

Portland Planning and Sustainability Commission

December 12, 2017

12:30 p.m.

Meeting Minutes

Commissioners Present: André Baugh, Ben Bortolazzo, Mike Houck, Katie Larsell (left at 12:50 p.m.), Andrés Oswill, Michelle Rudd, Katherine Schultz, Chris Smith, Eli Spevak, Teresa St Martin

Commissioners Absent: Jeff Bachrach

City Staff Presenting: Susan Anderson, Joe Zehnder, Eric Engstrom, Barry Manning, Andrew Aebi (PBOT), Don Russ (PF&R); Kurt Krueger (PBOT); Kyra Straussman, Alison Wicks (Prosper Portland)

Chair Schultz called the meeting to order at 12:31 p.m. and gave an overview of the agenda.

Documents and Presentations for today's meeting

Items of Interest from Commissioners

- *Commissioner Smith* noted that we have surpassed last year's traffic fatality count. We have a total of 45 currently with a couple weeks still left in the year. I wonder if it would be worth having PBOT staff come in at the beginning of the year to provide an update; I can work with staff to arrange that. Along these same lines, I attended the World Day of Remembrance event last month to honor family members who were members of traffic violence. On a more positive note, I braved Columbia Blvd to watch the first sideguard panels be put on trucks, so we are taking positive steps to make our streets safer with that.
- *Commissioner Houck:* Tom Liptan's book, *Sustainable Stormwater Management*, has just been published. You have notecards at your places about it, and I'm gifting a copy to Susan. It's really well done, and I highly recommend it.
- *Chair Schultz:* There is a new ULI book *Building Equitable Cities* out as well. I was on a panel with the authors a couple months ago. ULI is offering a series of workshops, and if my office does one, I'll share the information with PSC members.

Director's Report

Susan Anderson

- Update about the Central City 2035 Plan timing at Council. January 18 will be a hearing on the proposed amendments. There is then a vote on March 8 for the amendments to be included in the final vote. The final vote won't be until May 24. At 1 p.m., the Comp Plan will officially be put into effect, and we can't adopt any new plans until after that, so CC2035 will be at 2 p.m. that day.
- We're at the "beginning" of the budget process for FY18-19. *Commissioner Spevak* will be our PSC member on the BAC this year along with a few BPS employees and other members of the public. The BAC helps with looking at priorities and proposals. The Mayor has asked all General Fund bureaus to submit a 5 percent cut (lowest priority programs), but that doesn't mean those will necessarily get cut. In January, we can give an update about where we are.

- Andrés has a job with PHB now. The City Attorney looked more closely at State law, and we discovered there is a statement that City employees can be ex-officio members of the PSC, but they can't be voting members. So he'll continue on the PSC but we can't allow him to vote for the rest of his term.
- Today is the last PSC meeting of the calendar year.

Consent Agenda

- Consideration of Minutes from the November 14, 2017 PSC meeting.

Commissioner Smith moved to approve the Consent Agenda. *Commissioner Baugh* seconded.

The Consent Agenda was approved with an aye vote.

(Y9 — Baugh, Bortolazzo, Houck, Larsell, Rudd, Schultz, Smith, Spevak, St Martin)

South Portland, SW Radcliffe Street and SE Martins Court Wayfinding Improvements and Street Renamings

Briefing: Andrew Aebi (PBOT), Don Russ (PF&R)

Andrew introduced himself and Don Russ from PF&R. The Portland street naming scheme used to be very random. But in 1931, the City adopted Ordinance #61325 that established the 5 quintets and standardized street naming throughout the city.

We have leading zeros in Southwest addresses because we had to start somewhere on the west side of the river. Without these, City Hall on 4th would be on 28th. So instead of adding 24 blocks to all Southwest addresses, we're proposing to change the quintet name from Southwest to South in the area noted on slide 3. The leading zero causes many issues with computer addressing and other wayfinding.

The leading zero is also an issue for 9-1-1 dispatch. When testing the new system, all the calls came in perfectly except those calling from a leading zero address.

Don manages lieutenants at the dispatch center and has also experienced some of the issues Andrew highlighted. Dispatchers rely on the caller to validate the address. Callers could be out of state or in a frantic mode on these calls, so sometimes it doesn't come through. So the validation process adds a step to the call and can be confusing.

In terms of costs, the City's IT system and upgrades are huge (for example for the 9-1-1 center). In one swoop of changing addresses, we can do this in about a third of the costs of one year's pay for an ongoing IT FTE.

