

Portland Planning Commission

May 23, 2022

5:00 p.m.

Meeting Minutes

Planning Commissioners Present: Michael Alexander, Wade Lange, Nikesh Patel, Michael Pouncil, Steph Routh, Eli Spevak, Erica Thompson

Commissioners Absent: Mary-Rain O'Meara

City Staff Presenting: Francesca Jones (PBOT), Gabriela Giron-Giron-Valderrama (PBOT), Brandon Spencer-Hartle (BPS)

Documents and Presentations for today's meeting can be found [here](#).

Commissioner Thompson called the meeting to order at 5:02 p.m.

Items of Interest from Commissioners

None

Director's Report

Chief Planner Patricia Diefenderfer gave updates

- Budget update: Looks good. All of our funding from this year has been carried over, no required cuts, and support to add positions for PCEF. Budget expected to be adopted on June 14.
- Lower Southeast Rising: Staff published a discussion draft and there is an online open house happening now.
- LGBTQ Historical Sites: We have received two grants to help fund this project. There is an online questionnaire that you can fill out or pass around to your networks.

Consent Agenda

Consideration of minutes from the May 9, 2022 meeting:

Commissioner Lange **moved** to adopt the minutes and *Commissioner Pouncil* **seconded** the motion.

Y7 – Alexander, Lange, Patel, Pouncil, Routh, Spevak, Thompson

Freight Plan 2040

Francesca Jones and Gabriela Giron-Giron-Valderrama (PBOT)

Presentation

Since the Planning Commission has not received a Comp Plan Chapter 9 transportation training yet, PBOT staff will provide context to understand how the 2040 Freight relates to the Comp Plan.

Modal Plans: The Freight Master Plan is considered a transportation modal plan, which is part of our Transportation System Plan, a supporting document of the Comp Plan. Note that freight is not actually a mode, it is made up of many modes and is actually a system. For the sake of this presentation, the freight master plan is a modal plan.

Relationship to Statewide Planning Goals: To zoom out, Goal 12 of the Statewide Planning Goals address transportation and it's what requires us to have a Transportation System Plan (TSP). The TSP is our 20-year plan to guide transportation investments in Portland. The Transportation Planning Rules implement Goal 12 by specifying what must be included in our transportation system plan. In our jurisdiction, we additionally have Metro, which is required to do planning for the *region*. The TSP must be consistent with our regional transportation plan (RTP).

The TSP is informed by all the plans we do over time and our updates to the TSP consider all the plans since the previous TSP update and so will include: our 2040 Portland Freight Plan that we'll present on today.

Batching of Plans:

PBOT looks deeply into the specific modes through plans like 2040Freight, (even though freight isn't a mode, it's a system). Each plan is like adding some of the ingredients to a bowl for making chocolate chip cookies. Technically, if we're hungry, we could mix what we've got and bake it in the oven, just like we could take each individual plan through the full legislative process. But it's a lot less work overall if we wait until we have more dough put together before we pop them into the oven. PBOT tries to do at least a technical update of the TSP every two years where they consider bringing in the combined classification changes and projects, etc. that have been adopted by City Council in plans since the last TSP Update took place, we look at them fresh and contextually altogether and they go through the legislative process together.

Since PBOT typically batches, that might mean that some of a plan's recommendations won't be enforceable on developers until the plan's recommendations go through a full legislative process in a TSP Update. It also means that these recommendations in adopted plans could change at different points in the legislative process. Overall, the benefits to staff time, efficiency, and wholistic transportation system consideration often outweigh the potential risks, especially since we have the legal obligation to update our financial plan when we're making many project changes, and that takes a lot of steps and effort.

Some of the TSP is in the Comp Plan, and some of the TSP is more detailed than in Comp Plan. Comp Plan elements of the TSP include:

- Goals and policies
- List of Significant Projects
- Street classification maps
- Street plan maps.

