



CITY OF
PORTLAND, OREGON

OFFICIAL
 MINUTES

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 3RD DAY OF APRIL, 2013 AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Novick and Saltzman, 4. Commissioner Fritz arrived at 10:15 a.m., 5

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Deputy City Attorney; and Steve Peterson, Sergeant at Arms.

Item No. 290 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

| COMMUNICATIONS | Disposition: |
|---|---|
| 279 Request of John Carey to address Council regarding OROX Leather Company and PDC's work with small businesses (Communication) | PLACED ON FILE |
| 280 Request of Mary Eng to address Council regarding Jonas Fikre and FBI Mohamud details (Communication) | PLACED ON FILE |
| 281 Request of Anne Eng to address Council regarding fluoridation's interference with iodine (Communication) | PLACED ON FILE |
| 282 Request of Melissa Henderson to address Council regarding water fluoridation (Communication) | PLACED ON FILE |
| 283 Request of Jamaal Lane to address Council regarding Champions Barbershop and the Micro Enterprise Services of OR (Communication) | PLACED ON FILE |
| TIMES CERTAIN | |
| 284 TIME CERTAIN: 9:30 AM – Proclaim April 2013 to be celebrated as Arbor Month in the City of Portland (Resolution introduced by Mayor Hales) 20 minutes requested for items 284 and 285 (Y-4; Fritz absent) | 37009 |
| 285 Approve the designation of three trees as City of Portland Heritage Trees (Ordinance introduced by Mayor Hales) | PASSED TO SECOND READING APRIL 10, 2013 AT 9:30 AM |

| CONSENT AGENDA – NO DISCUSSION | | |
|---|---|------------------|
| Mayor Charlie Hales | | |
| 286 | Reappoint Doug Henne and Gary Holcomb to the Business License Appeals Board (Report) (Y-4; Fritz absent) | CONFIRMED |
| 287 | Reappoint Kyle Busse, Allan Lazo, Damon Isiah Turner, Ashley Horne, and Deyalo Bennette to the Human Rights Commission for terms to expire November 30, 2015 (Report) (Y-4; Fritz absent) | CONFIRMED |
| Bureau of Emergency Communications | | |
| *288 | Extend contract with Online Business Systems for one year and increase the not-to-exceed value by \$250,000 for 24x7 support to the Enterprise Service Bus (Ordinance; amend Contract No. 41158) (Y-4; Fritz absent) | 185952 |
| Bureau of Environmental Services | | |
| 289 | Authorize a contract for the construction of the SW Capitol Hwy and SW Vincent Place Sewer Replacement Project No. E10300 at an estimated cost of \$983,800 (Second Reading Agenda 255) (Y-4; Fritz absent) | 185953 |
| Bureau of Transportation | | |
| *290 | Amend Intergovernmental Agreement with TriMet for support services related to the Portland Streetcar Loop Project (Ordinance; amend Contract No. 3001134) (Y-5) | 185959 |
| Office of Management and Finance | | |
| *291 | Amend right-of-way agreement granted to Cricket Communications, Inc. to clarify remittance date for annual payment (Ordinance; amend Ordinance No. 185788) (Y-4; Fritz absent) | 185954 |
| *292 | Amend right-of-way agreement granted to New Cingular Wireless PCS, LLC to clarify remittance dates for annual payments (Ordinance; amend Ordinance No. 185789) (Y-4; Fritz absent) | 185955 |
| *293 | Amend right-of-way agreement granted to T-Mobile West Corporation, Inc. to clarify remittance dates for annual payments (Ordinance; amend Ordinance No. 185790) (Y-4; Fritz absent) | 185956 |
| Water Bureau | | |
| 294 | Authorize a Collection Agreement with U.S. Forest Service to contribute to the removal of the Sandy River Delta Dam as part of the Bull Run Water Supply Habitat Conservation Plan (Second Reading Agenda 269) (Y-4; Fritz absent) | 185957 |

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| <p>295 Authorize Intergovernmental Agreement with the Oregon Department of Geology and Mineral Industries to conduct a landslide study of the Bull Run watershed (Second Reading Agenda 270) (Y-4; Fritz absent)</p> | <p>185958</p> |
| <p style="text-align: center;">REGULAR AGENDA</p> <p style="text-align: center;">Mayor Charlie Hales</p> | |
| <p>296 Amend the Arts Education and Access Income Tax code to add a definition for income-earning resident and include in the definition that a resident must have income of at least \$1,000 to be considered income earning (Second Reading Agenda 253; amend Code Chapter 5.73) (Y-5)</p> | <p>185960 AS AMENDED</p> |
| <p style="text-align: center;">Bureau of Police</p> | |
| <p>*297 Authorize an Intergovernmental Agreement with the State of Oregon, Department of State Police to provide access to the Automated Biometric Identification System (Ordinance) (Y-5)</p> | <p>185961</p> |
| <p style="text-align: center;">Bureau of Transportation</p> | |
| <p>298 Create a local improvement district to construct street, sidewalk and stormwater improvements in the NE 52nd Ave and Alberta St Local Improvement District (Second Reading Agenda 274; C-10045) (Y-5)</p> | <p>185962</p> |

At 10:38 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON
WAS HELD THIS 3RD DAY OF APRIL, 2013 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick
and Saltzman, 5.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Roland
Iparraguirre, Deputy City Attorney; and Mike Cohen, Sergeant at Arms.

| | Disposition |
|--|--------------------|
| 299 TIME CERTAIN: 2:00 PM – Accept Report on the Neighborhood Prosperity Initiative (Report introduced by Mayor Hales) 1 hour requested Motion to accept the report: Moved by Fish and seconded by Fritz. (Y-5) | ACCEPTED |

At 3:12 p.m., Council recessed.

April 4, 2013

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 4TH DAY OF APRIL, 2013 AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5. Commissioner Saltzman left at 7:15 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Kathryn Beaumont, Chief Deputy City Attorney; and Wayne Dykes, Sergeant at Arms.

The meeting recessed at 3:55 p.m. and reconvened at 4:02 p.m.

| | Disposition |
|---|--|
| <p>300 TIME CERTAIN: 2:00 PM – Amend Title 33, Planning and Zoning, to require parking for multi-dwelling buildings in some situations where parking currently is not required (Ordinance introduced by Mayor Hales; amend Title 33) 3 hours requested</p> <p>#1 Motion to require parking for multi-dwelling development using a tiered approach: Moved by Fish and seconded by Fritz. (Y-4; N-1 Saltzman)</p> <p>#2 Motion to require parking for multi-dwelling development within 1,500 feet of light rail stations using the tiered approach: Moved by Fritz and seconded by Fish. (Y-4; N-1 Saltzman)</p> <p>#3 Motion to cap the amount of required parking that may be reduced using exceptions at 50%: Moved by Fritz and seconded by Fish. (Y-4; N-1 Saltzman)</p> <p>#4A Motion to delete the language that allows parking within 500 feet: Moved by Fritz and seconded by Fish. (Y-4; N-1 Saltzman)</p> <p>#4B Motion to allow joint use parking: withdrawn</p> <p>#4C Motion to continue discussion on joint use as part of the Comprehensive Plan: Moved by Fritz and seconded by Fish. (Y-5)</p> <p>#5A Amend purpose statement language to include adequate supply of parking for those with disabilities and address curb cuts: Moved by Fritz and seconded by Fish. (Y-4; Saltzman absent)</p> <p>#5B Motion to accept item 5 as amended: Moved by Hales. (Y-4; Saltzman absent)</p> <p>#6 Motion to clarify that main entrance requirement apply only to non-residential ground floor uses: Moved by Fritz and seconded by Fish. (Y-5)</p> | <p>PASSED TO SECOND READING AS AMENDED APRIL 10, 2013 AT 2:00 PM TIME CERTAIN</p> |

At 7:31 p.m., Council adjourned.

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LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland

A handwritten signature in blue ink, appearing to read 'K. Moore-Love', written in a cursive style.

By Karla Moore-Love
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

APRIL 3, 2013 9:30 AM

[Roll taken]

Item 279.

Hales: Good morning, mr. Carey. Welcome.

John Carey: I always have an enjoyable time with my name, especially during the elections here a few years ago. So.

Hales: Just have to put your name in the record and you have three minutes so welcome.

Carey: Thank you very much. I am John Carey. As mentioned, I am with Orox Leather Company. I am the chief financial officer for that company. Orox Leather is a small business that makes and sells quality handmade leather goods in the city of Portland. Our products include sandals, handbags, purses, wallets, backpacks, belts, and other accessories. These products fit well with the lifestyles of Portland residents and visitors. Which is an important reason that we are located right here in the city. Orox Leather employs four people who live in North Portland, and we buy services from three people who live in various areas of Portland, and then we buy raw materials from five companies. Which are located in Portland. Each of these people and companies pay income taxes, and property taxes, business license fees, and I would like to point out that by providing employment to our workers, we give them a chance to own homes, to raise kids, and to make a contribution to the community. Orox Leather strives to carry out sustainable practice in all of its business practices. And all our operations. So, after recently completing an MBA in Sustainable Business at Marylhurst University, I work with my partners at Orox to integrate sustainability into our material sourcing, our production practices, and other areas without compromising our company's bottom line. For example, we use recycled scrap rubber for the soles of our sandals, and we use recycled bicycle tubes for some of our products. Both of which would otherwise end up in landfill facilities. If we did not put them to productive use. We think our practices in this area very consistent with the city of Portland's planning and Sustainability goals. Orox Leather has grown up in Portland from household operation which sold at the Portland Saturday Market to accompany with its own retail store in Old Town Chinatown. We also have internet sales and we sell on wholesale markets in several states and internationally. I wish to acknowledge the Portland Development Commission, who has been instrumental in helping us both locate the building that would service well for our combined production facility and retail store, and to provide a very much needed matching grant and architectural design assistance for our storefront improvements. Without PDC's support, I doubt that we would have our own retail store and the improved production floor that we have today. And without the retail space and larger production capability, I doubt that our business would be, would be on its growth path with projections for hiring more employees in the not too distant future. I would like to wrap up my comments today by saying that I fully understand that the city is faced with budget deficits. And I understand. However, Orox Leather Company, the athletic and outdoor industry in the city of Portland need the Portland Development Commission to remain active in economic development. The net result is more jobs. More revenues. And greater livability for the great city of Portland. I want to thank you for your support.

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Hales: Thanks very much for coming. We don't often hear from small business people because it's hard to get away so we appreciate you taking time to give us this case study of how it's working for you.

Carey: You are most welcome. It's a priority for us.

Item 280.

Hales: Good morning.

Mary Eng: Good morning, council, I would like to introduce attorney tom nelson for jonas fikre.

Thomas Nelson: Thank you, I bring greetings today from mr. Fikre.

Hales: You are taking mary's time, is that --

Eng: I would like you to enjoy some of his testimony regarding jonas fikre. I could summarize.

Hales: Three minutes, please.

Nelson: Thank you. I am thomas nelson, an attorney, live in zigzag, Oregon. I am bringing greetings today from jonas fikre, an american citizen, resident Portland. And he is not in Portland because he cannot come back to Portland. I would like to tell bit about his, his ordeal. And why I think it's important. He's, basically, right now stateless. He was born in aratria, before it was a country so he's not a citizen that state. He has no rights as an aratrian has no rights of a citizen anywhere in the world except the united states where he's a naturalized citizen. His ordeal, he's a 30-year-old man and, and in april of, of 2010, he was in sudan trying to set up a business. And he was asked to come to the American embassy and told that it was for his own safety because there was some, some problems involving security there, and he went to the embassy, and instead of being met by embassy personnel, he was met by two Portland fbi agents who told him that as a matter of fact, they wanted to talk to him, and he said well, I want an attorney in that case, at that point, mr. Fikre was, was being represented by brandon mayfield, whom you may have heard. They told him, you cannot have an attorney because your attorney is in the united states. And here you are in sudan, and we have to talk to you. So, they talked to him, and he, understanding his request for a attorney, engaged in a discussion for several hours. During which time they asked about what are you doing in Portland, what's going on? All about Portland, what's going on at the mosque, who do you know there. That kind of thing. Towards the end they said we want you to work for us for pay. For substantial pay. As an informant. Will you do that, and he said I don't think so. I'm really not interested in that. They said well, let's meet tomorrow and talk about it some more, and he said let's meet tomorrow, he agreed. He left. After that, he was picked up, he left sudan, and a year and a half later he was picked up by the ua secret police and held for 106 days, torture, same Questions, what's going on in Portland, what are you doing. And the embassy asked, why are you holding him. The uae said he's not being charged with anything. We just have an investigation. When it was complete, they released him and, and, but then he went to get him a ticket home and they said no, you can not go back to the united states. You are on the no fly list. He had no alternative but to find another country immediately, chose sweden because has a very distant relative there. Went there. He went to sweden and being stateless, he applied for political asylum. I believe that mr. Fikre was tortured at the request of the Portland fbi, in order to see what's going on in Portland. My question, that I want to leave you with, is what do you think about this. What would you do if you were overseas, and your government said you cannot come home. You cannot fly home, and by the way, that also means you cannot take a boat home. What would you do? More importantly, I think it might be a reason for you to inquire further into whether it's a good idea or at least get more facts relating to how the Portland fbi office treats its muslim american citizens. That's all that I have. Thank you.

Hales: Thank you and thank you for coming. Appreciate it.

Item 281.

Hales: Good morning.

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Anne Eng: Good morning, gentlemen. I am Mary's mother, and one of the things that she said -- I am Anne Eng, and one of the things that she said in one of her previous appearances here, kind of touched off something that has been very dear to my heart. I am a registered nurse and have been practicing for 38 years. As a registered nurse, seven or eight years before that, as a nurse's aid so I've been in the medical world. I worked in many capacities here in Portland, I have worked at the veteran's administration which is where I work in the psychiatric unit with returned veterans. I also have worked in corrections health here downtown here and out at Inverness, so I feel like an Oregonian. I was raised in this community and lived in Nashville, Tennessee for 30 years, so I, actually, have, have lived in different places. What is dear to my heart is something Mary said, something about the use of fluoride. I am not -- I am not here to lambast fluoride, I think it does that itself if you get the information about it, and what is the fact that it causes the, crosses the blood brain barrier and causes dementia in people. I don't think any of us want dementia, but if we are immersed in fluoridated water we might go the way the nation is going with the increase in that. My real point is, is that, that we can combat the effects of the fluoride if we do something else, which is kind of, of -- it's just beginning to be realized that our real deficiency is that we don't have Iodine in our systems. As a nurse, this is very important to me because I see people with fibromyalgia, autism, the whole spectrum of dementia type disorders, every kind of cancer, women, one in seven women will have breast cancer. That's an immense rise as the incidents of, of iodine in our soils and in our diets has decreased in the last 30 years, the incidents of breast cancer has increased. And, and the, the -- there is four gentlemen up there, one of you will have prostate cancer, ok. And may die from it. And, and if you don't die from it, you might wish that you had because it interferes with your personal life, which is very embarrassing for you. I think, you know, it's very nice to talk about, about the effect of fluoride on teeth, but I think that I would rather have bad teeth than cancer. And not that I am advocating bad teeth, I am not but there are ways to administer, if we have to, to administer fluoride we should do it topically through the teeth, we should not be drinking it cart blanche where all of us are subject to, any of the diseases. I have a list of, oh, 15 or 20 diseases right here that are, that are prevalent, and more prevalent because of the decrease in iodine, and it's proven statistically, I have a really interesting book, which is in this fourth printing called, iodine, why you need it and why you cannot live without it by Dr. David Brownstein, who is a certified board, a board certified medical doctor, as well as has been interested in the, the effect of, of nutrients on our system. And I think, I think it would be good for you to go on the internet and pull it up and read about it. To protect yourself. Don't want good teeth and cancer. I would rather have, have bad teeth and, and no cancer. Ok. I've been subjected to, to a lot of the effects of, of, of iodine deficiency. My husband has, has had [inaudible] syndrome, is currently suffering from Lou Gehrig's disease and dementia. These probably could have been prevented if the iodine had been produced in our bodies. I have had multiple cysts in my body. I just got out of surgery a month ago, having a cyst this big, as big as a golf ball on one of my ovaries. They are caused because the body is straining to be healthy, and in its process can't find the iodine. So when we replace iodine and, iodine and fluoride, among other things, I'm not just pointing my finger at that, but iodine and fluoride are companions. Allies, if you get out your periodic table, you will see it. And they -- if you don't have enough iodine in your system, fluoride will take the place, and essentially, it makes the enzyme system that prevents cancer from effectively working.

Hales: Thank you, I appreciate you bringing this to our attention.

Eng: And there is more available online. I would not medicate myself but draw it to your doctor's attention that you can get more iodine without having to eat sushi.

Hales: Thanks for coming.

Item 282.

Hales: Good morning.

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Hales: Welcome.

Melissa Henderson: Good morning. I am here representing the --

Hales: Put your name in the record.

Henderson: Sorry, I am melissa henderson, and I am with the native american youth and family center here in Portland, Oregon. And I am here to testify on both our organization, as well as my personal support for fluoride. I am what's known as a health navigator for the native american community. My job is to help the community members enrolled, not enrolled, identify health and dental resources, and then practice using those resources. And while a lot of my job does focus on prevention, you know, establishing a medical home, nutrition, there is some things that are just -- you cannot control, you know, the behaviors are a little harder to modify or it's just not within people's means. Our community is disproportionately poor, homeless, unstable, in foster care and treatment, and so, for a lot of them, the routine of going to school to get the fluoride treatments, establishing a dentist is not a reality, and so at naya we see water fluoridation as an effective, preventative solution To keep the dental caries from occurring. The city has been great in helping us establish two head start classrooms for the native community, and our community loves it but a lot of times our kids are getting there, they have extreme deterioration on their teeth, they are going through pain and suffering and parents don't know what to do. And in my day-to-day, say I see ten people in a week, nine are begging for dental care. It's not something that's readily available, and we see fluoride as a really great way that we can, you know, prevent that from happening. It might not help the adults and elders, that are suffering now, but it would help the seventh generation or the next generation that's coming up. And my, in my written testimony I provide information that you have probably already heard. More than 70% of six to eight-year-old native americans of untreated cavities, native preschoolers are five times more likely to have tooth decay than any other racial and ethnic group, and this is not just statistics but what we're seeing. I ask for your support in passing fluoridation for the city. Thank you for your time.

Hales: Thanks for coming. Thank you.

Item 283.

Hales: Good morning, welcome.

Jamaal Lane: Good morning, thank you. Like she said, I am jamaal lane. I am representing champions barbershop. On behalf my affiliation with the microenterprise support Services organization, and I wanted to, you know, to testify to the fact that this organization has been a great help to me and my, my pursuit of expanding my business. My shop is, my first shop is on martin luther king and phalen, and messo is right up the street, so I was informed about this organization and their, you know, ability to help businesses in a lot of ways. So, when I approached messo, you know, they offered me a lot of different opportunities for education as far as business goes. Loan services. Different types of, of software and things like that to help put my business in order. So, after dealing with them for a while, they were able to help me get a loan to expand. So, recently, actually, it's been six months now it's able to open up a second shop in beaverton, Oregon, and it's been going well. And they stayed with me through the process. The loan process, was really good. They helped me step-by-step in getting that together. And all the paperwork and things like that. So, you know, I just want to, if people didn't know about messo, I want to say that it was great experience to work with them. It's a great grassroots type of organization. And being they are right on the, right in the neighborhood that i'm in, it was good to see them, actually, follow through with the things that they say that they offer. Because I ran into a couple of different situations where people say they offer small businesses opportunities, but for some reason or another, those opportunities never come to pass. So, messo has lived up to, to what they say that they are about. And I just, you know, advice anybody, you know, if anybody here is looking for that type of support, to, to look at messo, as a means of support. That's my testimony.

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Hales: Great, thanks for coming. We really depend on small business in Portland so we appreciate hearing about what's working and not working for you and others.

Lane: Msso definitely worked for me.

Hales: Thanks.

Hales: Thank you all. Ok. We have the consent calendar, I believe we have one item that's been pulled from the consent calendar already, which is item 290. Thank you. Anything else to be pulled from the consent calendar? If not, let's take a roll call on consent.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye. **Hales:** Aye. [gavel pounded]

Hales: Time certain.

Moore-Love: Do want me to read both items or just one?

Hales: Let's do the two together, please.

Items 284 and 285.

Hales: We have parks bureau staff and commission members Here, I believe, to present on this, this morning. So, welcome, come on up.

Michael McCluskey: good morning, mayor. I am michael mccluskey. I am a member of the urban forestry commission. The person whose chairs and I have a set of proposals to lay before you today, they were approved by the commission at its meeting on february 21st. The three candidates for heritage tree designation that we have to propose today are a dawn redwood, pin oak and the european beach. One is on holdings of the hoyt arboretum two are on private property. All of them were nominated by their owners or managers. The consent forms have been signed. And one of these trees is in southwest Portland. One is in northwest Portland. And one is in north Portland. The first tree that we propose be designated is a dawn redwood on southwest braid lane in hoyt arboretum. It's near the end a stub road. It has had some competing trees cleared away, so that it stands by itself in a singular fashion. While trees of this type are not uncommon in our system, actually, four designations were made by it, and all of these trees date from the same time, that is about 1948, this would be the tallest in our system. It is now 103 feet high. Its circumference is one of the larger, at 10.6 feet. It has begun to assume a more mature form and shape, and it's easy to observe from the road. It has already been designated as a state heritage tree. Under their program, it was recognized as being the first of its species to set cones in the united states since the distinction of this species in north america. Hoyt arboretum officials believe that Portland should join the state in recognizing this specimen by adding it to our system. We believe it should be designated because of its size, its type, and its history. As to the history, the seeds were brought over from china in 1947. After having been discovered a few years before. It had been thought to be extinct. It is one of the few species of the aciduous conifers. If you do designate it, we hope that, that hoyt can make it easier for visitors to find it. It's in an obscure location but that can be easily done. Now, I will move to our next candidate, which is a pin oak. It's in the northwest hills at 1611 northwest 32nd avenue. It was nominated by its owner. It's an old tree. Having been planted in the 1903. Some of its branches are brace with cables, having been damaged in various storms. Nonetheless, it is still growing vigorously and has an adequate crown. It's located in the corner of a front yard. It's quite visible from the two adjoining streets. Which intersect at that property. At the present time, we have only one other pin oak in our system. It's in southeast Portland. This specimen that we're proposing here exceeds its dimensions in two respect. It's taller. 115 feet of height and contrasts only 60 feet for the other one, and in terms of its circumference. 12.4 inches in contrast to 11.5. All who looked at it agree that it was most impressive, and deserves to be in our system because of its age, size, and type. We felt that we can use more suitable specimens of this species in our system. The third tree we propose designating is the european beach, which is located at 4073 north gantenwine street. This tree is in the front yard of this property. It's easily observed. While we have ten of this type of tree in our system, this specimen has a crown spread that exceeds that of all the trees of this type now in our system. Its

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circumference is also in the middle of the range of the trees of this type in our system. We felt it merits the designation because of its size. It is also a tree that is admirable for various reasons. Its beauty. And the psychological services it provides, it is an impressive specimens, and those are our proposals, and we invite your consideration.

Saltzman: Could you give us nickel description of what the heritage tree is?

McCluskey: We certainly welcome nominations. You may wonder why we bring new Lead, trees to your attention when we have some. Just because they have not been nominated up until that point. Or we have not discovered them. Your ordinance declared these are trees of special importance to the city of Portland by virtue of their attributes, size, age, type, historical association, or their horticultural type. And indeed, we have one of the most robust systems in the country and, and I think more sophisticated system recognizing the attributes that make it of special importance.

Saltzman: So if people have outstanding trees that they want to nominate, they can contact the urban forestry commission?

McCluskey: Absolutely. And there are forms online and, and we go out a number of times a year and look at them, and the arborists investigate them, and there are thoroughly scrutinized.

Saltzman: Thank you for your outstanding work.

Fish: I have a question, you have given us a reported with all the trees in it and other information. If someone in the public wants to know what are our heritage trees and where to find them, I understand they can go on the website, as well?

McCluskey: Yes, everything is online, and, and it's very impressive there, but some of us are just delighted to finally have another hard copy version, which is new and improved. My colleague here, the staff botanical specialist, took the lead in preparing this. So, i'm glad that, that you are recognized.

Fish: Terrific work, I assume if you go to the Portland website, there is a tab where you can get all the tree designations? Thanks for your good work. Thank you.

Hales: Thank you. Thanks very much. Other commission members or staff that want to mention anything on these two items? Is there anyone signed up to testify?

Moore-Love: Yes, we have two people.

Hales: Welcome.

Hales: I think mr. Carey may have been signed up for the other item. Welcome, mr. Birch.

Brian Birch: Good morning. I am brian birch. I am on the urban forestry commission education and outreach committee. And following up with what michael said, I want to make sure the council is aware of the trezier map on the opposite side of the arbor day festival, actually, arbor month festival, as probably know, Portland often celebrates arbor day. Has for the last 36 years, and beyond. Has been arbor week for many years, and this year, we're doing a first arbor month. I wanted to particularly compliment the city staff in the assistance that they continue to give and have always given volunteers like myself and others on the urban forestry commission, without city staff, offering the kind of support in that they do, we would not be effective in our volunteering. The tree stuart coalition, one of the major outputs of the urban forestry commission is very active. We had many, many graduates, I think, around 30 graduates this last year in 2013, and it's those people who create the core group who encourage other volunteers and encourage people to take the lead in projects just like this. Turning arbor day into arbor month, and giving Portland a reason to celebrate trees 30 days every single day of april. I appreciate your consideration when it comes to budget time in remembering how city staff is a valuable asset to volunteers like myself. Thank you.

Hales: Thank you. Anyone else? Before we take a roll call let me read the resolution because it has some great material in it and helps highlight what we are about here, whereas school children in the united states began celebrating arbor day in 1882, and Oregon recognizes arbor week as the first full week in april. And whereas national arbor day has been observed on the last friday of april since 1970, and it's estimated more in an 18 million trees will be planted on this one day, and where,

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whereas for the 36th year, Portland has been recognized by the national arbor day foundation with a tree city usa award, and whereas a study by american forests released in 2013, named Portland as one of the ten best cities for urban forests. And whereas Portland parks and Recreation recognizes the connection between urban forests and a healthy environment and has been recertified as the only salmon safe park system in the country, and whereas friends trees has planted 500,000 trees and native plants since being founded in 1989, and now in partnership with the Portland timbers major league soccer team, celebrates each scored goal by planting a tree. And whereas the Portland farmers' market has been bringing the best of the country to the heart of the city since 1992 and invites everyone to a festival at the psu south park blocks farmers' market on april 20th. And whereas the Portland heritage tree program has honored 300 trees and inviting everyone to celebrate the dedication of the city's first heritage, first heritage tree at hoyt arboretum on april 30th. And whereas the community volunteers staff and partner organizations work year-round to enhance our urban forests by planting, maintaining and advocating for our 240,000 street trees, 1.2 million park trees, and countless private trees. Now, therefore be it resolved that i, charlie hales, mayor of the city of Portland, Oregon proclaim april 2013 to be arbor month in Portland, Oregon. That's our resolution and let's take a roll call and hear comments.

Fish: Mayor, this is one of the happiest forms that we host annually. When we welcome new trees into, into the hall of fame, if you Will. And we also get to look at the, I guess the latin derivative of these trees, which I will challenge michael mccluskey to go by the metasaquia rather than the dawn redwood, but I would hate to have that thrown at me at a spelling bee. There is lots of people to thank. I want to start with michael because he's been our champion for a long time doing this work, and he's a very modest man. He never gets up and reminds us about the distinguished career that he's had in advocacy and groups, and different roles, but we're very honored to have him at the helm. I also, on a page 1 of our, of this brochure, it lists the staff and the tree committee members, and a special thank you to the bureau staff who worked so hard under jen's supervision, and that's angie desolvo, josh darling, autumn montegna, and the other members of the parks team who worked on this, and the, and the urban forestry commissioners and the citizen volunteers, thank you for your great work, and today we welcome the dawn redwood pin oak and european beach to this category, and it's a pleasure to be able to support your good work. Aye.

Saltzman: I appreciate the work of the heritage tree committee. I'm a big fan. One time I said something about trees have rights. And was criticized by some conservative talk show radio host for saying that. But, these trees, the ones that we provide, the private owners Step up and say we want this tree protected, and we are willing to, you know, to change our property deed to reflect that, these trees do have rights, and these trees in the city of Portland by virtue of their size, age, and outstanding attributes, really do add to the fabric and enjoy special rights, and they know I am proud to say that once again. And, and thank you for all your work. Keep up the good work. I look forward to our next round of nominations. This is my, my favorite activity. Aye.

Novick: Well, I hate it rain on everybody's parade but I think it's high time to root out the corruption that's been rotting the heart of this so-called heritage tree process. Sure, the pin oak at 1611 northwest 32nd avenue has friends in high places but I cannot overlook the shady past. Especially when there are worthy trees like the hemlock at 5202 southeast oak, that has been laboring obscurity but a proper Portlander from bark to leaf since 1898. I am appalled, I am outraged, and I congratulate the committee and the commission for their work and look forward to visiting these trees and am pleased to vote aye.

Hales: I want to thank the volunteers who work on the forestry commission and the heritage tree committee for their work, and our staff and parks and recreation for being good stewards of the trees. Portland is a national success Story and a great place to live for those of us smart enough to live here in part because we have this amazing diverse, growing urban forest. And this heritage tree program, I think, at least three of us here have had the privilege of going out and tacking up one of

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those little plaques. I did it with Jane Glazer many times when she was the clare, and I know commissioner Saltzman and Fish have done so, and I bet commissioner Novick will be out there, especially after those comments, maybe at that particular tree doing the same thing but it's an important way that we popularize and explain why this matters, and that we have in environment here that grows this diversity of trees. I want to compliment the team and the bureau on this really, both handsome and user friendly report, both the online version and the paper version. I think it's great we document and teach about what we are doing here. This is a really important part of Portland. I've been very involved in Friends of Trees, and I go to Friends of Trees plantings and issue a warning that says that, that plant, trees might be habit forming, and that you might develop the habit of working with your neighbors to do something constructive, and therefore, getting to know them better. And you might develop the habit of believing that you can have something to do with the quality of the environment, and you might, and I would not recommend, getting into a Contest with Joe Pareski about this, but you might start walking down the street saying, look, an omus americana, but don't try that with him because he'll outlatin us all, and thank you no your service for this cause, very happy to vote in favor of this. Aye. [gavel pounded]

Hales: And then on the designation, itself, please, roll call.

Moore-Love: The non emergency, sorry.

Hales: I'm sorry, non emergency, passes the second reading. Thank you all very much for your work on this effort, and happy arbor month. [applause]

Item 290.

Hales: Ok. Now, let's move to the, to the consent item that we pulled from the consent.

Hales: I believe that we have staff here to walk us through this. Hi, Vicki, come on up.

Vicki Diede, Bureau of Transportation: for the record, I am Vicki Diede with the Bureau of Transportation, and I am the project manager for Portland streetcar. Excuse me. The item before you today amends the intergovernmental agreement with Tri-Met for support services that they have provided to the city during the Portland streetcar loop project. As you know, the Portland streetcar loop project is the first streetcar project that has used federal funds, and that's not just locally, that's nationally. And interestingly enough, the federal rules, regulations and the guidelines are still not in place from the federal transit administration. So, what this has allowed the fta to do is to be capricious in their interpretation of the rules and regulations. So, Tri-Met has been absolutely invaluable partner to the city as we worked through the project by providing support and assistance to make sure that city is in compliance with the fta requirements. What this amendment does is anticipates and estimates the cost for Tri-Met to complete this work called for in the iga. The main reason there is an increase of \$845,000 in compensation, is that we are adding Tri-Met's training costs to the iga. All of which are grant eligible, and all that means is that we can seek reimbursement against the project grant and the feds will participate. When streetcar gets operators, vehicle maintenance technicians, maintenance of way technicians, they come to us from Tri-Met pretty much fully trained, about the only thing that we have to do is just familiarize them with our own system. So Tri-Met and the city agreed pretty early on in the project that we would wait until near the end of the project and assess the amount of total project contingency available to us before we committed adding any of the training costs to the iga. So that's where we are today. And that's what this amendment does. The bottom line on it, is that the action can be accomplished within the original budget that council approved on October 28, 2009. I am more than happy to answer questions and I am sure that there are some.

Hales: Let me make sure that I understand what your explanation is, and that is to paraphrase it, so this is not a cost overrun. This is not an emergency patch job. This is an accounting transaction that makes sure the federal government pays most of the cost of the training, and we waited to bill that cost until we knew the money was there left over at the end of the project.

Diede: Absolutely.

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Hales: Ok.

Diede: Perfect.

Hales: Questions?

Fish: I appreciate that, and there are many offenders in that role, probably my office, as well, so i'm not singling you out, just would encourage that we do that, and the other thing that I just want to touch on is that this is -- you've been before us quite a bit. In the last six months, and this council, I think, unanimously Supported this project. And I don't sense any backing away of commitment for the success of the streetcar, but, what we have had since we adopted or supported this project, is we have seen significant delays. We have seen questions concerning the quality of the equipment that we have purchased. We have seen issues arise about frequency of service and we have noticed a number of the streetcars are running at let's put it charitably, less than full occupancy, and at some point it raises a question about what is the city's position vis-a-vis any deficiencies that have come up in dealing with third parties like the manufacturer. And others. And do we, are we, in fact, doing everything that we can to preserve our rights to seek full compensation for any damages that we may be eligible for because of things like delays or quality issues?

Diede: Yes. There is a section in the contract with Oregon ironworks that talks about, about -- I have forgotten the name of the term.

Hales: Liquidated damages?

Diede: Yes. Liquidated damages, and we fully intend to use that particular section of the contract to our best advantage. It will give us some leverage as we move towards the end of that contract. And we won't determine until the end of that contract how many of those days were acceptable delays, and how many days were not. Because Oregon ironworks has the right to make the case to us one way or the other. So, we're perfectly aware of that and we will protect and preserve that right.

Fish: In addition, the reason I pulled that is I wanted a chance for a public hearing of these issues and make sure all of our questions were answered. I appreciate we got a briefing from p-bot yesterday and answered virtually all the questions that we had, and I thank you no that. And I am also, frankly, encourage by the commitment that we received both from p-bot and the mayor's office that when this project complete there will be a top to bottom review of lessons learned. I have personal experience with doing things new and different, and the fact that we sometimes learn from those experiences, and I think that this one is right for that kind of review, mayor. Because this has had some, frankly, unexpected twists and turns, and I think it would, good for us to have that top to bottom review and report to council at some point in the future.

Diede: You bet.

Hales: Good.

Diede: And I would add that, you know, we really need to separate out the different kinds of contracts. The civil work, in the track construction, performed by stacy witbeck, was totally on-time and totally on-budget, and no surprises. So, it's really been the vehicle that has given us the bigger surprises, in this whole loop project. And I would just remind council and ourselves, as we think about this, to remember that this is new industry for Oregon Ironworks, and we are trying to help them facilitate building that industry within the state to provide good jobs, family wage jobs, so it has not been easy. But, we slug our way through it.

Fish: And I don't want to be a monday morning quarterback on this. For example, in the housing area we're now using modular housing more and more, and there is a -- it's an industry in Oregon, and it's currently working out the kinks, so I understand that we do something new and different, there is lessons to be learned. On some level I feel sorry for you because you come to us with these issues, and at some point we hope that it's functioning at the level that was anticipated which is a loop that you can ride the entire loop in less than an hour and snafus about frequency and the

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performance of the cars and the bridge issues is worked out, and I think we will all celebrate that day.

Diede: All of that is on our work plan, all those issues.

Fish: Again, I appreciate the briefing we got.

Diede: You bet.

Hales: Other questions or concerns?

Saltzman: I just a question. So, tri-met will train the streetcar operators. And are those operators rotated throughout the tri-met fleet? They are not just dedicated to the streetcar.

Diede: They are dedicated to the streetcar. They come to us from tri-met as a trained light rail operator. So, the only thing that we would have to do is just familiarize them with, you know, our particular cars, etc. And there is sign-up that occurs, because their union represents those employees even while they work for us.

Saltzman: So they are dedicated streetcar operators?

Diede: Yeah, they can bid, you know, someone else can outbid them or they can bid to go back.

Saltzman: Ok.

Hales: The last I heard, these are the most desired driver positions, so you are talking about the most elite operators at tri-met who are bidding to be on the, the assigned to streetcar?

Diede: We have a number of operators who have been there since we started, which was back in 2001.

Hales: Other questions? Thank you very much. Is there anyone else signed up on this item?

Moore-Love: We did not have sign-up sheet.

Hales: I'm sorry, all right. Thank you, Vicki. Sorry. Anyone else want to testify? Sorry, there was not sign-up sheet at all. All right, there is no one else to testify, let's take the council roll call on the ordinance.

Fish: Well, I appreciate the testimony and the briefing that we have this morning, and mayor, when I asked this be pulled I was prepared to vote no, not because I have lost confidence in general with Streetcar, but I had more questions than answers. And since the briefing, we received yesterday, and the clarification this is not about a cost overrun, this, in fact, was anticipated, I feel more comfortable supporting this ordinance. Coupled with the commitment that there will be some lessons learned comprehensive review at the end so we can go back and, and see what we can learn. I believe it's important that we're transparent around these things, and these are complicated issues, and I think both in terms of the way that they are packaged and the discussions that we had prior to counselor, are very useful in helping to make sure that all of the mayor's office colleagues understand these issues. And are comfortable with what's before us, I appreciate the time people took, and I vote aye.

Saltzman: Aye. **Novick:** Aye.

Fritz: I was late because I was in Salem testifying on earned sick leave. I am glad that I was here for this and thank you, commissioner Fish for pulling it, and mayor Hales for your explanation, I think it is important people understand what has been done and the fact that things have been done appropriately. Thank you, Vicki, for your service. It's also important to remember that it wasn't expected that the east side streetcar would be packed with passengers as soon as it started, that this was a development engine, it's a development tool, and the experience on the west side was, indeed, build it and they will come so we're anticipating that it will stimulate the development on the east side, and that's an important part of this package. Aye.

Hales: Well, Vicki, thank you. I think Vicki might succeed in escaping from city service before we do that final retrospective look at the streetcar project.

Diede: I might.