Portland also has the support and is working with Multnomah County and Lake Oswego for adding the sextant.

Today's briefing is just a preliminary information session. We're looking to take an ordinance to Council in late spring. In May 2020 we'll start updating street signs with a completion day of May 2025.

The City of Hillsboro had a huge street renaming project recently, and we're looking to their work to replicate it in Portland. Only a small percentage of Portland's population will see any change as a result of this project.

Over the emergency response issues, it doesn't make sense to spend money on IT consultants instead of updating our street signs and fixing the issue for good.

Commissioner Smith: This makes sense to me. I'm curious about the Post Office's ideas and input about the address changes. What are we going to do to make it easy for effected property owners and residents to make a smooth transition?

- Andrew's conversation with City of Hillsboro provided a "cheat sheet". Most of the difficulty with their post office situation was reassigning zip codes. A big take-away from there was to notify property owners as far in advance as possible, so we're looking to do open houses this spring. We have current addresses for all the properties that will be effected, and we'll provide many notices to those who will be effected.

Commissioner Oswill: Was there anything that prevented this project previously? Why now?

- Russ noted that we just enabled the issues to continue with PF&R and our ability to deal with it well. We didn't have a bad outcome because of the leading zero convention, but we don't want to have that instigate having to do this.
- For most people, it's such a small problem that we haven't had complaints to our electeds' offices.

Commissioner Baugh: I'd caution about these changes. This is a big deal, even if you say it isn't. For business, how they do their social media, etc, is a huge deal. Changing addresses means everyone, not just the post office, changes (e.g. Amazon, eBay, delivery services, etc). Time is necessary so people can make their changes. Acknowledging the costs to those effected will be really important, especially for small business.

- Andrew: The feedback was conflicting to me as to if we should take this on. Working with the emergency providers is really lots of why we want to work on this. I'm anticipating people will be resistant to change. But we don't want to push it too far out so that property owners change and/or people forget about it. When we go to Council, we have an opportunity to deal and put further process in place if necessary.
- I also reached out to L&C College and OHSU. They shared the problems they had with the leading zero, and they are on board.

Commissioner Oswill: A helpful guide about how and where people should be looking at changing their addresses would be something I think people will appreciate.

Commissioner Rudd: Will there be a period where both addresses will work? That would help with the cost of replicating things like business cards.

- Yes. 2020-2025 based on this timeline.

2035 Comprehensive Plan Code Reconciliation Project

Work Session / Recommendation: Eric Engstrom, Barry Manning; Kurt Krueger (PBOT); Kyra Straussman, Alison Wicks (Prosper Portland)

Disclosures and Conflicts of Interest

- None stated.

Barry recapped the work session at the PSC on November 14. Today is a continuation of that with a focus on the aspects we didn't get to talking about and/or PSC members had requested more information about so you can hopefully make an informed recommendation today.

Level of Service (LOS)

Staff Comment and Recommendation: Staff believes that additional discussion is required with staff from the Portland Bureau of Transportation before significant changes to the LOS evaluation factor is appropriate. Staff recommends approving the code language as presented in the September 2017 Proposed Draft until further steps are undertaken to develop evaluation methods for safety and other factors. Staff further recommends minor amendments to 33.641 and 33.854 as shown in this memo to provide consistency with other transportation evaluation criteria.

Staff's recommendation:

- Approve code language as presented in September 2017 Proposed Draft.
- Approve amendments to 33.641 and 33.854 as shown in December 5, 2017 memo, consistent with other similar evaluation criteria.

Eric provided an overview of work we did in the Comprehensive Plan Update. We wanted that language to be included in all our other plans, but there are still things we have to fix. The issue is that one of the large evaluation factors is vehicle LOS, which is what used to be vitally important. The new Comp Plan has a much broader multi-modal set of factors to include. But the trick is that the vehicle-centric way is the one that has the court-tested way to test. We want to get to a place where the other systems and ways have a similar level of rigor, so that's what PBOT's brief presentation today is to show.

Kurt noted that we know LOS is out of date, and we want to find a way to better measure other modes. We also need to create fairness to this issue. We want to be sure that we have a replacement metric(s) that hold up in court as LOS does currently. Kurt walked through slides 6-9, highlighting the background and possible metrics that could substitute for LOS. We know we need to move the needle on this, and we have a 3-year plan to keep the momentum going (slide 10).