The TSP also provides more detail than the Comp Plan by including additional sub-policies and area-specific policies to support Comp Plan implementation, additional supporting information about transportation system conditions, and a financial plan.

Because the Planning Commission is a legislative body with purview over the Comp Plan, PBOT is required to bring plans before the commission if they're a TSP Update or if a plan will directly update any of the Comp Plan elements of the TSP.

The 2040Freight Plan does not directly update anything in the TSP. Instead, it will be batched with other plans for a future TSP update. It includes language that may be considered when forming potential sub-policies to build on Comp Plan Policy 9.7 Moving Goods and Delivering Services. It also has recommendations for updates to projects in the TSP and has recommendations for 5 freight street classification changes

TSP-relevant elements of 2040Freight

Most of the plan is an implementation document, operationalizing the TSP and Comp Plan policies that already exist. There are three points where the 2040Freight plan includes content that could be considered for integration into a future TSP update:

- Transportation strategy
- Major capital projects
- TSP freight classification changes

Planning Commission roles in transportation projects/plans:

There are two different ways PBOT engages with the Planning Commission.

- Legislative requirements, such as updates to the TSP future briefing
- Briefing, which is generally for informative purposes and informal advice when there's no legislative role or action for the Planning Commission.

Commissioner Pouncil: The documents on the slide showed a 2035 TSP, but I thought it was updated every two years

Jones: You're correct that we do update more frequently for technical updates.

Diefenderfer: 2035 is the horizon timeline for the document, though it us updated more frequently.

Commissioner Spevak: To be clear, we won't be voting or holding a hearing on this plan update now, but presumably City Council will? And if there is a legislative process, it would come before the Planning Commission?

Jones: Yes, and we don't have Council date.

Diefenderfer: You are correct that it will come back to the Planning Commission at the time of the legislative process for the TSP.

Spevak: As a developer, I would be concerned that this process is getting out over its skis since it will be far along in development before going through a legislative process.

2040 Freight Plan:

Urban Freight System: The Urban Freight System is a complex system that supports the movement of commercial items ("goods") and services to, from, and through the city.

Freight is generally associated with trucks; however, freight moves by all modes of transportation including marine, air, rail, and heavy and medium-heavy trucks, as well as, small trucks, vans, bicycles, and hand carts are common delivery vehicles.

Unlike passenger travel, where needs and requirements can often overlap, the movement of freight faces different challenges. Not all goods or services can be transported using the same mode or vehicle type, given the diverse logistics and operational characteristics associated with each sector and commodity type.

New trends have challenged the system. A great example is the increase of e-commerce.

Planning and Engagement: Portland Freight Committee (PFC) is the City's ongoing committee with industry and agency partners. The Freight Plan had a Community Advisory Committee and a Technical Advisory Committee.

Stakeholders were engaged at their meetings while staff hosted a public survey to learn about locations of concerns and priorities, conducted stakeholder interviews with industry, community, and policy leaders, and issued lots of technical reports.

PBOT aimed to inform public discourse in the process by educating Portlanders about the range of ways that goods move through five featured perspective videos and the importance and value of freight to our everyday lives, through two how goods move videos, as well as our project overview video.

PBOT also hosted many focus groups with people who live in or near and/or work in freight transportation or warehousing jobs who spoke Russian, Chinese, Vietnamese, and Spanish, as

well as for accessibility and ADA focus. Staff also hosted a focus group with industrial land developers and industrial land brokers to learn how we might help unlock underutilized industrial land for generating jobs. The bicycle and pedestrian advisory committees were also engaged and hosted a big prioritization workshop.

Eight Goal Areas: The goal areas of the 2040 Freight plan started with the five guiding principles of the comp plan and the three goals of our PBOT strategic plan, the strategic plan is an implementation document. Through our community engagement work, we defined these in terms of urban freight movement with freight-specific goal statements under which there are strategies and actions we'll take to help us toward achieving the goals.