Hales: It's a race to see whether her impending retirement comes before that. But, this is a success story, and a history of innovation here in this community, you know. It was just 12 years ago, right,

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that we cut the ribbon on the first piece of the first american streetcar line in 50 years, and this, these are, are the first american built streetcar vehicles. And that's a requirement when take federal money but also a risk as commissioner Fish has noted here, and the reason why we have to be vigilant and do careful oversight even while we're innovating. And I will often quote machiavelli. He had a great quote, which is that there is nothing more difficult to plan or perilous to execute than the creation of a new system because the innovator has all the enmity and opposition of those who will not benefit from the change but only lukewarm support from all those who will benefit. And I think that we see that whenever we build anything new. No one will ride light rail, there was a governor candidate, we may recall, who said that when the east side light rail was completed we should throw away the keys because no one would ride it, and I think the same predictions were made about the streetcar, and once that loop is completed, I don't think that we're going to have a problem with empty vehicles. And I think that they are, we'll have a problem with probably not enough vehicles. At some point, not too far from now. So, just want to appreciate the work that you and the Portland streetcar, inc. Doing, and this council does have a very important oversight and financial management responsibility to make sure that the large amount of public funds we're putting into this project are responsibly spent and that we get our money's worth from whoever we're buying things from. So, we'll continue to exercise that oversight and thanks for all your good work. Aye. [gavel pounded]

Item 296.

Hales: Ok, regular agenda. Item no. 296.

Hales: Second reading, council roll call.

Fish: We had a good and robust discussion about this last week and I had a chance to state the reasons for why I intend to support this and appreciate the good work of the staff at the bureau of revenue for bringing this forward in a timely manner, aye.

Saltzman: Aye. **Novick:** Aye.

Fritz: I'm glad that we have the accompanying resolution that looks -- will take a holistic look At what would be a fair and equitable way to administer this tax. This is a good start. Aye.

Hales: Thank you, good work. Aye. [gavel pounded]

Hales: Number 297.

Item 297.

Hales: I think we have someone from the police bureau here to explain this item. Good morning.

Hales: Good morning.

George Babnick, Portland Police Bureau: I am george babnick, captain of the Portland police forensic division, and excuse me because i'm recovering from a respiratory infection.

Chris Wormdahl, Portland Police Bureau: I am not recovering from respiratory infection. I am chris, the i.d. Technology coordinator for the forensics evidence division.

Hales: So explain this rather unusual looking item because this is a continuation of an existing arrangement that we have with the state for sharing information. But important for some public disclosure --

Babnick: It does look a little -- I don't want to talk too long. But, it's an iga that would continue a long standing agreement that we have had with the state police, that allows the police bureau for criminal purposes to access the western identification network, which currently has fingerprints and palmprints. It's the data base that we use to, to run the fingerprints through. That we discover at crime scenes, etc. Within the next year, the western notification network plans to add a facial recognition feature that would be populated by mug shots taken from the seven western states who are users of this or Contributors to this system. And I think I will defer to chris now because i'm losing my voice.

Hales: Ok, thank you.

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Wormdahl: The anticipated addition of the facial recognition is only if county agencies include that with the fingerprint, so a mug shot has to be included with the fingerprint biometric, same thing with the palm prints when that was added six years ago. That finger print, palm print had to be together, they can't be separate pieces. There is an additional piece of a, iris, which is very new technology, is a possibility to be added in, and at this point, there is no states that are known to be using that at this point.

Hales: Thank you. Questions? Yes.

Fritz: So the ordinance says that the previous governmental agreement expired in June of 2011, what have we been doing since then?

Wormdahl: Continuing on making payments to the state as our previous agreement while this was worked out.

Fritz: So we have been using the system without a contract in place.

Wormdahl: Correct.

Fritz: And is the fee the same as it has been?

Wormdahl: Actually, it's reduced. To give a, an abbreviated history of when Portland was one of the original organizations, member organizations, and we paid in as a, as a, the same as the, as a state organization, we reduce down to a local membership in I think 2004, and since then, we have been paying a much more reduced cost. This current structure, I think that we've been paying for the last two years, we had paid off the equipment cost and is now we're just paying for access to the system. So.

Fritz: What are the criteria for someone's fingerprints being put into this system?

Wormdahl: As an arrested subject, for the database, it is somebody who has been arrested and booked into Multnomah county jail.

Fritz: And if they have been found released or not tried or found not guilty, they stay in the system?

Wormdahl: Yeah. By Oregon statute, the arrest is, is maintained. And their criminal history is maintained as an arrest event. If they go through an expunction, or adult sealed record, then that record is removed from the system, the same as it is from their state criminal history record.

Fritz: Would the fingerprints still be in the system?

Wormdahl: No, removed.

Fritz: And how do they, how does a person verify that their fingerprints are not in the system any more?

Wormdahl: Well, for, for -- the process is a court ordered process. So, we would receive paperwork indicating that this record is sealed and needs to be removed, we would notice Oregon state police. I have -- I'm not aware of any challenges to, of someone wanting to make sure to verify that it has been removed, so I'm not quite sure how to answer that.

Fritz: Well what about somebody arrested but then released or even is found to have been falsely arrested. Do their prints stay in the system?

Wormdahl: That would be is a -- a court order would have to be issued to us to remove it.

Fritz: So somebody would have to ask?

Wormdahl: Correct. Generally it would come from the courts, the judge if it was determined to be a false arrest say on a warrant. If we are made aware that the warrant is a false arrest, which our current processes, with the identification technicians, we generally catch those front end before the person is even finger printed and those prints are submitted to the state. Because we have on record the finger prints of the warrant of the person that the warrant is for. So, say someone is arrested with a similar name, date of birth, physical features, brought to jail, they will be printed at the booking intake process, prints would come up to our office, and the technician would verify those prints and determine the name maybe the same, the prints don't match, we would do additional work at that work to determine it. But under normal circumstances if somebody were arrested, say there was not a state i.d. Number associated to that warrant, they would be finger printed, those

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prints would be sent to the state, and we would be notified through the court process that these prints need to be removed from the system.

Fritz: The fingerprints that our technicians do are not automatically sent to this system unless the person is processed. If they are released from the jail because they are not the right person, would those fingerprints be entered into the system?

Wormdahl: Generally speaking, no.

Wormdahl: Yeah.

Fritz: Thank you.

Hales: Other questions. Great. Thank you both. Feel better soon.

Babnick: I feel better but just can't talk.

Hales: Thank you. Is there anyone signed up to testify on this item?

Moore-Love: I did have one.

Hales: Ok, please.

Joe Walsh: I am Joe Walsh, and I represent the individuals for justice. Just to follow up a little bit on what Commissioner Fritz talked about, it seems to me that we're caught in a catch 22 here. We have people that do protests, and that, actually, are arrested, they are fingerprinted, their picture is taken, and now they are in the system. But when they go to trial, either the charges are dropped, or they are found not guilty. It seems to me to be logical that once that happens, that we seal the records, that this person is considered not guilty or no charges are brought. But they are in the system. So, I don't know if I'm clear on what I'm saying here, but, it has the potential, I think, that we should not have records on people that are either innocent or not guilty. Understand what I'm saying? When I was listening to Commissioner Fritz, I just realized that 30 years ago, I was an intern in California. And we did some research on what happens when you are arrested, what's the process. And, and here we are with the same problem 30 years later. That you have innocent people in the system, and I am also reminded that if you go to community court, one of the things the judge says is if you do the eight hours of, of community service, the records are closed. There is no record of you being in the system. Which isn't true because I've been arrested a number of times. And, and after finishing the eight hours of community service, the records are supposed to be sealed but they weren't, so it seems to me, listening to your staff, there is something in the, in the state regulations that bars others from closing these records. Does anybody know that? If we're not barred by the state, we should do it, that would be my position. If a person is found innocent or not guilty, they should not be part of the system. They should be expunged, automatically, without a court order. So, that's, that's my position on that. Thank you.

Hales: Thank you. Anyone else? Further discussion? Roll call on the emergency ordinance.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** I think these are valid concerns and something that we should continue to look into, aye.

Hales: There are important civil liberties concerns that we have whenever we keep records on people, so I am glad that we had that discussion. It's also good that we have this technology working for us when we are trying to apprehend serious criminals about, about ten days ago, Edward Patten Jr. Was gunned down at 2:00 in the afternoon at 60th and Killingsworth and the police bureau, as we speak, is seeking his murderer. The fact that this kind of information exists might matter in many other cases and lead to an arrest and a conviction so that's why we keep this information. It's important for all of us involved to remember, that's why we keep this information.

Aye. [gavel pounded]

Hales: Next item.

Item 298.

Hales: Second reading and roll call.

Fish: Andrew, thanks as always, for your good work, aye.

Saltzman: Good work, aye.

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Novick: Aye.

Fritz: Thank you, aye.

Hales: This park and the nice pedestrian and street environment around it are going to be a great new place to gather in Portland. Thank you, Andrew. Aye. [gavel pounded]

Hales: And we are recessed until 2:00 p.m.

Council recessed at 10:38 a.m.

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Closed Caption File of Portland City Council Meeting

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Key: ***** means unidentified speaker.

APRIL 3, 2012 2:00 PM

Hales: Welcome to the wednesday afternoon session. And would you please call the roll. [roll call]

Hales: We have a single item on this afternoon. Would you please read that, Karla.

Item 299.

Hales: This is obviously an initiative that a lot of people care about. I want to welcome everyone for this discussion this afternoon and start our invited testimony with Multnomah county chair jeff cogan. And I think he is going to be joined by aneshka dickson from the Portland development commission and john jackley from pdc staff. Welcome, mr. Chair, commissioner, and john.

Jeff Cogan, Multnomah County Chair: Good afternoon, mayor hales, members of the council. I'm jeff cogan, Multnomah county chair. I'm really thrilled to be here. Just testifying in support of this report on the neighborhood prosperity initiative. Neighborhood prosperity initiative is an urban renewal proposal that has come forward, and as you know, Multnomah county is not always enthusiastically testifying in favor urban renewal in the city of Portland. But this is actually a really different kind of urban renewal initiative, and there is many things about it that make it something that I frankly am extraordinarily excited about. From the very get-go, the neighborhood prosperity initiative was developed in very close consultation with Multnomah county, and that was very appreciated, but in its implementation, it is even more profoundly different than many other past urban renewal areas. One thing about it is that, unlike most urban renewal, this is not something that leads to the collection of debt. The money that is spent in the neighborhood prosperity initiative, current-year dollars each year. And that's actually something that, both is good in terms of indebtedness, but also provides a lot of flexibility. Because it can be changed as it goes along. And if it's working really well, can be continued. If not, it could not be. I'm happy to say it has been working really well. Another thing about the neighborhood prosperity initiative that is distinctive, it that it has been focused and targeted on parts of the city that have historically not necessarily been large beneficiaries of urban renewal investments, generally, and from economic development efforts, specifically, and then it's been focused on business areas, business districts, primarily in east Portland, and it's been very targeted. Districts themselves are really small. No larger than they need to be. But large enough to have some coherence. But really, the most profoundly different and important part of the neighborhood prosperity initiative, it that it's both in its conception and implementation, a real partnership between local government and the community. The areas that decide to become part of the neighborhood prosperity initiative, decide to become part of it. It is not something imposed upon them. And the investments need to be matched by the local areas. So really you have a tremendous community buy-in, and that is just really a wonderful model for the city and community more broadly. Multnomah county is happy to be partnering with the city on the neighborhood prosperity initiative. Aside from the general partnership, one of the unique levels of partnership here is that the law that changed the way urban renewal dollars are implemented, provided that in some context dollars go back early to the jurisdictions, and this was triggering that. Despite that, Multnomah county board voted to reinvest \$1 million that would have come back to Multnomah county into the neighborhood prosperity initiative. And it's because it is something that our entire board feels is a great initiative for the

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city of Portland. So I'm happy to be here today saying we support it. It's been great work. We are hearing a lot from folks who have been involved on the ground today and thank you for your partnership and leadership in this.

Hales: Great. Thank you for yours. It is appreciated.

Aneshka Dickson, PDC Commissioner: Good afternoon, Mayor Hales and commissioners. Thank you for allowing me to speak. I'm Aneshka Dickson, PDC commissioner, also a business owner, vice president of Coles Construction Incorporated, which is a small but growing firm here in the city of Portland. We have been doing business for 16 years. I definitely can relate to the challenges that small businesses face in the city. And I think that this is why this initiative is also so important that we continue to support. I'm extremely happy to have been a PDC commissioner and be part of this project which really is including equity at the forefront. We're inclusive to various communities. I think providing opportunities to various business districts is exactly what is the cornerstone of the MPI districts. I have had the opportunity to tour these sites and visit with people within the community and the excitement from those in the community is so, it is just so contagious. I'm getting thanked when they're the ones that are doing all of the work. I think that is what is the best part about this whole initiative, people are showing their passion and their commitment to their communities, and to their businesses being successful. And that is why I'm so highly supportive of this initiative. My board stands behind it. I thank you for your commitment to it. You will hear from the folks that really matter, which are those that are in the community that are driving these districts every single day and I just thank you for allowing me to have the opportunity to be on this commission and be able to be a part of this great initiative. Thank you.

Hales: Thank you. John, welcome.

John Jackley: Appreciate it. Good afternoon. John Jackley, neighborhood division manager at PDC. I have a very brief presentation, some context, backgrounds, structure of the MPI districts, some of the challenges, accomplishments and lessons learned. Obviously I will be happy to answer any questions you might have, and then we'll be able to get to the community testimony pretty quickly. The MPI initiative is a critical part of the city's economic development strategy, adopted by council in May, 2011. Since the adoption of that strategy, PDC began to working towards this new community led, community driven approach, which involves building local capacity, driving business growth, applying not just to job creation, but a very stringent equity lens. All of our financial and non-financial transactions, programs, and efforts, and then increasing efficiencies, by working better and smarter with city bureaus, community partners and other organizations. This effort takes place in a challenging context. There are equity gaps throughout city of Portland. The state of Black Oregon report, the report of communities of color, of Multnomah County, Maya's report, making the invisible visible, the data from the Hispanic Chamber, census data, and all other places, show a common finding, that equity gaps of race, income, geography continue to be profound in Portland. You can see some of the trends in this slide, communities of color disproportionately make lower incomes. Jobs are growing in the west side, while poverty is increasing on the east side. Development can accelerate gentrification pressures, and neighborhoods are being strained by low-income population growth. Over the first year, PDC has focused this work in the neighborhoods with a robust and coordinated set of programs. Now, I realize that this slide violates every principle of powerpoint presentation anyone has ever told you. But we just wanted to put in one place the four major areas that we are working in. And just to show you an example, not just a laundry list, but how each of these areas, with our partners, other bureaus, nonprofits, the community themselves, private organizations invested in the MPI's, to show you how we're leveraging and making more than just the sum total of its part. In Lents for example, our business development team on any given day is working up and down the street, talking to businesses, assessing them, finding out what they need. We provide storefront and

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development opportunity grants. Small and micro-businesses are working with technical service providers. We are also making extensive infrastructure investments in Lents. \$2.6 million for street scape on foster Woodstock, which is Lents towncenter. \$700,000 Lents entryway project. We're helping to fund the 50th to 82nd street project as well. When you look at this, I won't read everything, but I wanted to be able to show that we have four main areas. It is very focused, and there is a number of specific outcomes, deliverables and metrix under each area. I would be happy to answer any questions you all might have about it. These are the six districts themselves. This initiative, as chair cogan said was announced in the fall of 2011 by him and mayor adams. Districts were invited to participate. And in april of 2012, city council voted officially and formally to create the six small districts. We had some selection criteria. Number one, they needed to be outside of the existing ura so we could give resources to places that did not have them. We wanted them in priority neighborhoods which would have lagging commercial investments, higher than a city average poverty rate or lower than the median household income. We're looking for a concentration of minority owned, or minority serving businesses. Concentration of locally owned businesses. Sufficient business community capacity to make these things happen. And then the appropriate commercial zoning and usage permissions. This program, npis is built on the successful main street model. It has on the ground district staff, pdc has a dual role as a grant administrator and partner, and as Chair Cogen said, tax increment revenue is one of our most important tools. Each npis area has a district manager, whose work is overseen by a board of directors steering committee. On the ground, feet on the street staff that are connecting with businesses, looking at vacant properties, tracking job gains and losses, and basically being the full-time staff of the effort in the community. A key component of this program is economic and district revitalization over the course of 10 years, each district is estimated to receive approximately \$1 million in tax increment revenue. The community will identify the projects, the community will make the decisions, and they will be the ones implementing these. They could range from storefront improvements to lighting, street furnishing, street trees, all kinds of things like that. And then support for the npis district on the pdc side is provided staff and we work directly with the district managers and the boards. So, with almost one year under our belts, the program is moving forward and it is on track, it is on budget, and it is meeting or exceeding its metrix. The npis's have hired district managers, opened district offices, have business surveys underway, planning year one projects, actively engaging in branding marketing, that kind of communication, and also raising local funds, building more and more awareness in districts themselves and participating in training we sponsored along with nonprofit association board and others on things like financial management, volunteer, recruitment, all of the things that make successful organizations. They're also finding that each district has a different starting place in terms of either financial capital, human resources, different kinds of economic conditions. So the npis's are tailoring their approach to each aspects of the community. We are also very realistic about opportunities and challenges that this effort is taking on. As we approach the end of the first year of the npis, we learned some important lessons. Number one, need for a tailored approach. Number two, multi-cultural, multi-lingual competency, not just in pdc but in the districts themselves, it's just absolutely essential. It is important that they start small and build capacity together. One challenge, very apparent that we're running into, local fundraising is very challenging. It is time-consuming. The recession is still upon us. Times are hard out there. And it is not come along as fast as we would like. We are working with districts to try to accelerate the pace of that. We are learning, of course, that there is no quick fixes to long-term problems and challenges. But at the same time these districts can and will make great things happen. In terms of expected outcomes and how we measure success for the npis's, we're looking for and they are looking for increased visibility of the business districts, strengthening the existing businesses that are there, filling vacant spaces, growing jobs within.

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The first-year metrics, community participation, we want at least 3,000 volunteer hours per district. We want net business growth, net job growth, and overall stronger business districts than we had a year ago. This concludes the formal presentation on the npis and we wanted to get through it relatively quickly. I would be happy to answer any questions you might have. We would like to give a shout out in closing to our partners, starting with Multnomah county, city of Portland, the northwest area foundation and Gary Cunningham who will speak to you later on, is a very large investor in the npi program, Chase Bank and Bryant Stewart have provided critical funding. Vaughn Summers and Greg Cantor at NW Natural have also been very generous in their assistance and we've also received financial support from EPA and Wells Fargo as well. We got a couple of other prospects too, we'll see how those go. So that's the end of the formal presentation. We'd be happy to answer any questions or follow your lead.

Hales: Questions? Thank you very much. Appreciate your partnership and thank you for being here. Thanks. Great. Now we do have representatives next from the npi districts. So maybe I will call you up three at a time since we've got four chairs. Ray Espana, Stanley Moy, and Loretta Stites I think are our first three. Welcome. Cully, Jade District and Park Rose, respectively. Welcome, glad you could be here. Ray would you like to start?

Ray Espana: Yes, thank you. Mayor Hales, Commissioners, it's always a blessing to be with you. I'm here with friends and colleagues to talk to you and really endorse the effort that is alive and well in the community. And that is related to the Neighborhood Prosperity Initiative. As many of you know, I direct the development at Naya, I also serve with the Cully Boulevard Alliance, and that is a steering committee of residents, business owners, service providers in the neighborhood. We have been together developing our organization, our organizational effort. There are, as John mentioned, two npis in Cully. The one I'm associated with, I would say, is more the eastern portion of the neighborhood, Cully Boulevard. You will hear from Mr. Granger, on 42nd Street, he represented the west side. I mention that, because one of the things we are doing between Bob and I is trying to be clear that we give you, provide a single voice from Cully in our efforts to align and work very closely together. We believe that the npi's has been some of the most progressive policy that I have seen implemented in the relatively near future, as it's been listed, it is community-driven, community led, and I think that I really need to acknowledge the leadership of PDC, the Commissioners who have endorsed a very strong and positive issue on equity. It is now time for courage on equity. And that, the leadership piece is essential that we continue. The work that we have done at the CBA, in Cully, is try to build our capacity. Some of the activities that we have done recently, is that Naya, as well as CBA, we hosted a grant training program. 25 of staff and other npi representatives were able to receive a week's long training from the Grantsmanship Center to help build our capacity to work together to develop those skills. For CBA that I will be working with directly, we are planning a very specific training program, probably in May. We're trying to finalize a date where we will be instituting what is called a Building Communities Training process, and it is a result of a week-long engagement. The community will receive a prioritized action plan for us to implement and embed in the community. We are excited about our investment in terms of Naya, the administrative portion of the CBA. We handle the contract management and work very closely with the steering committee. With that, I want to again appreciate your leadership and your continued investment in the npi.

Hales: Thank you. Thank you very much. Loretta, would you like to go next?

Loretta Stites: Good afternoon, honorable mayor, city council persons, the Portland Development Commission, and fellow npi participants. My name is Loretta Stites, I'm the vice chair of the historic Parkrose npi. I have the privilege of speaking to you today. I'm excited to announce our new addition to our group. We hired Bridget Baird as our new district manager, and she and our project sub-committee are very busy and in the process of evaluating our three expert contenders for the upcoming \$10,000 project and that will be announced next Tuesday at our meeting at

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which point we will be off and running. That project should be finished by July. We would like to take this opportunity to thank the pdc sincerely. Not only they recognized the individual needs of six districts on the east side, but they provided training, and tools along with a very energetic mentor, Ms. Dana Decline, to ensure our success. Our heart-felt thanks goes out to Dana and Lynne Knox who has helped participate in helping us procure some very significant grants. Something very exciting has happened on our east side knowing that within the revival in the individual neighborhoods, but a camaraderie between the districts has developed. Making our eastside one big neighborhood. This will only make Portland a more lovable, likeable and livable city for all of us. The Parkrose project is committed to the growth and preservation of historic Parkrose, as well as its surrounding neighborhoods. We promote economic growth and community building through the engagement of our neighbors. We celebrate and respect our unique diversity, and we are focused on our future while we are remembering our past. We are the true meaning of what it is to be a Portlander. Last but not least, we have special thanks to all our volunteers who have put in many hours of hard work and dedication. And we would like to thank Joe Rossi, you have inspired your neighborhoods to stand up and take part in the movement that will span way beyond our years. Once again, thank one and all for your involvement. Thank you.

Hales: Thank you. Stanley, welcome.

Stanley Moy: Good afternoon, Mayor Hales and members of city council. My name is Stanley Moy, I'm affiliate of Apano, and I'm the Jade district organizer. The Jade district is a project of the 82nd Avenue Business Association and is dense common area located within 82nd Avenue and Division Street. My family has owned a small Chinese bakery, King's Bakery, for over 15 years in the Jade district. In that time, I have seen the expansion of Asian business and other international business in the area. About 80% of the current business owners are immigrants, speaking Chinese, Vietnamese, Korean, Hindi, Urdu and Spanish as their first language. Over the last three months, I have connected with over 50 businesses, as well as completing 20 in-depth surveys of business needs. This relationship building is very important in order to connect with immigrant owners, due to the challenge of language and culture. In order to bridge this gap, I have organized events and projects. Accomplishments include holding a public meeting to explore ideas of promotion and capital improvement projects. We hope the projects will promote the district, increase the customer base, benefit area residents. In addition, we are partnered with Portland Community College, Southeast Center, Harrison Park School to hold a neighborhood clean up and graffiti removal, to improve the safety and appearance of the district. We want to, we want the illegal dumpster's, taggers and drug dealers, to know that someone is concerned about the neighborhood and we that are watching. Creating a working partnership with immigrant business, the city and community organization will take time but it is in with everybody's best interest. We are pleased with the recent coverage of the Jade district in the Portland Tribune and the Willamette Week. Both articles increase our district's visibility and desirability within the city of Portland. The vision from the Jade district is that we are creating an attractive, vibrant and healthy commerce district and neighborhood. We want to thank you for the city and the county support of the neighborhood prosperity initiative. We look forward to a long and fruitful relationship and thank you for your time.

Hales: Great. Thank you. Questions for these three community leaders? Thank you much for what you are doing. Thank you for being here.

Stites: Thank you.

Hales: Now, our next three, I think, are Shamso Ahmed Ali from Division Midway Alliance, Jerome Funchess, and Bob Granger from our 42nd Ave. Welcome. Would you like to start? Go ahead.

Shamso Ahmed Ali: Hello. My name is Shamso Ali, my family and I currently own a small business located in Southeast Portland, Taka Jalal Market. The store is an upscale international grocery store, which includes authentic hard to find ingredients from around the country and the

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world. The mission of taka jalal is to provide southeast Portland, residents and visitors with a combination of quality, authentic, hard to find grocery items with good service and a pleasant atmosphere with warmth of an old world international market. Along with providing our customers with best quality groceries and fresh meat, we value the importance of our community.

Unfortunately, since we have been open, we have struggled to find only the right connection to accomplish our business' mission to better the community, but we have found it hard to thrive as business owners in this economy with the little knowledge we have. Being connected to the division midway alliance has not only given us hope to make our business goals a reality, it has given my family and I the opportunity to finally connect with the right business resources to be able to help give back and provide opportunity and growth for Somali students living in southeast Portland by providing them with employment and work experience. Taka jahal market believes that the world youth is of most important to today's time. especially those who come here from war-torn somalia hoping for better things that they are not easily finding in our country. because of the division midway alliance, contacts and helpful information, as well as resources, we believe we can achieve our goals of a better community, for our Somali residents and students. thank you for giving me the time, mayor and commissioners.

Hales: Thank you. Thank you for coming.

Bob Granger: Mayor Hales and commissioners, my name is bob granger. I'm a Member of the steering committee of our 42nd ave. On February 19th, we held our second annual community open house. Again, we had over 130 people from the neighborhood come and spend a couple of hours with us, talking about their vision for the neighborhood. At this event. We had break-out sessions that were organized by arnot van sisseran, arnot is a community volunteer, professional architect, and he helped to prepare alternative building designs for four different locations along the street. The people had a chance to express their opinions, their preferences, and provide their feedback to us during that meeting. And we, in turn, were able to collect that information and on the following saturday go to the comp plan open house and forward that information as a part of the community input to the comp plan. Suds and duds, is a laundry and dry cleaning business on 42nd. It has been there a long time. It is a very important business in our neighborhood. They have new owners, rosario and her father, vincente, are interested in new equipment and improving the signage of their small business. Since we opened up 42nd ave office on the street, we've had the privilege of having steven green, one of pdc's small business consultants come and spend time with us each week, meeting with businesses and talking with them about their visions and their plans and he has been invaluable with providing assistance to rosario and vincente as they look to improve their small business. In addition to these development activities, we have a community relationships committee. Their focus is to help us connect across all of the diverse members of our neighborhood, and to wrestle with how we can provide local benefit with minimizing the unintended consequences of displacement that can have as development takes place in our neighborhood. Wally Chitsy and david demateo are residents of cully, they have helped us connect with naya other community organizations and explore how our npi program can work together in the neighborhood to look at issues like job training, interface with issues of housing and other community services. These three examples direct, are directly related to chapters one, three, and five in this draft of the Portland comp plan. Okay. They address aspirational goals and policies related to urban design, community involvement, neighborhood centers, economic development, and equity. I believe it is important for all of us to recognize that these goals are already being addressed on our 42nd ave and in the npi and main street districts in our city. And I would invite all of you on behalf of all of the districts to come out and see us. Visit our districts. Talk to the businesses. Talk to the neighbors. Talk to the community organizations, and see how these policies are alive and well in Portland. This is in large part in thanks to all of you. To chair cogan and our partners at Multnomah county, for leaders at pdc, bureau of planning and

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sustainability, our regional partners and funders like chase bank. And the deep bench of community partners that are helping us make this happen. Thank you.

Hales: Thank you. Jerome, welcome.

Jerome Funchess: I want to say thank you for this opportunity to speak to you mayor and commissioners. I want to say thank you, chair cogan, for showing up as well. The last time I had honor to speak with you, we were here asking for you to allow us to, I would say to ratify the npi process. I'm honored to be here today to basically tell you that we're starting that process, and I want to thank you for your support, and helping us initiate that. You have heard a lot about all of the things that are going on. What I would like to focus on, you have a packet in front of you with all of the accomplishments from the rosewood district. Again, my name is Jerome Funchess, I'm on the rosewood board. I would like to focus on one of the programs that we've initiated out there which is a bicycle safety and education. we have an annual bike fair that was started last year, and that has not only allowed us to have bicycle safety and education for a multitude of immigrant youth, and youth with our community, but it is also allowed us to fill a gap where other community services weren't reaching those kids. A lot of these kids are, again, come from families that have economic challenges and a lot of these kids in their minds seem to be forgotten.

So one of the things that this bicycle fair that we have the opportunity, has allowed the police to come in and do some community policing and interact with children. These children were in the situation, they're not really taught to trust police officers. This is not just giving us an opportunity to put bicycle helmets on kids heads. It gives them some safety and education about bicycling, but it has given us an opportunity to work with pcc and provide some kind of the tools and services that they've given us to help throw these bike fairs, but it's also laying the groundwork to build a community that going to be able to, in the future, give some of these children jobs in the bicycle industry, which is very large in Portland, I believe. Over \$17 million last year was generated just by the bicycle companies and product makers within Portland alone. So, again, being in rosewood and facing some of those economic challenges of jobs in east Portland, we are laying the foundations now to kind of connect our community, not just with better policing, better bicycle safety, but also jobs. I just want to say thank you for that opportunity. And i'm looking forward to making sure that we ford with this and that the npi is going to be a success and I want to thank all of you for giving us that helping hand to move forward and change our community for the better. Thank you.

Hales: Thank you. Questions of these leaders? Thank you for what you are doing. Appreciate you being here. Next I want to bring up someone who is one of our key partners for this program, northwest area foundation has been a great partnership with the city. Actually I guess it began in 2004. Almost 10 years now with the joint development and funding of the economic opportunity initiative, system of work force, development projects for very low income residents. They provided three years of seed capital for a new program and each year since have funded some kind of innovation and system improvement for the eoi, and now starting in july, for three years, foundation is again providing seed capital for a new effort to assist struggling Portland businesses and residents. This neighborhood prosperity initiative itself, and so by linking program staff with similarly focused efforts in other cities and states, the northwest area foundation is also providing an important learning community for us here in Portland and what we're doing in neighborhood economic development. We really appreciate this partnership, this long-term commitment and welcome gary cunningham here to speak with us this afternoon.

Gary Cunningham: Thank you, mayor hales, commissioners. I am so delighted to be here in Portland. I think I go across the country, I get to see fantastic people in this country doing fantastic things, but every time I come to this city, I see you doing something that is out of the box, innovative, and moving an agenda for your entire population. Sometimes you can't see it from within, but coming here and seeing it the way I do, I can tell you that a process, the

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programs that you have been able to put in place, are actually putting you in a position to be competitive, not only nationally, but internationally, and this work of deep work in these communities, to really get at the full potential of your citizens to participate in the economic opportunities within this community is building the cornerstone for the city of Portland. I just wanted to say that. Let me introduce one of our Oregon board members who lives here in Portland. Nick Wallride is in the back here. I just wanted to introduce him. We have another board member here in Oregon, Bill Thorndike, that could not be here today but he wanted to be. I just wanted to say that. I also wanted to say that the Northwest Area Foundation has had a long and deep relationship -- you mentioned some of the relationships that we had with the city of Portland, but we had a long relationship going back to 1934 with the city of Portland, so just to let you know that. What I want to say, you know, the question of why would the Northwest Area Foundation invest with this initiative. Part of it is because you have such a great track record working with us on the economic opportunity initiative, which we replicated in Duluth, Minnesota, is a replication of your's. We brought people from around our eight-state region here to Portland to see what you have been doing because you are actually been upping not only the incomes, but the asset base of low-income populations, which is a remarkable feat. My hats off to Len Knox and the Portland Development Commission for the work, because I know, I have worked in government, I know it is difficult to make that innovation happen. The reason that Northwest Area Foundation is here is because this is a unique, public/private partnership to develop small businesses and economic opportunity within these communities. What we're about is really getting at addressing issues of poverty and building sustainable prosperity throughout our region. This is a great opportunity to do that. And it is at the cutting edge of something that actually has the ability to be replicated around the country and around our region. We are really looking with great anticipation for further results of this. Because clearly we will continue to invest in this as long as there are results for low-income people coming out of it. So, on your end, part of the relationship that we have is -- is that we actually are giving some resources to this project. And our expectation is that on the back end, low-income people will benefit from that. And as this relationship grows and develops, we hope that we can have other relationships with the city of Portland and the nonprofit community here because you are doing something both on the front of equity, access, and opportunity, that doesn't often happen. I just want to say my hats off to you. We certainly will be with you steadfast and we will be a critical partner as well. Because I think some of the best partnerships are those that people give you real feedback as things are going on so that you can grow and develop and we certainly want that feedback as well. So, thank you very much. I know several of you from different meetings, etc., but I just want to tell you, that you are doing something unique. You should be very proud of your staff and the communities that are doing this work. So, thank you very much.

Hales: Thanks, Gary. Questions, comments?

Fritz: Thank you for being here today. I enjoyed the first part of your comments about how great we are. I especially enjoyed we will continue to invest and be critical partners. Thank you very much.

Cunningham: Thank you.

Hales: Thank you so much, Gary. We do appreciate your partnership and glad that it has gotten to the point where you can be blunt and plain spoken about ways for us to make improvements and get to the outcomes that we all share. That partnership is now strong enough that any conversation is a good one and we certainly appreciate both your praise and your prodding for us to do better.

Cunningham: Thank you. Appreciate it.

Hales: Thank you. We have other funders here, I believe. I think we have Brian Stewart from Chase. Yes, there he is. Welcome, Brian.

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Brian Stewart: Thank you, mr. Mayor and commissioners of the city of Portland. For the record, my name is brian stewart, community relations officer for j.p. Morgan chase. I have been with the firm and predecessor institutions for twenty five years working within the city of Portland and around the state of Oregon. one of our philanthropic priorities, is to provide cities and regions the tools and resources to strengthen economic development plans that identify employer demand, industry trends, and opportunities for innovation. That priority is one of the main reasons that we became involved in the neighborhood prosperity initiative in early 2012. we are excited to meet with the nonprofit association of Oregon, Portland development commission, to discuss the aspects of that plan. We were able to launch the initiative by convening other funders allowing them to learn more about the plan and respective neighborhood groups. We are were able to provide the first private financial support \$50,000 in the early 2012, and we encouraged other financial investment which would leverage the city's resources. As mentioned earlier, other early investors northwest natural and the east Portland action plan. These investments were followed by a significant investment from the northwest area foundation. We continue to work with businesses and not-for-profit organizations in identified neighborhoods, providing additional resources for the projects. J.p. Morgan chase is proud of our investment strategy that will help build a skilled work force, create jobs through investment in small business, we are excited to be a catalyst of city of Portland's neighborhood prosperity initiative. Thank you.

Fish: Brian, you're here to take a bow around this initiative. I want to thank you for another investment you have made that didn't get perhaps as much attention, which is providing some early seed money for mercy corps and their reet idea. It is hard to sort of describe this model, but the gist of it is, it is a way that would allow people to capture the value that will happen in certain areas, that gentrify over the value, property values go up. This model, which is still in the formative stages, would allow low-income people to make investments and capture some of that upside of neighborhoods that turn. And it has been a hard sell in your industry, but I wasn't surprised that you were one of the earliest set of supporters and provide early seed money for mercy corps so thank you for that and all of that you do.

Stewart: Thank you, commissioner Fish.

Hales: Thank you very much.

Stewart: Thank you.

Hales: Other partners here. We want to invite four of them up. Jonath colon, roslyn hill, joe mcferrin, heather hoell. Welcome. I think they're all four here. There is roslyn. Welcome, good to see you. Go ahead and go first.

Jonath Colon: good afternoon, mayor and fellow city commissioners. My name is jonath colon. I'm one of the business development coordinators at the Hispanic chamber, and I'm one of the partners in this great effort. I think if you had everybody who is involved in here that makes this happen, this whole building would be full. As you can tell from the testimony, this is a great effort with a lot of people with a lot of skill sets with one mission. And that is to support our economic advancement in our communities with our small businesses. I was asked to speak about micro enterprise and small businesses which is the area that we're supporting the efforts here. I would say that it is one of those things that we don't see every day. The transformation that a little bit of effort does in the community. I think that the easiest way to speak to examples of what we're seeing. Now, recently, before school started, we had a single mom with three young ladies who sent her first child to college on a \$32,000 income from her janitorial company. How do we do this? I have no idea. We were able to find the resources to get that done. We had last september I was here, speaking on the same issue, and I will tell you that our organization closed \$912,000 in small business funds for our communities that represent 27 small businesses. Their bank is in the room but I shouldn't say it like this. It is hard to get money right now from the institutions as well as the traditional pot of money that were there for small businesses. We are

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being very creative of where this money is coming from. It is impacting lives. It is impacting neighborhoods. And I don't know who has the transportation bureau today, but I would say --

Hales: That's easy right now --

Colon: I would say that one of the calls that I had this morning was from some of the small businesses out in outer southeast. Usually get complaints about all of the construction on the roadways. The comment that I was getting when -- the fixing of the sidewalks along Stark, is getting traffic to stop and actually notice some of the new business in the neighborhood. And in Sandy, the same thing, 134th, same comment from a beauty salon. No one ever saw her signage and for the first time she is having traffic come to her business. It doesn't happen too often, but I thought I'd let you know some of the significant things that are happening. That excitement, plus the technical assistance being provided to these businesses, it is jump starting our community. We work really tight with pdc staff and transformational in how we deliver technical assistance. We meet with them on a regular basis and look at deals and actually develop plans on how to help someone. If you want the best New York pizza, it is off of Holgate and 82nd. It's a recent business that came here and is also the same business that took over all of the u-haul services when pdc took over the largest supplier of u-haul. These are the things that are transforming our neighborhoods and technical assistance, pdc staff and our great partners in this room making those decisions every day. Malcolm from Safe Transportation is here, who came a few months ago to speak to you. He expanded his operation. He had employees in the teens, and now in the 30s. He is going to look for a new space. He is trying to stay within the north, northeast corridor. Very exciting. These strategies, these long-term strategies are the ones who are the ones that are making transformations, also being innovative, in about twenty minutes, for those who don't know what a flash sell is, this is a web-based sell. We have three craft people in Portland who have their goods on the web, on a flash sell, which means they have a certain number of days to sell their products to a select number of people across the world, will be closing. And all of the products are actually sold out. These are the kind of innovation that we are working. We are working with small businesses in the neighborhood who are trying to define, are we relevant anymore? And we are trying to find a place for them and the strategy to make them relevant through changing neighborhoods, changing desires of the marketplace. Thank you.