In looking at the big picture, the first few years were conceptual, and we did some specific studies around system completeness and VMT. Then we did policy work with the Comprehensive Plan, which now clearly points to the multi-modal approach.

Commissioner Smith: To clarify the sections of the code... 33.641 and 33.854. But when we initially identified this, there were literally dozens of locations. So how and what does this represent?

- Barry: Those are mostly in 33.815. 33.641 and 33.854 had similar criteria, and they hadn't been amended yet so they are consistent with this approach. The edits would be done to the other code sections as well.
- Eric: This project primarily was looking at 33.815, but we then discovered that we needed to do the corrections in the other sections. Whatever amendments we make here, we will make them uniformly throughout in each place.

I appreciate you're hard at work on this now that the policy is updated... but the code is not yet there. I know that land use lawyers are a greater threat than LOS right now, so I'll just propose a couple of amendments.

Commissioner Smith proposed an amendment (slide 11 verbiage):

- Change "improvements to fill gaps in the local pedestrian and bicycle networks" to "improve *or* fill gaps in the local pedestrian and bicycle networks".

Eric noted that staff didn't take "gaps" so literally. It could be saying what's there isn't up to standard. But we need to look at the start of the sentence. If you took out "to fill gaps", we're probably saying the same thing.

Commissioner Smith updated his amendment to remove “to fill gaps” to make the clause more general.

PSC members confirmed this amendment.

Commissioner Smith also suggested making *safety* as the first evaluation factor.

- Eric: From a staff perspective, the caveat we have from a legal interpretation is that there isn't anything that would change based on the order of criteria.

PSC members confirmed this amendment.

This would apply to 33.641, 33.815, 33.852, 33.854 and all other similar sections in the code.

Commissioner Spevak noted we could add a deadline for the date of when LOS would finish being used.

- Eric: That sentence wouldn't have meaning to anyone besides us, but we don't think using the Zoning Code is the right place for this. There are other tools to do that.

Staff will provide a periodic update to the PSC about the alternatives to LOS work.

Commissioner Houck: I find great similarities between this and BES talking about stormwater management. The preferred option has been if the engineer will sign and it fits into the manual, then it's good to go. But that doesn't go to, or articulate, all the benefits that are coming out of a new approach.

Affordable Commercial Bonus

Staff Comment and Recommendation: Staff proposed an amendment to 33.130.212.D and will continue to work with Prosper Portland on development of program details — including parameters for rent reductions, tenant improvement allowances, duration of benefits, and/or other components — prior to City Council consideration. The program details could be brought back to PSC at a meeting on April 10, 2018 for review and comment prior to final consideration of the Recommended Draft by City Council. If the Commission does not support this approach, staff recommends removing the Affordable Commercial bonus from the PSC zoning code recommendations, pending further development of administrative rules by Prosper Portland. Prosper Portland and BPS staff could return to PSC in spring 2018 with additional program details; the code provisions could be reconsidered by PSC and the recommendations forwarded to City Council at that time.

Staff's Recommendation:

- Amend 33.130.212.D, as proposed in the December 5 memo.
- Return to PSC in April 2018 to review Prosper Portland's progress on program parameters and administrative rules.
- PSC letter to City Council in April with recommendation to approve, modify or remove bonus provision.

Chair Schultz: There is a discrepancy between the Prosper Portland memo and your timeline. Let's continue to work with Prosper Portland to give them the time they need to give us a good product. Since they think they can be ready in March, let's do that. Then, if need be, we can have another session in April.

Commissioner Spevak: I am having IH flashbacks. The Zoning Code came through well ahead, and the final details didn't come until the last minute. So it feels like the can has been kicked down the road a number of times, and I don't want to have that again. I'm on the fence about this.

Commissioner Rudd: What's the anticipation about what we'd see? Briefing? Hearing with public testimony?

- Staff briefing.

Commissioner Baugh: I'm comfortable with this coming back in March. That seems reasonable. But we need this affordable commercial program, and I'm unwilling to move something forward to Council if it's not correct.

Chair Schultz: The other option is that we pull it out of the Zoning Code, and Prosper Portland works with Council to put it back in. But I want to support the work.

Commissioner St Martin: When we have something that's relatively new, it's hard to work on. But we need to keep supporting it, otherwise I'm afraid it will just disappear. If what we come up with isn't going to be effective, then we need to say we don't know how to do this and own up to it then.

Commissioner Baugh: Who's involved in the next process?