1. Economic Vitality
2. Efficiency
3. Access
4. Safety
5. Environment
6. Equity
7. System Condition
8. Partnership and Knowledge

Example Implementation Actions

Staff listed around 50 policy level action and prioritized them based on feedback we collected from our committees and public engagement.

- Clean technology
 - Incentivize the use of clean fleets & EV charging infrastructure
 - Pilot Emission Zones
- Last-mile solutions
 - Cargo Bike pilot & Micro hubs
 - identify regulatory barriers for the implementation of last-mile solutions
- Project Development
 - Bridge projects from Hwy 30 to Rivergate
 - Heavy Vehicle infrastructure safety, operations and maintenance improvements in the major corridor and industrial land uses
- Curb management
 - Asses current usage of Commercial Loading Zones to better understand the operational needs
- Pilot new flexible curb design to improve commercial load/unload operations
- Collaboration & Engagement
 - Supporting community air quality monitoring programs
 - Collaboration with regional agencies for key multimodal freight-related projects

The above is just an example of a comprehensive list of 50 implementation actions that take a look at the whole freight system from intermodal, heavy trucks, last-mile operations, industrial land and equity issues.

Transportation Strategy for the Movement of Goods and Services

This is a strategy that may be considered in a future TSP update as a sub policy to Policy 9.7 about the movement of goods and services. With this work, we've identified eight principles built on existing challenges and urban freight system needs, as well as existing freight-related policies in Portland's 2035 Comprehensive Plan to develop a framework to guide the City's approach to planning for the movement of goods.

Prioritizing the Right Size Mode: Industrial land and intermodal terminals:

- Marine vessels
- Rail
- Heavy truck
- Medium Commercial Vehicles
- Light Commercial Vehicles

Prioritizing the Right Size Mode: Commercial and residential areas:

- Walking
- Cargo bikes et al
- Light commercial vehicles
- Medium commercial vehicles
- Heavy trucks

Major Capital Projects: The 2040 Freight Plan includes a recommended project list of 96 major capital infrastructure projects. The complete list includes projects led by different local, regional, and state agencies, including PBOT, ODOT, and the Port of Portland.

The 2040 Freight Plan acknowledges the need and the importance of inter-regional coordination and support for regional freight-related infrastructure improvements to proactively address climate change, improve access, equity, and mobility, and support other desired outcomes aligned with local, county, and other regional plans. However, the 2040 Freight Plan only prioritizes the 55 projects that are led by or are under PBOT's jurisdiction.

TSP Projects – Updates: 47 projects updated

- 36 updated costs
- 27 updated descriptions
- 14 updated lead agencies
- 10 updated names
- 9 updated extents/locations

TSP Projects – New: 29 projects updated

- 10 bridge
- 4 highway
- 6 street
- 6 rail projects
- 3 ITS

- 25 Projects in PBOT's jurisdiction

TSP freight classification changes – see map

For the new plan, only five changes from 2006. When a street is designated as part of the freight network or its designation is changed, that doesn't necessarily mean its overall function, design, or character will change. Instead, the purpose of designating a freight network is to:

1. Help guide freight-related traffic management, roadway design, and maintenance requirements based on the nature of the freight flow on the roadway segment and the function it fulfills.
2. Underscore the importance of that street element for freight movement
3. Inform freight and safety improvements and investment.
4. Ensure freight projects can compete effectively for project development and construction funding.

The proposed changes to the TSP freight classification system are based on land use, truck volume, safety, industrial access, other modes classification systems. And were discussed with the 2040 Freight advisory committees and related stakeholders (neighborhood associations).

TSP freight classification changes – example: N Hayden Island Drive

Portland City Council approved the allocation of 300 acres for a port facility and preserved 500 acres as a protected area.

Current designation: Priority Truck Street

Recommendation: Remove this street from the freight network based on the latest plans for Hayden Island land use.

