



# CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Nick Fish, Commissioner ■ Michael Jordan, Director

August 9, 2016

Planning and Sustainability Commission  
1900 SW Fourth Avenue, Suite 7100  
Portland, Oregon 97201

Dear Planning and Sustainability Commissioners:

Thank you for your thoughtful consideration of Central City 2035 and please extend our appreciation to Director Susan Anderson and her staff for their work on the plan. They have done an excellent job of developing a sophisticated set of policies, codes and investments to support the continued evolution of the Central City as the region's center for commerce, learning, urban living and recreation. Throughout the process, Planning and Sustainability staff have been open, responsive and collaborative in identifying and resolving issues. As a result, this letter expresses our overall support for the Central City 2035 Proposed Draft, with only a few items that need further consideration.

As a plan that shapes the future for Portland's regional hub, Central City 2035 needs to optimize a variety of different outcomes. For many years, an invisible line stood between the "urban" and "nature" parts of the city. The Central City 2035 Proposed Draft is a significant step forward. It celebrates the city's connections to the Willamette River, our urban forest and the unique landscapes found along city streets, in private developments and in community parks and gathering places. Through its policies, code provisions and actions, it outlines an approach for making Portland a better place with natural elements that are woven into the densest, most vibrant parts of the city. The following elements of the plan merit special attention:

**Ecoroofs** – Central City 2035 acknowledges that ecoroofs provide important community benefits by managing stormwater, mitigating the heat island affect, providing habitat and enhancing urban livability. Since 2001, when the City of Portland established its first ecoroof incentives, 600 ecoroofs have been constructed citywide, 35 of which are in the Central City. Locally, nationally and internationally, ecoroofs are commonly used to offset the impacts of urban development and today Portland has a robust community of practitioners with experience designing and building ecoroofs.

With concerns about climate change and the need to make more efficient use of the public's stormwater system, the timing is right to establish minimum standards for ecoroofs within Portland's urban core. The plan provisions strike a good balance between achieving public goals while providing flexibility in building design for solar panels and other mechanical systems, architectural variation and outdoor areas for building users.

**The Green Loop** – Imagined as a distinctive active transportation route or linear park that will link the east and west sides of the Central City, this is a promising concept. It is apt that Portland, known for the quality of its bike routes and urban landscapes, would make a green corridor an organizing element of the Central City Urban Design Concept. Practically, it provides the vision and policy basis

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for integrated planning and implementing of infrastructure projects that improve pedestrian and bike safety, air quality, water quality and Portlanders' enjoyment of downtown.

**Greenway** – The new greenway provisions represent a marked improvement over the greenway zoning code provisions currently in place. They increase the distance between the Willamette River and development, require additional landscaping and clarify where the zoning provisions apply. Environmental Services appreciates the ongoing partnership with Planning and Sustainability, as well as Transportation, to survey areas of the top of the riverbank and add that information to the greenway zoning code in order to remove ambiguity (and inconsistency) about where greenway requirements apply.

Overall, Central City 2035 is a strong proposal, however there remain a few areas where improvement is needed:

**Greenway setback:** While we appreciate the significant challenges of protecting and enhancing ecological function within a highly developed urban riverfront, the proposed riverfront setback of 50' is not adequate to meet ecological needs. The ability to protect and enhance ecological functions is further limited by the number of other public objectives that the greenway code attempts to provide, including a 16' greenway trail, numerous view corridors and river-dependent uses. Cumulatively these exemptions and standards undercut many of the habitat goals within the plan. Indeed, we note that the highest priority habitat areas for protection and enhancement are the same locations with the most exemptions and vegetation abeyances that would hinder the benefits of those areas. With the few remaining areas where greenway improvements could be made as part of development, it is critical that the code be consistent with current scientific understanding, which calls for a minimum of 100' buffer between rivers and development.

**River-related greenway uses** –The proposal calls for defining small structures that support river-dependent uses as river-related. This would apply to ticket booths, logistics and storage, and passenger waiting areas for boating-related uses. While we understand the intention behind this proposed change, it isn't consistent with the definitions in FEMA's ESA Biological Opinion, referenced in Volume 5 pg. 179. The planning process for Central City 2035 calls for follow up work to evaluate and potentially amend its provisions based on the Biological Opinion, however, there is a risk that the new definition could raise unrealistic expectations among river-dependent businesses and potential spark investments that would be disallowed during the subsequent review and revision process.

**River-dependent greenway uses** – The current definition of river-dependent uses does not specifically mention natural resource restoration projects. This has the potential to cause confusion or complications in the permitting process, unnecessarily increasing the time and expense of restoring critical riverfront ecosystems. We ask that natural resource restoration projects be specifically called out as river-dependent uses in the zoning code.

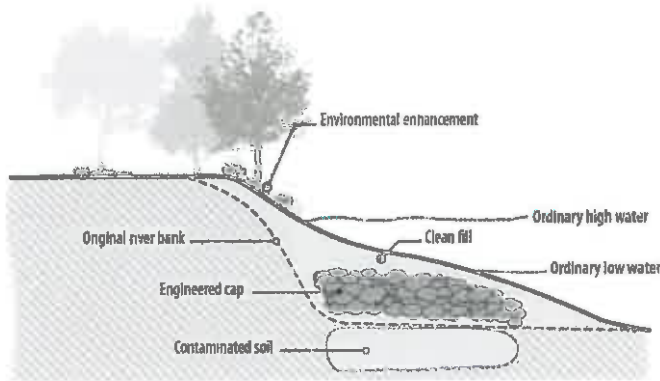
**Tree removal and mitigation** – In Bureau of Development Services' testimony, they highlighted an inconsistency in the proposed zoning code's treatment of tree removal and mitigation. Two provisions are of specific concern to Environmental Services:

- Development in a city park requires mitigation, however development of public viewing areas does not.
- Resource enhancement projects have no limits on tree removal for a number of other uses.

We agree with Development Services that these sections of the proposed code should be consistent with other code provisions.

**Exempt Review** – During the Discussion Draft process, Environmental Services submitted comments related to 33.475.500 E. Determination Letter in which we recommend that parties conducting cleanups that are exempt from the river overlay review provide a letter to BDS with sufficient information to show that they are conducting an approved cleanup. State and federal agencies require this notification and we request that it be reflected in the code.

**In-water Contamination Clean Up** – Figure 475-6 would be more instructive if it demonstrated an approximate balanced cut and fill solution.



**New Action – Ross Island Complex and Holgate Channel (WR6)** – Environmental Services supports most of the new actions included in Volume 5 although completing the totality of all of the actions will be ambitious. Environmental Services is not able to be a lead implementer for WR6, which calls for the development of a strategy to address impacts on habitat and fish and wildlife within the Ross Island complex and Holgate Channel as part of the River Plan/South Reach. Environmental Services will share our fish and wildlife expertise to assist our sister bureaus on any assessment and strategy, Portland Parks and Oregon Department of State Lands are the only public owners of these areas and are the only entities capable of any enforcement and remediation. We recommend listing BES as a partner implementer for this effort, rather than a lead agency.

Thank you for your consideration of our comments. We look forward to the outcome of your deliberations and taking another step toward implementing a more sustainable and livability-based plan for the Central City. Please feel free to contact me if Environmental Services can be of assistance in any way.

Best regards,

Michael Jordan, Director

