

# Portland Planning and Sustainability Commission

December 17, 2019

12:30 p.m.

Meeting Minutes

**Commissioners Present:** Jeff Bachrach (left 3:36 p.m.), Ben Bortolazzo, Mike Houck, Akasha Lawrence Spence, Oriana Magnera, Steph Routh, Katherine Schultz (arrived 12:36 p.m.), Chris Smith, Eli Spevak

**Commissioners Absent:** Katie Larsell, Daisy Quiñonez

**City Staff Presenting:** Sandra Wood, Lora Lillard, Phil Nameny; Staci Monroe (BDS); Nick Falbo, Courtney Duke (PBOT)

**Other presenters:** Shem Hardin (Deca Architecture)

*Vice Chair Spevak* called the meeting to order at 12:30 p.m. and gave an overview of the agenda.

Documents and Presentations for today's meeting

## Items of Interest from Commissioners

*Commissioner Smith:* About 2 weeks ago, Council voted on Bike Parking, largely as the PSC recommended.

## Director's Report

Andrea Durbin

Updates on Council items:

- Rossi Farms resolution passed last week. The City will continue to work with and partner with the family.
- RIP work session was last week as was the 100% renewables and presentation about the racist history of planning in Portland.
- Tomorrow:
  - BHD vote. A few amendments about deeper housing affordability; expanded affordable housing parking exemption; FAR transfers; indoor common area FAR exemption.
  - Fossil Fuels Terminal Zoning Amendments. After this re-adoption (and likely subsequent appeal), BPS will start work on Phase 2 of zoning code amendments to consider limits on transloading facilities and the storage of crude oil. These changes will come to the PSC later in 2020.

Last week with the Mayor had a press event on climate issues to take some near-term actions on climate that BPS and other City bureaus will lead, as well as initiatives with PGE and TriMet.

This is the last PSC meeting of 2019. Thank you to all our commissioners and staff for your commitment to our work.

### **Consent Agenda**

- Consideration of Minutes from the November 12 and November 19, 2019 PSC meetings.

*Commissioner Smith* moved to approve consent agenda. *Commissioner Houck* seconded.

(Y8 – Bachrach, Bortolazzo, Lawrence Spence, Magnera, Routh, Smith, Spevak)

### **River District Master Street Plan Update**

Briefing: Nick Falbo, Courtney Duke (PBOT)

#### Presentation

Nick gave an overview of Master Street Plans, a requirement of the State and part of the City's Transportation System Plan (TSP). Master Street Plan areas are typically in high-growth and under-developed areas.

Old Town and the Pearl District are included in the River District Master Street Plan. The plan is an overview of where new streets should go.

The USPS location is a "missing piece" to this district's plan. The master plan has to conform to the street plan, but it may be exploring ideas that aren't in the street plan yet.

The proposal is to break the 12-acre site up with additional extensions of streets (e.g. in the North Park Blocks). This update is to reflect from a framework into the actual plan.

Key changes are shown on slide 11 and includes 3 key changes: Full street connection of Kearney St. Removal of Frontage Rd. Removal of link of Irving St to create a larger North Park area/experience that PP&R is working on.

The Kearney St addition was proposed as a pedestrian connection, but there was concern from the Design Connection; they encouraged a full-street connection for more eyes on the street and to access driveways and garages for the new buildings on the site.

There will be a hearing and recommendation from the PSC at the January 14 meeting.

*Commissioner Smith*: This map is very 2-dimensional... but of course the site is very 3-dimensional. What's connecting with Broadway at grade and what's going underneath?

- Nick: The dotted lines are going over. The diagonal is a landing and transition. Kearney and Johnson are vehicular under the Broadway viaduct. There would be access from Broadway to Irving but it wouldn't go through the whole site.

*Commissioner Houck:* I sat on the Broadway Corridor advisory committee. Has the Green Loop alignment been resolved at this point?

- Nick: Yes, that's what's advancing to the Design Commission with support from PP&R.

The changes to the Master Street Plan are what the PSC recommends to Council. The Master Plan itself goes to the Design Commission for their decision. Prosper Portland is leading the Master Plan process. The PSC would like to see the rationale for the street designations in the plan.

*Chair Schultz:* Many Master Plans are bringing in new streets. Does that mean all the street plan proposals will come to the PSC? E.g. OMSI is putting in new streets.

