



PLANNING COMMISSION CODE AMENDMENTS

PSC Hearing—November 8, 2022

Sandra Wood

Principal Planner

Patricia Diefenderfer

Chief Planner

Shannon Buono

Senior Planner

Julie Ocken

Coordinator II



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**

Project Summary

The proposal will dissolve the Planning and Sustainability Commission and create the Planning Commission.

The new Planning Commission will focus on long-range land use planning, while continuing to advance the policies in Portland's Comprehensive Plan, including those related to sustainability.



Community Involvement

- Consultant interviews with key stakeholders and subsequent report – later 2021 through early 2022.
- Staff worked with a sub-group of PSC members to identify issues and draft the proposal. The work group met:
 - September 7, 2022
 - September 21, 2022
 - October 4, 2022
 - October 20, 2022
 - November 1, 2022
- Notice to DLCD—October 3, 2022
- Public notice of the PSC hearing mailed on October 7, 2022
- Community Involvement Committee—October 11, 2022
- Public hearing at the PSC—November 8, 2022
- Public hearing at City Council—January 2023



Proposed Amendments

Comprehensive Plan policies:

- 1.16 Planning and Sustainability Commission Review
- 2.8 Channels of Communication
- 2.20 Review Bodies

Zoning code chapter 33.710, Review Bodies



Key amendments

- Purpose of the Planning Commission
- Number of Planning Commissioners
- Powers and duties of the Commission



33.710.040 ~~Planning and Sustainability~~ Commission

- A. **Purpose.** The ~~Planning and Sustainability~~ Commission advises City Council on the City's long-range goals, policies, and programs for land use, ~~and planning, and sustainability~~. In making recommendations and decisions, it considers the economic, environmental, and social well-being of the city in an integrated fashion. The Commission has specific responsibility for the ~~stewardship, development and maintenance of the City's Comprehensive Plan, Climate Action Plan, and zoning code.~~ The Commission upholds the Core Values of the City of Portland and is committed to effective public involvement and leadership in its work and in the decisions it considers.
- B. **Membership.** The ~~Planning and Sustainability~~ Commission consists of ~~nine~~^{eleven} members, none of whom may hold public elective office. The members are appointed by the Mayor and confirmed by the City Council. The membership of the ~~Planning and Sustainability~~ Commission should include broad representation of Portland's community and reflect the dynamic nature of this changing city. No more than two members of the ~~Planning and Sustainability~~ Commission may be engaged in the same occupation, business, trade, or profession. No more than two members of the Commission may be individuals, or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, leasing, or developing of real estate for profit.



D. Powers and duties. The Planning and Sustainability Commission has all of the powers and duties ~~which~~that are now or may in the future be imposed upon City planning commissions by State law, by this Title, by the City Council, or by the City Charter. The Planning Commission's powers and duties include: ~~1. Holding hearings and making recommendations to City Council on all policy matters related~~ on proposals to adopt and amend: the Comprehensive Plan and its supporting documents including the Transportation Systems Plan and Citywide Systems Plan; the Climate Action Plan, the zoning code; significant transportation and sustainable development policies, projects, and issues; the portions of Title 11, Trees, identified in 11.10.040.C; urban renewal plans; street vacations; sign regulations; and renaming city streets.;



D. Powers and duties. (cont.)

- ~~2. Advising the City Council on plans and policies regarding such issues as land use, zoning, housing, energy, transportation, urban renewal, urban design, equity, economic development, public buildings, climate change, sustainable development, environmental protection, resource conservation, and other policies of City-wide interest;~~
- ~~3. Articulating and guiding the City's long-range goals, policies, and programs for developing and achieving sustainable communities; and~~
- ~~4. Developing opportunities for community members to learn about principles, policies, and programs that promote sustainable practices and development.~~



Other amendments

- Conflict of interest language
- Comments on quasi-judicial appeals
- Commission name change throughout the chapter