TSP freight classification changes – example: South Barnes Yard

Current designation: Freight District

Recommendation: Remove freight district designation to correct a mapping error. The Comprehensive Plan defines this area as Single-Family Dwelling

TSP freight classification changes – example: Cathedral Park – N Decatur Street

Current designation: Freight District Street

Recommendation: Remove freight designation and update the freight district boundary to align with the property line. Identified need in North Portland Greenway Trail Alignment Plan and at request of community members.

TSP freight classification changes – example: NE 33rd Drive

Current designation: Freight District Street

Recommendation: Upgrade classification to Major Truck Street. This recognizes the importance of this street for freight movement within the Freight District and supports efforts to unlock the industrial land development potential

TSP freight classification changes – example: NE Marine Drive

Current designation: Local Service Truck Street

Recommendation: Upgrade classification to Freight District Street. The boundary of the Freight District will be shifted north to include this section of NE Marine Dr. This will not impact the current designation of the multi-use path parallel to Marine Dr.

Public Review Draft

The 2040 Freight Plan Public Review Draft was released on March 9 in an email release to over 1,300 interested parties and 65 hard copies were sent out. It was promoted and discussed at the Portland Freight Committee and at a Bridgeton Neighborhood Association meeting. Additional stakeholder meetings included North Peninsula neighbors and with the Columbia Corridor Association/ Swan Island Business Association Executive Director. Feedback was also provided via email and a public survey to guide public feedback on the key elements of the plan with open-ended questions. The project team hosted a virtual open house on March 23.

Public feedback closed on Monday, April 24 after being open for 47 days. During that time, the project team received seven emailed comments and 71 survey responses.

Feedback addressed

Six themes emerged for content refinements and additions that provide greater clarity around and/or emphasis on

1. freight-related safety concerns,
2. Portland's freight resiliency vulnerability, focusing on to the St. Johns and Rivergate area,
3. Electric freight vehicle battery size and emission sources considerations,
4. Freight infrastructure maintenance,
5. Limited industrial land supply, and
6. Equity and emissions considerations for project development.

Next Steps

On our website you can read the full public review draft feedback summary and see all the changes that are being integrated into an updated version of the plan. We're still working through editing the version that will go to city council and when that work is complete, we'll send an email to everyone who follows our updates, with the link to the city council draft and instructions about opportunities to provide public testimony about the plan to City Council, including a hearing date and time and a Map App testimony link.

Discussion

Commissioner Patel: It seems that there are industrial areas that are not well served by freight streets. In one of the examples, there was one freight street that was going to be removed. Can you explain why?

Giron-Valderrama: This street is mapped, but since the 2006 policy was addressed, West Hayden Island has been designated as a nature preserve, and therefore it isn't necessary here.

Pouncil: Where can we find the public survey info? I'd like more info about key points and concerns that folks had.

Jones: The report on the feedback hasn't been released yet, but it will be in the coming weeks. This is just a sneak peak of coming attractions.

Commissioner Alexander: How does all of the feedback get synthesized?

Jones: It's a collaborative dance. An iterative engagement process helps us hone in. It takes more engagement to move the high-level stuff into implementation.

Pouncil: Has there been collaboration with the work on parking?

Giron-Valderrama: It's a big issue. Commercial vehicles spend 80% of their time parked, so parking matters. We're talking more about flexible space since there's lots of need for parking but also needs for short-term parking for deliveries.

Thompson: Can you talk more about cross-bureau collaboration? Are there things that BPS can be working on for zoning improvements for example for loading/unloading issues?

Giron-Valderrama: I've been a researcher on this for a while, and there are a lot of unanswered questions and work that needs to be done to figure out what needs to be done in a changing economic and transportation climate.

Commissioner Routh: What are next steps?

Jones: Next steps are that we will be getting our report on what we heard in the next couple weeks. And we will be going to City Council and soon and will be announcing the date when people can testify to Council.

Pouncil: I was wondering about human and environmental health. In one of your slides, you should modes that you don't have jurisdiction, but you do have jurisdiction for heavy trucks. I heard in that there was funding available to help move freight away from "dirty" diesel trucks. I'm wondering if there is more regulation to ensure that we are moving towards improved engines and emissions of particulate matter – and to help truckers pay for the improvements.