- Courtney: There is an existing Master Plan here that's adopted in the TSP for this area. There isn't a current Master Street Plan where OMSI is right now. We can find out the differences in the projects to see where/when/what projects will need to come to the PSC versus incorporating the development of a street plan into a new master plan.

## **Design Overlay Zone Amendments**

Work Session: Sandra Wood, Lora Lillard, Phil Nameny; Staci Monroe (BDS)

*Chair Schultz:* We have three hours for our next work session on DOZA. We are planning on covering three parts of DOZA today:

1. Guideline 6
2. Process Amendments
3. Design Standards (partially)

BPS staff will orient us and keep us on track for today's discussion. We also have Design Commissioner Julie Livingston in the audience today. The Design Commission's next work session is on Thursday.

*Disclosure:* At the last meeting Commissioners shared their potential conflicts of interest. While it's not clear whether the proposed changes create a potential conflict of interest for PSC members because the changes affect such a broad class of property owners, in the interest of transparency, we have the following declarations:

- Commissioner Smith owns property in the design overlay zone.
- Commissioners Schultz, Spevak, Bortolazzo and Lawrence-Spence work for architectural or development firms who conduct work in Portland.

Sandra provided an overview of the components of today's discussion. There are no formal motions or amendments scheduled in the discussion.

### **Guideline 6**

Lora noted the handout. The first work session on November 12 was to discuss testimony to the Design Commission (DC), the recommending body for Design Guidelines. Lora noted the letter of recommendation with the PSC's comments to the DC. The purpose of discussion today is to clarify testimony and comments to the DC about Guideline 6. Lora shared the proposed language changes. DC will discuss this at their meeting on Thursday.

*Commissioner Magnera:* This gets to the heart about what we mean when we talk about public realm and acknowledging both the interior and exterior qualities to buildings. The public includes people who are unhoused and/or unsheltered, particularly in our housing shortage. I want to acknowledge the rights of private property holders. We should provide a toolkit to address the design of buildings. This is the start of very important conversations. I know people may think this crosses outside of land use issues, but I hope this will lead into some of the work to think about how buildings and land use affect all our community.

*Chair Schultz:* There were proposed edits to your proposed edits. Are you accepting of these edits from *Commissioner Spevak*?

*Commissioner Magnera:*

- Yes to number 2.
- For language in number 1, this may go farther. I would recommend ending the sentence after “any member of the public”.

*Commissioner Smith:* I was interested to learn that the word “rest” is already in some of the guidelines. IF we move from “rest” to “sit”, then we may be tacitly accepting the idea that we’re making spaces less accommodating, and I do not support that. Continuing to use the word “rest” is important.

*Commissioner Bachrach:* I don’t know what we have meant in the past when we’ve used the word “rest”. I was a minority on this issue and won’t be proposing language, but I want to clarify what the word “rest” was when we talked about this last month. What is the intent for DC when they’re reviewing a quasi-public open space?

*Chair Schultz:* For what it’s worth, in reading the background language, I don’t see that’s being proposed. I wouldn’t take this to tell me that I have to provide for tents. But I’m accepting of the changes as-is.

*Commissioner Magnera:* How would you read this and solve for the problem it potentially presents?

*Chair Schultz:* This is about the interaction of public space and provide space. Design Review tenant is always supporting of a variety of activities in the public realm.

*Commissioner Bortolazzo:* This conversation proves that we’re not clear what the intent is. The word “resting” is not clear and is open to misinterpretation. I can support 1 and 2. This is about the relationship between public and private property. As a designer, I would have a hard time knowing exactly what this means.

*Commissioner Magnera:* At our last meeting, we had a presentation about targeted universalism – making decisions to support one community that may provide broader long-term benefits. I am proposing language that is clear about how this is for people who are unhoused. I want to create open, welcoming opportunities for all.

*Commissioner Lawrence Spence:* Sometimes not defining can allow for flexibility to assign what a developer believes is relevant. The vagueness can give flexibility and gives the developer a chance to move along with the times.

*Commissioner Houck:* The explicit reference to camping is what became problematic to me. I agree with the verbiage in 1 and 2. Defensive design is something we want to avoid and should be addressing. Now “rest” is a pretty freighted term, so I have some concern using it without being explicit in our comments to the DC. Houselessness needs to be dealt with, but I don’t think this is the right tool to address that issue.