Hales: Thank you.

Fritz: What is the name of the pizza company?

Colon: It's NY pizza

Hales: Getting hungry already.

Hales: It is a fantastic model.

Hales: Heather, Welcome.

Heather Hoell: Thank you, Mayor Hales and commissioners. My name is Heather Hoell, and I'm the executive director of Venture Portland and a member of the neighborhood economic development leadership group. 50 unique neighborhood business districts thrive in Portland. Together these districts comprise just under 19,000 businesses. They also employ Portlanders, providing 250,000 jobs, including some of the highest paying manufacturing jobs in the city. While serving the diverse communities that surround them, critical commercial corridors also meet regional, national, and international demands for goods and services. For almost three decades, Venture Portland has invested in the strategic growth of these critical corridors with training, technical assistance and grant funding. Since July 1st, we've provided 780 hours of training and one on one technical assistance to business leaders from every district across the city. In fact, I came here directly from a training that we facilitated with 40 different business district leaders learning how to master the technical intricacies of email newsletters. We have also supported since July 1st, more than 250 large-scale business district events. Everything from street fairs to tree lighting to the family-friendly holiday festivities that occurred last weekend,

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that both grow the economy and contribute to the live ability of our great city. We awarded \$85,575 in grants this year to fund 31 projects and 23 business districts. Which leveraged an additional \$350,000 in private investment. That is nearly a four-to-one match. These are some of the most efficient dollars that the city spends. In fact, over the last 17 years in partnership with the city of Portland, venture Portland has distributed nearly \$1.1 million in grants to business districts, leveraging an additional \$3.3 million. And last, but certainly not least, venture Portland's board of directors, we are a nonprofit organization, is made up of one representative from each business district. These dedicated volunteers have contributed 850 hours to venture Portland in the last nine months. Volunteer hours equal a .4 fte, or 16 hours a week, in addition to the hours they contribute to their own business and their own business district. The reality of today's economy requires creativity and a commitment to work together from business owners, residents, and community and government partners. We have been a proud partner with city, the bureau of planning and sustainability and the Portland development commission through the formation of the Portland plan, the economic development and neighborhood economic development strategy and now the comprehensive plan, all identifying the critical need to support neighborhood business districts. Together we provide an incredible continuum of services to the city's diverse neighborhood business district. Working together, we can grow business and connect neighborhoods. Again, thank you for your support of neighborhood economic development strategies, venture Portland, and the neighborhood business districts that help make Portland Portland. I strongly urge you to continue investing in any of these strategies and the neighborhood economic development programs that you are hearing about today. Together we can create a healthy economy and ultimately healthy prosperous and equitable city. Thank you.

Hales: Thank you. Roslyn, welcome.

Roslyn Hill: Thank you. I'm a little nervous, i'm reading this because I won't say everything I need to say. Anyway, my name is roslyn hill. I was born in Portland -- I had very strong and positive feelings towards north and northeast Portland. In fact I'd say it was a passion of mine. I have traveled throughout the country and lived in several places and Portland has given the opportunity that a lot of cities only wish they had to their fellow communities and business districts. In that I -- 1993, I purchased a vacant building on alberta street. I lived, developed, and worked on alberta street to make it come the alberta arts district. The community to me means family, and family means that you nurture it and you work with it and you build it to its highest potential. I would say in 2008, a group and I bought a building in st. John that had been vacant for five years. I believed in the building, I believe in the community, and at that time I worked to develop that building. It was a little bit hard for me to manage alberta street and still be active in the st. John's area. In 2012, I actually bought a commercial building and resident and st. John's area, committing to that area. At that time I was also on the main street board, and also on the promotions committee. I find that being on the board and being on the promotions committee and working with fellow businesses in the district is actually one of a positive nature. I feel that the businesses there for long time, a lot of them mom and pop. Some of them for second and third generation, but they have not really been able to work and pull themselves out. On the peninsula, people have sort of left them alone and that has been more of a detriment to them than a positive. I would like to see with the main street program continuing, I think it is an asset to the city, I think it is an asset to the community and business district. St. John's main street has worked to be an integral part of st. John's, bridging relationships between existing community groups to help build a stronger business community. With the st. John's being located on the peninsula, it has not always received the help and direction needed to grow the business district. I think the main street program is very much needed in st. John's, not only will the business benefit but the community at large benefit. I can only ask when looking at the main street program and its

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benefits, remember that you are helping to build stronger communities, which Portland's greatest achievement and assets has. Thank you.

Hales: Thank you. Joe, welcome.

Joe McFerrin: Good afternoon. Mayor Hales and city commissioners. My name is Joe McFerrin, I'm the president and CEO of Portland OIC and the Rosemary Heights School and we provide educational job training, mentorship, family support services for high risk, low income young people and their families in our community. I was asked to speak about work force development and how the neighborhood economic development initiatives have impacted our community. First I'd like to say that I've been working here in Portland at OIC for 18 years in work force development. And at this time, I think that this is the strongest I have ever seen a community come together around work force development and youth. My community partners, Naya, Portland Youth Builders, Open Meadow, New Avenues -- we have worked really hard to provide opportunities for youth and under the leadership of WSI, PDC, I believe we have a very strong system, a new system that will allow us to serve more young people with limited resources. I'd like to endorse your continued support. I'd like to assure Mr. Cunningham that the work that we're doing is definitely making an impact on the ground. As a result of these efforts, programs that I outlined, as well as ours, are giving us an opportunity to expose young people who do not have connections that many of us in this room have. To opportunities that without programs they would never have it. As a kid, I had jobs, Safeway, worked at the Boys Club, back when it was the Boys Club. Columbia Boys Club. I worked at the local Edge Market on the corner of Lombard and Vancouver Avenue. And I had several other jobs throughout the community cutting lawns and doing things like that. And what it did for me is give me a sense of respect, a sense of what it means to work hard to earn a dollar. But it also allowed me to connect with the community. Meet mentors. But all of that was possible because of the connections that I had through my family and through other people throughout the community. Fortunately, the youth that we serve and the families we serve don't have those natural connections. And so with the economic initiative programs and efforts allow us to do as organizations is to bridge that gap between low-income people and the community at large. It also allows organizations like ours to leverage funds from the private sector and foundations. Your efforts at the end of the day provide a lifeline for many people, many citizens in our community. Last thing I would say is we have 55 full-time employees with benefits, insurance, retirement, and such, and I'm happy, I'm very proud to say that of those employees, we have five full-time employees that were former participants of the economic initiative programs. And so, it works. It is something that is needed. And you often hear me say at times that as an advocate for drop-outs and young people that struggle in school, is that a job can make education relevant. And so, we are going to continue to fight on the ground with your support, and thank you for your time.

Hales: Thank you. Thank you all. Questions. Thank you very much for being here today and for all that you are doing in this program. Thank you. Those were our invited speakers. Are there others signed up to testify?

Moore-Love: Yes, we have two more people. Clarence Larkins and Lightening.

Hales: Come on up. Go ahead.

Clarence Larkins: Mayor Charlie Hale and commissioners, I'm pleased to be here today. I want to thank you guys --

Hales: Put your name on the record.

Larkins: Clarence Larkins is my name, I'm part of the 42nd Avenue Business Association. I'm president of the 42nd Avenue Business Association. I also have a nonprofit called Straight Pathing. I work with a population of people that has kind of been looked over -- not kind of been looked over, have been looked over a lot. Those are ex-offenders. They are part of our community. And these -- Portland is not really a big city, so when we're talking about ex--offenders, we are

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talking about gang members as well. We have a lot of these people that's really struggling. And what we do at straight path, we help them with employment, we do mentoring, and just trying to get them back on track once they come back into the community. And straight path has been in business for about four years now. And we have been getting private support, but not much public support as far as funding. I just want to speak up for these folks because we can't just ignore them, you know. Talking about help low-income individuals, and these are low-income individuals as well. And like I said, we need to do something to try to help this population. And there has been a lot of work, I've lived in NE Portland since 1964. And I have seen a lot of changes. And whenever urban development comes into the community, it's a lot of gentrification, a lot of these people get shifted from one community to another. Well I'm proud to say, with npi and with the 42 avenue business association, we're kind of hitting this head on, just as we do an npi. Looking at this population of people and trying to figure out what we can do as to help them as far as employment. May 23rd, career fair at pcc and I invited people from the city, as well as the country, because I feel that you guys have responsibility for the people as well. A lot of people don't like the high-risk offenders, but if we don't give them a job, we will leave them on the streets. I ask the city to be a part of the career fair and hr department said that they would and I talked to people at the county and they said that they would. So i'm just going -- going to a lot of bigger companies. In the businesses, npis trying to help, brick and mortar, some of them aren't big enough to hire these types of people because they have families. So they don't have a lot of benefits. So I'm trying to get companies involved that have benefits and can help the population. I am looking for more participation from the city to help this population of people.

Hales: Thank you. Thanks very much.

Lightening: Yes, my name is lightning. Neighborhood prosperity initiative. Absolutely one of the best things for this city, plain and simple. Now, one of the things that I would like to say is that when we're helping the small businesses out and we're bringing the neighborhoods together, there couldn't be anything more positive for the city. We must always remember the less fortunate, the homeless, the people who do live in poverty. We must remember when you are lifted up to begin to lift them up also. If you look around in the city, one of our greatest investments that you can make is in these people, the people of the city. The people who need the most in this city. That is our greatest investment and what we have going on here is lifting people up that can help throughout this city the less fortunate that really need the help. So, keep looking out there. Keep up the good work. And this is absolutely one of the best things i've seen presented in this city. Thank you.

Hales: Thank you. Thanks very much. That's all we have signed up?

Moore-Love: Yes.

Hales: I want to thank you all for this progress report. The council needs to hear motion to approve the report.

(moved by Fish)

Fritz: Second.

Hales: Let's take a roll call.

Fish: I want to thank everybody who took time out of their busy lives to share stories and provide us with an update. As I look back over the last four years, I think of three different initiatives that this council supported, which I think have been transformational. One is the neighborhood prosperity initiative, the second the cully concordia plan, and the third is the east Portland action plan. And the common thread in my mind is that they kind of redefine the nature of community-based economic development and planning. And one of the dividends of that re-framing was a strengthening of the relationship between people in neighborhoods and their city hall. And because each of these initiatives helped us have a better understanding of what people in their community prioritize, as what was important to them, it allowed us and other leaders in your

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community make wiser decisions about where to invest and how to move forward. I think it is -- I really do believe it is not an overstatement to say that all three have quite dramatically shaped relationships in this community. And have laid a foundation that I think bodes well. As I was listening to all of the inspiring testimony, I was trying to think about how to summarize it. For me, it goes back to my favorite expression these days and I keep invoking this, particularly in some of my contentious budget negotiations and that is that we are all in this together. And you have made that case so beautifully today. And I thank you. And I also just want to celebrate the fact that while it isn't always noted, this is yet another example of where the city and the county work very effectively together around a shared priority. And that, I think, is the touchstone of our relationship at the county and I think we should celebrate that. Thank you to everyone in this room for your good work and to the pdc leadership and all of our partners for the success that you had in a relatively short amount of time. Aye.

Saltzman: Thank you all for being here this afternoon. I really appreciate you taking the time to come here and testify on behalf of your experiences. I guess it is about one year since we first passed the prosperity initiative. It is so good to see so many people. I want to thank pdc. It has been awhile since I heard such enthusiasm expressed for pdc and east of 82nd environment. I think that is really good. It shows how pdc has transformed itself to take to heart the economic development responsibilities beyond sort of a downtown core, central Portland core. I think you all being here today is further testament to how far they have come in their transformation and how far the city has come in its transformation and recognizing the need of economic development in areas other than the urban renewal areas. I will say, it has only been a year. I'm looking forward to a more thorough update a year from now. I want to hear about the local fundraising. That is important, an important leg of the stool for this proposal, and the job creation and that we were expecting also. We need to see more performance on those metrics. And I'm confident that, it's been a little less than a year, little more than a year, I'm confident as you get more miles under your belts you will be able to report on that next year. Keep up the good work. Aye.

Novick: I'm so impressed by the long list of partners in this effort. I just wanted to thank a few of them. Hispanic chamber of commerce, erco, naya, j.p. Morgan chase, northwest area foundation -- thank you all so much for your participation. I have to say at the beginning of the session I was very depressed, because John Jackley and Jeff Cogan, I realized I had known them for a combined 32 years which makes me feel really old but the rest of the session uplifted me, so thank you. Aye.

Fritz: Well I agree with commissioner fish, this is one of the best things we did in the last four years, and initiated, but then taken, taken to whole new levels by the people in this room. Thank you for taking time out of your busy schedules, for coming down to city hall to celebrate and give a performance update. I love everyone of the six districts and like our 95 neighborhood associations, they're all different and they all are special. And so if I started naming names, I think we might be here for the rest of the afternoon. Thank you personally each and everyone and I will continue to invest my time and money in supporting the things that you do and celebrating the things that you do. Last year when I was running for office, I didn't accept political action committee money, so Helen Ying who ran for metro offered to give me money, I said would you please donate it to one of the neighborhood prosperity initiative districts instead. And she did. She was so infused about what she learned about it that she said I want to give some to each one of the five districts. I believe she fulfilled that promise. It is the kind of contagious enthusiasm that makes Portland special and indeed what makes east Portland special and for far too long, east Portland has felt underserved and has been underserved, and this is an example of where we are putting things right and not only putting our mouths there as we did with the east Portland action plan, but then putting our money and investing there and the rest of the city and the county saying

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yes, we will invest in the six areas and we are expecting great things. This is our first year on board. We got a lot of progress made and i'm looking forward to being here next year and hearing the next step. Aye.

Hales: Thank you all both for the substance of this progress report and for the spirit of neighborly cooperation and shared values that is so evident in what you have commented on this afternoon. I think all of us really enjoyed this session, because of the spirit that you bring to this room and what you are doing in these districts. And for me, I was thinking as you were speaking that there are big foundational questions that we have to answer about the future of the Portland development commission. We as the council and commission members and all of you as community partners. We have to answer some big questions about pdc. What is its role in the region? How does it coordinate with what is happening in the region? What is the future of urban renewal, this tool that has been the primary engine that pdc has worked on for the past half century or more. how does it work and on what scale for the next 20 years and then how does the Portland development commission, as our economic agency, really foster the growth of the economy here in Portland. But frankly, I think the one question we don't have to answer, because you have already answered it, how does the pdc work effectively in partnership with neighborhoods for neighborhood-scale economic development. Check. I think we have that one figured out with this partnership that is here in the room, reporting excellent progress to us all this afternoon. Thank you, please keep up the good work. Aye. And we are recessed until 2:00 p.m. tomorrow. [gavel pounded].

At 3:12 p.m., Council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

APRIL 4, 2013 2:00 PM

Hales: Good afternoon, everyone, welcome to the thursday, april 4th session of the Portland city council. Please call the roll. [roll call taken] [gavel pounded] we have one item on the calendar. Would you read that, please.

Item 300.

Hales: Good afternoon everyone, welcome, obviously we have a lot of people here, this is an issue of great concern in the community. We will have a hearing on the planning and sustainability commission's recommendations for changing parking ratios and other requirements for new multi-family buildings. This is an area where there's been policy in place for a very long time. But where things have changed to the point where there's a strong community concern, and we need to adjust our rules on how we fit this new development into our neighborhoods. The planning and sustainability bureau and the commission have moved quickly to respond to a council request that we get this issue before the city council for action in a short time. And I appreciate that good work. So we will start off this afternoon with a report from susan anderson and joe zehnder from the bureau of planning and sustainability. Then there are some amendments that council members are interested in discussing. So we will want to get those on the table so that people can respond and testify about both the original proposal coming from the planning and sustainability commission and the amendments that are under discussion. Some of you who've been to other city council meetings know that I am sometimes a little indulgent about our three-minute time limit. I want to let you know that because of the number of people here today, I won't be indulgent and I will follow that strictly, please do limit your testimony. I want to call up susan and joe and howard shapiro, one of our planning and sustainability commission members to make the presentation. Then we'll take it from there.

Hales: Welcome, howard.

Susan Anderson, Director, Bureau of Planning and Sustainability: Good afternoon. Susan anderson, director of the bureau of planning and stability and with me as the mayor indicated is Joe zehnder chief planner, Matt Wickstrom city planner and howard Shapiro vice chair of the planning and sustainability commission. As the mayor indicated, we're here to propose an ordinance to require a reasonable level of off-street parking for new somewhat large multifamily buildings that currently do not require off-street parking. Joe will provide a brief overview of the planning and sustainability commission's recommendation and he will review amendments proposed by council members. For a little bit of context, this issue is a lot like the historic code we brought to you just about a month ago. As these changes to the code seek to provide a relatively quick response to an issue that some see as negatively affecting the livability and quality of our neighborhoods. At the same time, we all understand that this issue is connected to a much larger sort of maze of integrated pieces related to growth and setbacks and height and compatibility issues in our neighborhoods. We also know that as the city's population grows, more people will want to live closer in, and our current zoning actually encourages this increased density and this mix of housing uses. In fact, it is this mix of housing and density that makes these neighborhoods so popular in the first place. With enough people and demand to support the shops, the restaurants and other services all nearby. Finally, I want to remind you that the policies that affect issues like this, different neighborhood

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compatibility issues, livability issues will absolutely be part of the comprehensive plan we bring to you at the first of next year. And these policies will be reflected in the implementing ordinances that follow that. For now I think this ordinance today does provide a very reasonable and thoughtful responsibility to the issue at hand. Joe will walk through the current proposal from the planning and sustainability commission and the amendments. Thank you.

Joe Zehnder, Bureau of Planning and Sustainability : Good afternoon, commissioners. Joe zehnder with the bureau of planning and sustainability. The proposal we're talking about today addresses parking minimums for new multiunit mixed-use buildings on our commercial corridors. The issue was sparked by the number of these buildings that have been built over the last six years, sort of in the last building cycle, especially in the last few years. And the concentration of some of these buildings on specifically southeast division, raising neighborhood concerns about impacts related to parking. But also impacts more broadly, in terms of density and size and building design. Another important fact is, though, while we have no parking minimums for these buildings, more than 50% of the buildings and almost two thirds of the units built over that last six-year period have been providing parking. So the minimum is a baseline. The market decides if it's going to provide parking or not. In most cases it has been. The policy that we're addressing here, the parking minimum policy, has a long sort of history in city policy, dating back to the 1980s when we first established that approach for our commercial zones. And then updated in the 1990s related to frequent transit streets. In response to the issues that we were hearing from the community, the bureau conducted research and presented that to you all in a work session earlier this year. the process that we've been through has included that work session and presentation of the results of the research hearings at the planning and sustainability commission, and we're here today for a hearing in front of the city council. The work I just described in the proposal that went to the psu was developed by the staff from the bureau of planning and sustainability, and I wanted to recognize matt wickstrom and spencer williams and phil lamany and jessica richmond, who were the team that really pulled this together, especially working on the amendment package just over the last few days. We did it in cooperation with pbot and as well as the bureau of development services. We pulled together a team to quickly asses this issue. The package that is in front of you today is built around six amendments. The big variables we looked at in designing this package was asking, what size buildings were most critical to address based on the concerns that the neighborhoods have expressed, and also based on what we've seen in the data over the last six years of buildings. Bigger buildings is a target that emerged, as what should be the target for our regulations. Once we've identified that target, the second variable was what should the parking ratio be. And I'll lead you through that in the amendments. Finally, while we would establish a minimum, our practice and code currently has ways to buy down or substitute things that you could provide such as bike parking instead of providing that minimum parking. We considered whether the substitutions are still relevant and we came up with two new ones we think are particularly relevant to the issue at hand. Amendment no. 1, is where we take look at neighborhood commercial zones and also rx and cx to establish a threshold, establish a new minimum parking requirement for buildings more than 40 units. The new parking requirement would require one parking space for every 4 units. If your 40 units or less under the proposal, you would retain the current minimum parking requirement, which does not require minimum parking. These regulations only apply outside of areas where we have specific plan district regulations that already have separate sort of addressing the minimum parking requirements such as in the central city and gateway. The second amendment deals with the frequent transit street provisions that were adopted, which also currently under today's code, if you're one of those commercial zones, you have no minimum parking requirement. Also, if you're within 500 feet of a frequent transit street, you have no minimum parking requirement. In looking at that, we made two sort of changes in the package. One is to apply the same sort of ratio and threshold I just described to properties that are on frequent transit streets. Also we propose to

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change the definition of what constitutes a frequent transit street. Today in our code, frequent transit streets are those that have 20-minute minimum headways for bus service. The way it works, is that an applicant who wants to take advantage of these provisions has to prove that the current bus schedule meets that 20-minute provision. There were some concerns in the neighborhood that they didn't believe that there were really 20-minute headways there. Because when you're experiencing it on the street, doesn't seem that way sometimes. We wanted a more apparent, obvious target. So we proposed in this amendment to link the frequent transit street definition to trimet's frequent service transit map. And that's a different standard, it's 15 minute headways, and it's an official map that they maintain. Let's see. Amendment no. 3 addresses the idea of substitutions. Currently in the code you can reduce the number of parking spaces required on a site by providing bike parking, by providing motorcycle parking and a few other provisions. In addition to those existing substitutions the planning and sustainability commission recommended that two new provisions be added. One would be to allow one -- one parking space to be -- your minimum required parking to be reduced by one parking space -- by two parking spaces, excuse me, for every car share space that you produce. The second provision would reduce the number of parking spaces required if the development provided a bike share station. These two provisions were designed to directly link to kind of improvements or amenities that could be put on a site, that might support greater or less depends on an automobile. Part of what we're after is to have the things you use to reduce your parking be proceed actively providing an amenity or service that could encourage someone living in the building not to have to depend on or own an automobile, not to have to park it on the street. Amendment no. 4 deals with off site parking currently under the code for all those zones we just established a new thresh hold, a new minimum parking requirement for. If you're a commercial use and you have required parking, you can provide that off site within 500 feet of the property. In our recommendation we applied that same sort of option for the residential required parking that might be in those buildings. So within 500 feet of a building, if you have a permitted easement or ownership of a number of spaces, you can provide the parking required for your residential development off-site. Amendment no. 5 deals with the required loading space requirements. Currently in the code loading spaces are only required for 50 units and above, or more than 50 units under the recommendation we lower that threshold to more than 40 units. And amendment no. Six is just to clarify the definition, sort of a physical definition of what's going constitute long-term bike parking. In that substitution where you get to buy down, or reduce the number of required spaces that you have, providing bike parking in one of those options. What we're finding is the definition in the code now is too open-ended and we're not getting the high quality, what we intended to have provided which is secure bike parking. We have beefed up the definition to make it clear f you're going to use that substitution, you have to provide secure bike parking of a certain dimension. That's the six amendments that we came through. I wanted to provide a little context on some of the big pieces. The thresholds, under the current recommendation we are proposing for new minimum parking requirements for buildings greater than 40 units. We arrived at that unit number by taking a look at the physical characteristics of these larger buildings. The larger -- we think greater than 40 is the threshold where you are typically one of what we're calling larger buildings -- those tend to be built on larger lots, 100 by 100. Those tend to be on a corner, as well. So when you're on a corner, you have two streets by which to provide access to whatever parking is required. So it's the -- a place where the impact of providing parking on the pedestrian realm and on on-street parking is most manageable. That was one of the reasons for 40 units. The second thing we did was take a look at how parking would be typically provided on a 100 by 100 lot. We looked at the module, how physically you might fit that parking. You put it on a surface lot behind the building or tuck it under the building. And we looked at how that affected the economics of the building. Because one of the objectives of the policy is to promote transit use, to promote active transportation alternatives to owning a car. But

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also there's an interest in providing a range of affordable housing. It's not affordable in the sense of low and moderate income. It doesn't get to those levels, however, if you can live in an apartment and not have to pay the cost of parking spaces that have to get developed with the building, it creates a wider range of affordability for folks. We're interested in that product that is the apartment building without parking. When we looked at a 40 unit building, we ran some performance to see how it might affect the economics of the building. From 41 units and more, you were at a cost per square foot that was more able to absorb the cost of parking. Below that, you were going to see more significant distortions of what rents might be by adding in the cost of parking, if that makes sense. We looked at affordability and found a sweet spot of 41 units or greater that seemed to work better and have less impacts on the potential for rents. So that summarizes the package that the planning and sustainability committee -- commission has forwarded to the city council.

Hales: Do you want to go ahead and describe before howard starts the potential amendments that you now have up?

Zehnder: Sure. In the intervening weeks since the planning and sustainability commission, we've received a lot of testimony as has the city council. In that discussion a number of ideas have been put on the table for amendments to the approach that the planning and sustainability commission has forwarded to you all. I just wanted to summarize those ideas so that people have the opportunity to address those as they testify today. If any of these sort of amendments are added to the package, what we will do between now and the next city council meeting on this is to prepare a substitute ordinance that incorporates whatever amendments the city council wants to ask us to move forward for your voting next time and amend the findings that support that. Six amendments have been discussed over the last few weeks. One is to take a different approach to the threshold and the parking ratio, which is where we set it from buildings greater than 40 units, this would be a tiered approach that would add in one space for every five units of ratio, for buildings between 31 and 40 units. One space for every four units which is what the psc recommended for buildings that are 41 to 50 units. And then one space in three units for buildings that are 51 and greater. You get a higher parking ratio for the larger buildings. You reach down to the 30-unit buildings to create a minimum parking requirement where the current proposal does not have that. In that decision there are trade-offs about affecting the affordability of that sort of category of building from 31 to 40. There are concerns about whether or not those are right targets for a mid block infill development. We don't see very many of those buildings over the last six years. That's not -- it's interesting that most of the buildings and units produced are from 40 -- 41 and greater or in that 20-1 sort of range. The 30 sort of range seems to change the economics. Second amendment was to -- it deals with the definition of frequent transit street. You recall that we went with the proposal to go with the metro -- or the trimet designation. When you do that, if you recall that map I showed, there's a lot of properties that currently have a zero minimum parking requirement that will have that taken off as a right. They will go to what the base code provides. If you're a gc property, a general commercial property, that used to be on a transit street that no longer is, your parking ratio jumps to one space per unit. So it's a dramatic increase from zero. If you're rh, high-density residential, it goes to one space per two units. Once again a dramatic jump. This amendment is coming from an acknowledgement that even in our psc discussions of this, that was not so fully vetted. There may be unintended consequences. The conservative approach would be to keep it the way it is today and monitor the impacts. Second addition to the definition of frequent transit street is to make clear, currently it's 500 feet from the transit street. That can include your Max lines. But when you think about the max line it's really the station, not the line itself where you actually have access to transit. You should have a conversation for how you address parking. So this would say that a 1500-foot radius around the station area is where the new thresholds, whatever they be, whether the 40 and above, or the 41-unit and above that we've proposed or the amended one I just talked about would

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apply. No. 3 currently deals with the substitutions. The current proposal added two substitutions, there is already three on the books. And each of those substitutions says that there's a maximum amount that you can use, the individual substitution, to reduce your amount of parking. Typically it's like 25%. But you could conceivably, theoretically, stack up a bunch and eliminate almost all of your parking. This amendment puts in sort of a safety net that says any combination of the safety measures can never go below reducing -- never go over reducing your parking by 50%. No. 4 is related to the off-site parking option. This amendment would take that out of the proposal and leave it the way it is today, which is where off-site parking options are not allowed. The planning and sustainability commission actually discussed this specifically, and their reasoning went this way. One of the fears with allowing parking to be provided off site, you can tear down buildings or maintain surface lots in our businesses cores and you don't want that. We don't want that. The planning and sustainability commission in examining this also saw a benefit from having off-site parking, which would be, as I said, most buildings today and most units are provided with parking. And on average across the city, it's almost one space per unit. Now and/or in the future it's very likely we will have a sequestration where there are spaces in the building that are being under utilized. This would allow a building within 500 feet to use those spaces, so you're really optimizing the amount of parking that, the utilization of the parking that is provided. That was the psc's reasoning for putting it in. and as I said, the counter railing concern is that surface parking lots will proliferate around our commercial cores. The psc felt that the market value of the land would make that not happen very much so they balanced it differently than this amendment does.

Novick: Joe?

Zehnder: Yeah.

Novick: If there were an off-site parking option, and the property owner is taking advantage of that, and then somehow the off-site parking disappears, what happens to the property owner that was relying on that? What's the enforcement mechanism.

Zehnder: Great. The parking requirement in the spaces identified have to be an easement or ownership, that's what you have to show to get that checked off at bds. The parking goes away, the building is no longer in compliance. We have a complaint-based system but the complaint would make the building owner have to come back into compliance. There's really only two paths: one is to find parking somewhere else that meets the parking requirement or to go through a new land use review process to get an adjustment. Either way you're put into the enforcement mechanism of the city. I may have created a little confusion yesterday when I was briefing city council about, there's a separate sort of thing that's not the nonconforming situation. That's not what this is, this would be out of compliance with the zoning regulations and you'd have to come into compliance.

Novick: and does that mean they are subject to fines or something if they don't come in compliance?

Zehnder: They would be, or they could be. Subject to fines or subject to other enforcement. It's a ratcheting up of the enforcement system. Ok, we're down to no. 5, adds a new sentence to the purpose statement for the whole ordinance. This sentence makes clear that the purpose of providing -- creating this minimum for off-street parking is to address the on-street parking needs for residents, for guests to the district, and for disabled. And what the purpose statement, how that's used in the code is that, if there is an adjustment, that's what bds goes and looks to, to understand whether or not they are going to give adjustment. It makes the case that we need to keep our eye on the needs of disabled parking on street, as well, in considering those kind of adjustments.

Fritz: They are also on site.

Zehnder: Yes.

Fritz: As well as on the street.

Zehnder: Yes, yes. Both are adjustments in any case. And then No. 6 is an amendment that would clarify the main entrance requirement for ground floor uses. This one is pertinent to the

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situation that was recently the subject of Luba action regarding the property at 37th and Division. Luba interpreted a provision that we have that says that uses on that street, ground floor uses, uses that face the main street have to have active entrances, provide entrances to all of those uses. When we wrote this code a number of years ago the intent was to have active ground floor uses. Be they commercial, be they residential, but you're going to have doors, people coming in and out, it adds to the life of the district. Luba, in their interpretation of what's potentially our unclearly written code, was that it also pertained to upstairs uses and residential uses and that's what they used to send the building permit back. That was not the intention of that code in the first place. There were lots of mixed-use buildings built citywide. So we need to clarify this so other buildings are not caught in that situation. There's a discouragement of active ground for commercial uses. This amendment would go back in and clarify that language.

Hales: Great. Questions for the staff? If not, I want to give the sustainability commissioner Shapiro a chance to speak.

Howard Shapiro: Good afternoon, a first chance I've had to say, Mr. Mayor. New and renewed. And re -- relieved. Council members, I'm Howard Shapiro, the vice chair of the planning and stability commission. I don't need to tell you that parking is an emotional issue for all of us. Just the other day at City Hall, a very delightful visit, I came back to my car and had a ticket, I got really emotional. Everybody can understand that. My purpose today is to try to highlight the five paragraph letter we sent along to you, vetted by the very, very elegant testimony you heard from Mr. Zehnder and Ms. Anderson. We based an awful lot of this five paragraphs on the good, elegant and careful work of the group that we work, for the planning and sustainability group. The letter very much endorses everything we put before you with the exception of these amendments, which we have not seen or commented on. They all seem reasonable to me but I'm only one of nine votes. So in the letter we sent along to you, seven to one, we forwarded the new apartments and parking per zoning code amendments. And the highlights of that, that I want to point out to you that we view this package as an initial approach to address the immediate concern, on a more holistic and long-term policy direction is developed to the comp plan. In other words, we want to do this and want to do it in a timely fashion. But we also want to study it very carefully and more completely as we take up the comp plan. So, the comp plan is what we look to as the long term, This is what we think is an elegant solution for the present. We also request that the code align more tightly with Trimet's frequent service, that makes a great deal of difference in the way parking works in the city. And the high capacity transit lines as well. Commissioner Smith will be along to add his own flavorful comments to that case later on in the testimony. And in addition, we request the city council direct the bureau of transportation to continue to explore the neighborhood parking permit program. It's another part of this whole conundrum the comp plan needs to take on. In general, I want to be clear that we heard very balanced testimony. This is an emotional issue, so I took the trouble to give you some maybe interesting but I think important statistics. 35 people showed up at the hearing and testified on one side or the other of the issue. We received over 50 pieces of written testimony and I would say over 100 people were there at the hearing on both sides of the issue. In our view, while it was very fevered and very emotional, it was balanced. So the conclusion we came to as a group, at seven to one as it were, is that this letter, this proposal and this resolution is a good and timely thing for you to pass along. The six amendments that come along in addition to that are all grist for your mill and I'm sure will add to the flavor of this resolution when you get it down. Thank you.

Hales: Thanks very much. Questions for anyone here?

Saltzman: I just have one question. And that's there's several elusions to, we were going to look at this again in the comp plan. Can't what we do, next week, be a sufficient solution to the comp plan? At least on this microcosm of an issue?

Anderson: I think the main issue is that this part of it is pretty much settled. But there is a much bigger issue looking at height and building setbacks and all the other compatibility issues that this

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fits into. So I think this part, my guess will be, you know, there might be a little tweaking of this somewhere down the road as part of the comp plan when we come back. But I don't see us full sail changing any of this. It's part of the comp plan when we come through with that. Over time we could look at it again over several years from now but we're trying to get this piece done. But it really does fit in with the whole neighborhood compatibility issues. And we'll bring all that to you as part of the comp plan.

Zehnder: As I said, we developed this package in close consultation with pbob and the bureau of development services. And in working with the bureau of transportation, there's an interest there to do some more ongoing monitoring of how on street parking and our centers, because the idea of these neighborhood centers is a big idea that's coming in the new comp plan. how that actually works. We have better information. We did a small study here to try to get a sense of what this issue is. But it's worth having a better sense of how on street parking works the same way that we have a good sense about how traffic capacity works.

Hales: Further questions? Great, thank you all. So I think it would be appropriate at this point, ok Joe, we might want to keep you handy, because I think it might be appropriate at this point for council members to propose amendments including the ones that were just described so, that when people testify they know what's on the table in front of us.

Fish: Thank you, mayor hales. On the cheat sheet I come first. I'm going to move the first amendment that Joe mentioned, that would substitute the bps proposal for a three-tiered proposal. It's amendment no. 1 and i'll briefly describe, mayor. When we received the thoughtful recommendation of planning what, we heard from was predictably, understandably, a lot of people thought it didn't go far enough, others thought it went a little too far. As we drilled down I became convinced there are two changes which we ought to consider. One is to lower the floor from 40 units to 30 units that. I guess we just lost it, ok... Creates the first tier. Just lost it again. And that's reflected in the first of the three tiers. Then to create a new tier of 50 units and above. The concern obviously in dropping down is to capture more of the developments actually happening, the concern that the higher end is with concentration. We looked at a number of different options to address the concern that happens when you have lots of buildings in a concentrated area. So the cumulative impact is greater than any single building. That was the thinking between the three tiers. Then we adjusted the ratios, accepting planning's recommendation of one to four at the 40 to 50 units. Making it more stringent above 50, That would go the three to one, and slightly less stringent below 40, between 30-40 at 1 to 5. Our effort is to strike a balance between the sustainability aspirations of the city, and the livability considerations through the prism of what's actually going on in the street in actual experience. I move this amendment.

Hales: Is there a second?

Fritz: Second.

Hales: Ok, that amendment is moved and seconded. We will put these on the table and take action on them at the end of the hearing. So, Next amendment.

Fritz: Thank you mayor, I'm going to move a few of the amendments, the second, if we could keep going back to this, thank you, that's great. The second amendment I move to amend the recommended draft to require parking near transit using the tiered approach -- wait a minute, sorry - - that's the same.

Hales: Yeah.

Fritz: Move to amend the recommended draft to require sites within 1500 feet of light-rail stations to provide parking under the same regulations.

Hales: Ok. Is there a second to that?

Saltzman: Does your amendment address the frequent transit trimet map or not?

Fritz: That's a later one, that's coming up.

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Hales: That's a separate, I think that's proposed as a separate amendment. So what the effect of this is, is to say, that these requirements will be in effect on transit streets as well as on non designated transit streets. Is that right Joe?

Zehnder: Actually, yeah. If we're looking at the memo we sent over as the motion guide, if we're talking what commissioner Fritz just proposed is item 2b, that would in that one create this area where you apply the new parking ratios within 1500 feet of a max station.

Hales: ok, but we also have Item 2a there.

Zehnder: 2a really rolls back our definition, keeps our definition of frequent transit street the way it's in the code today and does not go with what was proposed and the psc recommendation to limit it to the trimet designated frequent service lines, which is a different standard entirely.

Fritz: So moved. And for the reasons that joe specified in his earlier presentation, and also because the map can change, the transit frequency can change, and the planner at the permits center needs to check that there actually is frequent transit, not just the map in 2013 said there was frequent transit.

Hales: So you're moving 2a and 2b.

Fritz: Correct.

Zehnder: and then if we could just complete the package, if you flip it over, 2c

Hales: 2c is the map

Zehnder: just says don't use the map.

Fritz: to remove to amend the recommended draft to remove the current trimet frequent services map from the commentary and the draft zoning code.

Fish: Second.

Hales: So, and that's seconded. So that one is on the table and just again to clarify make sure both we and the public understand what we're talking about here, the effect of that package of amendments is to say these tiered parking requirements will apply in all cases. And that the trimet map of frequent service will not provide an exemption from that requirement. I have got that right?

Zehnder: Correct. And it'll apply to any street that's got 20-minute bus service, which is the city code's definition, or 20 minute transit service, which is the city codes definition of a frequent transit street. Which is, that's the definition it is today.

Fritz: That's the same as we have today except for adding the 1500 feet from the transit -- and just to clarify...

Saltzman: if you're within 1500 feet, then you're exempt.

Zehnder: 2 things, 2 things. There's a, if you're on a frequent transit street, if you're 500 feet from a frequent transit street, frequent transit street defined as a street with 20-minute transit service, the tiered provisions would apply. The parking minimums that we're changing with this would apply there. Today that within 500 feet you have no parking minimum. You all are establishing a parking minimum through a tiered proposal. We're just applying it to those same properties. The psc's recommendation reduced the number of streets and properties that would have been eligible for that. You're keeping it the same with this amendment because of unintended consequences i'd say we didn't really hash through when we did ours.