Jones: That's a good summary. PBOT only has so much authority and so the plan looks at what is within our realm of influence, and not all of this issue doesn't fall within that.

Giron-Valderrama: This is a big issue in freight, and we looked at ways to include this in our policies. There are still a breadth of unanswered questions. Part of the issue is a need for charging infrastructure if we are going to move to an EV fleet.

Routh: Since PBOT doesn't have an overarching commission, my concern is that things are slipping through the cracks. This week at Council there was a project being raised to Council that was not on the TSP. I am lodging a question/concern about what it looks like in the next

two years before the TSP is updated? Things are changing significantly and quickly, so how does that get addressed and how does a future Sustainability Commission?

Kristen Hull: We are coming back to talk to you next month and we will talk to you more about this.

Diefenderfer: We are happy to try and talk about that in a future training. I know that you are worried about the intervening time. Any change to the projects themselves will come back to the PC as a legislative project with others. It's not that you're never going to be able to see any of these changes again.

Spevak: The question I have is that when recommendations come back that it will be a fait accompli.

Diefenderfer: I don't think that will be the case. The expectation is that if there are need for refinement or different recommendations, that will be possible.

Jones: It will be a major update, meaning that we have to look closer at the list and update with new, fresher criteria, and have to look at the finances as well.

Training: Chapter 3 and 4 implementation examples

Brandon Spencer-Hartle (BPS)

Presentation

As a quick orientation, we're talking about Chapters 3 and 4 of the Comp Plan and the Design Overlay Zone Amendments project (DOZA) and the Historic Resources Code Project (HRCP)

BPS Urban Design Studio

- Manage projects that amend the design overlay zone
- Provide expertise to partner bureaus and infrastructure teams
- Advance special studies and reports on topics related to urban design

Design Overlay Zone and the "two-track" system:

- Originally applied only to the
- Expanded to more areas in the 1990's and again in 2018.
- State law generally requires there to be a "clear and objective track" for design regulations
- Exceptions are for CC, Gateway, and Historic Resources.

Design references:

- 33.420
- 33.8
- Adopted design guidelines

- Base zones and plan districts include additional design standards

Design Overlay Geography: (see map)

Two track approach: In most areas there is an option for clear and objective standards or go through a discretionary design review.

DOZA process at a glance:

- Initiated with a consultant led assessment in 2016-17
- City Council accepted report and directed staff to take recommendations and turn into policy
- BDS and Design Commission engaged in development and consideration of amendments
- PSC was the recommending body
- Council unanimously adopted the amendments in 2021

DOZA themes:

- Purpose statement
- D-Overlay Map
- Threshold for review
- Review process
- Tools:
 - Portland Citywide Design Guidelines
 - Design Standards

DOZA Big Moves:

1. Adjustments if thresholds required for design review
2. New design standards and citywide design guidelines
3. Alignment of standards and guidelines to address context, public realm, and quality and resilience

Potential future work identified in DOZA Report:

- Development of area-specific "character statements" and associated design standards
- Expand DZ Overlay to additional centers/corridors
- Update district-specific design guidelines

Selected Post-DOZA urban design work:

1. Adoption of area-specific character statements and associated design standards for Macadam Civic Corridor and West Portland Town Center
2. Staff currently developing character statement for Montgomery Park Plan District

Thompson: Since it's been about two years since DOZA went into effect, has there been any monitoring to changes to how many applicants are using standards over discretionary review?

Spencer-Hartle: We have been talking about this, but I'd have to defer to other staff.

JP McNeil: There has been a start on DOZA monitoring, but RIP monitoring came first. DOZA monitoring is up next.

Pouncil: What triggers d-overlay?

Spencer-Hartle: In the past, it was applied to areas where the fastest, densest development was expected. Note that there are design standards in base zones, too.