*Commissioner Routh:* I wonder if hearing the word “rest” is in other parts of the guidelines if there has been comfort, has there been guidance about what that means that we could draw from? The permeability between public and private realms is important. I am comfortable with the concept of resting and welcoming for a lot of different uses.

*Chair Schultz:* The way we answered it before is how it was phrased before. So to clarify, there was an intention to put more definition to the guideline, which may have pushed us full circle. These guidelines serve us for many, many years, so the flexibility is important.

*Commissioner Spevak:* I generally think of private property owners in terms of contributing toward the greater public is to have a broad guideline and not a narrow and deep one as a requirement to create places on private properties for campers might do. I support the language as drafted in today’s document.

*Commissioner Magnera:* Houselessness is incredibly broad and important. I have been clear about my intentionality about this, but I’m ok with leaving the language a bit more vague to leave it up to interpretation, as much as I want all buildings to include supportive space for all. I want to include the broad word “rest” as we’ve discussed today but not be so scripted to require this.

*Andrea:* The majority sounds like that while the language can be more inclusive, the intent behind it is not to require private land owners to establish a place for people to stay.

*Commissioners Bortolazzo:* I would propose “resting” with “pause, sit, and interact”, which was the intent from staff to clarify what “rest” meant. Would language that we expect designs that aren’t defensive clarify this that we’d need from a design standpoint?

*Sandra:* Your letter already gave testimony on the guideline itself, but now it sounds like we want to have a vote about the name of the guideline.

*Vote on the name of Guideline 6.*

From what the PSC recommended (“Provide opportunities to rest and be welcome”) to the original guideline title “Provide opportunities to pause, sit and interact”).

(Y4 – Bachrach, Bortolazzo, Houck, Schultz; N5 – Lawrence Spence, Magnera, Routh, Smith, Spevak)

The motion does not pass.

*Vote on the proposed language in the background.*

*Commissioner Spevak* reiterated that we’re talking about adopting the language as provided on the sheet with (1) removing “who may pass by or choose to stay for a while”, (2) as-is, and (3) adding “gathering, pausing, and be welcoming.”

*Commissioner Magnera:* Pausing and stopping are different, so maybe we should include both words. I'd propose that after "viewing, pausing, and interacting" we add a sentence like "This would include the exclusion of [defensive architecture]" or whatever that language looks like.

Lora: We don't need to be that specific in our language to the DC about designs that are not defensive or deter rest. The clarification could be about adding a sentence about not deferring rest or discouraging defensive design. We don't need to word smith it here today.

*Commissioner Magnera:* We are talking about not designing in ways that don't impede camping. We are creating space, not being so prescriptive.

*Commissioner Spevak:* Universal design is what we're getting to. This language is not saying you have to design for tents or housing.

*Commissioner Lawrence Spence:* You'll still find people in the houseless community who do just want a space to rest for a moment, not necessarily to camp.

(Y7 – Houck, Lawrence Spence, Magnera, Routh, Schultz, Smith, Spevak; N2 – Bachrach, Bortolazzo)

The motion passes.

## **Design Standards**

DOZA Design Standards work sheet.

*Commissioner Houck:* I attended the DC meeting at which they discussed Guideline 10 and the issue of whether the DC had the expertise to address the performance or functionality of the Green Infrastructure elements. This points out the need for someone with a natural resource background on the DC. If the DC will restrict their evaluation of Guideline 10 on issues solely based on aesthetics than I will feel the need to press even harder on Green Infrastructure through the Standards. .

Sandra: So we should work on the standards as good as we think we can make them to advance the objectives we want to advance, and then we'll have something tangible to share with the DC. We are talking about Design Standards, which we want to work in parallel with the Design Review. Today we'll start with the Quality and Resilience standards, which the 3x3 discussed. The standards around Public Realm are what Schultz and Spevak provided, but we didn't get to discuss with the 3x3.

Today we're just discussing these items with hand polls, but we aren't doing further votes or amendments now.

Sandra introduced the consultant Shem Hardin, who's with Deca Architecture.

*Item 3: Standard QR1*

Page 57 of Volume 2.