Hales: The effect is no street is exempt?

Zehnder: No street is exempt. The map or what constitutes places where that tiered approach will be the minimum parking tiered approach, will be available, stays as it is today with the one exception of -

Saltzman: I'm still unclear, if you're within 1500 feet of the transit station --

Zehnder: With the one exception of rather than, say, today it would be if you're 500 feet from a transit line, it becomes not that, but 1500 feet from a transit station. If that makes sense. More nodes than this line you really can't have access to. I can show you the map if that would help.

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Hale: I'm not sure if i'm following you joe. Not in terms of the map... I thought when I read this, the effect of the council action on this amendment would be to say, we're not granting an exemption based on your distance to a station or a transit street.

Fritz: Not for this code.

Hales: For the new code. If we adopt these proposed amendments all streets will be under the requirement?

Fritz: Correct.

Zehnder: correct, correct. That's correct, mayor.

Hales: So there won't be an exemption based on your location?

Zehnder: Correct.

Saltzman: Other than your radius from a transit.

Fritz: Well that's what parking standards apply, if these are lesser parking standards still then than the rest of the city. so, it's just specifying...

Hales: ah, okay.

Zehnder: So, let me try, One more run, because I really want to be clear about it. Today, you can have no minimum parking requirement if you're one of those c zones that I showed.

Hale: right

Zehnder: Or if you're 500 feet from a transit street. What the package is doing is changing that minimum parking requirement from zero to a tiered approach. It'll apply to those c zones and it'll apply to the current map of transit streets, and the property's 500 feet from that transit street. Plus properties that are 1500 feet from a max station. So you get the minimum parking requirement you're trying to impose on the c zones, your're also doing that to your transit streets and your max stations.

Hales: Okay. I want to restate my point just to make sure we all get it, me included. And that is no street is exempt.

Zehnder: Right, if exempt means having no minimum parking requirement, no street is exempt.

Hales: correct

Zehnder: That's what I thought you were saying, sorry.

Fritz: You are accepting that as an amendment?

Hales: That amendment has been moved and seconded and is on the table for the council to consider and for people to testify.

Fritz: just to clarify, that this is so you what we're thinking so you can say that's a good thing, that's a bad thing. The third item, I don't believe we actually need to amend, to move not to amend the language in the recommended draft. So we will move to- what's in 3b in our cheat sheet, which is to amend the recommended draft to cap the amounts of required parking that may be reduced using an exceptions to 50%. In other words, you can use any of the five or six now options that you can't get below 50% as the required parking.

Hales: So by providing bike parking.

Zehnder: Car shares.

Hales: those kinds of things, you can reduce your requirement but under this proposed amendment, it would not be reducible by more than half.

Fish: if I may, I'm going to support this amendment but also with the understanding that between now and the work on the comp plan, i've asked the bureau of planning and sustainability to look at more ways to use the bonus system. In other words, voluntary mechanisms to get true affordability in some of these buildings. Because, the reality is there's very little "affordability" and we're also not seeing much in the way of tod tax abatement. I've asked to have an expiration of whether we can tie any of the bonuses to actually getting a percentage of these units affordable to entry level workers and working class families.

Hales: Moved and seconded. [gavel pounded]

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Fritz: I move to amend the recommend draft from the planning commission to delete the language that allows parking for multidwelling buildings to be within 500 feet of the building. This is much older than these transit streets, this would be citywide and that's something that needs to be discussed in the comp plan , rather than as part of this package of amendments. So this keeps the current code which requires parking to be on the same side as the building for residential development.

Hales: ok. That's been moved. Is there a second for that amendment?

Saltzman: I'll second for purposes of discussion and testimony.

Fritz: thank you.

Zehnder: and then I think it's just –

Fritz: keeping the current code which allows for joint use parking. Again both of these issues I think should be looked at in the comp plan so we don't need to amend that. We do need to amend the purpose statement to add that multi-dwelling development that includes a large number of units may require some parking to ensure an adequate supply of on street parking for existing and future uses in the area, and to provide necessary and adequate parking for residents and guests, especially those with disabilities.

Saltzman: that's supposed to include off street as well.

Hales: I have a question about that, I think that might be either unclear language or a type of, do we really mean on street or do we mean on and off street there?

Fritz: it's both according to the language. It makes the adjustment if you look at both.

Hales: And to provide necessary and adequate parking.

Fritz: Right. This is the purpose statement for having on-site parking.

Hales: oh I'm sorry, ok

Fritz: so in an adjustment review, if a development --

Hales: no, but this says on-street, not on-site, amanda.

Fritz: I know but this is the section of the zoning code that we're amending, it's the purpose statement for parking on site.

Zehnder: You could read it, the on-street provision, the future uses in the area provision, and this one that the commission just added. It could be clear but the way it's structured it's both on street and off street.

Hales: It would not be better to delete the words on-street?

Zehnder: You know, it would be perfectly fine to do that.

Fritz: I would be fine with that.

Hales: I'll accept my own friendly amendment. [gavel pounded]

Fritz: Excellent. Moving right along. And then I move to amend the transit street main entrance requirement to specify that this means only for the nonresidential portions of it, you don't have to have 12 front doors on the transit street if you happen to have 12 residential units.

Fish: second

Fritz: This again needs to be looked at in the comp plan. Ideally you would want one front door for the residential unit on the transit street so people who live in the apartments can easily get to transit. We looked at how we could do that in the short time frame and decided it could be better done in the comp plan process.

Hales: Okay. That amendment is on the table, as well. [gavel pounded] I hope that's something people were able to follow. It might be helpful, joe, to leave that slide up of the -- of the proposed amendments so that as people testify, they will be able to refer to those if they would like to.

Thanks, Karla. With that I don't believe we have any more invited testimony. We can open it up. Again, i'm going to be a little more strict than usual because of the number of people here and ask you to confine your testimony to a three-minute period. Let's start with the sign-up sheet.

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Moore-Love: We have 59 people signed up to testify. The first four please come on up. [names being read]

Hales: Welcome. Go ahead, looks like she's got you wired up there. [inaudible]

Hales: Switch your mic on.

Moore-Love: We're good now.

Joe Van devere: I'm joe van devere and i'm with the commission on disabilities. I wanted to say welcome to mayor hales and commissioner novick to the council. And we look forward to working with you in the future. I'm going to give you some comments from the commission on amendment number 5. not the new amendments but the original amendments that we were talking about regarding loading zones. First, since the provision of loading zones is vital for peri transit, taxi and wheelchair adaptive vehicle pick up and drop-off, the residents, we would ideally like to see loading zones on all developments regardless of size. But we do realize that may not be feasible on smaller developments. So we would propose a threshold of 20 units or greater than 20 units for loading zones. Second, we would like to see it put in the code that loading disowns should be as close to the main entrance as possible to the development of the building for purposes of accessibility and para transit usage. Third, we would also like to see it put in the code that it is vital that the zone will be on the right side of the vehicle. In situations where you have a one-way street, that's the side of the vehicle that equipment deploys on. The left side would obviously be deploying people into the street. That's a serious safety issue for us. Then finally I just wanted to add an additional comment on the availability -- given the availability and distribution of accessible housing, given that's a primary concern for the commission, we have reservations as to what the effect of this zero parking ordinance will be on, and the attempt to minimize the cost of development will actually be on the people with disabilities, as far as the accessible housing that's developed under these policies. We'd like to see some provision made in the code somewhere to incentivize or to assure that accessible housing will be developed. If we encourage smaller developments of 20, 30 units, that's very likely not going to be accessible units and they may cut costs by not having elevators and things like that which would not help the situation that we're facing right now.

Hales: Great, thanks very much and thanks to you and the other commission members for giving us guidance. Thanks.

Aaron Brown: Mayor hales, commissioners, good afternoon. My name is aaron brown, and I live at 4047 n Michigan. I am the cosecretary of the boise neighborhood association. And I serve as a citizen on the networks policy expert group, which is currently reviewing the comprehensive plan. Today i'm speaking as a private citizen interested in policy for affordable housing and transportation and neighborhoods for current and future Portlanders. I am here to testify against any increase in regulation mandating automobile parking. And explicitly against commissioner fish's proposed amendments to lower the minimums that mandate expensive automobile parking spaces in new housing construction to buildings of 30 units. I don't see why the city of Portland feels the need to enact legislation to ensure whatever dwelling I choose to live in has access to 160 square feet of asphalt for me to park an automobile that I may or may not own. Forcing me to purchase or rent a unit of housing that comes attached with a parking space of up to \$55,000, seems antithetical to the city's goals when reduction of private automobile use has been repeatedly been stated by the city as a priority as part of our plans to help us save the earth, save our wallet, save our air quality, and save at least my ever-expanding waistline. Forcing developers to build a housing stock that includes built in parking stifles the market and heavily discourages folks to consider living car free by explicitly asking them to subsidize other residences choice to own a car. This is problematic considering many folks are willing to fore go owning an automobile as a trade-off to live in these amenity filled neighborhoods. I also want to point out that much of the pro parking regulation testimony that you've received from citizens does not necessarily represent the interest and needs of a full cross section of portland's residents. After sitting through a combined six hours

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of testimony at the two planning and sustainability committee meetings, I was the only identified renter to testify, although 46% of portland's residents rent. Make no mistake, the increased regulations will make it more expensive and more difficult to build cheap units and transit friendly amenity filled neighborhoods. This limitation on the supply of housing will exacerbate our already astoundingly low 3% vacancy rate. Which is part of the reason that rents in these new buildings are so high in the first place. As far as I can tell, I was also one of only two people under the age of 35 to testify during these six hours of meetings. The decision to strongly mandate the construction of expensive automobile parking on housing, has significant implications for what Portland's housing stock will look like in 2025. as someone currently between the ages of 20 and 25, this concerns me. I am the person in this room who will be hopefully lucky enough to be able to choose what kind of housing unit I want to live in and what kind of neighborhood I want to live in, in those years. I may want to unit with built-in parking, I may want to do without. I want to be able to make that choice so that I can spend as much or as little on my future income on housing vs transportation as fits the needs of my future family. Your decision today may threaten my ability to make that choice. I want to stress that I empathize and respect the wisdom of other community members who have testified at some of the planning commission meetings, and I want to firmly state that i'm not here to shill for developers interested in making a grand fortune at the expense of our famed, heavily curretted neighborhoods. I'm merely asking you, I implore to you avoid making this hasty decision that will threaten housing affordability, access to neighborhoods and transportation options for current and future Portlanders. I encourage you through the comprehensive plan to pursue policy that encourages parking permits in desirable neighborhoods as it is a more cost effective policy outcome, thank you.

Hales: Thank you.

Tony Jordan: Mayor hales and commissioners, good afternoon. my name is tony jordan, I am a board member of the sunnyside neighborhood association and the land use chair. I'm not speaking for the sna, but I am a member of Portland neighborhoods for sustainable development. I am the other member under 35 that spoke. The amendments proposed by the planning and sustainability commission will slow or suspend residential development along our close in transit and commercial corridors. We've waited years for these streets to grow up. And it's unfortunate that fear and uncertainty are likely to derail this transformation. Which is essential for the long-range plans of Portland. While current residents will continue to enjoy subsidized storage of their vehicles on the street, renters will continue to compete for briefly vacant apartments in an ever-tightening market. The adjustments proposed by commissioner fish will only exacerbate this effect. It is true that brand new development may not be cheap to live in, but High school economics teach us that increasing supply relative to demand will bring down prices overall. There's a perverse incentive at play for developers to off load the cost of residential parking on nearby neighborhoods. The same incentive convinces homeowners to convert garages to offices and keep additional vehicles. Innovative residential permit programs will ensure that adequate parking remains available without creating a glut of just below threshold buildings designed around these regulations. We should roll up our sleeves and begin the difficult work of converting the parking comments to a managed public resource. Those of us who had hoped for a reasonable discussion of this proposal have watched in some dismay as a series of reactive actions have turned this into an emotionally charged debate with little time for reasoned arguments. This decision should not have been fast-tracked with two weeks noticed, one of which was spring break, to stop development on 37th and division. If that's successful, it'll send a shiver down the spines of all developers and not just the unpopular ones and may expose the city to damaging litigation. If that's not the motivation, I don't understand what the rush was. The psc recommendations are a compromise and they are designed to curb abuses of the current exemptions. It would be one thing to move very quickly to pass the psc

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recommendations but adjustments proposed are not just minor tweaks. If you must take action, please pass the psc recommendations with amendments 2 and 6 only. Thank you.

Hales: You're welcome.

Terry Parker: Good afternoon, my name is terry parker, i'm a fourth generation Portlander speaking for myself. Imploding with debt, management costs ballooning, and transit fares that barely cover 25% of the operating costs. Trimet is on the edge of insolvency. Without major changes the deteriorating transit agency will have to cut 70% of its bus service by 2025. likewise, bicycling doesn't generate any tax revenue to pay for infrastructure. Yet the costly social engineering continues. The notion that everybody will ride a bike, take transit or even commute by transit is a mythical unsustainable fantasy world that lacks as financial reality check. 80% of the trips in Portland are made by car. 70%-plus of the Tenant households in the new apartment buildings without parking have one or more cars and two thirds of those cars are parked on the streets. Using city streets as a storage lot for these cars, decreases the value of neighboring homes and businesses. There by creating a transfer of wealth from the nearby property owners to the developer and renters. The reason behind the application of parking minimum requirements is to east side the burden on the existing street network from the arrival of fresh demand created by new developments. Implementing a fee based on street parking permit system as a mitigation measure is not only an attempt to ration demand but also discriminately places the burden of fresh demand on existing residents and businesses rather than on the developers that create it. The proposed zoning code amendments that recommends only .25 park places per unit as a minimum for structures with 40 units or more is a watered down feel-good approach that just puts lipstick on a pig. Consider the cumulative effect of several of these apartment buildings without parking or with only .25 spaces per unit being constructed in close proximity to each other, forcing an alternative lifestyles and the kind of social engineering agenda that allows developers to construct new apartment buildings without adequate parking spreads the plague of the northwest portland parking mess to the east side. Developers need to accept the responsibility for any fresh demand for parking. The zoning code amendments need to reflect the reality check of today and be adjusted to require .75 parking places per unit for any new east side mobile unit residential development. Parking minimum requirements need to accommodate the majority of tenants with cars while minimizing on street impact for existing residences and businesses. In today's modern world, the family car represents the true meaning of democratic freedom and mobility. History clearly demonstrates higher rates of personal mobility significantly contribute to greater economic productivity which in turn generates higher income jobs. None of us can project the future. The energy sources and propulsion systems of the automobiles of tomorrow may not be on the drawing board today. Even if in decades to come, personal mobility drastically changes, and the number of households owning cars radically declines, the smart logical thing to do is lessen the negative impacts today by requiring adequate off street parking minimums, but design that space so that it can be converted to other uses in the distant tomorrows. Thank you.

Hales: Thank you very much. [names being read]

Hales: Welcome. Go ahead.

Ted Labbe: Thank you for the opportunity to comment. My name is ted labbe and I represent depay, a Portland nonprofit. Mayor and city council, thank you for the opportunity to comment today. Today you're going to hear an earful from angry neighborhood activists on why new apartment buildings should have on-site parking. I'm here to urge you to do nothing. Let's stick with the current zoning code provisions. There's not sufficient time for me to detail how the city's current approach is good for efficient urban land use. Affordable housing choices and access. Interactive and business friendly streetscapes. Bike, ped and transit mobility. Green spaces and water quality preservation and how it moves the city towards greater resiliency. It does all of these things and more. Unfortunately you are under tremendous political pressure to do something,

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and I think the city staff have found a reasonable set of code changes to minimize the damage to Portland's progressive vision. Please don't roll back things any further with these amendments. I will clarify i do support amendment 2 which keeps the current high frequency transit map, I like that. There's much talk about equity these days. All three hearings including this one on the proposed zoning code changes have been held during weekday working hours spread over a period of four and a half months, with no effort to garner input from folks besides those willing to attend these hearings. Today the people You are hearing from overwhelmingly white, mid to upper class, who own their own homes. They likely rely on automobiles for transportation. Who are you not hearing from today? Or at least not hearing enough from. apartment dwellers? Families struggling to pay bills and house themselves? Affordable housing activists. Bike and ped activists? Green space advocates, sustainability thinkers, design trades and yes, developers. The narrative before you today is that evil developers are exploiting the city's friendly neighborhood buildings. I don't buy it. There is design review needed for these new buildings. I acknowledge that. But slapping on new parking requirement will not achieve this and will cost us all dearly. Than you.

Reuben Deumling: My name is reuben deumling, I am here to oppose any further erosion of city's existing policy on off street parking for housing along in transit corridors. I live in the sunnyside neighborhood, I am a member of Portland neighbors for sustainable development. It isn't as if we had to convince people in Portland not to have cars. According to the 2010 census, roughly 24% of the east side renters households in Multnomah county who live west of southeast 82nd do not own cars, this number is rising. The most elegant solution to this whole circus would be to figure out ways to help or encourage those without cars to move into these apartments. We could put the onus on the developers to figure out how to rent to this demographic. The next most elegant solution is to Implement a parking benefit district whereby currently free on street parking is managed in a such a way that those who live on the block can always find parking. These systems already exist and are working in other cities and neighborhoods. they generate funds to be used by the neighborhoods themselves to further improve liveability. I haven't heard any reasonable objections to either of these elegant solutions. If you find yourself unwilling or unable to pursue either, then I ask you to not weaken the current proposal to require modest amounts of off street parking for buildings larger than 40 units. Thank you for your consideration and commitment to the city.

Allen Field: Good afternoon mayor hales, commissioners, my name is allen field, I live in the richmond neighborhood just a few blocks north of division. I urge the council to today adopt and make effective a minimum parking requirement. Between the original proposal and the proposed amendments, i'm in favor of proposed amendments. But I do think they should be raised a little bit from the current proposed amendments to the level of .3, .35 and .4. I do think that there needs to be a more robust cumulative impact component. If it can't be imposed today, then in the comprehensive plan process it can be added. Since I was here last time, There is yet another four-story building on division with no parking. This time a 74 unit building at 48th and division. By my count that's 450 units time a .9 parking ratio found in the study. We're talking about 400 cars. You add in the destination restaurants, We're talking 500 plus cars in our neighborhood in just a few blocks, nine blocks. The proposed amendments are a good start but I think there needs to be a better cumulative impact component based on the density of the units. On division we have reached the point of incredible density. The parking study shows there's already 65 to 85% parking utilization on 36th and 37th. And this last weekend, I walked 35th place and it's 95% utilization and 105% on the other day I walked it.

Fish: Mr field, can I ask you a question? We've had a lot of internal discussions about how you might structure something that tackles the cumulative impact question. Do you have a thought on that, that doesn't just have the perverse effect of applying the rule on the last development in and treat development in the same proximity differently?

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Field: Well what I proposed previously was a threshold if there's already 300 units within 3 blocks, then have a bump up in the minimum parking requirement. I don't know how to address your scenario of how people late to the game can't take advantage. That's just the real estate market. If you're late to the game you can't buy the property. And relying on market forces I don't think is the answer. Because here in Portland where we have an incredibly low vacancy rate, and Portland is the number one place people are moving to, young people in their 20s and 30s moving to Portland to retire. These are not families, these are people willing to walk two to three blocks in these apartments. The developers are not passing on the savings to the renters. Two of the three most expensive buildings with highest rents have no on-site parking. Two of the cheapest buildings have on-site parking. It's a fallacy to argue this is, you can lower the rent by not having parking. The demand is so high for apartments, developers are not passing that on. The normal parking ratio is one to one. Therefore I think a fair compromise is higher than the current proposal, not 2.5, but raise it to .3, .35 and .4. The March rna kurt Schultz from sierra architects, he even said 2.5 was too low for the amount of density that exists on division west of cesar chavez. The rna recommended .35 to .5 for 20 to 40, and .5 to .6 for over 40. Rose city recommended .25 for 20 to 40 and .5 for over 40. I would urge in the long term process, adding in a better cumulative impact. And decouple the parking ratio from trimet's schedules. They are going cut their service 70% in 12 years according to the manager. Thank you.

Hales: Thank you.

Michael Robinson: Good afternoon mayor hales, members of the council. my name is michael robinson, i'm here today on behalf of dennis sackhoff who may be affected by these amendments. The first thing I want to say is We support amendment 6, the changes to the main entrance requirements, it makes a lot of sense. We don't support the amendment 4, we think you should follow the planning and sustainability commission recommendation. So I have 3 comments today. First of all, We agree with what planning and sustainability commission vice chair rud had to say in her letter and with commission member shapiro's testimony today, that you should continue exploring the parking permit program with pbout it makes a lot of sense, it's worked in other areas of the city. and the pbout testimony at the march 12th psc hearing had a lot of merit to them. They had a lot of good suggestions. Secondly, We urge you not to adopt these amendments immediately. They may have some merit and you may want to adopt them. But especially given the number of amendments that have been proposed here today, we would urge you to have a little more opportunity for testimony and thought, not to mention the fact that they should be applied prospectively. You don't intend and don't want to capture people in the process that hadn't anticipated these amendments. And lastly, The amendments shouldn't be adopted or directed to any particular project or development. They need to be based on good, thoughtful policy. Which is what I've seen this council engage in. If you choose to adopt these amendments we ask that you do so prospectively so you don't inadvertently apply them to projects in the process. That's all I have today. I thank you for your time and i'll give my testimony to your recorder.

Fish: If we were to follow your recommendation on amendment 6, and structure it so that it did apply to anyone who would be seeking a permit in the next 10 days, do you have a position on that?

Robinson: We would support that. I don't want to talk specifically too much about the opinion in Richmond neighbors for responsible growth in Portland. but it's clear that the city council didn't intend that there be entrances above the ground floor at the individual apartment units. So, I know mr. sackhouse wants to provide retail floors With the code as written you simply can't do it. Thank you for your time today. [names being read]

Kathy Lambert: Thank you mr. Mayor and city commissioners for allowing me to speak to you today. My name is kathy lambert, I am the owner of division hardware located at 37th and division right across the street from the proposed 81-unit apartment complex. I urge to you pass the amendment to change the requirements for developers to provide parking for projects with 41 or

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more units. It needs to be done immediately so that the developer at the 37th street project will be required to provide some parking for the people moving into the building. As it is, developers are just buying up any and all available property to put up these monstrosities. With no consideration at all to the livability of the neighborhood. It's only a money-making proposition. This can't be allowed to continue if we want to preserve our family neighborhoods. Once these projects are completed they are going to be around for many, many years. They will not go away. Is this what we really want in our neighborhoods? There is a matter of building in conjunction with the existing neighborhood. However, Dennis Sackhoff has gone way overboard in the design of this complex that's going up on 37th and Division. This just does not fit the neighborhood. It does not belong here. This is not being very responsible, it needs to have at least some provision for parking. This amendment will not solve all the issues involving the projects going on throughout Portland but it will be a step in the right direction to require the developers to include at least some parking for the units above 41. You were all elected by the people of Portland to carry out the work of making this a city we can be proud of and not be swayed by the special interests of developers here to fleece our neighborhoods and put money in their pockets. I urge you to pass these proposed amendments and put it into effect immediately. If you are worried about Sackhoff bringing a lawsuit against the city of Portland and winning, you must not have much confidence in the city attorney's ability to win this case. Or is it a case of Sackhoff buying off people in charge of making the policies for the city of Portland? Who do you work for? The people who make up our family neighborhoods or developers who insist on buying up all the land to put up these gigantic buildings in residential neighborhoods. This amendment must be voted on immediately and put into effect immediately in order to preserve our livability and our neighborhoods, what we have left of them.

Hales: Thank you, Kathy, thanks very much.

Brian Posewitz: Mayor Hales and members of the council, thank you for the opportunity to testify today. My name is Brian Posewitz, I'm a resident of the Sellwood neighborhood and I have just become interested in this issue in the process of attending neighborhood association meetings in my neighborhood. There's basically two controversial apartment projects in Sellwood, one with no parking, one with some parking. I have no financial or property interest in any of this, but I am interested in seeing Portland continue to grow in a smart and thoughtful way. As this issue has unfolded, I have done some reading about the policies behind the existing code not to require parking for certain apartment buildings in certain zones. I think the goals behind those policies are very, very important, even compelling. And that the policies to further those goals are pretty well thought out. I could sort of go through the goals, I'm sure they are well known to you. Basically I support the concepts of sustainability, encouraging an auto-free lifestyle and affordable housing. It had to be anticipated that when this policy got implemented on the ground, that there would be some negative effects. I don't see how anybody can be surprised by that, and that those negative effects would stimulate a lot of complaints. However, I think if you are looking for development that doesn't have any negative impacts and doesn't generate any complaints, that's no development at all or something close to it. I think what has to be done is to say, let's look at these impacts. It seems to me right now, that the impacts are really anticipated impacts. I don't know that anybody can't park all of a sudden. You have to look at the negatives and compare them to the positives and say, are the negatives so significant that they outweigh the policy goals of the existing code. In my mind, the negatives I've heard don't justify erosion of the policies behind the existing code. On the parking issue, I find it kind of interesting that the people who are complaining about future residents and businesses using parking on the public right of way are people who are currently using parking on the public right of way. If you say anybody new has to pay to park off the public right of way, you're essentially taking a public resource and allocating it to existing residents and businesses based on the fact that they were there first. I guess first come, first served is one way to allocate a resource. I don't know that it's the most thoughtful or efficient way to allocate a resource. I also

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want to say, remember in the background there's still -- we still purport to have some semblance of a free market out there. Sometimes developers will provide parking even though they are not required to. At the neighborhood association meeting we just heard from a person putting in a four- or five-unit complex and is providing a parking space to each tenant unit on Tacoma st. When asked why, he said so I can rent the units. So keep in mind there is a free market there. And also the free market I think can take care of a lot of the parking problems people are anticipating as well. I see my time is up, thank you very much.

Hales: Thank you very much.

Eli Spevak: Hello my name is Eli Spevak, thank you for listening to our testimony, mayor hales and the commission. I am a small developer/general contractor through my company orange splot. I've done development on my own for eight years and before that, built affordable housing nonprofits for about a dozen. I came to speak about parking but I'll just say for a moment about the perception that the city might change the rules on a project mid way through. I just want to share that for 8 years I've been doing developments, every development has required a lot of personal equity and a personal guarantee on a loan from a construction lender worth significantly more than my net worth. I think, the idea that -- it's a volatile market out there, things can change. The city should not change the rules, that would provide a chilling effect on anyone contemplating a new development, one that people like, one that people might not like. It could give me pause to go into a project where there's a major change and I might lose all i've got. I just want to share that as a developers perspective. Ill be at smaller projects, but even larger ones, people are personal guarantees on these loans. This can't be a shifting scale in terms of the city permit process. Speaking of parking, I am a big fan of the current rules. Back in 2005 I did a development where we utilized that 500-foot exemption and did a nine-unit development. It was market rate, the units sold for \$90,000. that was in large part that we didn't have parking for those homes. We ended up doing a second phase. What had been historic parking, those units sold for \$200,000 or a little more. That's relatively market rate made in part because of that exemption at a location where otherwise we would have had to leave a lot of parking spaces available. Since then, I've done an eight-unit development, permanent affordable housing, once again using that exemption. Both of those right on the no. 4 bus line. I think it's a great policy, I hope the city doesn't change it. I think in the bigger market -- i'm now doing a 16-unit development with 22 spaces of parking. It's a different location and parking is needed in that situation. I mention this because I think the market can take care of the situation. For decades it's not been the zoning code that's forced developers to provide parking. It's largely been their market of buyers and residents and their underwriters, the lenders, who are financing the project. I have been multiple times pushed to provide more parking than I otherwise would have done. In the past one or two years, the pendulum has shifted in the other direction clearly. And perhaps it's overshot. My construction lender says she's not going develop a larger development with no parking in it. She's worried that some of the ones going up may not be able to achieve the rents that they hope to achieve and there will be an overshoot. I don't think the city of Portland should be putting its thumb on the scale of that market. In favor of more parking, or maximum parking for that matter. I think that should be determined by the market. The market will make a correction. In the meantime, we've got lots of overparked developments. If you have a car, there are plenty of options for you. My recommendation for the council is to either go with the psu recommendation as a reasonable compromise or going the other direction and remove parking maximums and minimums. Thank you.

Hales: Thanks, welcome.

Gary Davenport: My name is gary davenport, i'm here representing ONRG, overlook neighbors for responsible growth. I live a block from a proposed no parking complex on the ne corner of overlook park. Thank you for letting me testify today. I urge you in the strongest possible terms to take action to both pass and implement the amendments before you into law. I further urge you to

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pass the potential amendments numbering 1 through 5. Today you've heard and will hear from critics who oppose passage and immediate implementation of these amendments. To them I say passage and implementation today will not impede the progress of responsible urban growth. The quality of new high density developments will be enhanced, not compromised. This will not raise rental rates, rental rates will continue to be determined by the market. However, passage and implementation today sends a strong message, a number of strong messages. It puts in place a more reasonable and moderate approach to in-fill apartments. It holds developers to a higher standard. It protects neighborhoods from a 30-day fire sale rush by developers to permit and erect no-parking behemoths throughout the city. Most importantly, It sends a message to developers, the city planner and the bureaus that the city council takes as stand for a more inclusive and responsive form of city government. A city council that believes that existing neighborhoods should also have a voice informing our future. I'd like to leave you with the following thought. Today I remind everyone we're still only at the beginning of Portland's urban renewal process. During this no parking struggle groups on all sides, including those in city government, the neighborhoods, the development community, the bicycle advocates, the aging and disabled communities and other concerned citizens have all worked hard to become increasingly more informed and aware of zoning issues, the internal workings of our city and state governments. And issues pertaining to urban planning and urban development. Moving forward, it shouldn't take an act of city council to get something done in a timely manner. I'm hopeful that bps and city council would explore ways to leverage the collective wisdom that each of these groups has to offer, so each can offer a stronger voice in getting problems addressed in a sensible and timely fashion. Thank you.

Hales: Thank you all, thanks very much. [names being read]

Julie Garver: Hello, my name is julie garver, I work for innovative housing. Innovative housing is a small nonprofit apartment developer. We develop for both affordable units and mixed income units. When we've been developing in the Portland area since 1984. We support the original parking amendments for one space per four units. The tiered plan is somewhat problematic because if you build slightly more units you're able to make them more affordable because there is an economy of scale. So we build a lot of 50 to 60 units. We like the original proposal at one space per four units. We also recommend giving serious consideration to the off-site parking plan. I think that land values are too high in Portland for people to actually tear structures down and make surface parking lots. It would be nice to be creative about this parking thing because we need it. To have spaces go unutilized nearby would exacerbate the situation. Also, we would suggest that you exempt historic buildings. It's very difficult reutilize historic buildings for adapted reuses. You have seismic, you have a lot of code requirements that are all very needed. These buildings, we don't have very many of them and they add a lot of character to our neighborhoods. We would recommend exempting them. Lastly, we really recommend you use care in how to these are implemented. Buildings and projects that are in permit or under construction, it's very difficult to make large scale changes. It would be very difficult for us as an affordable housing developer to make a couple \$100,000, several \$100,000 change in the middle of a project or while it's in permitting. We suggest care with how it's implemented. Thank you.

Hales: thank you.

Fritz: Mayor, may I?

Hales: yes, please.

Fritz: Julie, thank you for your testimony ahead of this and for the planning folks who are here. Is it possible, I think Ms. Garver's correct in that conversions of historic buildings would also be subject to this? Can I see nods or shakes? Yes, they would? Could you be working on potential amendment to add to the packet later to exempt conversions of historic buildings? Thank you.

Hales: So if you're converting a historic building that hasn't been housing to housing, then these rules would apply? Ya, ok - Good point. Thank you.

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Richard Lishner: My name is richard lishner, I am a resident at 2545 southeast 37th, half a block below division and half a block from the 81-unit apartment building. I happen to be an architect but I am a resident. Mr. Mayor, members of the council, thank you for allowing me to speak to you today. This has been quite a roller coaster. I hope you will successfully end this portion of the ride today. We all have our parts to play in these dramas. I would like to thank the organizers of Richmond neighbors of responsible growth and our lawyer, all of whom made our expected victory possible. My small role for better or worse has been that of a rabble rouser. Speaking truth to power, even with those in power seemingly do not want to exercise it. Last time we met I know I made you uncomfortable with the challenge to stop the rape of my neighborhood. Your silent response was that you couldn't do anything about this project. Then we won our case before luba, which allowed you to do the right thing on this project under the newly expected rules to govern these buildings. The developer and your own bureaucracy then tried to silently reverse our victory.

And you have finally responded to those efforts. so I'd like to extend my sincere thanks in anticipation of your immediate revisions to the zoning code today, which will force this developer to modify this building and accept some responsibility for dealing with growth and change. His project will bring that to our neighborhood. If you somehow shirk your responsibilities, I of course reserve my right to scream bloody murder. The important thing to understand as you decide immediately today, and do not put this off for further study and amendments, you must bring this process to an end to ensure that 37th street falls under the new rules. They can be modified later after further reflection. Please do not listen to those who argue on principle in hopes for a care free future. come and walk or streets and you will not need an architect to show you how we will have to accommodate change already. If we win today, we still have to deal with an oversized monstrosity with only 60 or so units instead of 81. most of these tenants will have cars and they will clog our streets. I would argue that the 40-unit threshold should be reduced to 20, 25, 30. Plus you know, we will likely see projects with one less unit to avoid parking. Also raise the percentages so that 25% is the floor rather than the starting percentages. The cumulative effect of all these buildings, most with no parking, will still swamp the neighborhood. Now of course, this particular project is cumulative all by itself. If you have stopped the rape of my neighborhood, you must understand it is still under assault. I ask that these regulations should be filed immediately by two conjoined efforts that can mitigate the simple auto/storage problem. A neighborhood stick program that would allow existing residents to buy the right to park on our streets. A new smart park planned and built soon would allow the new residents of new spaceless apartment buildings to park overnight. Steps must be taken to ensure unmitigated damage of these projects like these are somewhat contained. Throughout this process I have been troubled by the deference paid for developers. Everyone deserves respect here. And developers are not by definition evil. But When we confront those whose greed, stupidity and arrogance knows no bounds, we need and expect allies in city hall. thank you for your vote today.

Hales: thank you.

Doug Klotz: Hi, I'm Doug Klotz, I live in the Richmond neighborhood two blocks from hawthorne and do I have people parking in front of my house from time to time. I'm here in support of the Portland neighbors for sustainable development. You've seen our letter, I just want to reiterate that we support Portland as a vibrant, sustainable city where you can walk, bike, take the bus or drive your car. There's higher density along the transit streets and neighborhood centers so you can walk to places, bike to places and have there be some activity there. You need to have the density to support those businesses. We feel that parking requirements work against this vision and mitigate against meeting the comp plan goals. We oppose parking requirements at all. We have realized that there are some compromises necessary here. So we have supported, some of us not completely, the Portland planning and sustainability commission recommendations, which is .25 spaces for buildings over 40 units. Now there's other political realities perhaps coming down the pike with the

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new proposal by commissioner Fish. I am concerned specifically where we drop to 30 units, i'm concerned about the effect of driveways on retail streets, on the sidewalk on the retail streets. Once you put a driveway in, that driveway is going to be 42 feet wide including the wings, taking away up to three parking spaces. In a 30-unit building you may have five spaces that it accesses. You're not gaining much and interrupting the pedestrian flow, you're interrupting even street traffic with cars coming in and out of this driveway. You take away space for street trees, space could be for sidewalk café tables. Just having all these driveways on a retail street is not a good thing. I propose -- when I sent to you folks -- that we exempt buildings that are mid block from the 30 to 40 threshold requirements, to at least eliminate those buildings that don't have much parkings anyway.

I'm told by planning staff it's difficult to write that code language in a quick manner. Of which this process requires, so another alternative would be to just eliminate the 30 to 40 step and in trade-off change the ratio for the 40 to 50 from .25 to .30. I'm not that comfortable with it but this is a way save the pedestrian environment on those streets. So that's, you know, it's a compromise and i'm not that comfortable with it. But just to put that out there.

Novick: Mr. klotz?

Klotz: Yes

Novick: One of the issues we're going to be discussing is whether to allow for developers to purchase off site parking. Do you think, I mean, is that a significant issue in your mind as a possible, that you might have 30 to 40 unit buildings that, mid block buildings that could buy offsite parking without, and thus avoid having the driveways?

Klotz: That would certainly be preferrable to having the driveways on the transit street, yes. I'm not sure if that's going to happen all the time. Especially on the smaller projects where they are doing 32 units and buying a 50 by 100-foot lot, or a 75 by 100 foot lot. I don't know if they would want to additionally purchase a lot somewhere else for the parking. Yeah, I don't know how the economics of that would work.

Novick: Do you think the 30 to 40 -- are mid block buildings more likely to be in the 30 to 40 range than the 40 and above range?

Klotz: They are more likely to be in that range than the 60 to 70. It kind of depends on the block pattern in the neighborhood, too. In general it's the corner buildings that might tend to get larger. People tend to aggregate sites on the corners rather than the mid block.

Hales: Thank you. Thanks.

Justin Wood: Good afternoon, mr. Mayor and fellow commissioners, my name is justin wood. I'm here on behalf of the home builders association of metropolitan Portland. In addition to being on staff at the home builders association i'm an infield building here in Portland and have been for 13 years. I'm serving on the comprehensive plan housing task force and I also help several volunteers here on the citywide apartment task force. I'm here to ask you to support the amendments as proposed by planning staff and recommended by the planning of the sustainability commission. These amendments are the result of careful study weighing the impact of desired parking against the transit and density goals of the city. Lots of 40 or more as the planning staff has stated are typically larger corner lots that do not have the challenges the smaller mid block lots do. I sent to the city recorder and the commissioners a diagram that we had one of our engineers do of a typical 5,000 square foot mid block lot. By the time you've provided the necessary access on and off of the lot, you've lost half your street or parking. If you put five spaces in, you might lose two or three public spaces at the expense of getting five private spaces on site. Using the number less than 40, I get the feeling there's been a push for some number less than 40 simply because it's less than 40. I think the planning staff has done their job and due diligence to not only weigh the feasibility of the construction but the reasoning behind that number. If the numbers changed I would ask a little more consideration is given to what the impacts really are and have staff provide some more feedback on that. I would pate for us to make a decision today without carefully

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studying all of the consequences that planning staff has already done. Additionally an unintended consequence may be there's no guarantee a building requires -- I mean, that the developer parking provided, that the tenants will stay there and pay for that space. In most instances the developer would charge a premium for those parking spaces. If the tenants choose not to pay to not park on those spaces, they would still park in the neighborhood. I've heard some conversation about requiring parking permit problem. I don't know the ramifications of that, but that might be a way to help with that situation. The city and metro area has goals of decreased carbon emissions, decreased auto use, increased bicycle and transit usage and increases in city density. These apartment projects help to us move closer to our ultimate city goals. I also serve on several committees at Metro and I know the city is working with Metro on different climate smart scenario projects that help to mandate programs that promote health and walking and decreased auto usage.

