

## Portland Planning and Sustainability Commission

Tuesday, January 26, 2016

5:00 p.m.

### Meeting Minutes

**Commissioners Present:** Jeff Bachrach (arrived 5:15 p.m.), André Baugh (arrived 5:45 p.m.), Mike Houck, Katie Larsell, Gary Oxman, Katherine Schultz, Chris Smith, Eli Spevak, Teresa St Martin, Maggie Tallmadge

**Commissioners Absent:** Michelle Rudd

**City Staff Presenting:** Susan Anderson, Alisa Kane, Shawn Wood, Tom Armstrong, John Cole, Peter Hurley (PBOT)

**Other presenters:** Dan Bower, Portland Streetcar Inc

*Chair Schultz* called the meeting to order at 5:00 p.m. and gave an overview of the agenda.

### Items of Interest from Commissioners

- *Commissioner St Martin* shared an update on the SAC for the Residential Infill Project. There was an all-day charrette last week. She shared the principles that are being used to vet proposals and suggestions and commented how staff is doing a great job in supporting the process.
- *Commissioner Houck* commented on the Title 11 hearing and vote at the PSC. He was appreciative of Julie's minute-taking that captured the "insanity" of that meeting and the outcomes of the PSC's discussions and recommendations. He presented her with a bottle of California Zinfandel as a token of the Commission's appreciation for her detailed, and accurate note-taking.

### Director's Report

Susan Anderson

- Welcome to our two new PSC members, Katie Larsell and Eli Spevak. All Commissioners provided a brief introduction about their role and interests in serving on the PSC.
- Upcoming dates for PSC meetings: We have an additional meeting on May 17 as well as a retreat on February 29. A full list of upcoming meetings will be shared shortly.
- The Urban Forestry Commission (UFC) met and made recommendations that are not far off from what the PSC recommended. Staff will send the information from the UFC's recommendation and Council hearing date to PSC members.

### Consent Agenda

- Consideration of Minutes from the January 12, 2016 PSC meeting.

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

The Consent Agenda was approved with an aye vote.

(Y8 – Houck, Larsell, Oxman, Schultz, Smith, Spevak, St Martin, Tallmadge)

## Documents and Presentations for today's meeting

### Written Testimony submitted

#### **Deconstruction Grant and Construction Waste Reduction Proposal**

Briefing: Alisa Kane, Shawn Wood

#### Presentation

Alisa provided an overview of the project. When we talk about demolitions, people want to talk about a wide range of issues.

Meeting a higher and best use is what we're thinking about when we talk about deconstruction: preserve and salvage and reuse of the materials. Deconstruction is often done by hand, but it can be done partially with machinery.

We want to talk about what we can do to mitigate concerns. The Mayor asked staff to look into solutions to increase deconstruction opportunities in Portland to realize the benefits of less waste, reduce carbon emissions and hazardous materials, preserve more in terms of trees and other materials. Reused materials can be more affordable e.g. when you purchase them at Habitat Restore or the Rebuilding Center. Another opportunity is for job training; doing deconstruction needs people who know how to use hammers and tools that can then create pathways to careers in construction.

There are some potentially negative considerations about deconstruction, though. It takes more time compared to demolition. With time comes cost on average, even as much as 40-60 percent more than deconstruction. Materials then need to get sorted for reuse.

Staff has had 14 meetings with a Deconstruction Advisory Group, which is made up of a variety of stakeholders even including from King County. A key role was to refine recommendations that would increase deconstruction opportunities in Portland.

A deconstruction grant program provides resources and a financial incentive to help promote deconstruction, build capacity within the industry and encourage efficiencies and innovation. There have been 8 grants approved to date for a total of about \$25k, which is half the funding that was originally allotted. An additional request is submitted to DEQ to add funding for more grant opportunities.

BPS is next bringing a resolution to Council to consider a requirement that single-dwelling units would be required to deconstruct if (1) built 1916 or before or (2) if the structure is designated a historic resource.

Of the 340 demo permits in 2013, only about 30 were fully deconstructed. With the proposed demolition requirements, we're looking at going from just one-tenth to homes to one-third of them being deconstructed. Older homes are rich in wood and salvageable wood.