BPS Historic Resources Program:

- Manage projects that amend historic resource protections and/or change the HRI
- Process all local nominations to the National Register of Historic Places
- Ensure City compliance with applicable state and federal historic preservation regulations
- Prepare context statements, theme studies, and other historic preservation planning documents

Statewide Land Use Goal 5:

- Goal 5 requires local governments to plan and protect natural resources, open spaces, scenic areas, and historic resources
- Procedures and requirements for local government Goal 5 programs are provided in state administrative rules adopted by LCDC
- City of Portland participated in Goal 5 historic resources rulemaking in 2017
- The Historic Resources Code Project (HRCPP) resulted from new requirements and opportunities included in the revised Goal 5 rule

Historic Resource Zoning Code references:

- 33.445 Historic Resource Overlay Zone
- 33.846 – Historic Resource Reviews
- Adopted design guidelines
- Some base zones and plan districts include historic resource zoning code incentives
- Additional state and federal historic preservation regulations/incentives exist outside of the zoning code

Historic Resource Overlay Zone and HRI Map: (see map)

HRCPP process at a glance:

- Broad public engagement strategy in 2017-20 included workshops, surveys, and open houses
- Prior to publication of Discussion Draft, legislature considered statutory changes to allow more local control - those changes did not advance
- During the Proposed Draft phase, PSC invited the HLC to participate in work sessions and a joint work group
- PSC served as recommending body

- City Council adopted code amendments in early 2022

HRCP themes:

- Identification
- Designation
- Protection
- Reuse
- Administration

HRCP Big Moves:

1. Clear and responsive hierarchy of resource types and protections
2. More equitable criteria for resource designation and potential removal of existing designations
3. Expanded list of work items not subject to design or demolition regulations
4. Expedited process for affordable housing proposals
5. Incentives allowing for adaptive reuse in residential zones

Potential future work identified in HRCP Report:

1. HRI updates, including new designations and revisiting existing designations
2. Updated design standards for Conservations Districts; new design guidelines for Historic Districts
3. State and federal advocacy for economic incentives
4. Legacy Business and/or Cultural District programs outside of the zoning code

Selected post-HRCP historic resources work:

1. Advancement of thematic Historic Resources Inventory updates (African American, LGBTQ+, other historic resources)
2. Adoption of South Portland Historic District Design Guidelines
3. Evaluation improvements to design standards for Conservation Districts
4. Legislative advocacy for state rehabilitation services
5. Grant funding to scope a Legacy Business Preservation Project

Commissioner Lange: I recently worked on a project that was removed from the HRI. Is that part of this?

Spencer-Hartle: The code does allow for the removal of resources in some cases

Alexander: I live in Sellwood-Westmoreland, and I think I've experienced some of these rules to be appropriated or weaponized for someone's personal interests.

Spencer-Hartle: It's a tough situation. For individual sites, its generally not weaponized. For districts, we have a number of districts. In Portland, we have some that have been designated at a federal level, which means that the local commissions don't weigh in and avoids the local land

use process. Some of the districts have both local and federal designations. But one of the big moves was to allow the lightest regulatory protections we could offer to federal-only districts.

Thompson: Can you give us your thoughts and opinions on the future of zoning regulations. As we've heard lately, there are good things that can come out of it, but there are downsides too.

Spencer-Hartle: I think it's the question of the moment. I think it's important to look at each project to see where to hold the line and where we need more flexibility. For the HRCP and DOZA projects, there were lists of "big moves" that would have allowed for more flexibility that we heard from some community members. I think it's something that this commission will have to grapple with in the future.

Routh: Would the Jim Pepper House be the first contemporary Indigenous resources?

Spencer-Hartle: Jim Pepper was a renowned indigenous jazz player whose family moved to a modest 1920's bungalow in Parkrose after the Vanport flood. It would be the first designated resource in Parkrose and the third east of 82nd Avenue.

Adjourn

Thompson: Adjourned the meeting at 7:38 p.m.

Submitted by JP McNeil