Hales: Just wrap up, that's okay.

Wood: I just wanted to say that as far as the amendment, I am opposed to the off site parking amendment because I think there are empty lots not being used, they should be fully utilized. I was offered to commission fish, he made a comment about tax abatement on rental units? as someone who has built for tax abatement for sale, I can say part of the problem with the tax abatement on the rentals it's fairly cumbersome. It's a lot more difficult to it on the rental units than it is on the for sale and I think there are some tweaks in the program that would make it easier for rental.

Fish: I'd love to work with you on that. Even though your time is expired, if I could just ask a question, you focused your comments on the planning and sustainability proposal and You offered a comment on the amendment 1 which would lower the threshold to 30-40, with a 1 to 5. Could you comment on what you think of the one to three for 15 and above and whether you can support that?

Wood: Personally, I'm more flexible on the ratios above 40 because I think there are sound reasons why 40 is a magic number. I think if this council's discretion is to change the ratios on numbers from 40 to 50 and 50 and above, I think there's more reasoning behind that and I could support that at some levels.

Fish: Thank you.

Hales: Thanks very much. [names being read]

Jeff Fish: Mr. Mayor and commissioners, my name is jeff Fish, I am president of Fish construction, and also a member of the development review advisory committee. I speak on behalf of myself and not the committee. I also speak on behalf of myself and not necessarily for our company, because the previous speaker is my son-in-law and his views and mine may be slightly different. [laughter] Unlike me and my colleagues, i've never built nor do I plan in my career to build anything that doesn't have one parking spot per unit. I'm going to let you deal with that issue you've got before you right now. What concerns me more are two things. One is the density issue. I have faced neighbors for 40 years over density mostly on single family although i've built a larger project up to 52 units. Parking is a big issue for people. My personal view is that if you're going put high density in, keep it in the pearl and the south waterfront. I don't believe it should be out on 39th and division or other residential neighborhoods. I have people give me a bad time over the fact i'm putting two houses on a 50 by 100 lot much less 20, 30, 40 units on a lot. Part of what I want to address is the general public. The general public needs to wake up to what senate bill 100 and senate bill 101 did, in forcing density. I want them to understand that we as developers play within the rules that are written. We don't write the rules. I'd also like to clarify in my 40 years i've never heard of a public official being paid off, whether you start with a building inspector and work all the way up to the mayor, i've never heard of anybody asked those people be paid off, and I've never heard of anybody suggesting they'd be paid off. I think there are a lot of people who think the developers push this stuff through. We react to what was written mostly dictated by metro and I asked those people to look at what's happened to our density issue. The other major concern I have

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is the fact that this building permit has been pulled. I understand what luba did, but I don't believe that you want to be pulling building permits and not allow developers to move forward. That's a precedent that I don't think should be happen second time. A basic building permit is a contract and a contract has a consideration of something of value. An offer of acceptance, Legal purpose, capable parties, and meeting of the minds. I don't want to see this precedent down the road of building permits being pulled for any reason, business license, any kind of permit. Contractual agreements between the city and private parties. I'll close with my remarks to that point.

Hales: Jeff, if there's any lingering conflict between you and your son-in-law, the city has free mediation service for neighbors.

Fritz: jeff, I appreciate many of your comments, I just want to clarify that the loop of reversal is the reason that building permit is not moving forward, that's, you and I both know, an unusual circumstance.

J. Fish: I understand that but i was led to understand, and am i incorrect that it's been held up because of something besides that, too, or not? Is that my mistake?

Fritz: Not to my knowledge.

J. Fish: Okay.

Hales: You want that to be distributed, karen?

Karen Karlsson: Hi, karen karlsson, I am a resident at 19th and Northrup northwest. Thank you for letting me come and testify. I was doing a little show and tell. I want to talk about a project that's a little bit different than the projects that the study has been doing. This is a project that's a block from my house and it's in an area that is a mixture of light manufacturing, residents, retail services. It's an ex zone so it's a little different than the residential and commercial zones that the study has done. The first page shows a new 104-unit apartment building being built with no off-street parking between overton and northrop, and yes, it is right by the streetcar stop. And the first shows to you, all the white spaces are the number of white spaces in a 28-block face that are available today for long-term parking. The red -- so today about 9:30 before I headed into the office I went around and looked to see how many of those are available on any workday and there were four. But pretend all of the businesses that are there now, using those paces were gone. You would still have basically because there's timed parking and there's places you can't park, driveways. That if just quickly, let's move to the third page where under the present code, if you assume 70% car ownership -- I think that's been one of the numbers bandied around a lot. Sometimes a little more or a little bit less -- that would mean 73 cars are parked on the street. And that takes up 20 of the 28-block faces within this area. Which is pretty significant. So the last page simply shows that under the proposed code there would only be 47 parked cars on the street, which I think is certainly much better. The problem in this area that isn't -- that's different is these are businesses here, that both are employees and people who come for the services rely on street parking to do that. I think you're going to see as this project develops and fills up, that there's going to be a higher demand for timed parking for these folks in this neighborhood or these businesses aren't going to survive. The reason i'm bringing this up, I think this parking issue is a whole lot more complex. Although I am personally, like, very much in favor of density, alternative transportation, I do think we do need to take a look at requiring some off-street parking for developments. I have to admit even though I recode a lot, I have no idea how a project in the ex zone is going to be affected by the code. So somebody, hopefully, will tell me at some point in time. So, bottom line, I think we need to do something but I also think we need to take a much more in depth look over time to see what the real answer is on some of this off street parking.

Fritz: this is very helpful in terms of the northwest parking issues. My understanding is that it doesn't apply in the ex zones, yes, I'm seeing nods, so, it doesn't fix the problem that you just brought to our attention.

Rick Michaelson: excuse me it does apply ex zone.

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Fritz: it does apply in the ex zone?

Karlsson: he must have read the code better.

Zehnder: not in northwest

Karlsson: but not in northwest, oh good.

Fritz: no, not oh good, you want some off street parking. So I agree, there are a lot of complex parking challenges.

Hales: I just want to say thank you for doing an extraordinary amount of work to go check this out for us. I appreciate that. I want to make sure I understand your key here, that is the blue short term time limited spaces, you didn't indicate whether they were occupied or not. The point is they're short term.

Karlsson: Actually, on any given day they are occupied. This morning they were all occupied. I know that because if I leave my house in the morning I come back middle of the day to pick something up i'm hopeful there's a timed parking space available. Otherwise there's nothing else.

Hales: ya, ok. This is very helpful, thank you.

Rick Michaelson: Good afternoon, I'm rick michaelson. I'm part of the reason why you're here today. In 1975, I was noticing the number of tear-downs in northwest portland for parking so I pushed a move in the cs zone to allow development there to take place without parking so we didn't end up with 50% building, 50% parking. In 1990, when I was on the planning commission I was involved in the vote that extended that to all the transit corridors. I voted yes. I believe commissioner Fritz actually voted against it at that point, telling us we were going to have problems down the road, sure enough here we are.

Fritz: I had forgotten that. That's very gracious about you.

Michaelson: I have two hours of ideas but I'm going to sum this down to 3 or 4 min, or 2 minutes of specifics about the code in front of you. The first is that I really do believe the threshold should be 20 units, not 40. At 20 units, you're getting the kind of smaller scale development that's appropriate in the neighborhoods without parking. The mid block projects will typically be on a 5,000 square foot lot, not 10,000. It's really hard to get two 5,000 square foot lots mid block together. Which means they would have 18 units and exempt under that limit as well. I think the idea of off-site parking is essential to the long term viability of our neighborhoods have combined planned parking area, but I think it's premature to allow it at any place except existing parking lots. There's a fear it may spread and lead it tear-downs if you allow the shared parking in new, in offsite parking in new parking lots rather than just in existing. Finally, I would like to talk a little bit about the main entrance issue, about whether the main pedestrian street or around the corner. It was intentionally a requirement to have the main entrance to the building, even if it's an apartment building, on the pedestrian street to activate the pedestrian corridor. the code was never intended, and I don't think it says that every unit has to be on the street, it just says the building has to have one. So if you want to change the policy, that's one thing. But understand that never has called for each of the apartment units have their own entrance on the main street. Finally, what would I do. I would start looking at parking in a more nuanced neighborhood way, I would begin to develop a system that allowed developers who were doing certain things in certain neighborhoods to reduce the amount of parking by first starting with one space per unit, then getting one for one credit for any units that are affordable, .5 for one unit credit for any units less than 400 square feet because those are small units. Giving the developer credit for parking along the curb they aren't taking out. Because that's also useful parking. Then allowing the developer if they want to reduce parking further to do a neighborhood parking study. If the parking utilization is less than 85% they would be allowed some additional lower to that until you get to the 85% level. Commissioner Fish, I think you asked a question what happens to the last guy in. There's no parking available. It's really no different than any other kind of development like water service or anything else. If you're the last

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guy in and there's no water service available to you, you can't build until it's fixed. Parking is a resource just like the other resources. Thank you.

Hales: you're a great resource. Thank you. We appreciate it. That cumulative impact question is a tough one on these issues. Another tough one is that we have generally tried to do things by code rather than force people to do site-specific studies. So I think a number of us would be wary of crossing that line. Some developments have to do this study, others don't, here we go, there's no certainty. Comment on that as somebody who has been on the planning commission and thought about these questions.

Michaelson: I think that studies on that small scale are not that difficult to do. We require them for land divisions. We require them for industrial developments. You'll notice the last one of the rank in here so if a developer really wanted to cut his parking further he would have to take extra steps. Ideally parking would be dealt with on a neighborhood by neighborhood basis. I think at some point we'd ought to be looking at some of these neighborhoods and combining them. The surface parking into small parking structures that serve the residents and the business' around. but it's going to take us a while to get there. Oh, and one last point of this, I also think that if you're asking for a waiver for parking you ought to pay a \$3,000 system development charge that would be used to provide for neighborhood parking or pedestrian improvements in the district. The \$3,000 is the cost of a surface space, so I think our purpose, to make policy not necessarily to save developers money. And that way that money could be used more effectively.

Fish: Just wanted to make one observation. What we hear from for-profit and nonprofit developers is certainty is important. So the concern that I have because I am actually drawn to this idea that the cumulative effect creates other problems beyond what we potentially address in the code changes, let's say someone assembles some land and it take them a couple years to get their financing and they plan one kind of building. In the interim a couple other buildings pop up which bumps them up the ladder in terms of requirements because of the cumulative effect. I think we have to be careful that we're not fixing one problem at the expense of the kind of certainty which allows investors and developers to create housing that's particularly on the affordable end. That's a concern I have. I appreciate your point, but I haven't heard a proposal that deals with the cumulative impact that also doesn't come at the expense of certainty for purposes of development.

Michaelson: Hopefully we'll have one during the comp plan update. This is not something we're doing today. The other answer to that is that's exactly what happens in the market. The last person to start building condominiums before the bust wasn't able to proceed.

Fish: We're talking about changing the rules that apply, not necessarily private risk of capital. That is the problem.

Michaelson: I think you should never change the rules after somebody has started down the process legitimately.

Hales: Thanks very much.

Fritz: I just want to clarify, please Rick, you as an infill developer feel the amendment that commissioner fish proposed for the, is going to still work for the mid block – that they still won't be required to put parking on the smallest sides mid block?

Michaelson: I think that's true.

Hales: because they are generally going to be less than 30 units.

Michaelson: I think they are generally going to be less than 30. I think they are generally less than 20. We have 200 foot blocks. A developer who had acquired 100 feet in the middle of that block is going to make their best effort to acquire that 50 feet or that 50 before they start development. So you'll see on the smaller 5000 square foot lots are smaller projects under 20 units, what would be below any of the thresholds proposed.

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Fritz: Thank you. I also share your opinion that we were intending to have a front door entrance on the transit streets however the land use board of appeals seems to disagree with us. So, we'll fix it in the next round.

Hales: thank you. welcome.

Steve Stolze: good afternoon. My name is steve stolze, I'm the former mayor of the city of Tualatin. I am the chairman of the professional remodelers organization of metropolitan Portland. I'm here on my own behalf. But I have found this to be a very interesting day. I find that you're trying to implement a very serious policy in a very short period of time. I think in my opinion you need more time to discuss this. But essentially what i'm here to oppose is implementation of any type of an ordinance that would be applied to permits that are already existing and have been issued or are in process. All of us as builders, developers, we go through your building department and your process of finding out what the rules are, what the regulations are, doing everything we can to meet those rules and finally meeting them and getting a permit issued only to find out that down the road, woops, city changes its minds and we're going to add something new. I think I have heard a couple times people say this would send a dire message. It definitely would. Portland would be an unstable place to work. Bankers would not be able to finance projects because they could not depend on the permits being valid. So I think there's a lot to consider here. I think there's a lot of impact for a lot of people. I think personally my opinion as an outsider you need to take a lot more time to discuss this issue. This is not an emergency and it shouldn't have to be.

Hales: Thank you very much. We're going to declare a five-minute stretch break. Council will be recessed until 4:00. Bear with us. [council in recess] since we've require a quorum, we'll restart the hearing, I was going to extend the courtesies to an elected official and call metro councilor bob Stacy up, but he has politely informed me he's here as citizen stacy, not counselor stacy. So he's scrupulously observing the proprieties and we'll see you up here later. Thank you for being here. The next four already in place. Please begin.

Alan Durning: [audio not understandable] The only testifier today not one of your constituents. I hail from the fair city of seattle where I direct siteline institute, the northwest's largest progressive think tank and champion for last 20 years for making the pacific northwest a global model of sustainability. I come to Portland five to six times a year and we do a tremendous amount of work in Oregon as in washington and british Columbia. This trip it's a little bit like I have arrived in some nightmare alternative realty version of Portland where the city council is debating particular details of regulations by which we will mine tar sands from city parks. I'm deeply disheartened to hear this debate today about backing away from Portland's leadership position which has been for the last decade to move steadily towards letting the market decide how much parking will be provided and letting the market manage the supply and demand for parking. I'm disheartened because the rest of the northwest and much of the country has long looked to Portland for its leadership on progressive sustainable urbanism, on providing alternatives to the automobile and mixing equity effectively, equity and affordability effectively with environmental responsibility. there are a set of solutions for the problems that your communities are enduring. The problems are the consequence of the several decades of progress in reducing off street parking requirements. The solutions are well described in this 800-page tom by donald shoup. The difficulty is that you as leaders need to lead your community beyond the controversy of change. We are used to managing -- we have for far too long tried to manage parking problems through the land use code. Which is a little bit like trying to steer a car by banking the roads. The better solution is to use a steering wheel. A steering wheel in this case parking management policies, parking benefits districts, parking pricing; a whole elaborate set of these tools, some of which are in place already but it's very difficult to implement them in neighborhoods that do not have them yet. That's the leadership challenge you're up against. I wish you good luck and I hope I will continue to praise Portland for its leadership on parking policy not count you among the fallen. Thank you. [laughter]

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Hales: Since we have an out of town guest -- we regret you're disheartened but we have waived the sales tax for the duration of your visit. We often look to other cities for inspiration. Commissioner Fritz the other day sent an email which I found fascinating. She identified some cities around the world that we often look to as models of compact, livable cities and environmental ethics that have a different view than we're debating about parking. Stockholm, munich, vienna, three in particulars, where they currently require one space per unit. One parking space per unit. I understand that there's a range of views on this and reasonable people can disagree, but in light of the european experience, why have you concluded so dishearteningly that we're out of step?

Durning: Well, first of all, I question those statistics. Most european cities have hard maximums in certain districts they have minimums, but city-wide I just don't think that's right.

Fritz: Even in the central business district I can send you the study. If you want to send me an email, I can send you the study.

Durning: I would be delighted to look at it and give you a response online. Thank you.

Tamara DeRidder: good afternoon. I'm tamara deridder. I'm here as a resident. I have live in rose city park for about 25 years. I'm a professional land use planner. I have served as chairperson for the apartment parking task force. I am also the code chair for our land use committee for rose city park neighborhood association. You received copies of those recommendations already. In the amendments that were popped up this afternoon I would say no to amendment 2 just because the neighborhoods have not seen it. We haven't had a chance to look going back to the original transportation plan, transit plan, the 15-minute transit plan at least shows where trimet is investing in the future. The rest of the routes, is questionable. We know those are going to be cut. I would say the 15-minute corridors are the best. Also, 500 feet from the station areas is what had been submitted or provided to us. 150 feet from station areas is new. I just want to put that out there. Also, the idea of having off-site parking is really assists the over all urban development of an urban space because you don't have to have all the parking and driveways that cut into the pedestrian way. So it's especially helpful with the 20 to 40 in those smaller 5,000 square foot lots. If they can park within 500 feet. I do agree that there is an issue of tear-downs, and so we need to look at making community lots. That is something that actually came up 20 years ago. I put this in my document that I -- testimony I gave to you. Back 20 years ago, this is actually when charlie hales was commissioner of public safety and bob stacy was the planning director for the city of Portland, there was a social contract made with the neighborhoods in southeast uplift, called the livable city phase. This is in 1993, and it was presented as the growing better document to the planning commission. With that, it had recommendations in that that said we need to address parking issues for residential uses, especially in centers and main streets. so 20 years ago this document came forward with whole list of recommendations and those included parking lots, garages and shared garages that are shared between various businesses and uses including possibly some city owned facilities. Again, individually, there's not much strength, but together, if you can make a smart park in the inner areas and make it urban density, we're all talking about this same compact. Back then we had the visual preference survey. You may have heard about that, it was a big deal. Everybody was saying, okay, we will go for the urban growth boundary and yes, we'll go with this compact form. Everybody was on board. 70% of the folks voted for this compact form, but part of that social contract was never addressing the needs of that study, which is dealing with multi-family parking both in cs, actually all the commercial zones, as well as the r1, where you have comp plan amendments. So to this date no parking requirements are in the commercial zones. So I really think this is a long-term issue. We do need maybe a parking commission. And many of the things that were brought up today make a lot of sense. It's a full issue that needs to be discussed in a broader context, not a knee-jerk. But unfortunately since 20 years ago, something came forward, a full document with all these great ideas about urban forum but never followed up for the recommendations that the community needs, which is dealing with parking. Thank you.

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Hales: Thanks.

Amy Anderson: Good afternoon. Hello. Mayor and commissioners. I'm amy anderson. I am a resident of richmond neighborhood. I live about two blocks from the current project on 37th and division. I have lived in my home now for 23 years. About ten years ago I chose not to drive any more. I just decided I would use public transportation and find other ways to get around Portland. I used to ride a bus two hours a day, each way to jansen beach and back. Washington square and all over the place. I have ridden trimet longer than some people have been alive. I know the bus system. Please don't expect anyone with children and babies and groceries to ride your trimet bus system, cuz it isn't going to happen. I can barely do it now, and now I'm disabled and it's a nightmare to get on the bus. So that's the first thing, I want you to be seriously honest about. new people are not going to ride our buses, not the way they sit now. The second thing is if you were to visit my neighborhood you would see that both carruthers and sherman have no exits on either end.

They are dead end on both sides of the street. So on 37th street and 38th street, we have no through access out should anything happen in our neighborhood. God forbid I should have an emergency and a fire truck and an emergency truck couldn't get into my neighborhood because now I got all these cars parked on my streets. so I do want you think of the fact that the building entrance is facing another building that also has no parking available because it's too, it's a small commercial building that's been there a very long time. So I find it kind of odd that you tear down a building that had over 100 parking units in it to build a building of 84 units with no parking structure in it. I'm still trying to work that one over. The other notice I got in the mail the other day was a letter from the city that says over one-third of Portland's 2500 miles of sewer pipes are more than 80 years old. Projects to replace or repair aging sewers are important for our particular areas. My area is slated to be up for redevelopment in july which means not only bus number 4 is going to be tied up for lack of service, so will bus number 75, which is the only bus that goes down 39th street. I do want everyone to be aware that all these projects going on at the same time impact my ability to get downtown on the bus in less than an hour. I have to off-shoot an extra half hour every day to make sure i'm downtown on time with all the construction going on from 12th avenue, all the way down to 45th. So if you have not been in that area in a very long time, I urge you to come. It's not safe. There are no crosswalks. There are no stop lights. I have to walk 10 extra blocks in either direction to get my bus now. I'm disabled. I don't have a choice. I have to walk. This whole thing for me and a lot of my neighbors has been really inconvenient. I know that you guys are going to do the job and put in parking so we all feel safe are walking down these very narrow streets. They are not very big, about a buggy cart wide. So is division. Please think about all this real seriously. Consider us neighbors, seniors who want to grow old in our homes in that neighborhood, we need to have access to emergency vehicles. Especially in case of an emergency really happens. We have to make sure that we're protected as well as the new tenants. Thank you very much for your time.

Hales: thank you. Thanks for being here.

Robert Wright: Mayor hales, commissioners, i'm robert wright. I'm a native of Portland, been away for some years but have returned. I have been a resident of the west end neighborhood since 2006. I appreciate the opportunity to address the Portland city council on the importance issue of minimum off-street on-site parking for future multi-dwelling buildings. A fundamental if not critical consideration for city planning is the diversity of its neighborhoods. Portland is well known across the country for its planning and policies that foster diversity and liveability. Investment in public and bicycle transportation and establish the requirements for long term bicycle parking are prime examples. Lessening the need for day-to-day travel by private vehicle in the city is the correct objective, however, this does not mean that everyone will give up a car ownership all together. Individuals and families that can afford to do so will elect to own a car when other means of transportation cannot meet their needs. Minimum required parking for private motor vehicle ownership for multi-dwelling residents will be a determining factor in the future economic diversity

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of the neighborhood. The extremes as a percentage of the total number of dwelling units are not good planning factors. 100% will result in expensive urban dwellings financially out of reach for many. Zero percent will result in lower availability of urban dwellings for car owners who can't afford the cost of on site parking means they will stay in the suburbs. A balance is certainly needed for a healthy, economically diverse urban neighborhood. The proposed 25% on site parking minimum is too low and it's also inconsistent with the recent survey of residents of apartment buildings with no onsite parking. Thank you for your consideration.

Hales: Thank you. Thanks for coming.

[names being read]

Hales: Welcome. Go ahead.

Tim Ramis: Mr. Mayor, for your record i'm tim ramis, im a lawyer with the firm of jordan ramis. I'm here today on behalf of dennis sackoff and the 37th street apartments. Mr. Sackoff asked me a short while ago to participate in the direct conversations that were taking place between the neighborhood and the developer over the apartment project that was the subject of litigation you have discussed. My role was to suggest to him opportunities and ideas for bridging the gap between the two parties. To the credit of both sides in my view all issues but one were dealt with. They reached agreement on a large number of changes to the program and to the project which could address the impacts of the project. They did not agree on the treatment of the top level of the building, which was asked by the neighborhood to be removed. That wasn't economically possible. Even their modifications were made. So I think the conversation was certainly well worth the effort. Today I have two legal issues to bring to your attention and make sure that they are in the record. The first relates to the suggestion you've heard that you should adopt an ordinance which is immediately effective. The issue here is notice. In the understandable haste to try to close the window, to shorten the window of opportunity for people to apply for buildings without parking, the idea might be to adopt something immediately. The risk that you run in doing that is that you may create exactly the opposite result. The fly in the ointment is ors 215503, a notice requirement, which has not been complied with at this point. The risk you run is that someone raises that on appeal, invalidates or puts a pause on the effectiveness of the ordinance, therefore creating a window of opportunity for people to make application much larger an opportunity of many months rather than a few weeks. So for that reason I would suggest that the prudent course is either to pause the process in order to comply with the notice requirement or be sure that the implementation schedule that you adopt is sufficiently long you don't draw challenge to the ordinance itself. I submitted a letter into the record which deals with that issue and explains it in more detail. Second, I commend to your attention the letter of mr. Joe willis of the schwab firm. The city is itself entitled to notice when it is approaching a situation which might cause litigation in certain contexts. This letter details that risk and is there for that purpose and that's why I draw it to your attention. Thank you.

Fish: Mr. Ramis, so we have the benefit of getting our own legal advice at an appropriate time I have your letter that lays out the notice issue.

Ramis: Yes.

Fish: I appreciate you stated it as plainly as possible, but perhaps if you elaborate as to what you think the deficiency was using the code as a guide just so we could understand your position.

Ramis: I have taken the opportunity to share this issue earlier with the city attorney's office. We're not blind siding you with it. In a measure passed by voters, a law was adopted which says that when you adopt a change to a zoning code which has the effect of changing the range of uses or limiting in some way the use of a property, those individual property owners are entitled to mailed the written notice. In this case that has not yet happened. We reviewed the record in this case and have not found such a notice, so that is the issue that would be raised if someone chose to challenge this ordinance.

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Fish: So i'm clear, you're here representing one developer.

Ramis: That's correct.

Fish: So in raising this issue you're letting us know that he may have a claim under this provision.

Ramis: Yes. My real purpose is to point out the risk to the city in acting immediately. It seems to me that to the extent that you do not adopt an emergency clause or to the extent that you allow some time for implementation you reduce the risk because in that circumstance there would be lesser risk that someone would appeal the ordinance.

Fish: Mr. Sackoff has a number of people here who have testified either in person or through correspondence that report to be representing themselves. You did hear earlier, mr. Wilson say that as to amendment 6, he supports that amendment, which would clarify an issue that luba has raised. One option for the council is to adopt the amendment and accelerate its effective date so that it would govern any subsequent -- permit that he seeks. Is your view that if we were to do that it would still be invalid or can he waive that?

Ramis: it seems to me there's a solution to that. And that is that various parts of your ordinance can be implemented on a different schedule. There's no requirement that every section of the ordinance be implemented on the same schedule.

Fish: Thank you.

Saltzman: There's not going to be an emergency clause attached to anything today. So the normal course that we're expecting would be it goes to second reading next week and then if adopted becomes effective 30 days from there.

Ramis: Yes.

Saltzman: Is that adequate notice under measure 37 as long as we mail that decision to property owners?

Ramis: well, if you were to adopt, I would answer this way. If you were to adopt on that schedule we would not object.

Fish: and furthermore, if it was council's will to slap an emergency clause on next week so the rules were clear to everybody and there was no period of time of where someone could get in under the old rules, and the rules would be established for all, your view is that we might run a foul of this statute?

Ramis: That's right. The risk there is that someone challenges it, overturns the ordinance, and then instead of a window of a certain number of weeks you would have left a window of many months.

Fish: Thank you.

Hales: Please.

Pam Quinlan: hi there, im pam quinlan. i have lived in Portland for a long time. I have a lot of friends in the richmond neighborhood. And I used to live in hosford/Abernathy. You guys have a really important decision today. It's not just about parking. It's also about congestion. We know two things go hand in hand. Like the previous speaker, I spent a lot of time on division street. I'm getting increasingly concerned about congestion, the loss of parking spaces, and what's that going to do when we have a big fire in one of those new, denser buildings? Those ladder trucks are not on bicycles. I cannot stress that enough. We do not have bike ambulances here. Livability also involves staying alive. We know there are ambulance response rates here in Portland that are supposed to be around, the average response rate that you aim for is about 5%. Now in Portland the ambulance response times are more towards six, seven, 8%, which can be a matter of life and death. Part of that's the terrain. Ok, It's the rain, it's the west hills, it's hard, but i'm concerned that some of these delays are man made. We can stop those. I feel that commissioner Fish's amendments right now in terms of an emergency, those to me make the most sense in terms of public safety. We cannot risk the deliberate congestion that is one of I think the policies of bps. We can't risk it on narrow streets around richmond. If there's an emergency, it's a little different from the emergency you see. The emergency i'm worried about are flashing lights and stroke victims and people not

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making it to the hospital in time. I ask you to please -- I know there are a whole bunch of considerations but to me that's a real fundamental one. I do hope that you -- everybody strongly considers commissioner Fish's ideas. Thank you so much.

Fish: and just, in the odd chance we have raised the blood pressure of people listening to this, I want to clarify one thing you said. For response times to fires, our goal. The aspiration is a little over five minutes. We don't meet that all the time. It's minutes, not percent. Currently ambulances to arrive on the scene within eight minutes. That overwhelming majority of our 70,000 calls to the city are medical calls, not fires. I just wanted to assure people that our response time to emergencies are okay. Not percentage, just minutes.

Quinlan: I just don't want to make it worse.

Fish: I appreciate that.

Quinlan: We have great firefighters. We got great ambulance drivers. Let's just not give them greater challenges. They are challenged enough.

Hales: Thank you.

Hiroki Tsuzumi: thank you. My name is hiroki tsuzumi. I have recently moved to Portland from new jersey. I live in a condo in Portland's west end neighborhood downtown. In the past I have lived in new jersey, philadelphia, ontario, canada, Tokyo, kioto among other places. I have two points to make. Point one, the proposed minimum 25% on-site parking for future multi-dwelling buildings over 40 units is too low. The minimum should be much higher, say 40% to 50%, regardless of the number of units. but the exact minimum % should be determined with participation of the local residents in such a way that the property values of the existing neighborhood will not be disrupted. If the city of Portland is encouraging the construction of multi dwelling buildings with no or little on site parking requirement, is to push Portland towards a car free city. It's a one sided policy that may easily disrupt the liveability of the city. To live in a car free city many services need to be addressed. Tokyo might be seen as a prime example of a car-free city. These are some of the ways that tokyo differs presently from Portland. The public transportation network are extensive and reliable bus, train and subway lines are never reduced or out of service. Six million people live within a ten to twenty minutes walk to the public transportation. every child can get to school and every walker can get to walk on public transportation. Same day delivery service is available for almost everything from furniture to airport luggage to groceries. Taxis are plentiful and always visible. Every neighborhood has a small shopping center with fresh fruit and other essentials within walking distance. In a successful car-free city like tokyo, car ownership is a luxury, not a necessity. For Portland to become a car-free city a more comprehensive approach is needed. I'm running out of time. The parking policy is only one of the policies to make ideal car-free city. and to do so, higher the minimum required parking on site is required.

Hales: Thank you. Thanks very much. [applause]

Tom Neilson: Mayor heals, city council, my name is tom neilson. I live on the west end cultural district. Having served as the mayor of salem, I applaud you and your process of taking on a very thorny and complex issue. The current parking policy was adopted at a very different time in Portland's development. It was a time when light-rail and transit corridors were first being developed. The city wanted to encourage higher density developments along the corridors and restrict development of additional surface parking lots. The recent influx of no parking apartments projects was really not anticipated when the current policy was adopted. Until recent times, for example, projects would have been very difficult to finance without parking. So we're clearly in a transitional period as a city where people are using and depending upon transit more and automobile less, but as the bps recent study concluded even the people living in the apartments with no parking, 70% of them still own cars. They do not necessarily drive to work or use the cars every day, but they still own one. As Portland continues to grow and develop its transit system the

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number of people who will own a car will likely continue to decrease. But this transition will take time. The proposal to set a minimum of 25% parking places per unit is perhaps an appropriate aspirational goal but is a huge reduction from what the current realty and the bps' own research documents today. Developers can also then reduce the number of required parking spaces if they do certain things. For example as proposed they can reduce one parking space for every five additional bicycle spaces over the minimum number. But the code requirements for bicycle storage has already been greatly increased over the last few years. In 2006 in the building that I live, the building code was there had to be one bicycle space for every four dwelling units. Now it's 1.5 spaces for every dwelling unit in the central city and 1.1 spaces outside the central city, a 4.4 to six fold increase. In conclusion I recommend the council approve a minimum parking ratio closer but lower than the current realty of 70% and a phased plan to reduce to the minimum down to the 25% over time. A phased process would allow time for our transportation systems to continue to develop more fully and our neighborhoods and communities time to adjust systematically to the changing patterns and lifestyles. If, however, the 25% minimum is approved, it should be said as an absolute minimum, there should not be additional exemptions or credits allowed. Thank you.

Hales: Thanks, tom.

Wendy Rahm: I'm wendy rahm. I live in the residential west end of downtown. I very much appreciate your willingness to revisit the parking minimum question for new multi-unit residential buildings and I also approve of the amendments by commissioners Fritz and Fish which I believe are heading in the right direction. I'm also in favor of the suggestion earlier of an exemption for conversions of historic buildings. I think that will be crucial for the downtown area. I'm here to request that the parking ratios you finally approve for new apartment and condo construction be applied universally to all of Portland including the downtown central city residential areas such as the west end. By the city's own statistics, 88% of Portlanders own at least one car, even if they rarely use it. Needed most in downtown is dense residential mixed use development with sufficient parking to allow work force residents and families to store a car in their unit's building even if they rarely use it. Downtown needs families. Do you know a mother who would be willing to be carless with small children? Would you want to live here downtown without a car? The downtown needs work force families living here to keep the central core active, safe, and commercially, economically viable. None of us wants to see the city core returning to the dead zone it once was. Many busy business clients drive from outside the city central city to shop, one even came here today to testify. These shoppers are essential to support our downtown businesses. Downtown families need to drive children outside the central city to many activities which are not served by transit. Although great progress has been made, our transportation system doesn't yet support a carless world. We need to cut emissions, but this can't be done quickly at the expense of the economic health of the downtown. Trying to legislate people out of cars without an outstanding, completed transit system like that of new york or paris seems risky. Please consider a phased in, realistic reduction of the ratio of parking places per unit to keep the downtown a place where people want to come live. Thank you for your time.

Hales: Thank you.

John Golden: Good afternoon. My name's john golden, I'm from the beaumont wilshire neighborhood. I'm here representing the beaumont wilshire neighbors for responsible growth. There's been talk about you all slowing down, going slower, studying it some more. When I was here in september with four of my colleagues from around the city and we testified here, two momentous things happened on that day. One, actually happened afterwards when I watched that testimony afterwards shot from behind. I first realized that i'm balding. [laughter] and that was devastating.

Fish: You're in good company.

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Golden: Second momentous thing, and a little less depressing that happened on the days you all listened, commissioner novick, you weren't here, mayor hales, you weren't here yet but I knew you were listening. And you have absolutely have shown that since then. The time for us talking and you all listening is over. It's time to act. There are amendments on the table. Time for them to be enacted. Cuz now that I think about it, there's a third momentous thing that happened that day that we testified. Two hours after our testimony completed and with all of the media coverage that was happening, the developer in my neighborhood on fremont filed for his permit two hours after, so please don't tell me that there isn't a window of opportunity that developers are looking at, hoping you take 30 more days to enact. There is an emergency in the neighborhoods and it needs to be enacted now. A lot of talk also about this idea that maybe homeowners just like to park their cars in front of our houses. I gotta tell you that's not what this is about. While parking is the issue that we talk about, what we really talk about is density and honestly safety. I invite every member of the commission here and anyone who thinks otherwise to try to take a left out of my street on 46th on to fremont. It's impossible and it's only going to get worse when these apartments are coming up in my neighborhood which we know and have heard from the city's own study they do have cars. Of course they have cars. 70%. I came here today actually to argue for a lower number. 20 was a reasonable number to us. Because 20, I'm an english teacher, not a math teacher, but seems about, oh 40, 35 new cars. That feels reasonable. 40, again, the math thing may be closer to 50, 60 cars. I think i'm getting the math wrong over here, but the point is that i'm thinking now that despite what people talk about Portland as being this utopian, beautiful image, no offense to our visitor from seattle or anyone who watches Portlandia, the reality is something far different, and the reality is that our neighborhoods are crowded and our neighborhoods are becoming unsafe. Unsafe for our children, unsafe for our pedestrians, and unsafe as we travel. So, I guess now i'm actually thinking that Portland is really a reasonable place and seems to me, commissioner Fish, your proposal is of a tiered approach is reasonable approach. I teach my students to have a, when they wrap up a presentation, to always have a conclusion. So here's mine. We're a shared city. We all live this place together. New residents, old residents, developers. We all have a stake. I think we all have a stake in going forward in a responsible way. Thank you so much.

Fish: Can I just ask you one question from the neighborhood point of view? You've talked about neighborhood safety. One of the concerns that we all have is about too many curb cuts in a commercial area. We have heard from people that have ability issues, disabilities, we got children, families. That's a concern.

Golden: Absolutely.

Fish: If we were to permit off site parking for buildings that were below 40 units, that's not an amendment currently before us, I just wanted to get your reaction to that. We have heard that smaller buildings are likely to be mid block.

Golden: Correct. Although that's not true in mine. Mine's a mid block 50-unit.

Fish: Do you have an opinion as to whether we should in the unique instance of a smaller building it could be mid block whether we should provide the option of off-site parking to address the safety issue?

Golden: Probably so. I think that's part of the package. Absolutely. I thought you were going to say about my hair. I'm glad.

Fritz: let me just follow up on that. Should there be parking on site in the 50-unit development you're familiar with?

Golden: Absolutely.

Fritz: That would be preferable?

Golden: Absolutely. Far preferable. I think that gate has already left though.

Sam Rodriguez: Good afternoon, commissioners, mayor. I'm sam rodriguez. I'm manager and director for mill creek residential trust. We're a national developer, multi-family residential

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projects. We have several projects here in Portland, currently. under construction, some under planning, others. We truly and wholeheartedly believe in the planning process and commune with the approach of planning development that Portland takes. We believe that Portland's rules and regulations do result in wonderful and thoughtful built environment. We believe that although sometimes it seems like a complicated process, the results are good and we embrace it. We are also encouraged by the results of the city policy in terms of density and livability and how it has propelled Portland into become a 24 hour city with 20 minute neighborhoods. I'm not here to oppose or support the parking amendments you are considering today. I like the idea of the market setting it, but that's probably the way every developer would tell you. I'm really here to express concern with respect to the recent developments in terms of a permit that was pulled, and it was first issued, luba and pulled and so forth. I don't know the developer personally. I just read what I have read in the paper and have done my own research. It seems to me that the developers like clear rules. Most importantly like those clear rules to be applied fairly and consistently. The changing rules midstream is catastrophic for development. I think it would actually send the wrong message as to whether the city is a city where people come and invest to develop. Real estate development is a very risky business, and it shouldn't be made riskier by not knowing exactly what the rules are. I just want to sort of inform you a little bit about one of our projects, any one of our projects we'll spend between 1.5 and \$2 million in pre-development money before we even get a permit. I'm more concerned about what happens in the midstream process, what happens with the projects that are in the pipeline. What happens with a developer that spent 1.5 million. And it's not our case, but it can it can happen us can happen to any investor and developer that decides to develop the properties in the city. What happens to that. I would implore you to take a look at how you implement this and what happens to the project in the process. I think I better hurry up here. I think this is a very dangerous precedent. The rules can be changed but you should be careful how you change them. I would urge you to look at the long term consequences of applying these rules to projects that are already in the mainstream right now. I think the city -- development actually helps construction jobs that are very much needed right now. Helps with the enhancement of the city tax base and also helps meet the city's goals of density and sustainability. I think it's important we keep that in mind as a whole. At a 30,000 foot level.