The reference map shows homes built before 1916. We see a concentration in inner NE and SE. If you overlay where the most demo activity is, it is a very similar map.

To lift the initiative, a key piece is training and certification to ensure we know that firms are certified to offer deconstruction services. There is workforce training piece. Oregon Tradewomen, Inc is a good example of an organization that has capacity and interest in working with the City for training and partnership.

Also, the markets for materials will grow, and we looked at how much more we (the market) can handle. The 1916 date volume seems appropriate based on input from Habitat and Rebuilding Center. There is a high demand from furniture makers, restaurants, etc who currently can't keep lumber in stock, so deconstruction will help with this high demand.

We are also working on having tools for people to have about deconstruction, and we are working on a free deconstruction calculator. It allows a contractor to plug in numbers about the demo materials, and it spits out a feasibility number and shows the benefits of deconstruction to make the importance more tangible.

Finally, deconstruction is something we may have lost track of recently. It was likely much more prevalent in the early 1900s to reuse materials from homes. What is new is that the requirement would reflect Portland's green building values. It is the first step in green building; not building new, but using what was originally used.

## Discussion

*Commissioner Smith* commented on an apartment he had lived in that used deconstructed material. He asked a question about greenhouse gas (GHG) impacts: in the CAP, recycling construction waste has helped us reduce GHG emissions.

- There would be an even greater benefit with requiring demolitions. Reuse is better than recycling in terms of energy recovery.

*Commissioner Houck* asked about the incremental additional costs: if product is in high demand, does the money go back to people who have deconstructed?

- If contractor give a \$16000 bid, that includes if they can sell materials to off-set costs. For non-profit firms, there is often tax benefit for the organizations. There is varying degree of value in the materials, so it depends on the product.

*Commissioner St Martin* asked why a designated historic resource is important versus just the date.

- If a building is on the historic register, it doesn't matter how old it is. Also, it can be a landmark, contributing structure in a historic district, or a ranked structure on the Historic Resources Inventory.

*Commissioner Spevak's* company, Orange Splot, is a recipient of a grant. Would this apply to structures other than the primary dwelling?

- We are not including accessory structures for now to help in creating a simple definition of the demo requirement. The more we were to expand what we want to include, it would mean additional properties would have to be deconstructed. We can look at expanding when we review the regulations in the future.

Have you looked at further adjusting tipping fees?

- Metro noted this wasn't feasible. There is a de-facto increase due to inability to recycle waste wood, so this cost would be passed on to those doing the demo work.

In terms of capacity, is it really just two firms?

- There are two firms (the non-profit Deconstruction Services and for-profit Lovet) that focus specifically. Habitat has a deconstruction arm, but that is limited at this point. They are interested and could ramp up their work and bring in subcontractors. Demo contractors are supportive because this proposal levels the playing field in terms of costs compared to deconstruction. There are a number of excavation companies that we're also interested in working with and increase competition.

*Commissioner Larsell* asked about the advisory group and the resolution. What were the areas that were big discussion or potential points of contention for the group?

- They endorsed the resolution. Time was a topic of discussion, as was cost. On the reverse side, people from the neighborhoods thought we weren't going far or fast enough. We also discussed

affordability of homes being built. We acknowledge the cost, and there are benefits that may (or may not) outweigh them.

*Commissioner St Martin* asked about the 1916 date. What about the 1920s homes?

- We had gradations by decade to review. There was debate about whether we say “1916” or “100 years or older.” Going to 1920 raises the amount of potential deconstructions to 38 percent, which is a big lift, and we want to be successful; this is an attempt at a “bold but balanced” approach.

Susan: We are taking a resolution, not code, to Council at this point. This is an introduction to Council that then gives them an opportunity to direct staff to create the code. So there is definitely time for further discussion about the details.

*Commissioner Bachrach* asked how certification and training will that be funded, regulated, etc.