Phil provided background on the standard. The recommendation to remove this standard and rely on the building code itself.

*Commissioner Spevak:* I support removing this.

*Commissioner Bortolazzo:* This space is already well-regulated in the building code, which is why I proposed removing it.

*Chair Schultz:* Why does this focus on ground-floor units?

- Shem: To create more humane spaces and giving more space, mostly in apartment buildings. About how people enter the site and units with safety, comfort, and dignity as in Guideline 8.

*Chair Schultz:* If it's about better entries into units, I'm not inclined to support this as it's written. Let's be intentional in what we mean.

*Commissioner Bortolazzo:* I think we've already addressed the East Portland deep lot concern with BHD. We're talking about the difference between 10 and maybe 7 feet; I'm not sure if there is a big difference in how that space functions, and it's already heavily regulated.

Remove the item how it's written today?

- Yes.

Staff will return with what the intent of the standard is with photos and revised language.

*Item 4: QR 2*

No comments, no change.

*Item 5: QR 3*

Requirement to expand pedestrian connection system to require new development have connection to a major public trail.

Make this an optional standard, and then we'd have to determine how many points it is.

*Commissioner Routh:* This is a connection and accessibility issue, so it's very important.

*Chair Schultz:* I'm supportive of it being optional.

This was something we discussed with the River Team to ensure we treat a public trail like a ROW or sidewalk. The issue of security is separate, and we don't necessarily have control over that. So that's why the standards working group went back and forth on this.

*Commissioner Spevak:* I want to be sure if we create the connection people can actually use it. I realize the City can't totally regulate this, but if we're going to give points for it, it should be accessible.

Support to move this for optional.

- Yes.

*Item 6: QR 4*

No comments, no change.

*Item 7: QR 5*

Onsite outdoor common areas.

No comments, no change.

*Commissioner Magnera:* I would recommend we make some changes around the defensive architecture piece. [Provided language which will be submitted to staff to review.]

- Phil: The outdoor area is potentially not accessible or visible from the street.

*Commissioner Spevak:* I have a hard time thinking through things on the fly. Let's move forward and discuss this after we see *Commissioner Magnera's* suggestions in writing.

*Item 8: QR 6*

Another optional standard to provide an indoor common amenity for residents with a minimum dimension. It doesn't necessarily affect the design of the building, so there is a request this is taken out.

*Item 9: QR 7*

Building walls adjacent to common areas. Standards group confirmed leaving this as-is.

*Item 10: QR8*

Buildings surrounding outdoor common areas. Standards group confirmed leaving this as-is.

*Item 12: QR 9*

Street-facing window details. No change proposed, but option for adjustment.

Stacy: We found that we typically see about 3" to the exterior of the face of the trim.

*Chair Schultz:* I challenged staff what the depth of the window (which creates shadow) about the average depth is. The intent is articulation of the facades. *Commissioner Bortolazzo:* There is quite a bit of subjectivity.

PSC is ok as-is. It's already an optionality.

*Item 13: QR9*

Phrasing is on consent.

*Item 14: QR10*

Upper floor windows. No comments, no change from the Standards group.

*Commissioner Magnera:* What does the sustainability staff say about 30% of the upper floor being windows mean for resiliency as it relates to climate?

- Lora: We originally had two standards... 25% windows plus bonus points for 35%. But in talking with sustainability staff, we wanted to promote eyes on the street, so we agree that 30% is a good benchmark number. It is the ceiling of the energy code. It's also a trigger for bird-safe, so we thought it was a good number to settle on with just one combined standard.

*Item 15: QR11*

No comments, no change.



*Item 16: QR12*

No comments, no change.

*Item 17: QR13*

Consider dropping this item. This is a requirement in Central City.

*Commissioner Spevak:* I don't support folding "stretch" building codes into design standards; there are other ways to accomplish this. I don't want every interest group to be wed to Design Review, and hence be motivated to expand the d overlay more broadly. So I'll push to not make these be required. But if we're providing just optional points for it, I'll be OK with that.

*Commissioner Houck:* It is unclear what other avenue exists and will exist to address issues such as this which is why I would favor making this a requirement through DOZA which is the issue before us, but I may be the lone vote for that.

*Item 18: QR14*

Clarify the intent of the statement "provide at least one operable window in each exterior wall."