Hales: Thank you. thanks very much.

Elisabeth Varga: mayor, commissioners. My name is elisabeth varga. I live in the richland neighborhood at 2335 southeast 37th. I'm also a part of richmond neighbors for responsible growth, a group as many of you know working to promote a balanced approach for increased development on division and which has banded together with other neighborhood groups to advocate for well thought out density, good design and stronger public process. I'm here first to thank city council for all of your work on behalf of our city. I know you to all support responsible and balanced growth in our neighborhoods and I appreciate the efforts you've made to bring us here today. I thank your for all your time spent meeting with us, touring our neighborhoods and listening to our concerns. I would like to ask for your continued advocacy and leadership today by passing these zoning amendments as proposed by commissioner Fish and enacting them immediately. I also have the voices of over 600 community members by way of petition urging you to do the same. The electronic petition which was put out by richmond neighbors for responsible growth was sent to city council last night with over 500 signatures along with some comments which I hope you guys will review and I have here the paper petitions with over 100 supporters. While we know these amendments don't address the other equally if not more critical issues facing our neighborhoods, density, defining the type of density we want, design, which maintains and enhances the character of our main streets and neighborhoods, and the strengthening of our public process, these amendments are a step in the right direction and they are at this moment the only mechanism that will mitigate the negative impacts of these large scale apartment building today. We are at a critical

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moment in many of our neighborhoods, a moment which requires emergency intervention now, not 37 days from now. Failure to implement changes immediately will cause more irreparable harm and give more opportunity to those who will push through as many no parking buildings as possible without regard for the communities that they impact. I understand there's reluctance to enact this ordinance immediately because of the possible backlash from one developer whose permit was reversed whose profits will be impacted by such a decision, but who continue to build at his own risk fully aware of the implications of doing so. But should the city postpone these desperately needed measures that benefited the city out of fear, should the city act to protect itself from one developer rather than act in the best interests of all citizens and neighborhoods we all treasure. I have a recommendation for a possible escape clause for those that would be impacted by the immediate implementation of these measures we can give them the option to come to the table with the neighborhood association and work out a reasonable solution with a mediator in lieu of being subjected to the full force of these measures. We can compromise. Their choice. I think we can all agree we want a strong, vibrant city with a strong, vibrant neighborhoods that reflect the value of our community. We want neighbors that work for all its residents, renters, homeowners and business owners. We want streets that are safe for everyone, pedestrians, bike riders, people with scooters and cars. We want streets that are free from congestion of cars driving around looking for parking. While these amendments don't deal with changes needed to address the broader issues of good density, design and public process, it does deal with one of the symptoms which affects the quality of life, livability and safety of our neighborhoods and it can do that today with your vote. Please consider the neighborhoods that will be forever changed and negatively impacted by not adjusting the current codes immediately. We're relying on city council to do the right thing, to ensure that our neighbors continue to grow and thrive in a way that meets the needs of all its residents. Thanks.

Hales: Thank you.

Fritz: Thank you all for your testimony. And Elisabeth, thank you particularly for not sending us 500 emails one by one. Just sending us the petition, it's greatly appreciated. And also for offering the option of a handwritten. That is very helpful.

Varga: Can I make one more comment? Do I have the opportunity to make one more comment? I just want to say, previously one of the attorneys had mentioned that about negotiations with one particular developer and as far as I can tell, the negotiations were only on one side of the table. That was on the richmond neighborhood's side of the table. Thank you.

Hales: Good afternoon. Welcome.

Lightning: Is my speaker on? Yes, my name is lightning. Bps Portland parking study results have shown that buildings with more than 40 units were better able to absorb the additional cost of small amounts of on site parking without passing on significant cost to residents. Interesting statement. Small amount of parking, no actual numbers provided. Passing on significant costs to residents. No actual numbers provided. Now, from the developer's position, more apartments built, less parking spaces built, equal or higher apartment value. Plain and simple. Now, if all residents agreed to the car sharing concept, riding transit or bicycling, that would be great. Although your study still suggests the major mode of transportation in the areas surveyed appear to be cars at approximately 65%. Your study was predominantly east side location, a few north and northeast Portland locations. My concern is a prime example of what happens when not enough on-street parking remains is northwest Portland. Although no data was provided in your report to offer possible solutions about on-street parking congestion using northwest Portland as an example. Your study also suggests that on-street parking supply is still under utilized in many areas on the comps. In conclusion, ultimately, the residents currently being provided reasonably affordable apartments for rent, they appear to be getting amenities that they are satisfied with. Housing is good for the city of Portland. No changes should occur pertaining to the parking issue until further,

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more detailed data would substantiate such a change. Please, don't stop the developers midway on their projects. Thank you.

Hales: Thank you.

Chris Smith, Planning and Sustainability Commission: Chris Smith, member of the planning and sustainability commission. Mayor, I'm going to test your memory, one of the first times we met was 1997 or 98. I was serving on the city club committee and commissioner Hales was testifying before us. I wonder if you remember the topic of that study.

Hales: Density as I recall.

Smith: How to implement residential density, I suspect that both of us will spend our whole lives trying to answer that question.

Fish: Chris, there isn't a meeting that we have with the mayor that he doesn't fondly recall that occasion. It's part of the lore of this building.

Smith: So I am urging you to adopt the planning and sustainability commission recommendation without amendment. I'm going to speak specifically to amendment 3. If you want to ask me about the others, I have opinions. And there's one other topic I want to bring up. The amendment 3 capping the overall use of alternatives to parking. My view is really informed by my service as city budget advisor. I know how scarce public resources to achieve our policy goals are, so with the alternatives we're giving the developers the option to provide things that will help people make the choice to use cars less, to do things like provide trees that are important to our policy, to improve health in the city, to build plazas as part of their property that all citizens can benefit from. If we have a developer who wants to spend their private dollars to achieve our public policy aims, I think limiting that is very poor policy. We should thank every one of them who will spend their dollars on those choices and not limit their ability to do that.

Fish: Can I just ask you about that?

Smith: Sure.

Fish: I think sometimes we have to be concerned about sort of how the public views our action. If we go ahead and say we're going to set minimums and ratios, then we have an exception that swallows the rule, aren't we at risk of sending kind of a mixed message to folks and is commissioner Fritz's amendment would cap it at 50%, so there would be half the parking that's required if the developer made those investments, if we allowed 100% then what we're really saying is it's quite likely the current situation could continue and then what have we accomplished here?

Smith: Well, what you're doing, again, letting the market decide how much of the parking to provide, which I'm going to get to in my last point. Maybe it's more productive if I do that first so we can return to that. The last paragraph in the planning and sustainability commission letter asks you to direct pbot to return to us with ideas for managing on street parking. My main thesis here is that, really we're asking the question, do we trust the market to do the right thing to meet our policy objectives. Alan Durning was wagging his finger at us for not trusting the market. I believe the market response to the context it's in and I think the market is being quite rational right now on division in the context until last year there was a fair amount of available on-street parking in the Richmond neighborhood. The market has figured out, and the first mover, Mr. Sackhoff, has figured out he can externalize his parking demand on that available on street space and he's doing it. It's a smart dollar decision. It may be a bad policy decision but that's the context we provided. So I would suggest to you really the right way to come at this problem is to decide how we are going to manage on street parking in what we want to become denser neighborhood centers. I live in a dense neighborhood. I understand the pros and cons of that, but we have made choices that our transit corridors are the places where we encourage growth. I think we are lacking some of the policy tools to make that work well. One of them is to understand how you make the transition from parking that is managed as a commons as it is today, to parking that is either a regulated or market good. Rationed with some kind of regulation or priced, and if the developer saw that the on-street

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environment was indeed priced to regulate it and he did not have access to it the developer will build the parking residents will demand. Right now, we don't have the incentives in place. The developers following mr. Sackhoff are not going to have that excess supply. I think they are going to be more rational, but of course we're here today, we don't have the benefit of six months or a year to see how that works. That's why i'm happy to have the alternatives uncapped. I believe the market will eventually correct itself, but I think it's important that we take on the question of on street regulation head on, don't think that we solved it by changing the zoning because the lure of the free on street parking space causes fairly irrational behavior. We saw in shoup's book of 800 pages that talks about all ways you get irrational behavior out of that lure of free parking. Let's not drop that part of the process and continue on with that. If you'd like me to speak to any of the other amendments, I'm happy to answer questions about those.

Saltzman: I would like to have you to speak to amendment number one, the tiered approach.

Smith: I'm concerned that there are some 30 unit buildings that may be made infeasible by starting at that thresh hold. Probably a little bit more concerned that with the larger buildings we may build more parking than the market will demand. In the sort of ordering of the amendments I would be concerned about number one would be lower down. If I could address number 2 briefly.

Fish: You were more charitable when we briefed you on this.

Smith: I think I was pretty clear with you that number 3 was the one I was going after first. Number 2, the transit alignment is an interesting public policy question. There are certainly opportunities for development along the routes that have a little less transit service, yes, we are curtailing some of those. I think there are two reasons for that. One, is the risk that if we have the line that has 18 minute frequency rush hour today, two years from now trimet cuts that because they haven't indicated those are their strategic priorities, frequent transit network is their strategic transit priority. We suddenly find a building that's been built that is no longer compliant. and suddenly developers either getting fined by bds every day or has to find a parking lot and rent it. There's pretty interesting consequences if the transit service is not stable on a corner where you build these where you're compliant today but not be tomorrow. The other is as a prelude to the conversation about neighborhood centers that we have in the comp plan, the effectiveness I think is to funnel development toward the frequent transit corridors which are I think primarily where the neighborhood centers are going to happen in the comp plan. We may want to come back in the comp plan and say we want to align these parking incentives specifically to the neighborhood centers rather than to the transit network. But for now, the transit network is a proxy for where that's likely to happen in the future. It's in some ways a conscious choice to funnel development into particular places.

Fish: Can I follow up on your point about the market? I ask you this sincerely because I have a lot of respect for how you look at these issues. So this is, I'm interested in your opinion. It doesn't, not have much impact on our deliberations today but you say let the market dot right thing on parking. That hasn't worked as well as we would like in northwest Portland. We don't have parking structures, the market has not found a way to produce off-street parking. But fair enough, at some point market conditions could change. What we hear is, the city should come in and build parking. but let's take another competing value, which is affordability. We know the market is not providing affordable housing so we intervene with tax abatements, subsidies, there are even some legislators in our community who would like to lift the preemption on inclusionary zoning. Why is it that we have a basic consensus on affordability that the market won't deliver the outcome we want but we have such confidence in the market addressing parking?

Smith: I think because parking can succeed as a market good. Affordability doesn't. Markets don't particularly achieve social purposes, necessarily. Parking is not a social purpose, it's a -- I hesitate to call it a convenience because for some people who are auto dependent because they have children they have to cart around or other reasons, it's more than just a convenience, but it's

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something you can make an economic choice around, there is the case of people who are very low income who are auto dependent, we could get into an argument of affordability about that as well. I wouldn't debate you on that, but by and large people are capable of making housing choices, deciding whether they want a unit without parking or with parking. They will make rational economic choices. I believe, I live in northwest, I understand the dynamics there. When I moved into units that didn't have parking I made the choice knowing what the consequences were. There were a large number of factors. It's not like we can say lack of parking in northwest has destroyed property values there. There are properties where parking could have been developed by the private market. The private market chose to build retail on those lots instead. I would say that's a market choice. If it were really constraining the retail environment. We would see less retail buildings and a few more parking buildings. And yes, everyone would like government to come in and solve the problem and address their need. I'm sitting through the budget work sessions with you guys. We know that's not the realty. We have to leverage the market and private sector to achieve some of the goals.

Hales: well I guess Chris, I don't want us to get lost in a long theoretical argument here. but I'm a little surprised to hear, I mean, you don't serve on the planning and sustainability commission because you believe the market can take care of everything. If you opened that curtain back there, you would see a really bad building in terms of relationship with the street that led us to thinking about design requirements in the city. So there's an externality issue here. That's we're working on.

Smith: We haven't talked a lot about the Portland plan and climate action plan. I'll remind you, the climate action plan and Portland plan, by including it, say our goal over time is to reduce vehicle miles traveled by 70% in the city of Portland. That will involve people making choices not to use cars. That will be a combination of us giving them better alternatives including car share -- I could go on at length about that -- and owning a car being somewhat less convenient. If we keep working hard to make using a car convenient, and in some cases using public resources to do it, we're working against our purposes in that plan. I like parking to be priced. I think that we have lots of ways that we subsidize parking. We hide the price of parking. The more we can do to expose the price so that people renting a housing unit, picking an office location have to see parking as an explicit add-on price the faster we'll get to our goals. So I like making it a market good because I believe it facilitates our long term goals.

Hales: Thank you.

Novick: Can I ask one more question? I'd like your perspective on the issue of whether developers can be allowed to meet part of the parking requirement through off site parking. Commissioner Fritz feels, and I think she has a strong argument here, that if you allow developers to meet part of a parking requirement with off site parking, that will lock in surface parking lots that might better be used for other purposes. On the other hand, if there's parking sitting there under-used, my instinct is to have it used rather than build new parking that might be unnecessary. What's your -- how would you resolve that issue.

Smith: We had some discussion about this at the planning and sustainability commission. Even more extreme cases tear-downs to create parking. We really don't want to see that. I think what we do want to see, it may be we need to find smarter language, is if there's a building going up that's going to build some parking that maybe they build more parking in conjunction with a unit down the street that it doesn't make sense to build parking in but it needs to fill parking demand. So again, as we get into the neighborhood centers I would think over time if we get the policy right more and more would be structured parking, not surface lots. I think what we have today in the code suggestions, is a fairly blunt instrument, and that's one area we should spend a lot of time thinking about in the comp plan to figure out how to get sort of fungible placement of the parking to meet demand in a way that doesn't sort of screw up other policy goals. Today's code will not be sufficient for wanting to do that, but, equally I think we have a history of being successful in sort of

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moving parking demand a block or two. In downtown we have the concept of preservation parking. So you can do the historic building rehab and not put parking in it but accommodate that parking demand somewhere else. We have successfully used that in the downtown area. Figuring out how to do that in the neighborhood centers probably needs variations on tools.

Fritz: I know we want to get on to testimony but I want to respond to that. Because there's a difference between shared parking and off-site parking. Off-site parking is incredibly broad and could end up in a lot of surface parking lots being there for the rest of eternity. That's why I think we should move shared parking discussion which we have had in northwest around Jeld-Wen field and multiple other places we do need to have that discussion about how do you share church, synagogue, mosque parking lots, for example, during times of services not being performed. We don't want tear-downs or just lots, especially on commercial streets we don't want to have those with surface parking.

Fish: Commissioner Fritz, just to that point, the last affordable housing development we financed in the city was Grays Landing. That's a conspicuous example of shared parking where after hours it's used by the spaghetti factory, which is a, adjacent commercial enterprise. So that is something that is already, at least, that gets some traction.

Hales: Thanks Chris. Welcome.

Travis Phillips: Good afternoon. Mayor Hales, commissioners. My name is Travis Phillips. Thank you for listening today and considering the complex relationship among parking, affordability, equity and livability. It's clear the current parking regulations have created frustrations and negative impact for some Portland neighborhoods. Exactly why we're here today, but the code amendments as proposed by the Bureau of Planning and Sustainability are a flawed solution to the existing parking problems. They fail to address neighbors' parking issues in a holistic, equitable way and I urge you to reject them as proposed and return them to BPS for further refinement. Perhaps with updates to the Comp Plan. I'm here today not only as a concerned citizen but also as an advocate for affordable housing in Portland and as a representative of my organization, Portland Community Reinvestment Initiatives. I'm also here as a voice for the residents who depend on affordable housing for a decent, safe place to live in Portland's extremely tight rental market. Who perhaps may have found it difficult to attend a council meeting on a weekday afternoon. I realize there's rarely a perfect solution to a complex issue such as this one. Still I believe some of the proposed code amendments' most glaring flaws must be addressed before changes are approved. To elaborate, the proposed change is in direct conflict with the goals and recommendations that Portland established in the housing affordability background work of the Portland Plan. The plan report states the construction of housing affordable to low and moderate income should be promoted. This could include development of more reasonably priced rental housing units such as smaller units with no parking. The proposed code changes will create new barriers for developers striving to meet the city's priority of addressing declining housing affordability. It adds unnecessary expense to projects, increasing the cost burden for affordable housing providers and the low income residents being served. Lower income residents own fewer cars than residents with higher incomes, something that BPS acknowledged in its June 2012 document these parking issues, but the code changes provide no mechanism for affordable housing projects to be developed with fewer parking spaces than mandated for other developments. Even if affordable housing providers could utilize land use reviews or other methodology for less parking, the process is likely to be cumbersome and expensive. It defeats the goals of reducing development costs and promoting affordability. I'm also concerned that considering the vocal frustration that raised this parking issue in the first place, that high density affordable housing developments could face additional barriers from neighbors whose perception of affordable housing are based on outdated, inaccurate but still widely held stereotypes. We can address some barriers to housing affordability through code language that allows transit oriented affordable housing development to provide fewer parking

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spaces than comparative market rate developments, could easily be mottled after existing verbiage for elderly and disabled high density housing. Thank you for listening. I had a bit more to say, but uh, I'll save it for another time --

Fish: Mayor, if we could, I think he's the first person from the nonprofit affordable housing community that's testified. And I actually had a follow-up question. Could he have the courtesy of finishing his testimony?

Hales: Please do.

Phillips: My additional testimony wasn't related necessarily to affordable housing but addressed just some of the things I don't think this is -- the amendments as addressed are necessarily as comprehensive as they could be and in talking about how the market will necessarily the market will provide for this with free on-street parking that's not included as part of the market.

Fish: So Travis, just one observation, because we haven't actually, I don't think there's been enough input on this issue from the affordable housing community. So I'm very glad you're here. I'm glad you're raising the issue. One of my frustrations is most of the housing surveyed by the bureau of planning and sustainability is not affordable. Most of this new market rate stuff is not affordable.

Parking or no parking it's already priced well beyond the reach of the people pcri serves and the city targets through its housing policies. I'll give you an example. The average rent for a one-bedroom apartment in southeast Portland is over \$1300. 60% of median family income, which is our sweet spot on affordability, and pcri is one of our best partners, 60% for a family of four is about \$42,000.

So they can afford about a \$937 apartment. They are priced out. A younger person, a single person making 30% of mfi, as they start out, \$30,000 a year may be an entry level person in the affected neighborhood, they can afford \$781. So one of my frustration has been, a, this housing is not affordable by any definition the city uses, b, we heard from Justin Wood that there's some flaw in our -- there might be some flaw in our tax abatement policies as respect to the private market where we're not seeing enough developers coming forth and seeing a benefit of using the transit oriented development tax break or something else. That at least buys us 20% of affordable. We have this conundrum. One of the other things we heard from bps is that, because of the tight vacancy rate what's essentially happened is the market has converged with or without parking they are getting a premium. In fact some developers have said, some developers have gone on the record saying other developers are getting away with a kind of anomaly where they get market rates without parking. So, I share your concern. One thing I hope we can do moving forward is figure out through the comprehensive plan how we do a better job stimulating in the private market affordable units whether it's tailoring our tax abatement programs, finding other ways -- some have suggested we use inclusionary zoning. That, of course, we're preempted from doing until the legislature lifts that.

We're going to need more tools because the bulk of the stuff before us today, as far as the survey from bps, is in no way affordable. So it is not even addressing the need that organizations like yours, as a mission driven nonprofit are dedicated to. And that is a conundrum. I'm glad you flagged the issue.

Phillips: Thank you.

Hales: Thank very much.

Richard Boak: I'm Richard Boak. I live at 3634 Southeast Clinton Street, Portland, Oregon. I want to start off by thanking you for bringing the parking issue forward for a vote. I'm speaking today in support of Commissioner Fish's proposal to strengthen the parking regulations drafted by the Bureau of Planning and Sustainability. I would add only that you consider lowering the threshold for parking regulations to a 20 unit apartment building from a 31 unit. My reasoning and that of others who testified at the planning and sustainability meeting is that a 31 unit threshold encourages the building of 30 unit buildings and in the event that two of those are built next to each other, a neighborhood is suddenly faced with 60 units without any applicable code that mandates on-site parking. I also am in support of an emergency adoption of planning regulations today. At the last

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richmond neighborhood association meeting a proposal was presented for a 74 unit apartment building southeast 48th and division with no on site parking. The notoriety of mr. Sackhoff's building at 37th and division has opened the floodgates for others to join the surge and increase the number of units in their buildings by using space that with parking regulations in effect would have to be allocated for on site parking. Our neighborhoods can't risk 30 days or more of open waters for those developers who shift what should be their burden of parking to the neighborhoods. Thank you for all of your work that you do to make this a better city.

Hales: Thank you. Thanks very much.

[names being read]

Hales: Welcome.

Tony Fischer: I'm tony fischer and I live in southeast, I'm on Ivan street. I'm part of the Richmond group and I'm here speaking for myself today. There are a few things that are really, just listening to the people speak, things just pop up that you want to address, I'll try to interject them, but I'll try to be brief. i'm a refugee from new jersey like my friend up there before. And anyone that's been in new jersey for 20 or 30 years knows the problems associated with density. People are leaving that state in very large numbers right now and they are losing clout in terms of influence. It's a state that's going down because of the density. I have a car. I'm a renter, I'm not a home owner. I am a renter, I live in one of nine units and I have a car which I absolutely need for things like medical emergencies, my family, the people in my family don't drive. And I have to take care of a lot of business by having a car. There are things I need to do. So i'm a car owner and a renter. Now, the first thing i'm going to do after introducing myself is to thank you all for your hard work. I know I'm not going to come up here and say, well you need to work in the interest of the people, or bring a lawyer out and talk about this or that. I know you work in the interests of the people. Otherwise you wouldn't be sitting where you are. so I appreciate everything you do and this forum that we're allowed to have the opportunity to speak. A big thank you there. I urge you to pass the parking regulations today. That serve the interests of the people. I think that's critical to remember we're in the interests of the people here, not any one person, one group. All of us together. I like the tiered proposal put forth by nick Fish, an I think it's a great idea. I like unit substitutions cut down to 50%. I love the idea of the provision for handicapped. I think that's really critical. I have heard about the traffic and congestion getting someone out that's handicapped in case of a fire or a problem. I think they are all good. I hope that people that work on the comprehensive plan continues to look at parking because I don't think it should stop here. I think it needs to be evaluated constantly to see if the policies we put into effect work. I love the fact that we have a team that's honest and communicative. I went to those meetings. They're great. The studies. The study that was done for the parking and other studies have indicated that 60 to 70% of renters in these buildings own cars. We're not going to turn cars into bicycles because developers build another building. That hasn't happened in the past. There's no reason to think people are going to say, time to get rid of the car because we have a building and I just don't see that being realistic nor do I see it as an argument for a developer. I think that these parking regulations which are very solid, whatever you agree on, I do support my association's position of putting them into effect immediately on an emergency provision. I buy the charge that there will be developers and people that will rush through plans to beat this and get this within that 30-day deadline. I know that you like to deliberate and you feel you need to deliberate carefully on all of these issues. So I understand your position you say we need to think about that. I understand that but I advocate and support the position of the richmond people. These problems, we're here on parking but it's not just parking. It's all those issues, the traffic, safety, the crime, air quality, water usage, emergency services. Handicapped and disabled, tons of things that are related even though we're here on parking.

Hales: Because of the hour I want to get you to conclude it.

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Fischer: Right. I'm not going to get into that but i'm going to the density. I think it goes to the issue of the density. I there's a need for greater involvement by people in the neighborhood. This was not done with the place on 37th and division. The developer did not communicate well all along through the process. I think it's important -- I think someone on council brought up the issue of the cumulative effect of things. I think it's absolutely critical that something be done to look at the cumulative effect, not each building by itself. Not evaluate on that basis.

Hales: Thank you so much. I have to cut you off. I appreciate you being here. Thanks.

Steve Gutmann: Thanks. My name is steve gutmann. I'm a resident of the richmond neighborhood association. I have been involved in this discussion for months, actually, both with my neighborhood association and frankly in opposition to most of what they have been proposing and forwarding. It handmade me very popular man in my neighborhood but after a lot of heated debate I have come to the conclusion I really do think that everybody is acting and speaking in good faith. Not only that, I also think that the vast majority of us fundamentally agree on the ends that we're seeking. We all want vibrant commercial corridors, affordable places to live, we all want less urban sprawl. We even all want less parking congestion. The things that we're arguing about I think is really just this. What's the best means to get our desired ends? And I believe that we're going about it sort of backwards. In my mind, the best order to approach this problem is first and foremost to legalize and actively promote a private peer to peer parking market, basically air b&b for parking for driveways. There are so many empty driveways in the richmond neighborhood every day because the owners of those driveways either have a car that's too big to fit in that driveway or because they prefer to park on the street. I have neighbors across the street who own three cars. They have a driveway and never once has, I have ever seen any of their cars in their driveway, there are plenty of these, a lot of such driveways. There are apps for this. One is called park at my house.com. Was developed by bmw, it's being adopted all over the world in very dense cities. Another one is called parking panda.com. It's based in san francisco, and again, it's creating a purely peer to peer marketplace in private driveways. It also opens up the market for unused commercial parking lots because a commercial parking lot owner can post a parking space for sale. This would bring a huge additional supply of parking online overnight without pouring any concrete whatsoever. It's currently illegal and I urge you first and foremost to pass a law legalizing that. I think it's illegal because it's a commercial use of a residential property but I think given the situation that's a readily available solution that we should pursue. Number two, I think the council and city should work with richmond and other neighborhoods to establish neighborhood permit districts. If everyone who parks in the right of way were to pay even just \$60 a year, five bucks a month, to park for a parking permit to park in the public right of way I believe some people would move their cars back into their driveways. Others would probably sell their cars. In fact I talked to my neighbor across the street. Her works for the city and he says there's no sense my having three cars. We only have two drivers but it's free to park on the street so he warehouses his three cars on the street.

Hales: Want you to wrap up in a min.

Gutmann: Sorry. Those who don't have a driveway could either pay the \$60 or cut a better deal for a neighbor's driveway. With the city collecting and splitting with the neighborhoods \$60 per car per year for cars parked in the public right of way there would be a nice pot of money available to do something great to benefit all neighborhood residents. It's called the parking benefit district. It's a common tool used in other cities. We don't have one. Third, to establish commercial meter districts. This would generate churn, which is what merchants really want. And once again, return part of the parking revenues from those meters to the neighborhood or to the local business association. Then once these three subtle, flexible, fundamentally light touch market based measures are implemented, if there's still a problem with parking congestion then and only then

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consider imposing parking requirements. The rest of the nation looks to Portland for leadership on these issues. I hope we won't lead them in the wrong direction. Thank you.

Hales: Thank you. Welcome.

Donna Ernst: hi, I'm donna ernst. I'm a dental hygienist and a resident of the richmond neighborhood. I've lived there 61 years, and 35 of them have been on 46th and division. Just two blocks from the proposed 74 unit on 48th and division. I'm coming to talk on behalf of actually hundreds of people and how that happened was my kids own the stock an barrel restaurant right there on 48th and division, just five weeks ago they were informed that they had to be out by april 30th. They had already signed a two-year lease. So they were just shocked. It was just a big, huge shock. We had to let the customers know that they were going to leave, and all the customers were just livid when they found out there were going to be apartments. We said it nice, they are going to build some apartments, but the people didn't like it. I have all kinds of lists of emails of people that -- mainly they want to know if my kids are going to have a restaurant some place else so they can go to it, but still all these people expressed their just -- they were so upset about the idea of having more apartments. They kept talking about all the apartments going down division and lack of parking. They wanted me to be sure and speak for them. I know there's a few hundred. Then a lot of people have been signing the book here telling about how much they enjoy stock and barrel. And so anyway, we just hope that you'll make sure that there is enough parking. His ideas were interesting. I hadn't thought about that, but I do hope there will be adequate parking for this 74 units. Also trimet. I took the bus for 40 years downtown every week to work. It was never that crowded, but I haven't worked the last three years, and I took the bus downtown to go to the last meeting, an it was just standing room only. That was a tuesday at 12:00. I thought, it's really changed in three years, so trimet is going to have to put more buses out there, otherwise people won't take them. I just wonder if you know if the building is still going to happen on 74th because the owner of the property isn't saying anything. He just -- we don't know. My kids think they have to move out april 30th.

Hales: I don't think I know.

Ernst: ya, I just have no idea.

Hales: Thanks for being here today. Thanks very much. Wish them well in finding another location.

Ernst: ya, thank you. Cuz it's portland's best burger. That's the problem. It's the best burger in Portland. That's what it says in this book by tons of people.

Hales: That's pretty good. [laughter] thanks for coming.

Ernst: Thank you for your tough decisions you have to make.

Hales: Robert?

Robert Liberty: good afternoon, my name is robert liberty. I live at 35th and tibbets, which is four blocks from division, was born in north Portland. Have lived in northwest Portland, southwest Portland, and northeast Portland, and now, the last nine years in southeast Portland. I have been involved with land use planning matters since 1981. In the early '80s I was on the association, the board of directors northwest neighbors at the time of the protests, arrests and arson associated with phil morfords projects. I listened to many debates about density and our future when I served on the metro council representing southwest and southeast portland. I have five points to make this afternoon. First, do not waiver from this city and our region's basic strategy of accommodating growth along arterials served by transits and centers. This approach saves the farmlands, forest lands and natural area that provide us with food, with fiber, with water, and for places for wildlife that is necessary for a healthy eco-system. After decades of planning for it, hoping for it, finally we are having arterial redevelopment. It's becoming a realty. Now is exactly the wrong time to create the slightest doubt that you intend to fully implement our policy of compact transit supported sustainable development. Second, in connection to the first point it's unfair, possibly illegal, and

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extremely dangerous precedent to change the criteria that apply to development proposals after a completed application has been received. The certainty provided by judging applications based only on the criteria were in place at the time an application is completed does not benefit just developer. It benefits neighbors. Changing criteria midstream may serve development opponents today, but it will be used by developers tomorrow and taken up by factions of the city council the following week and the next month we'll be in chaos. That's not how we do things in Oregon. Third, there have been proposals for new policies regulating parking in public streets. Some good ones. But any such regulations must treat apartment renters and homeowners exactly the same way. Apartment residents are our citizens and they have just as much claim on public parking as anyone else. Fourth, if you decide to impose new parking space requirements on apartments I ask you, commissioner Fish, to include a waiver of a generous share of those required parking spaces for any developer who commits to rent permanently affordable rents to persons and families of modest means. Finally, acting now and in haste under the pressure of neighborhood controversy means you lose the opportunity to digest many new facts and creative solutions that have been offered to you today and to act without the larger context of what's happening in our neighborhoods, which is densification, gentrification and additional traffic. Please fold this into your discussion update of the comprehensive plan. Thank you.

Fish: can I just follow up on just one point? So I really appreciate your addressing affordability. So, could you just sketch out how that waiver might work and how you would structure it?

Liberty: Well, at least using your proposed amendments as a model -- by the way, I have been in the neighborhood nine years. The change in incomes is pretty striking. It's expressed not just along the street but in the remodels and kinds of homes that are being built. This is a neighborhood-wide, not just on the arterials. I think I follow your model, if you promise to provide a unit of housing that will be permanently affordable to --

Fish: 60 years.

Liberty: Well -- that's not my definition of permanence although I'll probably be dead in 60 years. [laughter]

Hales: That will be permanent.

Liberty: We believe that will be permanent.

Fish: so, I like the concept. This is in effect voluntary inclusionary zone.

Liberty: Yes. I'm with you all the way to get the ban lifted. I remember exactly when that happened, in the early '90s, but this would be a way of creating some incentives. Structured parking in some of the units is valuable. It might make sense to say I'll be glad to rent it \$700 a month for, adjust it however it's appropriate for changes in price for 60 years in exchange for not having building those five units. That would give us a little more income diversity in our neighborhood which I see is disappearing.

Fish: Can I just applaud that for two reasons. One is, our overall goal to having affordable housing, generally, but actually our equity and fair housing goals. That if we miss this historic opportunity to develop truly affordable housing in these areas that are experiencing growth we'll never be able to turn back the clock on that.

Liberty: Some of the things Mr. Goodman talked about have interesting applications if you try and translate them into opportunities for people to create affordable housing in our homes, too.

Hales: great, thank you very much.

Liberty: thank you.

[names being read]

Hales: Welcome. Go ahead.

David Partridge: good afternoon everyone, my name is David Partridge. Thank you for opportunity to testify about current city policies and zoning requirements regarding parking. I graduated from the University of Oregon with a Bachelor's of Architecture degree in 1991. I became

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a registered architect in the state of Oregon in 1996. I'm a former managing principle with anchor moisen architects and I'm currently an associate with meyer group architects. My entire 22 year architectural career has been here in Portland. I'm a member of the American institute of architects, commonly known as aia, I was the president of the Portland aia in 2008. Currently I am on the board of directors of Oregon aia, a position I've held for seven years. Parking is always a contentious issue. However, Portland has widely focused on minimizing suburban sprawl, maintaining the urban growth boundary and maximizing public transit for over 30 years now. This is one of the reasons why our city's current planning and zoning code title 33 does not require parking for most multifamily urban infill projects located strategically within our existing neighborhoods and designated transit corridors to, provide for higher density within the urban growth boundary. It is my opinion and belief that Portland should continue maintaining its progressive, sustainable focus on developing and growing vertically around our existing infrastructure investments rather than horizontally. I believe high density urban infill projects that provide for close-in, walkable urban living, while minimizing further reliance on automobiles is the correct growth model appropriate for our city. and one we should continue to follow. Therefore, I'm here today to state that I strongly support the city's current policy for less reliance on street parking -- excuse me -- for less reliance on off-street parking, investment in car share programs and mass transit, increased density along corridors. I do not believe that additional parking requirements that are being considered by the city council should be implemented. Lastly, I would like to submit to the city council a copy of the aia, apa, asla, urban design panel letter that was written earlier this year, and it was hand delivered to each city commissioner. This letter supports and illustrated my opinions that I've stated regarding this highly important issue. Thank you again for your time.

Hales: Thank you. Yes.

Richard Melo: My name is Richard melo and I live at 2303 southeast 37th, basically a block away from the building at 37th and division. I want to thank you so much. I remember when we started this almost a year ago, that's when I became involved, almost a year ago. You know, especially you, commissioner Fritz, were very receptive to talking to us and hearing us out and hearing what our concerns were. I'm really grateful that you guys have spent so much time communicating with us, and pretty much just listening to us. It's been really great. Because the developer is not always listening to us. That has been a major issue. I want to say that I urge you strongly to pass this ordinance, and I'm in preference of the amendment that commissioner Fish proposed. I urge you strongly to pass it as an emergency ordinance so it goes into effect immediately. The reason why is we don't know how many developers are out there right now who could put their permits in during the next 37 to 40 days and create more parkingless buildings. Which if you get a number of new buildings like this in the next 30 days, it's almost like passing no ordinance at all. I would urge you to do it as quickly as you can, and just at the very least get it done. I do want to say a few things about the development that is near my house. You know, it's -- when we took the case to luba and we won a reversal, I've heard a lot of people here from the developer community say that they don't like the idea of rules changing mid stream. I just want to emphasize this particular project is an outlier. I don't like this idea that you can build first and then ask questions later. Which is exactly what happened. While this particular project was under luba appeal, they went ahead and framed the whole thing. All they had was a bit of a foundation when the appeal was agreed to be heard by luba. They went ahead and built the whole thing and now they are screaming that they are being called out and threatening to sue the city. As a taxpayer in the city, I'm just livid that they would even consider bringing litigation against the city, in a case where they were clearly -- they built at their own risk. This whole idea of build first and ask questions later, it's just ridiculous to me. So I do urge you to pass this as an emergency, and under any circumstance I want the building at 37th

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and division to be included in any kind of new ordinance that passes. I appreciate you taking the time to listen.

Fritz: I'll just ask a clarifying question. And thank you for reminding us that we have been doing this for almost a year. There's been some comments about how quickly this has been done and indeed it has been record speed for zoning code amendments, but it's been a while. Regarding in general the urban form of these buildings in commercial zones, is it your sense that the folks around the ones on division would like there to be commercial on the ground floor?

Melo: You know, that really depends on who you talk to. I'm still weighing the ideas. Right now i'm not completely sold with the idea of commercial on the ground floor. I don't know what kind of commercial it would be. It's like, you know, it really -- I would need to hear more about it. There's a lot of talk about it right now. About whether commercial is well suited for the building. I don't know if we have any say in that, either.

Fritz: Thank you.

Hales: Welcome.

Jeff Vincent: Hi, my name is Jeff Vincent, I'm a property owner in the richmond neighborhood and also a designer and project manager for path architecture in Kaiser group. I was asked by the Portland design commission to read a statement, none of them could make it. I was also asked to make clear i'm not a member and i'm not at liberty to answer any questions for them. So just came here to read their statement.

Saltzman: A new tactic here. [laughter]

Fish: Next you'll ask us to sign a nondisclosure agreement.