- Kyra: Support for an affordable commercial program preceded IH. Between code and the businesses, there is a huge complexity of issues. We have a stakeholder committee and pilot programs running, and they're giving us a knowledge base to start from.
- Alison: We started the process last spring with a 16-member committee. Prosper Portland is interested in administering the program (which was the first question we had to ask)... we see it as part of a suite of affordable commercial tools. The stakeholder committee, BPS and Johnson Economics have all talked about this language not being the right code. We've had numerous conversations, and we're continuing to define, what the right affordable commercial language is.

Commissioner Baugh: Who's on the committee?

- Kyra: We're continuing to work with the stakeholder group. Then in specific areas, we have other committee (subcommittee) members.

Commissioner Oswill: It would be good to see ideas of what other jurisdictions are doing. The San Francisco Historic Business Preservation is an approach and example. Vancouver BC is figuring out how to manage province-owned places.

Commissioner Spevak: I see that fee-in-lieu is still on the list. Is there an update on the provision about Prosper Portland?

- Alison: Stakeholders were still in favor of leaving this, so it's still on the table.

PSC generally supports staff's amendment to leave the provision in the code today with Prosper Portland coming back with Administrative Rules update in March.

Self-Service Storage Uses

Barry noted there has been a strong demand particularly because of people living more and more in apartments. The buildings being proposed now are mostly multi-story and are occurring in a variety of zones. They are allowed in a number of areas, and Barry shared the crosswalk of current zones and future zones (where they're allowed and where they'll be limited; slide 17).

If the PSC is inclined to respond to the testimony, we have an alternative (amendment) that would require a specified ground floor active use when Self Service Storage buildings are located on transit streets and over 100 feet in length.

Proposal:

- Within 100 feet of a transit street, require 25% of the ground floor of a building over 100 feet in length to be in one of several identified “active” uses, when allowed by the base zone.
- Active uses: Household Living; Retail Sales and Service; Office; Vehicle Repair; Industrial Service; Manufacturing and Production; Wholesale Sales; Daycare; Community Service; or Religious Institutions.

Commissioner Smith: The specific example was (I think) a bowling alley on Powell that was proposed to be converted to self-storage. I assume this proposal will cover that?

- Barry: Yes. As well as the nursery on Powell (that’s what I recall). Of course, this won’t be effective until when Council adopts this on May 24. But if there were a new facility proposed where there is still lots of CE zoning, it would prevent the use to be 100 percent self-storage on the full ground floor.

Commissioner Bortolazzo: I’m very much in support of the active use requirement. For buildings above 30 feet, why wouldn’t there be a requirement?

- Barry: It would still apply to these taller buildings.

Commissioner Baugh: The 25 percent, when looking at some of the new buildings, they have ground floor use as their office space for most. Does that space cover the 25 percent in the new buildings, or is this additional space?

- Barry: I don’t have figures on how much space the ones are proposed to have. On a standard 200x200 block, 100 feet would be subject to this, so about 5000 square feet... much more than an office would be.

In terms of the transit street distance, if you’re one block off on a side street, this doesn’t apply.

Commissioner Oswill: Does Transit Street mean high-capacity transit?

- Barry: It’s not just frequent transit streets, it a broader section of streets.

Would this impact the cost of self-storage development? I’m sympathetic that self-storage is a need that people have, but of course I’m supportive of the active use requirement.

- Barry: It likely will. Initially effect 3700 properties all together, and we would provide required state notice to those owners about the change.

Commissioner Rudd: I’m confused about what the language means exactly. What you described in your example isn’t consistent with what this says. Once a building has more than 100 feet in length, then 25 percent of the ground floor has to be active use? Or is this over the 100 feet?

- Barry: The entire ground floor within 100 feet of the transit street.

Chair Schultz: I agree that the language isn’t very clear if that 100-foot depth is the intent. Doug Klotz sent me a note that I agree with, stating that if you don’t require a minimum depth, you could have just a really long “active” area with just one desk. So this has me concerned.

- We based this regulation off the Centers Main Street Strategy. We didn’t think that would be an issue, but I understand that one could circumvent the intent. Staff could include a dimensional standard in the requirement as well.

I’d like to see that language.

Commissioner Bortolazzo: The 25 percent of ground floor doesn’t necessarily specify where that percentage would go, but I assume you want that facing the transit street.