- We are covering this with existing staff. Certification and training would happen in the community. We would be a partner at the table to oversee it, but we’d rely on the industry to do that. We have a meeting with trade organizations and colleges next week to talk about how we’re meeting the need.
- Also the solid waste enforcement arm is internal to BPS so we can acknowledge that we have confidence in the firms doing the deconstruction work.

The resolution is to require fully deconstructed structures. What is the difference between fully and partially?

- There is partial and full deconstruction. Partial is non-structural and pulls out easy-to-harvest items. Full includes the framing, where there is a lot of old growth that we want to see saved.

Susan: Shawn’s position is covered by Solid Waste Management Fund. Construction demo waste is an area we’re still having a hard time doing. Regulatory work is also done by BPS’ Solid Waste group, not BDS enforcement.

*Chair Schultz*: Has there been consideration for time required to wait after a home is taken off the HRI since that is a fairly easy process?

- We have not yet discussed this. There is an automatic waiting period of 120 days to be removed from the HRI. We are hoping removing one’s house from the HRI won’t be as easy in the future.

Why are we not looking at historic commercial buildings?

- We have a better grasp for what’s in the house and the demand for that. Commercial is much less homogenous in terms of what materials are used, and we don’t have a simple first step to review all the materials as we do for single-dwelling units. We can look at this in the future.

Overall, this is a great thing to move forward and encourage industry. Is it a bit inequitable to homeowners though? We need to be sure to make it clear about the date and clear communications is vital for homeowners.

- Staff is well aware of this and will work to relay all the information clearly.

*Commissioner Tallmadge*: Was there discussion about exemptions or waivers for permanently affordable housing?

- Ultimately the ordinance will further define exemptions, which we will review. Benefits of deconstruction could be applied to homes that will be affordable, too. We know PCRI has done deconstruction and done it well, but we will look at the considerations.

## Portland Streetcar Ridership and Development Study

Briefing: Dan Bower, Portland Streetcar Inc

### Presentation

*Commissioner Smith* introduced the TSP and noted streetcar questions the PSC discussed at previous meetings. Streetcar has done two recent studies: a ridership study in conjunction with TriMet and an economic development study that calculates the value of the streetcar. *Commissioner Smith* introduced Dan Bower.

The Portland streetcar was laid out in 1988 and has been extended 6 different times. We have a major change this year: the logo! Dan provided an overview of the service and routes. The streetcar has about 12-15,000 riders/day, which is about what the Yellow Line carries daily. Since 1998, streetcar has grown significantly. We now have 7 partners throughout North America. 8 more systems are being built and opening in the next 2-3 years.

Our goal for on-time performance is 80 percent. The B loop gets stuck in traffic, but we are over the 80 percent goal on average. Peak ridership begins about 11 a.m. and goes until about 6 p.m.

Most stats are directly representative of people who live within a half-mile mile of the streetcar. 96 percent of riders board by walking to the streetcar (virtually no park-and-ride or transfers). 80 percent complete trip on streetcar. 38 percent of riders come from households without a car.

*Commissioner Smith*: The PSC's target is for 30 percent of housing in Central City to be affordable, and these are all potentially streetcar riders.

*Commissioner St Martin*: What was the sample size for the survey?

- 5000 initially.

Slide 12 provides an overview of the Portland Streetcar Structure. This includes a master agreement between TriMet, the City of Portland and Portland Streetcar, Inc. The funding proportions have changed over time depending on where the lines have been in the process; initially with a development focus, TriMet and City shared their costs; now that we're in an access/mobility focused stage, TriMet is paying more for the NS operations while there is still a fairly balanced split for the A/B loop.

There is lots of housing expected on the streetcar loop. We also know that economic development is occurring and we need to figure out how to measure it. There is \$4.5B of real market value that has been developed through the streetcar lines since 1998. We need the right types of investments in the right places, so we're asking how streetcar can help shape the city and how we get density where we want it.

Is streetcar able to provide enough value? This is the question EcoNorthwest study looked at. The model explains 89 percent of the variance in condo prices from 1998 to 2014 with the numerous variables included in the price.

In terms of sale price, a large impact at the announcement of streetcar for units within a quarter-mile of the line (37 percent premium). With light-rail, there is negative impact to be on the line instead of close by it.