Phil: This was intended to apply to corner units. But are we being too prescriptive? Could it be any unit with a single wall to get the same points?

*Chair Schultz:* We often do corner units. You could have a window on each façade, but you wouldn't get cross-ventilation. With the average size of units today (700 square feet), getting one operable window meets lots of things. So maybe encouraging just one operable window is a stronger way to go for natural ventilation.

There is support for this to change to "for every unit or commercial space".

*Item 19: QR15*

No comments, no change.

*Item 20: QR16*

Recommended on consent with the slight change as commented on by the working group in support of the Design Commission's recommendation.

*Item 21: QR17*

No comments, no change.

*Item 22: QR18*

On consent with the changes recommended by the working group.

*Item 23: Table 420-3*

Staff will talk with the City Attorney and bring this back to the PSC.

*Item 24: Table 420-3 finish materials*

This is linked to the previous three items. There were conversations about looking at other types of metals that don't require coating.

*Item 25: QR19*

Standards group thought this might be scope creep and suggest dropping it.

Phil: We talked to our sustainability staff who thought this was a way to move the conversation so applicants do a lifecycle assessment of their materials. It's a way to educate an applicant. But it doesn't necessarily impact the design of the building.

*Commissioner Spevak*: This is a point you can buy, and the public doesn't get much benefit for it.

*Chair Schultz*: I'm also in support of dropping it.

- Yes.

*Item 26: QR20*

In the inner pattern area, if you're on a civic corridor and over 35' tall, the roof needs to be flat and not pitched.

The working group wants to consider removing this standard requirement. They also discussed requiring flat roofs in this area.

*Commissioner Bortolazzo*: A pitched roof is more economical. There are ways to build a handsome-looking pitched roof, even on a taller building. But overall it favors a stylistic approach over another, so I see this as potentially limiting the variety of looks of buildings that can work together. It's too specific and limiting.

*Commissioner Houck*: I think this is fine in that a pitched roof does not provide a disincentive for ecoroofs.

Support to remove QR20

- Yes.

*Item 27: QR20*

Since QR20 was recommended to be removed, this is moot.

*Item 28: QR21-24*

On consent.

The discussion about items 22-24 were all combined in the Standards group.

*Item 29: QR22*

*Item 30: QR22-23*

*Item 31: QR22-23*

*Item 32: QR 24*

*Commissioner Houck*: Ecoroofs should be a requirement but more points for going beyond 40% of roof coverage. Solar and ecoroofs are not mutually exclusive so there should be points available for both if both are used. My understanding is that it's standard procedure to use the reflective surface if you're not doing an ecoroof. I'd rather give points to something that is more effective.

*Chair Schultz:* Now that we are allowing steeped roof pitches, I would expect to see more of a shingled roof, so you wouldn't have a reflective option. I am supportive of ecoroofs being optional.

*Commissioner Lawrence Spence:* We are also a climate action body. So requiring a solar energy system or something that does more with our roofs is important. But with pitched roofs, I'm not sure how we can require this.

*Commissioners Magnera:* I don't think every roof is suitable for a solar system. I would like to see solar on every roof, but it doesn't make sense to have it as a requirement.

*Commissioner Houck:* I am interested in ecoroofs, not necessarily solar, because of the many benefits. And if done properly, they produce many more benefits including stormwater management, pollinator habitat and if they are designed for public use very functional green spaces in areas that are park or greenspace deficient.

QR22

Staff proposed it as optional.

*Commissioner Houck* supports this being required.

- Kept as optional.

Should this bonus be worth 2 points for 40% coverage?

- *Chair Schultz:* I think we can reconsider increasing these optional points, but staff should look at this as we figure out the other components.

If you do more than 40%, do you continue earning more points?

- This can be an option on the table, again once we look at everything and possible point allotments for each.

*Commissioners Magnera:* There are other processes and areas to address climate action goals. If we're only applying those to the design overlay, that's an inequity. I'd caution us to use this as a fix where other areas can address these issues.

QR23 Solar

*Commissioner Magnera:* I don't think it makes sense to create points around solar energy system based on the coverage area. I would recommend addressing the kW it's generating or think about energy savings for the building. And building energy usage being off-set would get to the longevity.

QR24 Reflective Roof Surfaces

Suggestion to remove this standard.

