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**BY HAND DELIVERY AND EMAIL**

Portland Planning and Sustainability Commission  
c/o Tom Armstrong and John Cole  
1900 SW 4th Avenue, Suite 7100  
Portland, Oregon 97201-5380

Re: Comments on Campus Institutional Zoning Project Discussion Draft - November, 2015  
("November 2015 Draft")

Dear Members of the Commission:

Thank you for the opportunity to comment on the November 2015 Draft. This office represents Lewis & Clark College. Lewis & Clark is a member of a coalition of institutions interested in improving the regulatory environment for educational and medical institutions in the City of Portland ("City").

Throughout the Comprehensive Plan Update process, the City has recognized the economic importance of campus institutions to the future of the City and the region. The City has also recognized the fact that lands available for institutional growth are currently deficient.<sup>1</sup> Indeed, due to the importance of campus institutions to the City's economic health and the desire to provide for growth of those campuses as major employers, the November 15 Draft was proposed for review.

Lewis & Clark very much appreciates the City's efforts to prepare a new way of looking at institutions, but believes the following issues require further review and consideration:

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<sup>1</sup> To meet institutional employment demand, the City forecasts the need for an additional 380 acres of campus institutional land by 2035. Portland Economic Opportunities Analysis (2012). The City estimates that "[m]ore than one third of the forecast [sic] job growth in Portland over the next 20 years is expected to be in the health care and education sectors, which is particularly concentrated in 19 large college and hospital campuses dispersed throughout the city." Campus Institutional Zoning Project - Proposed Draft at 5.



1. Election to Rezone. The initial issue is one of timing: When will institutions be required to rezone to one of the CI zones? The present draft requires conversion to the new base zone on or before December 31, 2020. Because many of the adopted and vested master plans for the institutions extend beyond that date we recommend a longer runway. Lewis & Clark believes no institution should be obligated to convert prior to the expiration of their now-effective master plans.
2. Non-Conforming Uses and Development. Each institution may have existing buildings or developed land which will not conform to the development standards of the new CI zones. The proposal should state that such uses and development will be “grandfathered” into the new CI zone as legal uses and development. Moreover, the proposal should make it clear that, during future land use reviews, the institutions will not be subject to the non-conforming development upgrade provisions at Portland City Code §33.258.070, which typically require the property owner to spend up to 10 percent of the project cost toward bringing the “site” into conformance with current development standards.
3. College and Conditional Uses in the CI Zones. Our understanding is that new conditional uses in the CI zones will require Type III approval for development. Frankly, we fail to understand why many of these “uses” identified as conditional must remain that way. Swimming pools, sports fields, health clinics open to the public, etc. are clearly institutional uses which are part and parcel of what these institutions do, and to achieve its promise the new zone should make all institutional uses, ordinarily associated with colleges and hospitals, legal uses, without the need for conditional use review. The new regulations should indicate with precision what uses are “college” uses, which are allowed as of right, and what uses fall under other use categories, but we believe the current draft falls short of that mark. For example, in the November 2015 Draft, college uses are allowed outright but certain “parks and open areas” uses (*e.g.* swimming pools and recreational fields for organized sports) require conditional use review. Consistent with the current Zoning Code description of the “college” use category, which includes “health and sports facilities” as accessory uses, we believe swimming pools, sports fields and facilities, and health clinics should be permitted uses on college campuses. Athletics and/or healthy lifestyles are an important part of curriculum at all colleges and universities. These are not elective uses that the institutions can do without. We recommend further clarification regarding the distinction between “college” uses and other uses.
4. Restrictions on Campus Expansions. The November 2015 Draft does not yet provide adequate expansion opportunities for campus institutions to meet the demonstrated need for additional institutional employment land. As we have discussed with planning staff, the proposed CI designation would effectively lock or restrict the institution to the campus boundary



approved in an existing conditional use master plans (“CUMP”) or impact mitigation plans (“IMP”). This is the case despite the fact that many institutions own a number of properties outside and adjacent to the CUMP/IMP boundaries that are reasonable and obvious expansion lands for the institutional campus. Thus, any future expansion of a campus boundary would require a comprehensive plan map amendment and corresponding zoning change, processes that are not well-suited to evaluating deliberate, timely, and orderly campus institutional expansion, and certainly do not encourage the necessary expansion of institutions to meet the identified need for institutional employment land.

To meet the objective for institutions to expand to meet the demonstrated need for additional institutional employment land, we recommend that all land owned by an institution adjacent to the current CUMP/IMP boundary also be given a CI designation. This would help provide for the orderly expansion of the institution over the next several decades, allowing these important institutions to continue to grow as a service provider, center of innovation, and major employer.

Also, Lewis & Clark and other institutions are confused by the bifurcation of processes in which mapping is considered in a separate process from text drafting. It strikes us as fraught with opportunities for mistakes to create map and code in separate processes.

5. Transportation Demand Management. We continue to object to the imposition of transportation demand management requirements on institutions alone, and on no other use in the City. We all believe that we should be doing all we can to reduce single occupancy vehicle traffic to our institutions. However, lack of adequate public transportation, topography, and inadequate city infrastructure make it impossible for some of us to make additional, meaningful change to address increases in traffic; increases which we have not caused. We believe that the City needs to completely rethink how it does transportation infrastructure planning and develop a plan and tools which do not arbitrarily punish institutions for the unregulated growth in population and development off their campuses over which institutions have no control. The strategy should involve all development which impacts traffic generation, and not just institutions. If failed intersections and deficient levels of service caused by others are to be held up as roadblocks to our continued development then the City should understand that it will be challenging to create the jobs and serve the City in the way we otherwise could. We can all support reasonable efforts to mitigate traffic impacts generated by our uses. However, we should not be expected to finance transportation infrastructure which has failed because of other development, nor should our incremental growth and improvements be hamstrung because traffic continues to increase around us.



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Thank you for this opportunity to comment on the considerable work that has been done to date. We very much hope that this process will lead to meaningful change that Lewis & Clark can support.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Abel", written over the typed name.

Steven W. Abel