In terms of floor-area-ratio (FAR), people on the streetcar line are taking advantage to build dense, using 80 percent or more of their allotted FAR. The streetcar corridor accounts for almost 33 percent of jobs within city (2013).

Ridership on the eastside isn't occurring yet because those projects are just now getting built. There will be more opportunities to look at the eastside once that has been up and built out.

Before 2002 the City earned \$0 from on-street parking meter revenue from land north of Burnside. Since 2003, the City has earned \$62 million in on-street parking meter revenue from the same land.

Next up:

- Operations:
  - Additional vehicle procurement (purchasing used cars from Seattle)
  - Station Consolidation to speed up operations
  - Evaluation of alternatives for NE Broadway and NE Grand at freeway on-ramps
  - New turnback from NE Grand to NE Weidler
  - Improved scheduling
- Planning:
  - Update of assumptions for 2009 Streetcar Concept Plan
  - Provide certainty to property owners and planners
  - Value capture opportunities
  - Consistency with Comprehensive Plan
  - Roadmap to doubling streetcar ridership for under \$250 million finalized by fall 2016
  - Projects to be included in update of 2018 Regional Transportation Plan (RTP)

## Discussion

*Commissioner Smith* commented on the study that PSI is launching. The PSC's recommendation for the Comp Plan was for PBOT to do an inner ring study about where transit should be. How do these studies fit together?

- PSI is charged with advancing streetcar, so we are looking at where the next line should be. Of course it needs to be done in a place that makes sense and complement existing City efforts. We want to be clear where the next streetcar line can make the most sense for the City and our investments.

You talked about streetcar versus light-rail. We don't get station development for streetcar, but we get corridor development. For the Portland Action Plan for Powell-Division, we provided the message that it's not sufficient to just build transit; we need to ensure affordable housing and small business economic development is included. We'll want to hear about that from a streetcar corridor perspective as well. The model has to get more pro-active about the equity question.

- The opportunity for value capture is there, and how we decide to use it is a policy question.

*Commissioner Spevak*: Early on, there was Local Improvement District (LID) financing. Has that continued on? Also about affordable housing, was land purchased at prices before the line announcements?

- Streetcar has used LIDs, which would be a one-time tax to help pay for some of the capital (some, but not all, and not for operations). Something more long-term and like TIFs need to be weighed.
- In terms of affordable housing, lots in the Pearl and SoWa is about development deals. We have not yet purchased land. PDC owns lots of the land.

*Commissioner Oxman* talked commented on Dan's noting station closings that will affect speed and safety concerns. How does closing stations affect safety?

- 10<sup>th</sup> and Stark, the station is mid-block, is a good example. 10<sup>th</sup> turns a bit north here, and there are car lanes that we need to maneuver around. Same with SW 1<sup>st</sup> and Harrison and people getting onto Naito. So we're looking to remove those stations entirely.
- Last year we had a 36 percent reduction in crashes.

*Commissioner Tallmadge* commented on affordable housing, particularly if there is a rough concept map. How is the City working to bank land there? This is like any TOD and any market that is deemed "hot". Given speculation and increased property value, this is something we need to see.

*Commissioner Baugh* likes the economic study that shows what the value around the streetcar is. How can we capture that value relative to addressing affordability issues and housing as well as businesses? Ensure that these are options to preserve housing for people who are there already while increasing value. Also, can we get a copy of the study?

- There are several infographics, a methodology report that we can share.

## **Task 5 – Campus Institutions Zoning Update Project**

Work Session / Recommendation: Tom Armstrong, John Cole, Peter Hurley (PBOT)

### Presentation

John provided a review of the past PSC meetings and identified Zoning Code issues.

The first item is the **Expiration of Existing Master Plans**.

There are five institutions that would be cut short by the 2020 expiration date.

- PCC Cascades in 2021 (IMP)
- Providence Medical Center in 2022 (CUMP)
- University of Portland in 2023 (CUMP)
- Legacy Emanuel in 2024 (IMP)
- Multnomah University in 2025 (small)

Representatives from Providence asked for a longer expiration date plus the option of extending or renewing the CUMP for another 10 years, which could take them out to 2033.