- I. **Conflict of interest.** A member of any commission, committee, board, or review body except City Council may not participate as a member in deciding any land use action in which the member has a direct or substantial financial interest. A member may not participate if any person who resides with the member or the member's spouse, domestic partner, brother, sister sibling, stepsibling, child, parent, stepparent, father-in-law, or mother-in-law, son-in-law or daughter-in-law havehas a direct or substantial financial interest, or if any business in which the member is then serving or has served within the previous two years or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment, has a direct or substantial financial interest. Any actual or potential interest must be disclosed at the hearing or meeting where the action is scheduled.
- ~~E. **Communications on appeals.** The Planning and Sustainability Commission may submit written responses or appear in person on appeals of quasi-judicial land use decisions to the City Council.~~



Proposal

Staff proposes that the PSC recommend that City Council:

- Adopt the Proposed Draft
- Amend the Comprehensive Plan, as shown in the Proposed Draft.
- Amend the Zoning Code, as show in the Proposed Draft.



Timeline

11/8 PSC Hearing

11/10 (Thurs, 5:00 pm) Close written testimony

11/15 Deadline to provide potential amendments

11/18 Potential amendments shared with full Commission

11/22 PSC Work Session / Recommendation

Jan 2023 City Council Hearing (tentative)

3/1/23 Effective date (tentative)



Commissioner-Identified Issues

- Purpose – The removal of the word “stewardship” (and what stewardship means). (Gittemeier)
- Powers and Duties (Gittemeier)
- Powers and Duties - significant transportation projects (Spevak)
- Communication on appeals (Gittemeier)
- Special subcommittees – consider dropping (Spevak)
- Commission Coordination – consider revising communication expectations with Design Commission and Historic Landmark Commission leadership (Spevak)





THE BUREAU OF **PLANNING** & **SUSTAINABILITY**

Patricia Diefenderfer

Chief Planner

VISIT US ONLINE portland.gov/bps

The City of Portland is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids or services, contact 503-823-7700, Relay: 711.

Traducción e Interpretación | Biên Dịch và Thông Dịch | अनुवादन तथा व्याख्या | 口笔译服务 |
Устный и письменный перевод | Turjumaad iyo Fasiraad | Письмовий і усний переклад |
Traducere și interpretariat | Chiaku me Awewen Kapas | 翻訳または通訳 | ການແປພາສາ ຫຼື ການ
ຮ່ວມໃຈ | الترجمة التحريرية أو الشفهية | [Portland.gov/bps/accommodation](https://portland.gov/bps/accommodation)

From Vision to Enforcement

- Vision
 - Policy (e.g. Comp Plan)
 - Implementation mechanisms (e.g. Zoning Code)
-

- Land use reviews
- Building permit
- Inspections
- Enforcement/Code Compliance

Issues for later discussion--bylaws

- Vacancies – It's strange that Commissioner-in-Charge makes decisions on terms, but Mayor appoints.
- C. 1. Allow chair to appoint non-officers to facilitate meetings?
- 2. Vice Chairs "take over this role at alternative meetings" seems overly prescriptive. Drop this?
- D. Subgroups – Provide greater clarity on how the PC appoints representatives to other bodies (e.g. DRAC, Port of Portland, ...). Vote by PC, not just by the Chair.
- Formal recommending body, preceded by briefing & public hearing.
- PSC must be briefed, and will serve as sounding board; typically, no public testimony.
- PSC can be briefed, and will serve as a sounding board; typically, no public testimony.
- Review, clarify "efficient, effective, fair" language in the Bylaws.
- Composition of Commission / representation: clarify the Youth Position (e.g. possible 2nd term?).
- Letter writing: clarify when (when, types of projects, etc and to whom).
- Time of meetings.
- Advocacy
 - Ecosystem – who raises their hand?
 - How does the Commission help the City become accountable to its own goals?
 - How to use unofficial channels more effectively.
- Diversity and representation on the Commission
- Making the PSC more accessible