Vincent: Possibly... Dear mayor hales, and members of council. As you are aware, Portland real estate has arrived at a place where it is now economically feasible to build apartment buildings that have fewer than one parking spot per unit. in some cases, no parking included in the development whatsoever. Apparently we can now expect apartment dwellers in Portland's many attractive neighborhoods outside the central city to either be willing to live without a car or at least live knowing they will have to hunt for a nearby street parking space in their neighborhood every time they drive. Essentially, we are seeing what has been a long-time norm in the northwest district spill into revitalized and rejuvenating neighborhoods across portland. On one hand this trend represents portland's grand planning dream come to fruition. We finally live in a city where's not necessarily a given that one must have a car. By dedicating space entirely to living spaces for people instead of storage places for cars, these apartment projects are making it possible for more people, including people of limited means, to live close to the kind of amenities and services that Portlanders hold dear. One does not have to look far in america to see how requiring parking in multifamily developments has a devastating effect on street life. Towers surrounded by moats of parking and buildings whose ground floors are consumed entirely by parking garages are the fruit born by requiring one to one or two to one ratio of parking spaces to units. In Portland when we began to take back our city from freeway development, when we started working for walking neighborhoods and good transit that was safe, convenient and affordable, when we started striving for a city that people sought to live in rather than hoped one day to flee, wasn't being able to build a multifamily building without worrying about where the cars would go, a logical extension of that dream becoming reality. Of course as you know reaction to these un and underparked multifamily buildings landing in established neighborhoods has been mixed at best. We've seen a spike in testimony from neighbors and neighborhood associations about the issue, and they are frustrated that we can't talk about parking. Because the design guidelines that inform our decisions do not address the inclusion of parking, only its design if it is included. Often the parking issue looms so large, that those who testify the issues with the architects or stuff we can talk about gets secondary consideration. We understand, some of us on a very personal level, how hard it can be to adjust to new density in an established neighborhood. All of a sudden, that parking space that you could

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always find, right in front of your cute, drivewayless bungalow evaporates. Next thing you know, you're walking one, two, three blocks with your kids to your groceries. It's true. However today's design commission strongly supports Portland's efforts to grow more denser, more urban, more livable for a wide variety of people including those who choose to live without a car. Because the proposed changes could have a profound affect on portland's urban fabric. We believe the city council should take an incremental approach to this issue. Instituting neighborhood parking permits is a logical first step. Doing so will give you, and the citizens you represent time to address all of the issues surrounding the parking challenges in these great neighborhoods. Our fear is once this code language goes into effect it'll be nearly impossible to repeal and we will be living with the consequences for a very long time to come. We believe the topic should be addressed in a more thorough way in the Portland comprehensive plan. We don't want to leave you with the impression that we don't have deep concerns about the ability of the city's transportation infrastructure to keep pace with the development and support these newly dense neighborhoods. If we tell you that it's possible to live in Portland without a car, we ought to be a stellar transit system there -- there ought to be a stellar transit system there to back up the promise. If we ask people to walk three blocks with toddlers and groceries in tow, the sidewalks should be well maintained, barrier free and well lit. when neighborhoods come to us with concerns about parking, they are not always focused on the pain of losing the parking spaces, they have also brought concerns that the transit orient developments in their neighborhoods are decreasingly served by our transit agency, especially when it comes to bus lines. We agree with these neighbors that the issue is of deep concern. It is unfortunate, at the very moment Portland real estate and renters sensibilities seem to have arrived at our demands for car-free urbanism, our transit agency is raising fares, dropping service and is still unable to get a handle on its budget. We also know portland's issues with maintaining our significant investment in sidewalks and roads. we think that the policy-makers in the city that care about planning, sustainability and the vibrancy of our city should pay close attention to this issue and should be pushing for sensible, sustainable transportation planning by both trimet and pbot. Thank you very much for considering our testimony.

Hales: If you could leave that for the record, that would be good.

Vincent: I also have a statement, i'm not sure if I have time to read it.

Hales: Leave it for us, yeah. Better leave it for us.

Vincent: Okay. It's a statement from my employer, ben kaiser.

Hales: Okay, great. Now if you could leave that copy, that way Carla can make sure that we all get copies of all of them.

Vincent: Absolutely.

[names being read]

Hales: Welcome.

Jack Lavell: Jack Lavell. I'm just going to say my little speech because you have the data, you have all the info. My speech, I take trimet, all right? I'm maxed out with a backpack and one box, or one hand, you really gotta have one hand free. Ok, so...all the stuff you gotta take, this errands, that paperwork, and that and everything, like I said, i'm maxed out. Next step is looking for a car. Probably not money for a car, I don't. I'm projecting I'm not, so it's going to have to be ride share at times I can do it. So then like parking. The parking's ridiculous. I mean, like I said, you have all the answers. To not do it, no government, no, it's the citizens' call. They have all the info and not pass it? That basically intrudes on you guys. It's like they said, the ratio they said, i'm not going to repeat it, but like I said, it's all there. You have all the answers. If you don't pass it, it's trees on you. You're held to the u.s. Citizens, not the government, you're bonded to the citizens. And this is our call in this right. If you don't do it, you're wrong. That's it.

Hales: Thank you. You're next.

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Ben Schonberger: My name is Ben Schonberger, I'm here on behalf of housing land advocates, were a nonprofit organization that advocates for land use policies that support affordable housing. We represent over 200 people across the state active in housing and equity issues. We speak from the equity and affordability standpoint. We oppose the idea of increasing parking requirements for housing and do so on economic grounds and equity grounds. Economics have been talked about a lot but there are just a few basic ideas that requiring parking doesn't make it free. Everyone pays the higher prices of creating that parking. Higher prices in goods and higher prices in rents. Largely, though not entirely, the costs fall on the renters in forms of higher rents. The city's own study back in November demonstrated this by showing that parking requirements even at the levels that the PFC has proposed, raised a minimum of fifty dollars a month on the rent in the sort of hypothetical model that they created. The tiered approach proposed in one of the amendments actually ratchets shows up higher and would make those costs even more. Academic studies on the subject are also numerous and unequivocal. That parking increases the cost of housing and makes less of it. So, to say it again, parking displaces housing and raises prices. There's not really any real debate on this. Another way to look at it is this. Requiring the parking, which increases those rents by \$50 a month, is a way of assessing a 6% tax on the renters to maintain that parking. That's unfair and inequitable. Especially since renters, in general, as a group are generally less wealthy than homeowners. Portland needs a policy that looks ahead to the future and not its past. The demographic trends observed nationwide and strongly especially in Portland are really clear. Households are getting smaller, driving and vehicle ownership is declining. And right now there's a vacancy rate crisis in the central neighborhoods of Portland. The neighborhoods where these developments are occurring, are wonderful, desirable, amenity rich places. Which is why people want to live there. I know because I live in one of these neighborhoods in northeast Portland and I welcome the energy and the diversity and the activity that new development brings. In other words, in my view, yes, in my backyard. Portland has a rising need for quality rental housing at all income levels. And the way to get there is to build more housing and less parking. Neighbors have valid concerns about change, and if the issue is design, stronger design standards can be implemented. If it's about parking, permit districts are a solution. If it's about process, more steps to gain city approval can be implemented. My organization looks at policies from the perspective of whether they make housing more affordable and accessible, and the changes that are being discussed today do the opposite of that. They increase housing costs by limiting its supply and it shifts those costs from owners on to renters. Portland can do better than this. And changing the development code citywide is not the right response for a highly localized problem. Housing land advocates recommends restarting this process including a broader group of stakeholders and achieving the goals that Portland says they want to achieve.

Hales: Thank you. Welcome, hi.

Anyeley Hallova: Good afternoon, my name is Anyeley Hallova and I'm a city planner by training but I'm practicing as a mixed use sustainable real estate developer specializing in student housing. I'm also a volunteer on the community involvement committee for the Portland plan, on the residential development and compatibility policy expert group and on the adjustments committee. As you can see from my work and interests my passions stem from both supporting and increasing public participation in the planning process, and also ensuring that planning goals serve the public good. I reside in the inner southeast in a single family home with no on street parking, just one mile from the development site. So I'm well aware of the parking constraints and issues in this area. Given this, I make the following statements. There are statewide planning goals that mandate the development of needed housing near public transportation within the urban growth boundary. Given Portland's small lot size, diversity and land ownership, building types and living styles, the proposed zoning amendments go against the ability for the city to ensure this needed housing will happen without sprawl. The reality of this amendment will be lower density development, increase

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housing, missing teeth in the urban fabric and less reliance on public transportation due to the ease and convenience of readily available parking. This goes directly against the commonly shared goals of livability and sustainability that we have developed together as a community for the past three years in the Portland plan. Progressive cities like Portland have always understood that parking should be market driven forces and that encouraging the use of public transportation only comes as a result of decreasing the ease and availability of parking in areas that are close in. creating more parking has never solved a parking problem. There are more effective ways to tackle the problem than requiring on-site parking. These include parking districts, meters and paid lots that go to the heart of the problem by forcing people to either pay, be inconvenienced or make alternative lifestyle choices in a more livable and vibrant city for all. Developers, including myself, operate within market conditions and land constraint realities. Many of the properties within Portland are too small to accommodate such parking ratios while making them financially feasible. Have these parking ratios been tested on smaller conditions throughout the city to see what the outcome would be? Case in point, I'll present one of my current projects currently under construction, arthouse. A 50-unit building on a quarter block, next to the north park blocks. Future home to art students. Arthouse is located in a cx zone, has a walk score of 100, and is deemed a walkers, bikers and transit paradise. Under the proposed amendment this project would never have happened. Besides destroying the street frontage and creating holes in the urban fabric, it would have been financially unfeasible. Building underground parking is cost prohibitive on a quarter block site and adding any parking would have increased the rents beyond reason. There's a fine line between what a project can and cannot bear. The bottom line is the bank would not have funded the project if it did not meet certain thresholds. Requiring a project which is intended for certain demographic and has readily accessible transit, to provide parking makes no sense. Please consider these when making your final decision. Also please consider the precedent that is set when changing regulations mid stream. We are looking to the city to instill confidence in their commitment to the active long range progressive planning process that is currently underway. Thank you.

Hales: Thank you.

Fish: Mayor, could I just follow up on one point?

Hales: Please, yes.

Fish: since you mentioned arthouse and we're currently doing a review of sdc's, generally for parks and looking at whether the rates applicable for dorms are appropriately set. Arthouse is going to be student housing. And so, as I was listening to your very thoughtful testimony, I was thinking, do you think we should revisit this question particularly in the context of dorms and student housing, where if we get evidence that shows it's less likely that those occupants have vehicles?

Hallova: Yes, I do agree with that. I think what is more notable is thinking about general ration y, the millennia generation, versus generation x and generations before them. The trends for that generations are completely different. I have three siblings that fall in that category. All three have chosen to get rid of their cars. Not a choice necessarily that a person in generation x would make. So I think a big thing that's missing from this is people's perception about choices they are going to make. And so yes, I believe student housing natural falls into that category. But the people that are students now will start to convert to people who don't want or use a car.

Fish: I think you make a great point. And by the way, we talked about the generational divide perhaps on this issue. One of the concerns I have is that if we don't provide some level of parking in some of our transit corridors, are we saying to the older adults who are among those who surveyed, 70% of whom renters, have at least one car, are we saying to older adults that may need a car for their lifestyle, that they are essentially regulated out of those very desirable neighborhoods? That's one of the effects of saying, we're not going to have parking. Is if for people, as they get

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older for whom parking is maybe a necessity, particularly people with mobility issues. Are we saying, in effect, they can't have the benefit of living in those areas?

Halova: I think that it works actually the same for an older spectrum as also for a younger. I think the middle families --

Fish: I was throwing in mobility issues.

Halova: Mobility issues, I think all the buildings that are built now are handicapped accessible. A lot of the older buildings that currently exist from the 1920s, 1930s, 1940s, don't have that. So I think there are a lot of benefits that new buildings have now that address some of those issues. The transit system also addresses this issue.

Fish: Appreciate it.

Fritz: I just wanted to clarify, that arthouse is, you said on the north park blocks?

Halova: it's on the north park blocks.

Fritz: I'm looking here at the planners, this doesn't apply in the central city.

Halova: ok

Fritz: so it wouldn't have been subject to these regulations. It doesn't apply in any of the plan districts.

Fish: Congratulations, by the way on that building, it's the old powell's site. It's the new pnca housing. fabulous addition.

Halova: thank you

Hales: Thanks very much, appreciate it.

Fish: it's actually a beautiful building, too.

Halova: Thank you.

[names being read]

Hales: Mr. Stacey has been very patient.

Moore-Love: there have been some other people who asked to speak who didn't get to sign up, mayor?

Fish: Stacey, you can have the last, last word.

Bob Stacey: And there will be others behind me.

Fish: Rushing the stage?

Peter Cohen: Go right now?

Hales: You can go.

Cohen: Hi, steve, been a while. I just heard --

Hales: Put your name into the record.

Cohen: my name is peter cohen, I live at the base of mount tabor on a street that actually has no parking. It hasn't been a problem for me. But that's not really what I'm here to talk about. I didn't really have any time to prepare anything because I just found out about the meeting this afternoon and I did leave work early to get here. I have a fear of public speaking so, if I say that, i'll fear it less. So --

Hales: You're doing great.

Cohen: I did write down a couple notes. The whole issue, has to me, been kind of inevitable. When I read about it, I thought well there's no way they are going pass the parking minimum, this is Portland. When I moved to Portland, it seemed like the kind of place that you could at least pretend was different than the rest of america. That wanted to do things differently. So when I first read about this in the paper, I thought, there's no way this is going to pass. But then, as it proceeded it was clear there was a sense of inevitability, they're going to pass it. it's obvious. And I think that inevitability has changed what you guys are choosing policy wise, to do. I've heard it said we live in the age of stupid. If you look at national politics, it's pretty stupid now. We are unable to do anything in the face of massive crisis' that we are facing. Catastrophic. There's a depression right now. There's global climate change going on. But we're not doing anything. It feels like that has

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reached Portland. We're not doing -- basically at this point we're trying to figure out the smartest way to do the stupid thing. Which I've heard some suggestions tonight that are really smart. Robert liberty had some ideas that might even be moving us forward to a new way of doing things. We're in a transition period right now between a time where people can make a living, a family wage living, support their family, and live in a single-bedroom house, blah, blah, blah. To one where we're starting to see austerity really take hold in this country. People are getting turned away from cancer clinics. That was in the news today, they can't afford to be treated. So we're in a transition period. Transitions are really difficult. They're really difficult. But if we -- is that beep to stop?

Hales: Wind it up please.

Cohen: Okay. If we, right now, if we require that we build these parking lots, at some costs, it's going to be paid for by the future. It's going to be living in a drastically different paradigm than we are living in right now. It's not really fair for us to do that. We have to accept that things might get a little bit harder for us right now, to make it so it's not as hard for people in the future. If you just look at the demographics. People are driving less. First of all, the economy is down, people can't afford to drive. Baby boomers are retiring and not commuting to their jobs as much. Younger people, generation y I've heard it said, they don't even want to buy cars. They don't see any point. Gas tax revenue is down for this reason. It's a feedback loop. It's just going to get worse. The more people stop driving the less money there's going to be. It's just going to get worse. There will be no need for all these extra parking spaces. It's a complete waste. I realize there are difficulties are right now, we can manage those difficulties. There've been some really good ideas of how we can... There's tons of space, it's an allocation issue. There's great ways to allocate the space during the transition. There's no reason to force these sunclass on future generations.

Hales: Thanks very much, for somebody not good at public speaking, Me think you doth protest too much.

Cohen: I didn't say I wasn't good at it, I was afraid of it.

Hales: Well done. Welcome.

Alicia Cohen: hi, my name is Alicia cohen. And like my friend here I live off of division on 24th just a few blocks. I saw this issue come up and I thought, oh, well, it's not a big deal. It's totally antithetical to all of the planning in Portland. It just doesn't make sense. It doesn't make sense in terms of the 25 years plan, it doesn't make sense in terms of our goals for sustainability and for pollution reduction. And so this is my first time coming. I also have two children and really young children. This is the worst possible time for me to come. I told my partner i'm going to this meeting. I have to go, because I feel so deeply about this. I feel like it's, like, really a foundational issue, really fundamental and really important. I feel like this passes minimum parking requirements, that it's turning against everything we've worked for as a city, going way, way back. My neighborhood wouldn't exist. Those new richmond neighbors wouldn't live there if the neighbors in that neighborhood hadn't fought all those years ago in the 1950s and 1970s against the mount hood freeway that would have destroyed that, our neighborhood, the neighborhood that I live in. Those neighbors fought for a different vision, a vision of a city that wasn't based around the freedom of the personal car. A city that was based around neighborhoods and communities. We're seeing that vision come to life. In my neighborhood there are many good things that have happened where I live. I see more people walking, I see more people bicycling. I see the life and vitality. It's great to have new seasons. But I can tell you, I've lived there for 20 years. The changes are really substantial in the last five years. The amount of traffic has gone up dramatically. And what that means for me with two young kids is that it absolutely does not feel safe to bicycle. I will drive my car, even though i'm here today testifying against cars. I don't believe in the car culture. I moved to Portland back from graduate school, I really want to go back to Portland because I want to live in a city that's doing something different. I don't want to live my life around driving my personal car. I'll drive the few blocks to new seasons because it doesn't feel safe to get across division with two

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kids and manage all of the rush hour traffic. It used to be a quiet, sleepy enclave. Now it's really, really crowded with cars. That's the thing, I feel a little bit like this is Alice in Wonderland. Because it seems like the issues are upside down. Everybody's talking about parked cars. As a mother, what I'm worried about is the moving cars. It's the moving cars that cause the pollution. That for people like me and probably my kids have lung sensitivities, all of that extra pollution is real. It's something that you notice and it's something that can cause illness long-term but also immediate and to refer to people with asthma, inducing asthma attacks, and so on and so forth. But also my daughter's school is ranked in the bottom second percentile for pollution from sitting factories. We have all those diesel trains going through, and now they are talking about bringing the coal trains through. So we actually live in one of them, it's been ranked by Forbes magazine as one of the bottom worst 10. Portland has been ranked as by being the greenest city in America as one of the most polluted. A worst place to live for environmental toxicity in the country. I really think we have to take that into consideration. Thinking about planning for cars and really take seriously this vision of high density without the car. I mean, I think my neighbors in RGN are right to plead for some, not just 25 years from now, in the 25 year plan solutions but some immediate solutions to, like, what can we do for the pedestrians and the bicyclists and the families and people who with disabilities can make it better right now to alleviate some of the stress and strain without resorting to this old imagination of like the personal car is freedom. Like many people, the city planners have said it's that we do pay. I don't think parking is a right. I think parking is something people should pay for. I think clean air is a right. I think the ability to play safely on the street you live on is a right. Those are rights. So thank you very much, appreciate it.

Hales: Thank you, thanks for coming.

Bob Stacey: Wow. Thank you. I'm Bob Stacey, a resident of the Richmond neighborhood. When Adrienne and I bought our house in Richmond in 1976, we were hopeful that the future would be better than the present. Which was a big gamble. The neighborhood had just survived its death sentence with the cancellation of Mount Hood Freeway project you referred to. But it was still suffering what most people thought was a terminal and irreversible illness, the flight of the middle class to the suburbs. With the loss of buying power in the Richmond neighborhood, Richmond lost businesses that served the neighborhood. The Keno's grocery store closed and other businesses closed. It was pretty tough to find a cafe to have lunch or dinner unless you wanted to risk your g.i. Tract to a place called Packy Burger at 34th and Division. The bus ran every 40 minutes on Division. A little more often at peak but 40 minutes is a long time to wait. I can tell you, I spent a lot of time waiting for the bus and watching lots of cars go by because suburbanites were driving through Richmond on Division and Powell in very large numbers without any apartment buildings. As people invested in the neighborhood, as people moved into the neighborhood and fixed up houses and bought houses, wealth came back. We got -- not new seasons, in those days it was called Nature's Fresh Northwest. We got other business', we got more frequent transit service, we got prosperity, we got zoning to support the kinds of changes that were occurring on our main streets. And now, finally, with a renaissance on the street of business and service, we've seen other people wanting to invest in and move in this neighborhood. There have been some tear-downs of single family. There have been a lot of in-fills on side yards and now we're seeing apartments. When I see a formerly dilapidated building, an empty parking lot, replaced with a new mixed use building. I don't get nervous or anxious, I get excited. I appreciate that I may not, I don't share that view with all my neighbors. But I hope this council will take some time to address the legitimate concerns that people have raised about parking, which you can't do through the zoning code. And you can do through the regulation of on street parking. As a scarce resource that can be managed intelligently. You've heard great testimony from many Chris Smith, from Steve Guttman and others about using that mechanism. And I would implore you to keep your faith in Portland's future. People have talked about how we're at this turning point. We're finally seeing the realization of

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some long-held dreams about development on our main streets. I don't want you to do something risky that will break that trend, that will frustrate an old-timer who believed in the future 37 years ago. I have to say, though, I'm reassured as a boomer that the future is in pretty good hands when I hear the testimony that just preceded mine. Thank you, sorry for going over.

Hales: If you think back to some of the stuff that's gotten built in the last 20 years, it's stuff that really made us proud and, to me, really captured that vision. I live not far from downtown Sellwood and if you think about the nice project that Loren Waxman built there with ground floor retail that includes the library branch and I believe 10 townhouse units above it, or some of the other similar projects he built in the inner southeast, to me that, archetypical of what we had in mind when we created the mixed use zoning tool and did a lot of the planning work you've been involved in, to get this vision turned into a map and code. Frankly I didn't envision 40- to 80- unit apartment projects on ½ acre or acre sites, on these main streets. Did you?

Stacey: Mr. Mayor, yeah. The difference I think is that we have -- we had different expectations perhaps about the number of apartments that would be in those buildings. But I thought buildings of the size that perhaps not the design, but the size that Mr. Sackhoff I believe his name is, has put in at 37th and Division, were clearly consistent with the zoning map and the comp plan designations. The idea that they would be very small apartments and therefore would be 80 of them instead of something like 40 or 45 or 50, it's a change from the expectations we had then. I'd point out in the same breath, for every design that raises concerns, another building in this case four blocks away designed by Thomas Hacker and Associates, is going up on a small internal lot on the north side of Division. You wouldn't want to have two curb cuts to serve that building. It has I don't know how many units but it's going to be a more attractive addition to the neighborhood. It's going to fit into an ensemble on that block. It's not going to stand out like a sore thumb. I'd also point out that Homer Williams, PDC and a whole bunch of actors were able to build a certain number of towers in an area like South Waterfront, and then the market ended. The market may end for reasons completely unrelated to zone designations on Division Street, on Fremont at any time. It may be a bubble. We all know there will be starts and stops and that different architects, different designers and different needs will be met in those remaining lots in the future. That's a good thing to have a city build, if it must be in spurts, but be built sequentially and not all at once. This scale, particularly these mid block buildings of around 40 units, you don't want to be chopping up those blocks to provide parking with curb cuts.

Fish: Bob, could I follow up on that for a second?

Stacey: Your honor, you're asking some really technical questions of people and I'm no longer a code guy but I'll give it a shot.

Fish: You're an honored guest who was there at the beginning, I think you could help us fill in some gaps. You've now successfully run for office and you've gone to lots of these meetings throughout the community where we talk about the deal we struck, about an urban growth boundary and protecting farmland and doing something unique and placing density where it belongs within the urban growth boundary. We always highlight, for example, places like South Waterfront and the River District or the Lloyd District and say, here's places we want to through our zoning code, encourage mixed use development, big buildings, lots of units. I think what we've achieved in the River District is quite miraculous actually.

Stacey: It's amazing.

Fish: With the opening of the fields coming up it'll even get even better. But we kind of, either explicitly or implicitly told some of our traditional R5 neighborhoods, that if we did it smart, we could protect those neighborhoods.

Stacey: Yes.

Fish: We've had the fight about infill within those neighborhoods.

Stacey: Yes.

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Fish: and we've talked, we've had the fight about skinny houses and all kinds of things. But I wonder in this debate where I've heard people say that, at both wings, we've had people testify that density is a bad thing, and others who have said it's the holy grail. I wonder whether at least in the context of the kinds of corridors we're talking about there isn't a chance to have some balance without sacrificing our values. And I say that because as someone who spends a lot of time on division, for example, likes to go to the restaurants, has friends who lives around there. It strikes me that it is slightly different case when you have r5 neighborhoods on the wings a block away from those corridors, than areas where we always preach we would like to put density, south waterfront, river district and the like. And a second distinguishing characteristic to me is that people bought their home as long time ago with one set of expectations and now we're changing quite significantly the ground rules. Where as anybody who moves into the river district in south waterfront who complains about density probably didn't visit the area before they bought.

Comment?

Stacey: Commissioner Fish, I won't wag my finger at you, but we didn't change the rules. You're talking about changing the rules. The rules since 1990 have been that mixed use, four-story development without parking is permitted on certain main streets with a commercial store front designation. And the rule since about 2000, since then commissioner, now mayor has liberalized those provisions to apply them to additional locations with good transit service. Those are long-standing rules. No typical homeowner goes on surveys and researches the zoning code in great detail before making a purchase, I get that. We do need to protect the r5 zoned lands that abut the main streets. We need to protect them from the parking impacts of development. Whether or not you require 25% or 30% parking in the buildings. Because absent, some kind of management of the parking supply on the street, people will rent a unit but not pay extra to rent a parking space if that's what required. And so the builder will have to push that cost on to the units. You won't be able to avoid that. you won't have a market on parking and that impact, losing that space near your home that you've enjoyed as a long time resident of Richmond is something the city council ought to protect, you ought to do it by assigning value to those spaces and insuring that people recognize that value by putting meters as others have suggested on the main street itself. And having a firm line between the areas that are entitled to make use of that parking district because they are zoned r5 or residential and the areas that are zoned mixed use and are being built under a different set of rules. Probably shouldn't be entitled to make use of the parking district on the same terms, as renters or owners in the existing r5 zones.

Fish: So as someone earlier said maybe less a disagreement about ends and more about means.

Stacey: Absolutely. The single family neighborhoods abutting the main streets are some of the beneficiaries of the main streets. I'm one of those folks. But I'll have fewer benefits, fewer services, less frequent transit service if we don't augment the capacity for people to live and consume and commute by transit or bike in our neighborhoods by building on the main streets, as well as filling in our side yards in a single family neighborhood.

Fish: At least in the privacy of this chambers --

Stacey: Yes, on tv.

Fish: Where this council has consistently supported things like urban growth boundaries and aspirational goals around the environment. can we really not find an agreement where there's a reasonable balance that doesn't do violence to our values? Can't we allow neighborhoods to petition to have the kind of regulated parking they are allowed to?

Stacey: You bet.

Fish: And at the same time put in minimum parking requirements so that we build a modest capacity in these areas to be used by either residents or businesses or others without doing violence to the values? I understand and appreciate purity of your position. But if there's no give here without doing violence to the vision that you've had for 40 years?

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Stacey: Commissioner, I speak as a resident of richmond, as a consumer of the division main street. As someone who wants more neighbors, of who will share the values that long-term residents have shared. Who will respect the fact that a lot of the long-term residents expect to be able to park on their neighborhood streets and will find ways to accommodate their parking consistent with that need. As I said in my note I circulated to members of the council last week because I didn't think I could be here. I think what the planning and sustainability commission did, at your insistence, was develop a pretty reasonable compromise.

Novick: Could I ask you a question about the narrow issue of whether developers should be allowed to fulfill part of the parking requirement with off site parking. your take on the balance between commissioner Fritz' concern that it would lock in surface parking and my concern that if we don't allow that, we'll be requiring people to build parking that might not be necessary?

Stacey: I'm merely a councilor, you are a commissioner. I share commissioner fritz's concern that good housing stock, or other good buildings could be removed to create parking. One of the sore spots of getting anaturous was that some houses were torn down to provide surface parking back then. I wouldn't want that to happen as a consequence of allowing off-site. Where there are parking spaces available reusing those would seem to be a reasonable step. I understand that could have greater consequences than perhaps planning and sustainability commission intended by making its recommendation. But I think we should not incentivize tear-downs and more asphalt, absolutely.

Hales: So existing parking would be a different story?

Fritz: Shared parking.

Stacey: Share parking is great. And commissioner that would be one other benefit of regulating parking on the street. You create a market incentive to share and charge for that shared parking.

Novick: One last question. Professor liberty gave us some suggestions about how to incentivize affordable housing. Would you care to offer your perspective?

Stacey: I wish I didn't have this headache. Commissioner Fish, you hit the nail on the head by mentioning not only inclusionary zoning and the state prohibition on it. But the exception from the prohibition for, if you will, voluntary inclusionary zoning. That is, incentivized inclusionary zoning.

Fish: I don't think we can upzone in this area.

Stacey: You are the city council.

Fish: I understand.

Stacey: My point is, if you wish to incentivize, for example, permanent affordable housing, whether at 60 years or professor liberty's longer term permanent standard, you could say to a developer, you could reduce the required parking from the 25% which the planning and sustainability commission has recommended and which I reluctantly support over 40. You can reduce from that level to the extent you are providing a guaranteed affordable housing. That would be a way of incentivizing and then in essence requiring additional affordability.

Fish: Getting around the presumption?

Stacey: Yes, exactly. You can also do that through upzoning techniques taken into consideration, bonuses for permanently affordable housing.

Fish: our tax abatements are 10 years, our regulatory agreements are 60. We could work out those details. Thank you.

Stacey: Thank you very much.

Hales: Thanks. Thank you. Anyone else? Okay. I think we need staff back up here. So a number of issues have come up. Maybe we want to take one of the simpler ones first, and that is historic buildings.

Anderson: We were thinking we could take that. And if there are any other additional amendments, we'd be able to put those together for the next --

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Fritz: We want you to do it tonight, please.

Anderson: Currently the exemption, we can do that. we can do an exemption for adaptive reuse of historic buildings. That's not --

Fritz: that would be just what I would move that we provide an exemption for adaptive reuse of historic buildings.

Zehnder: and what we are saying by historic buildings we mean designated landmarks or contributing structures. So that's what we would come back with. Those are the two sort of official kind of statuses you might have.

Fritz: So moved.

Saltzman: Second.

Hales: ok, that amendment is on the table as well.

Fish: so we've had a lot of creative ideas for how we can work some affordability into the current code, but I think frankly the devil's in the details figuring out what kind of units we want to incentivize, what the trigger is and then there's the possibility the legislature will lift of preemption sooner rather than later. What's a reasonable time line to come up some proposals we could consider to tweak the bonus system to build in some affordability?

Zehnder: It's just a workload issue, honestly. There are several approaches. One of the basic things you need to figure out is if providing a parking space costs x amount, either in how much it costs to construct it, in the land value or how much you lose because you don't have a unit, what's that worth to somebody, compared to the cost that would be foregone by providing an affordable unit for 60 years. We can run the map saying how many spaces would it take to actually show the result that. Kind of analysis we can do relatively quickly. And we actually have been talking with the bureau of housing in the development of this proposal about linking it to the limited tax exemption status too because there's clearly a building that got a commitment to affordability that we could take a development cost off if we considered buy-down for that.

Fish: Mayor, if we could have a commitment coming out of this hearing that will bring the planning bureau, housing, whoever else together, to look at the question mr. Wood raised as to some potential barrier in our existing lte programs that make it less likely the private developers are using it. And we just did the big look.

Zehnder: Right.

Fish: I'd like to understand from home builders why it's not being used, why the tod is not used more frequently in those areas. That is one existing tool.

Hales: before we go any further, I think our city attorney has some advice for us because she has her microphone on.

Kathryn Beaumont, Chief Deputy City Attorney: I do. Getting back to the historic amendment, if you are going to adopt that amendment tonight, we need to have actual language to adopt. You can't just adopt a concept.

Hales: No, we haven't adopted anything. We just have a whole series of amendments on the table at this point.

Fritz: but for the others mayor, we do have the specific language.

Hales: Right, for the others, we have language.

Beaumont: Yeah, correct. yeah.

Hales: but which ones we can actually act on today are the ones that we--

Beaumont: ok, it wasn't clear to me whether you were hoping to have that language to adopt tonight?

Fritz: I was hoping to have it adoptable by next week, is that possible?

Beaumont: Yes.

Fritz: That works.

Beaumont: that works.

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Fritz: Thank you.

Fish: so Joe, just to make sure we're tracking, is there some fix to our existing lte programs which would make them more user friendly in this context? Is there some way we can take the good advice we've had during this hearing about some voluntary measures that would create affordability including through the bonus scheme, or some other? If we can get a commitment to take that up... That is the kind of fine-tuning that I think we ought to come back, at some point, to discuss. And I realize within a week it's unlikely we'll have that.

Zehnder: Not within a week.

Anderson: It could be a couple months. We're happy to work with housing to come up with that. our real fear is that we don't want to come up with something that doesn't do anything.

Fish: correct.

Anderson: You don't want to come up with a policy that says, you know, you can get rid of one parking space for two units, you know, if it's an affordable unit, but no one's going take it up because it's not cost-effective to do that.

Fish: agreed. And I also, the counter vailing concern I have is that, as we continue to build out this capacity, if we're not salting these buildings, new development, with some affordability we'll never get it back. We'll be pricing a whole class of people out of these neighborhoods. That's wholly inconsistent with our portland plan.

Saltzman: hasn't your findings about bonuses been largely ineffective in terms of achieving the policy goals that we hope to achieve with bonuses?

Zehnder: In the central city where we have most of the bonuses, that has been true. The reason is because of not doing this kind of math we just talked about. You have to calibrate how much a bike locker is worth to the value of the square feet you get it for. In this case you need to calibrate of cost and value less parking to how much affordability it might apply. We can try to run that kind of math to tell you if there's a business case.

Saltzman: I would back up from this and say, are we talking with realistic trade-offs made by developers, are a things where think developers make tray-offs about. And I'm not sure parking and affordability are really a real trade?

Zehnder: I think that's what commissioner Fish is asking to us look at.

Fish: Commissioner Fritz, since you've introduced a bunch of amendments earlier, I didn't know whether one of your amendments dealt with a question that a member of the disability commission raised about accessibility from the street or parking that's -- could you address that?

Fritz: Thank you. That's the very first testify. The chair of the commission on disability talking about loading zones. And it sounded -- we're requiring loading spaces on site for now 40 units rather than 50 units. Is there also the capacity to have pbot require on-street loading zones for apartment uses?

Hales: Here comes rob burchfield.

Fish: Perfect.

Fritz: Thank you.

Rob Burchfield, Department of Transportation: Rob burchfield, transportation, city traffic engineer. Yeah, let's first distinguish, there would be on-site loading which would be, ie: loading if you have a small moving van and you need a place to unload onsite, that would be a loading type. Then there would be like a disabled space which could be on street or it could be on site. If you provide any parking on site then the requirements for providing a disabled space would kick in and there would be a disabled loading space on site if there's any parking. If there was no parking at all in the apartment development, and the apartment owner, the apartment manager, could request that we put in a disabled zone if they have users that need a disabled zone. We would be responsive to that if we can. Most cases we can respond. There are some cases where you might have a street that doesn't have any parking lane. Let's say southeast 39th or something like that. There would be

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no place to put the disabled space. You know, we'd look on a side street, et cetera. We would problem solve and meet those users' needs. I wouldn't recommend necessarily -- I don't think it would be a good construct to require the developer to require pdot to do something, because essentially we may not have the ability to do it. The developer can't control what we can do, and we may be constrained.

Fritz: so what do developments and apartment dwellers currently do if there are 39, currently 49 apartments and there isn't a loading space. Where does the moving truck park?

Burchfield: well, I mean look, that issue basically happens almost everywhere, any like interstate moving van that's moving multiple moves in one load is going park on street and that's how they are going to unload. They can reserve space in advance if they feel the need to, if it's a constrained environment. They can come to us and get a permit to reserve that space in advance so they have a place to come into. That's sort of the temporary management of the right of way and things you have to do when you get into more intensively used environments.

Fritz: In a situation where somebody with a disability who is van dependent is moving into one of these apartments which doesn't require parking, that resident could ask for a disabled spot to be put on the street?

Burchfield: Yes.

Fritz: Does that address your concern, commissioner Fish?

Fish: My hunch is it probably addresses the concern of at least two people who have testified. I'd want to know more about mechanically how that works. Since you're here though, can I ask you another question?

Burchfield: Yes.

Fritz: Before you move from that, I just want to put on note that we've had several discussions of loading spaces and various recaps and other situations. It's something i'm hoping is another thing to put on the list for the comprehensive plan revisions. Sorry, go ahead.

Fish: we've had a number of people testify this afternoon that another way to address this problem through parking management. Would you just remind us, what is the trigger, what is the mechanism that any neighborhood can trigger to actually begin that process? Because it's my understanding, it's a citizen-initiated process.

Burchfield: Yeah, right. Right now we have a pilot program on the books where people could petition to start an area permit program for their small neighborhood area. There are limitations to what you can accomplish with that because all it's doing is permitting users within that area, it's not pricing parking per se, and it's not really going very far at all towards managing demand, I wouldn't say. I mean, some of the ideas that have come up, you know, with benefit districts, larger district wide efforts, I think there's good ideas out there. I think we need to clarify our policy goals and objectives around how we want to manage parking and to whose benefit. Because there's a lot of competing needs out there, obviously. We're working through some of these issues with northwest. You have the needs of the retailers, their visitors traded off against the needs of the residents, employees of those businesses. You have all those things in these centers and corridors going on. A lot of different parking demands. So, we kinda need to make sure we have a good policy framework for what outcomes we want to support. It isn't just a residential issue.

Hales: Ok.

Fritz: I have some questions about where this applies, that was raised about the folks who talked about the ex zone. and about the hierarchy of what trumps in the zoning code, and particular about tables 266-1 and-2. so my understanding is that it does apply in the ex zone. And that would mean in the ex zone near transit, we would currently -- it's required one space per two units. and it would go down to one space per three units for your typical ex large apartment building.

Matt Wickstrom, Bureau of Planning and Sustainability: based on the tiered approach. Yes.

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Fritz: So let that be shown to those who think that we're doing away with Portland as we know it, that this actually gives less parking in some of the ex, the high density developments near transit. It still wouldn't apply in the central city, right?

Wickstrom: You're correct.

Fritz: ok, but it does apply in ex zoning elsewhere, so that if we support appropriate parking, that's a good thing. My next question, though, is in the r zones, the r20 through r-1. Does it apply there?

Wickstrom: R20? A single dwelling zone?

Fritz: for the single dwelling zones, if it trumps table 266-2 for household living, we currently require one parking space per unit. Would this mean that in the single family zones we wouldn't -- we would no longer be requiring one off-street parking per unit? And maybe Rebecca reese needs to help us on this one, or phil.

Wickstrom: Well, and Phil can correct me if, we still would be unless it's within 500 feet of the frequently operated --

Fritz: but within 500 feet of a frequent transit, Phil is helping us out here. I want to make sure that we're not having any unintended consequences from this fix. We've talked a lot about apartments and I haven't heard any discussion about off street parking for a single family. It could be that in this case the market would require that most new single family residences are going to have parking.