*Commissioner Houck:* Use of reflective roofs is already an industry standard so no points are appropriate. Points are going to become a big issue, and I'd rather see points given to new things that are not necessarily already being utilized.

*Commissioner Lawrence Spence:* The 90% not covered by rooftop equipment is important to keep in from a design perspective.

- Phil: This is saying something of the opposite, saying that 90% of the uncovered surface has to have the reflective surface.

*Chair Schultz:* I would be open to the discussion when we talk about points again.

*Commissioner Bortolazzo:* As optional points, I think the intent is good.

We won't delete it all together, but we can reconsider the points and will come back through this.

We will hold the Process conversation for the next PSC meeting.

Sandra: Page 13 of Volume 2... What is the philosophy around design review for quality and resilience? Options we've discussed:

- The 'd' overlay should be about what's visible in the exterior.
- We should use the 'd' overlay to be experimental... perhaps with the points.
- Use the 'd' overlay to advance climate action goals.

*Commissioner Bachrach:* I fall on the more narrow side – what does a building look like? One other policy is about affordable housing; I'd like to see points to developers who contribute to affordable housing as a bonus.

*Commissioner Houck:* I'm in favor of a broader view. If I've suggested dropping something, it's more about if there are other greening issues that might be more important. Functionality is what we should be looking at as well as excellence in design. Just because you don't happen to see it on the building, it's not a reason to exclude it.

*Commissioner Spevak:* I'm hoping for the narrow scope. D overlay could be channeled into the main street realm if I had my druthers. I also acknowledge I lost that in the initial DOZA work. So I want to see some experimental options, but for required things, we should be narrow in scope.

*Commissioner Bortolazzo:* I am closer to the narrow path, but I'd like it to be about what's in the public realm. Focus on quality is a great approach. There is an opportunity to be experimental and advance climate action goals via optional points.

*Commissioner Lawrence Spence:* It goes back to defining the public realm. The way that something looks means we have to look at things other than aesthetics and looking at things that contribute to the longevity of the city and everyone in the public realm. I go to a broader view.

*Chair Schultz:* It's about how our buildings interact with the public. So spaces inside are not as important. Climate affects all of us as the public, and our buildings hugely contribute to that. The interaction with people on the ground and how people interact with the building are what I look at. I struggle with private on the ground spaces, but encouraging points here an option is something I can do.

Sandra: It seems like the commission is supportive with the direction staff went with – optional points to advance climate action and newer concepts. There are new certification systems, new opportunities, new practices. We can also meet again with our sustainability team to see what else is potentially missing (electric, passive, solar).

*Commissioner Spevak:* I'd like the optional items to come to the PSC in another format outside of DOZA.

Phil: We can use the 'd' overlay as something of a testing ground before potentially bringing these concepts back to present them as a larger scale code amendment in the future.

*Commissioner Magnera:* I echo what Commissioner Spevak has said about design being the place of where we're looking at these options. Climate and environmental justice work should be done in communities (e.g. black, indigenous, communities of color, low-income, etc)) that for the most part are not included in the 'd' overlay. But this is a much larger conversation, and I don't want the conversation to be haphazard.

*Chair Schultz:* I've seen our Community Design Standards on our books for so long, and they're out of date. I think I'd like a discussion about how often we test getting things cycled out if they aren't working.

Sandra: Adjustments to standards will be a discussion at an upcoming PSC meeting.

Staff walked through the next steps for work sessions and sequencing document.

The Standards Working Group is meeting on January 2 to do the same sorting as we did for today's discussion. Then we hope to get through Public Realm and Context to bring that to the January 28 PSC meeting.

Some commissioners have provided other amendments to the thresholds. We also have the outstanding issue about how design review and design standards contribute to cost, which staff will bring back to the PSC.

If PSC members have suggestions to staff about bringing things forward to the full commission, please let us know. If commissioners have proposed discussion points, please make sure staff have them prior to the end of the year so our next work session can be more expeditious. We can have the list of proposed consent items, dismiss of those, and then have discussion about the larger points.

*Chair Schultz:* We will continue the DOZA work session to the January 28, 2020 PSC meeting.

## **Adjourn**

*Chair Schultz* adjourned the meeting at 3:55 p.m.

Submitted by Julie Ocken