Commissioner Spevak: I like the direction, but the issue that originally raised this as a concern for me is that CM3 areas are some of the best development opportunities, and that this could allow under-development in areas with high amenities and public infrastructure investments. Perhaps the market would take care of it, because there are higher value uses, but it would be disappointing if a self-service storage facility located in a location like Cesar Chavez and Powell. Ideally there are higher value uses for that type of site. If we are not sure or suspect otherwise, it might make more sense to require a zone change (from CM3 to CE) for a self-service storage use – it's not that big of a percentage cost.

Chair Schultz: I think there are probably some locations where self-storage will be the higher return-on-investment use over residential.

Joe: In CM3, *Commissioner Spevak's* argument makes sense. In some places we've proposed CM3, there are already the facilities, so we were trying to not make them non-conforming. Part of what I've heard you discuss may be from the draft language in the memo (page 33 of the December 5 memo) should be what we're looking at: 25 percent of the floor area contained on the site that's within 100 feet of the transit street.

Commissioner Spevak: Storage facilities are designed to store peoples' stuff, and we need to have that, but it seems wrong to have facilities at these prime locations just designed to store stuff. That's my challenge.

Chair Schultz: I agree, but we do need to have these. It's a conundrum.

Barry: Part of the reason we are allowing this in CM3 is they were allowed in EX (nonconforming issue), and they were allowed in CG, but we have significantly reduced the amount of CG (or future CE) that's mapped, as we zoned a lot of it CM2. Locating these facilities in E and I zones is also an issue because they may displace or compete with other employment uses.

Joe: Perhaps a look at the code will clarify some of the confusion that our slide paraphrasing may be creating.

Chair Schultz: The code is still confusing to me and needs to be clarified. You almost need to draw it. Also, what is the logic behind the "within 20-foot of a transit" street provision?

- *Barry:* This relates to maximum building setbacks in C/MU zones, although the new code does not require 100% of the building to meet that maximum setback. We provided setback flexibility to allow for plazas, and other building configurations.

Chair Schultz: So, another work-around could be to build a plaza, or something else, and we end up with areas of no active use. I have concerns that this will not necessarily get us an active use, the way the code is currently written.

Commissioner Baugh: A particular issue for me are transit streets where we have made a major investment. To have storage there seems to be the wrong intended purpose. Are there intersections or places, or streets where we just don't want these? Could you exclude certain streets so they don't get this type of development?

- *Joe:* That approach could work; we do this for surface streets.
- *Barry:* Central City has its own sets of development regulations, and those would override this there.

Commissioner Smith: It's not just Central City... there are proposed areas on the new streetcar lines and in other areas as well.

Chair Schultz: We have four outstanding topics/issues:

- Should staff write language to require that active uses face the transit corridor? Yes. Staff needs to clarify this language.
- Is there concern about having self-storage in CM3 zone? Yes. Staff should bring this back.
- Is there support for not allowing on a street that has streetcar, light-rail, BRT? Yes. PSC supports this.
- Is there support for depth provision for the active use? Yes. Staff should bring this back.

Barry: I would ask for some clarification about self-storage in CM3 zones. Is it a concern about any amount of use in CM3?

- *Commissioner Spevak:* I care less if it's in CM3 if we chop out pieces of the zone where we've done massive investment. Allowing it in (CM3) areas where we have not done massive public investment seems less problematic. Also, I could imagine a mixed-use structure with self-storage in it. Is this a use within a zone?
- *Chair Schultz:* This is exactly what I'm trying to get at with the depth question. Something on the ground floor that supports pedestrian activity is important to me.
- *Joe:* We should come back with information about where the CM3 zones are and what the intent was.
- *Commissioner Bortolazzo:* Maybe we can play with the percentage of the active use for the ground floor in specific locations. Maybe 25% is minimum, but the percentage could go up in key locations.
- *Commissioner Baugh:* I'm more inclined to look at how we get a complete active use.
- *Commissioner Rudd:* Some zones have their own conditional use criteria, so I'm wondering if that is something we could use as an example for where self-storage can be in CM3.

Barry: Is the 100-foot building length threshold/trigger an issue or problematic?

- *Chair Schultz:* I don't understand why we'd start there – it's 100 feet of dead space.
- *Commissioner Baugh:* How do we create complete neighborhoods when we could have a block face with inactive uses?
- *Commissioner Rudd:* We have CU criteria for other uses; I wonder if we could develop Conditional Use criteria to address this?

Staff will return at the January 9 meeting with these updates and a vote for the PSC's recommendation.

Chair Schultz thanked the PSC for all their work this year. Happy holidays.

Adjourn

Chair Shultz adjourned the meeting at 3:05 p.m.