Wickstrom: So yeah, they're -- the development, whether it's a single-family house or a duplex or anything under 30 units wouldn't be required to have parking if they are within 500 feet of the frequently operating bus line.

Zehnder: Right, they are below the size threshold.

Anderson: It's the same as current.

Fritz: but that, I think, is something for us to think about between now and next week, as to whether that was the intent to change the single family zones as well.

Anderson: It's already that way.

Fritz: It's already that way? Oh, good. I don't think I have any further questions.

Hales: Yes, Joe, please.

Zehnder: There's one data point I wanted to just put out there. Because I think it might help give some context and take off a little of the pressure off. Remember, today, even with zero minimum parking in some parts of town, over the last six years 65% of the new units that have been built have provided parking. Those units have provided it almost at a ratio of one per du. The reason I offer that up, over the weeks of listening to the debate, we really do pay close attention and express great concern about meeting the needs of all these different kind of households and all these kinds of situations. The whole policy was to allow not just, you know, to create those opportunities. 65% of the units are out there that one could choose to live in, that have parking, the rest are apartments without parking. So by having the policy we've had over the years, we've created two different channels of choice. And that choice is often in the same neighborhood too. So as you all are playing with the ratios and the like, it's not the end of all that choice. You're calibrating it to that. You may not have to go as far in making the requirements reach as deeply into the number of units and the size of buildings that are affected, because so much parking is already provided by the market. There are those market fed, providing choices out there.

Fish: mayor, if I could, one other housekeeping matter before we start taking up amendments. I've asked council to give us a written opinion to mr. Ramis' april 4th letter which raises a statutory question. And ask that we have that before next weeks hearing.

Hales: ok.

Fish: so we understand the argument and the city's view to that argument. Thank you.

Hales: Great, helpful, thank you. So, commissioner novick.

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Novick: Joe, I wanted to ask you a question about the issue of offsite parking. I know that the commission recently proposed allowing the parking requirement be met with the use of offsite parking. The commission also proposed that the cutoff would be 40 units, and commissioner fish has proposed cutting it down to 30. As you can tell i've been wrestling with the question of, is commissioner Fritz' concern about locking in surface parking a big enough concern that we shouldn't go into that whole issue of off-site parking? Or is it worthwhile -- should we think about allowing developers to use some offsite parking. I was thinking about offering an amendment that for the 30 to 40 unit buildings, you could allow the requirement to be met with off-site parking, thinking, well, there might be 6 to 8 spaces lying around and why not use them. I just wanted your thoughts on that.

Zehnder: So when the planning and sustainability commission discussed this, they grappled with it, too. We do have a history of having these reverse incentives of promoting tearing down houses. So it's a fear and we don't like to do that. When we looked at the land value in the places this development is happening, the conclusion was that it seemed very unlikely because it's just more valuable as development. You're seeing the parking lots on division being redeveloped for projects. That's where the commission's logic ran with that. and then as I said earlier, they were really interested in also opening the door so that you could secure spaces in another structure parking that's part of another building and optimize it that way. So I don't -- I can't guarantee that wouldn't happen. But our conclusion was that that was not a greater -- that there was more value in providing the flexibility, than, it overweighed the concern about whether or not this would create an incentive for tear-downs. And by targeting that 31 to 40-unit building group, remember, -- we've heard a variety of different arguments for why that's a hard building size to develop apparently. It sounds like it's difficult. Access, lot size, you're really squeezing a lot on. We've heard as part of our discussions, you cross this threshold about whether or not you have an on-site manager. 40 and above, 41 and above, it's a big building with a different economics. That's what our research showed, as well. So, anything we do to make it easier to develop in that 31 to 40 kind of building model probably does provide some valuable flexibility to getting in-fill development. And if providing off-site parking took some pressure off of the concern that we're going to start chopping up the street with curb cuts -- which I think that's a legitimate concern, that's not a desirable outcome too -- then that would be valuable. It was a long answer but in the net it would be valuable to give the 31 to 40 cohort as much of a break as we can.

Fritz: does this count as commercial parking on residential parking?

Zehnder: The way the code is written, commissioner, it has to allow parking on it. So it has to be a commercially zoned property if that's what you're asking.

Fritz: so it would be essentially taking a commercially zoned property that could otherwise be a mixed use development and making it into a parking lot?

Zehnder: no, well, it would be taking probably more likely a parking lot and buying part of it. Or taking parking in a building that's being underutilized and buying part of that. And so securing it that way. Both of those are commercial sites. In the future. So you've got a parking lot, part of it is owned by the building across the street, part is commercial parking. Somebody just wants to develop that lot and they're going to make more money. Just the economics of developing that site now includes the need, if you're going assemble the site, to replace the parking that the building across the street owns. As they build in parking into the building, there could be an economic reason for them to include it in that building. So you're getting your structure building supply at a later day that way.

Fritz: I'm not so concerned about the shared use. I'm concerned about surface parking lots. So what would be the regulations as far as offer to adjacent residential zones, would it be counted as a parking lot and have to go to the parking lot standards?

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Zehnder: Oh, sure. If somebody actually goes through the process of building a new parking lot, it has to meet all the new parking lot construction standards.

Fritz: and is there is a buffer or a setback from adjacent residential zones?

Wickstrom: Five feet.

Fritz: five feet, that's not much.

Fish: oh, can I just clarify something? I've got 70% in my head because that is the number of people in your survey to have a car.

Zehnder: Correct.

Fish: is 60% the number of current market rate units that are paired with a parking unit?

Zehnder: Correct. Over the last six years. If you look at the units built over the last six years, 65% of them have been in buildings where parking has been provided.

Fish: At a ratio of --

Zehnder: And when you look at sorta how that averages out, across all those buildings, the average ratio is almost one per space. Some are bigger, some are smaller.

Fish: so whether we take the bps proposal or the tiered approach, we're still setting a minimum well below what least 65% of the market is providing.

Zehnder: you're affecting the, right, the... what would that be, the 35% that currently is built without parking, you're affecting a subset of that. in our concern about the whole discussion of creating options, is that is after we put this minimum in, is there still enough of that supply of building without parking to still offer that option as part of the ways you can live in Portland.

Fish: To the tiered approach which you helped us walk through this particular approach, one of the concerns I expressed to you was, if you set a 41-unit floor, you're saying to someone who comes in, i'll do my building at 40, i'm exempt altogether.

Zehnder: That could absolutely happen.

Fish: And we were kind of, maybe, creating a reverse incentive to do that so we dropped it from one to four to one to five. Because of the diagrams you showed us, that said that in fact, in buildings that size you can accommodate the parking at the one to five ratio, it would be a hardship at one to four.

Zehnder: you know, yes, there's two really bad outcomes that could potentially happen from two different alternatives. Really bad, you judge. One is if you set it at 41 and above, you know, you could see a lot of 39, 40-unit buildings, right? People are concerned the whole world will be 39 and 40-unit buildings. The average size of building that was built over the last six years that provided parking was 41 units but that's just an average number. You could have that result. There's nothing in our psc recommended code to prevent that. but there's this other prospect that's out there that you could end up with, from, this cohort of 31 to 40-unit buildings with a bunch of curb cuts down a commercial street. I can't tell you that won't happen, either. So that's what I mean, sort of two possibilities. Has the market done this yet with the curb cuts? There is some of that going on. It hasn't been widespread but there has been some. We don't see many buildings in the 30 to 40-unit size over the last six years. I can't tell you that that's a permanent sort of condition but that's been the trend. So, does that help mediate of risk of the 39-unit building? Maybe. But every time we set a threshold commissioner, somebody figures out a business model come in right underneath it no matter when you set it.

Fritz: I have just one more question. The parking minimums are adjustable, is that correct?

Zehnder: Correct.

Fritz: So someone could come in and ask for an adjustment review and go down to zero, if they prove they're case that they've met the purpose statement?

Wickstrom: the purpose statement shows they have mitigated for impacts and that they are in conformance with the street classifications and the desired character of the area.

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Fritz: so that might be another way that, even now, before we get shared parking that somebody could come in and say they've got another lot that's allowed to have parking and they can get an adjustment on the first one? Potentially.

Wickstrom: Yeah, potentially.

Fritz: it would be a discretionary review and so nobody would be making promises. But yes. Thank you.

Hales: Susan.

Anderson: I'd be remiss if I didn't say this. So at the planning and sustainability commission, one of the things that kept coming up was a desire, and I think you heard it here too, to look at parking management. And that we realized we were directed to begin to move quickly on this. But that they really saw that going hand in hand, and that there were many opportunities to both use traditional mechanisms that haven't been used, maybe as much as could be in terms of the pilot area program. But also beginning to look at the things, like you talked about, parking ban and these other things that other cities, Baltimore, Washington, D.C., other places are looking at, they wouldn't be hard to fix in terms of changing code and terms of making it an allowable use to rent out your driveway. It's no different than what we did --

Fish: Can I offer you one cautionary note: As the author of the legislation which proposed allowing someone to, a homeless family, to sleep in their car in a church parking lot, I would not underestimate the reaction in neighborhoods across the city to the idea that the parking space next to their home is being leased out to a total stranger for a commercial purpose. We learned a lot through that debate. And concept sounds like a wonderful idea of managing inventory but my guess is it's going, people are going to have some very strong feelings in neighborhoods about that concept.

Hales: Nevertheless, it would be good topic to look at in the comp plan.

Anderson: It was hard to look at allowing neighbors to having buying clubs at their houses too when we did the food issue. And we got through that. It just, it didn't happen in two months. It took six months of getting everybody to a point where they could agree on something, and they could too longer.

Hales: ok, further questions for staff before we take up amendments. Maybe if we could put the list back up on the screen, I know we have it in front of us here. I would assume people would like to take those in order based on the order in which they were proposed. And then the amendment regarding historic buildings will have to wait until next week because it'll arrive in paper form by then.

Fish: Mayor, could we have the sponsor of each amendment just summarize again the rationale before the vote?

Hales: and on No.1 I believe that would be you.

Fish: what's left of my brain.

Fish: #1 Motion We have moved and seconded the tiered approach. Appreciate very much the discussion here today. I think this has been one of the most interesting and informative hearings we've had on any subject in a long time. The purpose of the tiered approach is to prevent a market over correction, which would be people choosing to do a slightly smaller building, below 40, get out from parking altogether. It is tiered based on feedback we've received from people across the spectrum about how this might work best. And it is, at least at the high end, designed to capture the notion, that the cumulative effect through either at least at the high end that the cumulative effect, through either multiplication of these buildings in a certain area or the size of any particular building has a different impact on a neighborhood than the smaller building. The tiered tries to balance a number of values, building on a thoughtful proposal from bps but essentially tweaking it to incorporate a few more values brought to our attention through this process.

Hales: Roll call on amendment no. 1.

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Fish: Aye.

Saltzman: It's been a long hearing, I guess i'm going to state at the outset, i've heard a lot of concerns raised about affordability, liveability, compact urban design a lot of things we in Portland hold dear, that we have since 1970 anyway, since we adopted massive statewide land use laws. And this is a complicated area and I think this is an area where i'm basically going toe the line with the planning and sustainability commission. They have devoted a lot of time to this. I don't feel like I'm smart enough to tell whether the tiered approach really makes that big of a difference in the scheme of things. I know this issue is before us because of political pressure from neighbors who woke up and found units going in with zero parking and became concerned about it. And that has worked itself through this process and it has resulted in an expedited request from the City Council through the planning and sustainability commission to wrestle with this. And they've done that and I think, by and large, almost unanimously they have come up with these recommendations. I don't feel i'm in a position to really second-guess those. And some of the second guessing I would do, would come at the impact to me of questions about are we making things less affordable and are we affecting ultimate liveability for this city and providing people choices. I think the statistics that joe just threw out, this really affects 35% of the market. 65% of the market is still being built with ample parking. I think we tend to overlook things like car share and our climate action plan, all of these things that are important to us. and have changed perhaps the dynamic of how people get to and from work. How they get to and from a store. Or the fact that division street, when I was growing up here, division street was just basically a bowling alley. You could throw a ball down there and nothing would happen. Now it's a great place. I think as counselor stacey said, it's nice to walk a block and have a place to eat, to shop, get a cup of coffee. And those options, you know, not to pick on any particular corridor, but division street frankly is why we're here tonight. That has become a dramatically different place. It's the engine for growth in this city right now. It's what northwest 23rd used to be in terms of the dynamic that's going on there. And so I think that i'm going just leave it at that. The planning and sustainability commission I think did a good job. I feel it strikes a right balance. At least as good a balance as I'm able to figure out at this hour of the night. So I'm going to, with all due respect, vote no.

Novick: I first have, sort of a procedural question as the new guy. I'm contemplating potentially offering an amendment to commissioner fish's amendment. Can I offer that after this vote?

Hales: well, I might get procedural help on that since I believe we have to have these in printed form in order to be able to take action on them.

Beaumont: Correct. I don't believe you can amend a motion while it's being voted on.

Fish: Can you vote yes and move to reconsider.

Beaumont: Whoever's on the losing side could vote to reconsider.

Fritz: What's that? Which way does he have to vote in order to be able to reconsider.

Beaumont: No.

Novick: alright, I don't really want to vote no. But can I offer an additional amendment in another 20 minutes?

Fish: Why don't you vote no and move to reconsider and we'll move to take up your amendment.

Saltzman: I thought, point of order, I thought you had to be on the prevailing side to do a motion to reconsider.

Fritz: I thought that too.

Beaumont: I'm sorry, you're correct commissioner Saltzman. I was anticipating the vote. whoever's on the prevailing side can move to reconsider.

Saltzman: I'm anticipating I'm on the, not the prevailing side.

Fish: Even better, even better steve. I will join you in that effort.

Novick: In that case I vote aye.

Fritz: People think this is dull? Democracy in action. Aye.

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Hales: let me make some comments about the big picture first. We've heard some great testimony today. some very passionate testimony. I'm going to sound a little cavalier when I say this. But I'm pretty sure, even in making these adjustments we still haven't gotten it right. I say that with all affection and respect for everybody that's worked on the issue and including those of us who are working on it right now. That is, I think we did have a vision of a certain pattern and form of development that would happen along these main streets as a result of zoning and policies and regulations that we put in place. Now we have to adjust. It doesn't mean that we're not sticking to the vision, it doesn't mean we're not becoming a very transit and pedestrian and bicycle oriented city moving away from dependence on the car. It doesn't mean those things. But it does mean we have to make adjustments so that we get in practice what we hoped for in theory. I tell the story sometimes about the original action on the mixed use zoning designation. I think a few people still remember. Where in, it didn't work at all because we made a mistake in the construction of the mathematics for the zoning designation. Because it turns out no second floor is ever quite the same size as the first floor because there has to be a hole for the staircase. We got that one wrong by a few%. I'm not sure if these amendments that we're going adopt, I think we are, will tune the performance of our zoning code in exactly the way that at least most of us are hoping for. That's why we do periodic review and that's why we change our comp plan and we change our regulations from time to time. Like it or not, I don't think we're done with the subject, but I do think it's now time to make an adjustment. We have to live in the present day while we're working for change. The fact that we're having this much discord among people who all believe in the same objective means it's time to make that adjustment. So I'm going to support a package here I think will work better. It'll work for a while. Unfortunately, like it or not, we'll probably have to adjust it again. So I hope you did like this hearing in that sense. aye. [gavel pounded]

Novick: Would it be okay for me to ask for a discussion before I vote to reconsider?

Hales: that's fine, I'll certainly accommodate that.

Novick: so, I as you can tell, am a bit worried that we might result in 35-unit buildings, mid block with curb cuts if we wind up not giving these 30 to 40 unit buildings the opportunity to buy off-site parking. Commissioner Fritz makes a strong case that that might result in locking in surface parking. I still have half a mind to introduce an amendment allowing offsite parking for these buildings, these limited places, but I could be persuaded that that would be just throwing a wrench in to the monkey and what we should do is have a, after tonight, we should have a broader discussion about off-site parking and maybe bring that whole issue back. So, I seek comments from my better experienced colleagues.

Fritz: What I would suggest in that situation, either I tend to defer to rick Michaels. He's done a lot of infill development and he served on the planning commission for many years. So his advice that indeed it wouldn't result in the horrible curb cuts is persuasive to me. But the other piece that's in this package is that we're allowing buy-downs of 50% with various other options. Then for the 50% parking that's then left, the developer can apply for an adjustment and prove their proposal equally or better meets the purpose of the code. So they could, in that instance, come into discretionary review and prove and the neighbors would get to comment on whether in fact they prefer to have no on-site parking and no curb cuts. So there is a process to do that. Rather than for, the planning staff were asked, could you craft an amendment which said except from mid-block and they've spent quite some time over the last several weeks looking at that and to date have not come up with a refinement for that. so then, otherwise you're looking at, are you going to exempt all 30 to 40s even if they were on a corner where it might be very easy to provide tuck under parking?

Novick: And yes, given the difficulty of just regulating the block, I would have proposed that it be 31 to 40 units, except the minimum number in those places may be located in parking areas close to 500 feet. Any thoughts have the other commissioners on this topic?

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Fish: I appreciate what you're trying to accomplish. And particularly because we want to avoid lots of mid block curb cuts for many of the reasons that people testified. We don't want people walking their kids, older adults or people with impairments having to dodge cars. Joe?

Zehnder: I'm sorry, I don't mean to interrupt.

Fish: you looked like you were about to jump in with something, so...

Zehnder: no, I just wanted to offer this up, that we could craft -- if the intent after this discussion is to try to use the adjustment process as a way where a community with a developer can come in and say, we'll live with no parking for that building because we don't want that curb cut, it would be valuable to put something in the purpose statement that says we care about the pedestrian realm and are willing to trade off parking for avoiding the damage that a curb cut might do. That gives the adjustment officer a leg to make a finding like that if it has community support. If it doesn't have community support, then you're in a different pickle. That's what part of the process is about. that could be a possibility. We did look at figuring out how to regulate mid blocks vs corners. You'd have to give us more time because there's lots of ways, it gets complicated pretty fast once you get in there. Although I think, you know, the planning and sustainability commission supported off site parking. So anything that moves in that direction I think is consistent with what they thought too.

Hales: I like joe's suggestion, I think anything that incents the parties to these projects to negotiate against a set of goals is more likely to get to a better result, for example keeping store front retail in a situation like one we've been looking at lately. So, not every project needs to be negotiated but where negotiation is the route to adjustment, i'm more confident in that so I like joe's suggestion. It would support having them come back with revised purpose statement language that does that.

Fritz: Katherine, can we add that language next week or does it need to be defined tonight?

Beaumont: You can add it next week that would be whatever ordinance we have. That could be the first reading of that substitute ordinance with the additional amendments. Which means that you would either need to carry it over to another second reading or you could adopt it next week with an emergency clause.

Fritz: Maybe the language can be something similar to in the purpose statement, after the piece about, especially those with the disabilities, we could say, while respecting the pedestrian environment on the transit street sidewalk. Is that what you were thinking along those lines joe?

Zehnder: what I would really like to do is go talk with bds, whose officers have to apply the language to nail it. thank you.

Fritz: thank you, lets see if we can do it tomorrow.

Hales: Unless you want to move your substitute, we'll move on to no. 2, commissioner Fritz, would you like to --

Fritz: Motion #2 This is clarifying where these parking standards apply and also setting the distance to be 1500 feet from transit stations from the max stop.

Fish: Commissioner Fritz are we voting as a package to a, b, c and d?

Fritz: Correct.

Hales: Further discussion? Roll call on amendment # 2.

Fish: Aye. **Saltzman:** No. **Novick:** Aye. **Fritz:** Aye.

Hales: Aye. [gavel pounded] okay. Item 3.

Fritz: Motion #3 This is setting a minimum of 50% of the required parking so that you couldn't get exemptions below that or substitutions.

Hales: Except by adjustment.

Zehnder: Except by adjustment, correct.

Hales: Further discussion? Roll call.

Fish: Aye. **Saltzman:** No. **Novick:** Aye **Fritz:** Aye.

Hales: Aye. Number 4.

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Fritz: **Motion #4a** that's the offsite piece and I appreciate the discussion. It's something I obviously feel very passionately about. Surface parking lots, to me, are the worst waste of space in our entire city. If we can have residential development, mixed use development, anything other than single use surface parking lots, that seems to me the better thing. The other point to this is that by requiring some on-site parking, it makes sure for the people with disabilities, those with small children, and lots of groceries to shop inside, are actually right there. That the parking is there. And it looks at the carrying capacity of the lot. How much land is there, how many uses can fit on that land including all of the things people who live there may want to do in their lives. So, not all of them but certainly in their residential capacity. So that's why I believe strongly that the residential parking should be located on the same site.

Fish: commissioner fritz, we're now just voting on 4a, correct?

Fritz: correct, well it's the same.

Fish: There's a 4b and a 4c.

Zehnder: 4b is actually about joint use parking, and Matt and I were just discussing it. This just allows whatever parking is provided. So even if it's provided on site to be joint use, correct? And so it adds flexibility like you were talking earlier about. We originally, I think, thought the two of them had to go together but they can be considered separately. Joint use is different than off-site.

Hales: Let's take them up separately then. Are you saying to keep the current code that allows joint use parking you still have to amend the draft?

Fritz: We have to amend the planning commission's recommendation.

Hales: Let's take 4a, which is within 500 feet.

Fritz: To delete the language that allows parking to be within 500 feet.

Hales: Correct. Further discussion? Roll call.

Fish: Aye. **Saltzman:** No. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

Fish: I'm going to need a little more hand holding on 4b. Largely due to the hour.

Hales: Yes, walk us through.

Zehnder: [**MOTION 4B -later withdrawn**] 4b is about provisions that allow joint use parking. When you have parking that's meeting your requirements that it can be used for multiple uses other than just the dedicated use that's meeting the requirement. What you have to prove is this, that for instance, residential parking that during the day might be able to be leased to employees of shops on the commercial district. That's joint use parking. You have to do a study that proves that the parking demand for the use you're applying it to meets the required parking provisions for the time the overlap really works. So that's what joint use parking is about.

Fish: Is that a sufficient, in your judgement, protection from someone kind of gaming the system? We want to make sure it's put to the primary purpose but take advantage of full utilization.

Zehnder: And I want matt to weigh in on this. If we had said you have to meet your parking on site, then you don't have the issue commissioner fritz was worried about with the surface lots. It's got to be on site. It just allows a more flexible use of the parking on site. That is correct?

Wickstrom: If residential parking has to be located on sight, then the joint use parking in the narrow term would be encouraging more parking to be build with new apartments, so then they could have joint use agreements with nearby commercial uses.

Fish: What about the case of complying with the minimum and have excess capacity. Would this make it easier for someone to then utilize this space if not utilized by the residence?

Wickstrom: If you are required to provide the parking, you're not allowed to then lease it to other users. It would be if you built excess parking, more than you were required to have, then you could have—

Fish: Now I am confused.

Fritz: I think we should have this go to further consideration. Phil has some comments for us. Is this required parking accessory parking or not?

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Phil Nameny, Bureau of Planning and Sustainability: well basically, if you look at the original hand out, it does say joint use of the required parking. So you can proposed parking required to be jointly with other uses. But you have to go through the study that shows that these uses are rented to people who commute, so between that hours of 10 and 5:00, we can use it for the bank building on the ground floor. So it's more along those things. You have to run a study to do that.

Fish: Isn't that exactly what we're trying to promote? Total utilization, and if it turns out during work hours that there's a vacant space that can be used by the grocery store next door. It's not a bad thing?

Zehnder: It's not a bad thing. The description I gave is how it actually works. That adds some flexibility to increase the use of whatever parking you end up building. And creates an income stream.

Nameny: Currently, it doesn't apply to residential. you can't use it for residential uses, it's only among nonresidential use. So the original psc was to expand the uses.

Hales: So to preserve that opportunity for joint use we should not approve the amendment, correct?

Zehnder: Correct. At the end of all of this discussion about the amendments you should move the psc recommendation as amended. And this will still be in there.

Hales: We'll still take a roll call on that amendment.

Fritz: What would it mean then, by the uses and housing types to which the parking is accessory is allowed—how would this be accessory parking? My understanding of this amendment, that the off-site joint shared use parking space would be allowed.

Nameny: I think the idea on that was, we didn't necessarily want residential parking to be used in a joint parking agreement with commercial parking, say for example, say we're using this in the r-1 zone. We didn't necessarily want somebody putting in commercial parking where residential parking is being used as accessory. Let me just read this again. I think the idea is that, we're trying to identify parking as accessory to the use that it was built for, as opposed to a commercial parking lot.

Fritz: But it doesn't make any sense if it's the residential lot.

Wickstrom: I think it's saying that both uses have to be allowed in the zone, you couldn't put it in a single dwelling.

Nameny: it may be a little bit convoluted, but the idea is that you wanted both uses to be allowed where the joint parking is. So for example if an apartment building is built in an r-1 zone and they want to rent the parking to the bank down the street in a commercial zone, that bank wouldn't be allowed in that r1 zone.

Fritz: It would or would not be allowed?

Nameny: It would not be allowed. The bank wouldn't be allowed. You can't have the accessory parking for the bank apply to that. That's where the accessory parking term came from.

Zehnder: It's confusing because you're thinking of accessory uses that aren't the primary use.

Fritz: In this case though, in some of these zones both residential and commercial is allowed on the site because they're cs or csr. So what it would be saying is that the lots which are required because it's residential, could be used by the commercial uses.

Zehnder: If you can prove that it works in terms of meeting the peak demand of your residential uses. Which would, you know, depend on the commute patterns. But you have to do a study to be able to show that.

Fritz: [**Motion 4B. withdrawn**] ok, then I withdraw this amendment.

Hales: that amendments withdrawn and we'll move on to no. 4 – no sorry, no. 4c.

Fritz: [**Motion 4c**] Which is the one I think we can all agree on. Because I think the planning & sustainable commission also wanted us to continue discussion of this whole item as part of the comprehensive plan, but particularly in shared use and joint use. It's something that's come up in multiple different projects.

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Hales: Roll call on that.

Fish: Aye. **Saltzman:** Aye. **Novick:** Aye. **Fritz:** Aye. **Hales:** Aye.

Fritz: [Motion 5] Item 5 is the purpose statement we were just about to discuss and see if anybody has good language.

Saltzman: will the planning and sustainability commission does have a purpose statement they are recommending?

Zehnder: They do, and that's what shown on page 6. It includes an amendment that was proposed by commissioner Fritz that we amended, that you all suggested striking the word on-street in when we had introduced this earlier. So the new language would read multi-dwelling development that includes a large number of units may require some parking to ensure there is an adequate supply of parking for existing and future uses in the area, and to provide necessary adequate parking for residents and guests, especially those with disabilities.

Fish: That's acceptable to this commission.

Zehnder: Absolutely. What we're trying to do now is add the sentence about curb cuts, they are going to do it on the fly. Maybe we should go to no. 6 while that language is still being--.

Hales: ok, while they are drafting away—

Zehnder: while they're drafting away, in real time.

Hales: we'll pick up no. 6.

Fritz: [Motion 6] This one has been reviewed by planning and sustainability and the bureau of development services. It basically corrects the language so you don't have to have an entrance for every residential use on the on the transit street, at least one per commercial use.

Fish: commissioner Fritz, my understanding is that I've received emails, and letters and stuff, this appears to have some support in the neighborhood, strong support of the city and the developer's representative has said he supports it. This may be unique among our amendments tonight.

Fritz: Correct.

Hales: Further discussion? Roll call.

Fish: Aye.

Saltzman: I'm not sure this was unanimity in the neighborhood on this, but I do note it was not addressed by the planning and sustainability commission.

Zehnder: Correct.

Saltzman: it does seem to make sense to me. I will vote to support this. However, I do want to say I am not supporting attaching emergency clauses now or next week to any of this. Everybody has to live by the same standard. Aye.

Novick: Aye. **Fritz:** Aye.

Hales: Making sure there are commercial uses on the ground floor of mixed use buildings in the commercial zones is what we intended all along. Aye. [gavel pounded] okay. Now can we go back to no. 5.

Fritz: I could make a long speech, Mayor. Could I make a short speech?

Hales: A short speech is most welcome.

Fish: Could you give the speech about your upbringing in England. [laughter]

Fritz: I hadn't thought of going back that far, but maybe I will.

Anderson: We're showing real time bureau cooperation here.

Hales: There's not a filibuster tradition in this room and that's a good thing.

Fritz: Having grown up in England where currently my brother is on the planning commission at the end of the tube outside of london, they require one parking space per unit in both public and private developments. As I circulated to folks if places like barcelona and Antwerp and others require one parking space even in their central business core, it doesn't seem like we are completely busting open everything we hold dear to require up to a third of the units to have parking. This is a sensible set of things which I appreciate the staff having acted on expeditiously. I also especially

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appreciate having served under now two mayors who are passionate about planning and who understand that planning is an evolving thing. You just don't set things in stone for centuries, even in England where things were built in stone. You continually look back and see, what did we do, does it make sense now, do we need to amend it slightly. And that to me that's part of the joy of it. This has been a wonderful hearing with lots of folks focused on the issues. A lot of good testimony up 'till now. A lot of public engagement and as you've heard, council members who are willing to listen and amend our views as we speak. It absolutely proves that somebody can come to the last hearing after a one-year process and make some changes that make sense. So I appreciate this whole process.

Fish: Mayor, may I also make a comment while we are waiting?

Hales: Please.

Fish: We're now in our fifth hour and 15 minutes. I want to thank the people in the chambers who have stuck with us all day and have testified and helped shape this. I want to thank the bureau of planning and sustainability staff and commission members who have spent a lot of time with the folks up here helping us understand these issues at a deeper level and shaping our amendments. I want to thank my colleagues for the process we've gone through which has been very collaborative with a lot of great ideas back and forth. And frankly, mayor, I think you get a lot of credit. My sense is on this and a number of other issues you've loosened the reins a little bit and allowed us to do more of our work in public. Just in terms of my own view of things, while sometimes that causes people to think that democracy is a little messier than it really is. In terms of establishing long-term trust, it's always better to do our work in public and have these conversations so people can see how we arrived at our decisions whether they agree or not. And frankly, one of the things I love about Portland, I've rarely had someone so upset with me that it's severed a relationship because they disagreed with some single action I took. There's real damage done when people think action was taken without an adequate process, a hearing or people getting a chance to weigh in. I appreciate the way you've structured this that allowed us to do a lot of hard work in a public setting. I appreciate the way this council is coming together around tough issues. Thank you.

Hales: Extra credit for the citizens that stuck through this hearing, thank you for being here. Thank you for that point, commissioner Fish. I do think this planning process has to be open at the planning and sustainability commission where we have volunteers in addition to our staff who conduct long hearings and try to get through this iterative process of making a plan and a code work. It does have to be an iterative process and it also has to be public. We don't own this building, we don't own this plan, we don't own this code, everybody does. So, I think that's the spirit we tried to take up this thorny set of issues with and we'll do that again.

Anderson: We did just have a realization that you did ask us to draft an amendment related to the use of historic buildings. We do not have the language for that now either.

Hales: Would you like a little more time --

Anderson: We're happy to give you what we just did now, but we're bringing something back still for you next time.

Fritz: Let me just check with the city attorney. We can adopt this package as is and bring back a separate ordinance to amend it or would we have to go back to the planning commission if we did that?

Beaumont: I'm sorry. You're talking about bringing back a separate ordinance?

Fish: If we bifurcated this issue and took it out and came back next week so we can vote on this, can we do that without having to go back to the commission.

Beaumont: I think since you have to come back with one amendment next week anyway, I think it would be simpler --

Fritz: No, we're not coming back with an amendment.

Beaumont: yes you are.

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Zehnder: We have to come back with a historic --

Fritz: that's what Commissioner Fish and I are suggesting if that would delay it another week, we would prefer to--

Beaumont: It would delay it another week unless you add an emergency clause next week.

Fish: the mayor is going to send commissioner Saltzman a [inaudible] for next Wednesday to accomplish that.

Fritz: That's not my question. Having had a public hearing, having sent it to the planning commission with due notice 45 days and such, can we then say that this item on the historic resources, could we add a second ordinance at a future date without having to go back to the planning commission?

Fish: Normally you give us broad license on these things. What's the hesitation?

Beaumont: I think...Sure, you can give it a shot. [laughter]

Zehnder: Let's get some language, too, so we can get this one in tonight if you'd like to.

Hales: I think we've accomplished something else here. in all the years I've known Katherine, i've never heard her give a response like that.

Fish: Why don't we put placeholder language in, and then figure out what we're going to do next.

Fritz: What do you got for us?

Hales: I think that's a better solution. Let's adopt what you've got.

Zehnder: so, what we would do, is after the sentence that was already inserted we would insert this sentence. It would say "balance parking requirements with an active pedestrian environment and the need to minimize pedestrian and vehicle conflicts as much as possible".

Fritz: So moved.

Novick: Elegant, don't lose that.

Fish: You do some of your best work between 7:00 and 8:00.

Hales: [Motion 5A.]s that is a proposal to amend the current language in item no. 5. let's take action on that amendment first. Roll call.

Fish: Thank you for your good work on this. Thank you commissioner fritz. Aye.

Novick: thank you. Aye.

Fritz: Thank you commissioner Novick for raising this and to staff for your very rapid response. I appreciate the cross-bureau collaboration there. Aye.

Hales: Aye. [gavel pounded] [Motion 5B] and on item 5 as amended.

Fish: I neglected to thank, actually, steve because you were the one who started the ball rolling on this. I appreciate the work. Aye.

Novick: I appreciate people thanking me rather than cursing at me for raising it in the middle of this hearing. Aye.

Fritz: I need to thank my chief of staff, tom Bizeau, who has been doing an amazing amount of work on this for the last several weeks. And who has been very instrumental in getting to where we are. Aye.

Fish: Would you yield on that moment? You shamed me, and I, since sonia Schmanski has done extraordinary yeoman's work, a young woman on my staff, I also acknowledge her and thank her for her services.

Hales: I'll do the same to josh albert and my staff who have worked hard on this. Aye. [gavel pounded] now, I believe a motion to -- do we need a motion to incorporate here?

Beaumont: No, you've adopted the amendments, what you can pass to second reading is --

Hales: Now the ordinance as amended by councilor action today passes to second reading next week. Correct?

Beaumont: Correct.

Hales: so no motion necessary. We move to second reading. [gavel pounded]

Fish: With the city council clerk we have a date of next wednesday.

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Moore-Love: April 10th at 2:00 p.m. Time certain.

Hales: Are there any other points of explanation? I think there are people here who are still expecting that we might take action on the emergency clause. Commissioner Saltzman has already indicated he is unwilling to do that. There are other members of the council who are unwilling as well. So I wanted you to know that has been considered, but that's not going to be, I don't believe, proposed because we do not have a majority of the council who wants to adopt an emergency clause.

Fritz: Today.

Hales: Today, yes.

Novick: May I make a comment on that? I want to make a comment partly because I'm going to be out of town next week. I know that there's people, particularly in the 37th/ division neighborhood, who will feel really distressed by this because they will feel that the council accounted today to address a concern they raised and the building they are concerned about isn't going to be addressed. And I hear that complaint. I fervently hope to the extent the neighborhood has concerns about parking as parking, that can be addressed by a process with pbot where we adopt a parking permit district that can ensure that people who are worried that they are going to have to lug their toddlers and groceries four blocks every time they come home from grocery shopping will in fact have a place to park. And Pbot has said possible to do a miniparking permit district that can achieve those goals. Donald Schupe, the author of the previously displayed book, "the high cost of free parking" actually had an op-ed in the Oregonian a few weeks ago suggesting such an option. I really hope that option will be considered. There's a couple of reasons why I did not propose adopting this as an emergency ordinance. One is that there is a risk of litigation and the city would be at legal risk. And let's say the city stood a chance of losing \$200 or \$300,000. We are making decisions in this budget about cutting programs that are in that price range that are important. We're talking about cutting women's winter shelter for homeless women. I think the price tag on that was like \$275,000. We're talking about eliminating funding for the buckman pool and cutting back the sellwood community center. Those are \$60 to \$90,000 items. So, we had to weigh the possibility of closing, making further cuts to pools and community centers and homeless shelters against an argument over what could have been 20 parking spaces. So that's some of the things we have to weigh. The other thing we had to weigh is that the city gave a developer a permit, who started building under the old rules. The permit was reversed by Luba on grounds that didn't have anything to do with parking. We've had a number of developers today testify that to apply the new rules to that old situation would set a bad precedent. And I think that ultimately I come down that even cranky developers deserve some form of fair play. So I really, really hope the neighborhood's concerns about parking can be addressed in the parking permit process. I understand there's going to be a lot of frustration. But there were reasons why the council didn't move to adopt an emergency ordinance. Thank you.

Fritz: If I may comment, thank you, commissioner Novick, that was an eloquent discussion of the issues. This is a legislative process and I thank the neighbors for getting this here as expeditiously as possible. I think the planning and sustainability commission and the bureau who have done heroic work to look at the issues carefully and get it to us expeditiously. It's not a quasi-judicial land use appeal hearing. We didn't state on the record at the beginning of this that who we had talked to in relation to say 37th and division. I was thinking had I been asked to do that, it might have been quicker to say who I have not talked to in relation to 37th and division. We've received hundreds of e-mails and lots of contacts. So, it's very important that this, what we're doing today and what we'll vote on next week is a legislative process to fix it for the next person, for the next set of neighbors who will not be faced with an 80-unit development without any parking on these streets once this has passed. So, thank you for doing that. I concur with commissioner Novick's thinking on it. I am interested in that particular development and in all others, encouraging

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commercial on the ground floor. I know that development because luba reversed, it's going to be going through a full application process. There is a mandatory meeting with the neighborhood next week. And so there's still an opportunity for conversation with the developer. I'm hoping there will be more give and take so that we can do something expeditiously that would allow there to be commercial on the ground floor. Which, I think, many of the neighbors I've heard from would prefer that rather than residential. And I think there's still an opening for us to do that next week in terms of the timing of adoption of various pieces of this ordinance. So I thought before this hearing I thought probably nobody would go home completely satisfied and I think i'm probably correct in that assumption. although I personally feel very gratified to have been part of this process and to have had this thoughtful and uplifting discussion about who are we and who do we want to be and how do we want to get there.

Hales: thank you.

Fish: I think they both said it better than I could. I'll only add it is my hope that if following the monday evening meeting there is a consensus about having a 6th amendment applied to this permit application, the council come up with a reasonable approach that would make that applicable to this development.

Hales: I agree with that. thank you. And we are adjourned. [gavel pounded]

At 7:31 p.m., Council adjourned.