through the back door.*

Other Comprehensive Plan policy direction encourages parks, recreation facilities and open space within industrial areas, and specifically within the Willamette North Reach and the Columbia Corridor:

- Guiding Principles Environmental Health: Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain ecosystem services of Portland's air, water and land.
  - Urban Form Policy 3.72: Recreation. Improve conditions along and within the Willamette and Columbia rivers to *accommodate a diverse mix of recreational users and activities. Designate and invest in strategically-located sites along the length of Portland's riverfronts for passive and active recreation activities* that are compatible with nearby land uses, historically and culturally important sites, significant habitat areas, restoration sites, and native fish and wildlife usage. (emphasis added)
  - Urban Form Policy 3.79-81: Enhance the role of the Columbia River (Willamette River) for river dependent industry, fish and wildlife habitat...*recreational uses*. (emphasis added)
  - Design and Development 4.72: Access to Nature. Promote equitable, safe, and well-designed physical and visual access to nature for all Portlanders, while maintaining the functions and values of significant natural resources, fish, and wildlife. Provide access to major features, including: Water bodies such as the Willamette and Columbia Rivers, Smith and Bybee Lakes, creeks, streams and sloughs...
  - Economic Development goals and policies "intent": Ensure parks, trails, natural areas and a healthy environment continue to protect the City's quality of life that attracts and retains businesses and work force.
3. *Although now dropped, the Employment Zoning Project had earlier proposed a draconian mitigation concept that would have set a terrible precedent. Parks have historically and appropriately been a permitted use in all zones. The draft concept to offset the loss of industrial land associated with new parks and open space through an \$8 per square foot represented requiring the public to pay a surcharge for having a public facility or resource. It is very difficult to not translate this as: "You can have a park anywhere except in an industrial area unless you're willing to pay double for it." Again, Audubon Society of Portland has submitted a more detailed and technical argument in opposition to the proposed offset requirement.*
4. *While the Employment Zoning Project promotes equity and environmental justice, it cannot achieve such when it limits or precludes access to parks, recreation*

*programs and open space for all of Portland's citizens.* The Project proposes to limit parks and open space areas to two acres or less, serving only employees and residents within the industrial overlay zone. Restricting public facilities and open space to serve a specific class of users is the antithesis of equity and contrary to the goal to provide all Portland citizens with access to all types of park facilities. Again, it is hard not to translate this as: "You can have only a small neighborhood park intended to serve the employees of nearby industrial businesses, but no facilities that serve surrounding neighborhoods or the City as a whole." Parks and open space of any size have always been permitted outright across the City. It is certainly not equitable to now impose a size and type restriction in a single zone and to target public facilities and open space to a limited but worthy class of users. It is not how we plan for parks in this City.

5. *The Employment Zoning Project represents a lost opportunity to expand and improve riparian areas, open space and public access along the City's two major waterways.* Rather than expanding public access to the rivers that define this City, the Project, as previously noted, proposes to restrict the size and types of public facilities within the industrial areas that front our rivers. This is an opportunity lost not only for recreational uses but for the protection and enjoyment of cultural and natural resources that will be extremely difficult and costly to achieve in the future. Given the timeframe between Comprehensive Plan updates, it will likely be 20+ years before we can re-engage in a public conversation on how to make the two rivers more a part of the City rather than walling them off to public access and use. As an example of the single-use focus of the Project, there is no review of the adequacy of existing riparian buffers, despite the following Comprehensive Plan direction:

- Willamette River Watershed Policy 7.39: Riparian corridors. Increase the width, quality and native plant diversity of vegetation buffers along the Willamette River. (Also, Columbia Slough Watershed Policy 7.45.)
- Willamette River Watershed Policy 7.40: Connect upland and river habitats. Enhance habitat quality and upland connectivity between the Willamette riverfront, the Willamette's floodplains and upland natural resource areas. (Also, Columbia Slough Watershed Policy 7.47.)

## **Requested Actions**

The Parks Board appreciates BPS's efforts to address concerns raised by the Parks Bureau and interest groups and recognizes that the Project has greatly improved, from a parks and open space perspective, from earlier versions. Nonetheless, we remain concerned with the general approach taken to industrial land planning and potential effects on the City's ability to serve its citizens with a full range of parks, recreation programs and open spaces. Based upon the concerns outlined here and raised by other groups, the Parks Board respectfully requests:

- Table the Employment Zoning Project as currently proposed and instead engage in holistic and comprehensive planning for the North Willamette Reach and Columbia Corridor that addresses recreation uses, environmental overlays and open space zoning along with employment zoning.
- Continue to recognize parks and open space as permitted uses in all zones and delete the requirement for a Comprehensive Plan amendment for parks and open space larger than two acres.
- Delete any requirement that parks, recreation facilities and open space are to be designed to serve only employees and residents within the industrial overlay zone.
- As requested by Parks Bureau staff, clarify with Metro staff that natural areas are exempt from the proposed overlay and new regulations and request that the 10-acre maximum in Title 4 for a developed park specified in Title 4 without a Comprehensive Map Amendment be removed.
- As part of holistic and comprehensive planning for the North Willamette Reach and Columbia Corridor, review the adequacy of existing riparian buffers per Comprehensive Plan direction.