Staff chose 2020 because we wanted to simplify the number of processes available to regulate campus institutions. Staff is confident that development use standards meet the hospital and college needs, and we've tried to ensure proposed development standards do this. PBOT has an interest in meeting some of their mode-split standards and are hoping to use the transition from CUMPs to base zones as an opportunity to review TDM programs that institutions operate under.

Given some of the concerns we've heard and City staff recommendations, PSC can either:

1. Affirm the proposed 2020 expiration date.
2. Amend code to provide for later expiration date in 2023, which extends past the expiration date for Providence and UP who provided testimony.

*Commissioner Smith* noted a call from PBOT that they are concerned about letting the date slide out because that delays the point at which they can work on their mode-split goals. We short-cut the process if we go with the later date.

*Commissioner Houck* asked if we go to 2023, what's the rationale for not going to 2025? I like the case for leaving it as 2020.

- Impact mitigation plans don't necessarily have a strict cut-off date.

*Commissioner St Martin* noted the time spent on plans that institutions gave. Maybe there is opportunity for a "trade"?

*Commissioner Bachrach* is supportive of giving the extra time. Lots of work goes into getting a master plan approved, and I think the institutions are entitled to get the full benefits of the approvals they got. Also, can the City legally take an approval and retroactively affect its expiration date?

- Staff spoke with City Attorney about the expiration date, and their initial response is that it is a fact-based determination, not a universal response.

*Commissioner Baugh*: If you cut off the plans at 2020, do they have to make changes right then? I am supportive of the 2020 date.

- Yes, the way the code is structured that December 31, 2020 the CUMP and IMP would expire, and the institutions would be CI Zoned and operating under those base zone regulations.
- On January 1, 2021, the new requirements only kick in when they want to build a new building.

*Commissioner Oxman:* Are you aware of if they have major projects in the 2020-23 timeframe?

- Not specifically.

*Commissioner Spevak:* An institution can opt out at any point before the date we set, right?

- Yes, when the Zoning Code becomes effective, any institution can jump out of its current CUMP to use the base zone requirement.

*Chair Schultz* supports the 2023 timeline. Projects in the 2020-23 timeframe are likely small enough to not have significant impact.

Peter provided an overview about 2020. Institutions do have traffic and parking implications for areas around them. TDM requirements and plans are not up to modern standards generally. The staff conversation was that we think it's appropriate to have conversations with institutions whose plans expire after 2020 and if there is an opportunity for phasing over the next years. This could be direction from the PSC... to staff to work with the institutions and neighborhoods to build on strengths of existing plans while phasing an updated TDM over that time. This could work well.

*Chair Schultz:* Has there been outreach to institutions about this? There is likely concern and they want to keep their expiration dates.

- Staff is meeting with institutions next week to discuss. Until there is something more specific, we might not have a set plan.

If the PSC doesn't support this piece, does this hold up the entire package?

- We would bring the revised package back based on the work we do and what gets sorted out through the TSP hearings too, which will get into the details of what it means to be a TDM plan. We have time because the package doesn't go to Council until late summer, so the PSC can certainly wait on this piece before making a recommendation.

*Commissioner Smith* appreciates this logic. But we heard testimony and neither neighborhoods nor institutions were happy with the initial proposal. In tonight's discussion points, I don't see much that will make neighborhoods happier, but many of the items will make the institutions happier. I want to be sure both sets of stakeholders feel better after tonight.

- We have a balance of neighborhood support and opposition. Same with the number of institutions.

*Commissioner Baugh* moved to wait on making a recommendation while staff engages the institutions and PBOT has further plans and dialogue.

*Commissioner Bachrach* noted there is nothing preventing PBOT to having the conversations. But this puts the institutions in an unfair situation, and we should make a decision tonight to provide certainty.

*Commissioner St Martin* asked about the plans for Providence and University of Portland.

- There are good aspects to their plans, and there are components that don't address standards that a current plan would require. We would like to have the conversation with institutions about how we reasonably phase in the current best practices and standards. Both have done a good job in looking to the future, so I'm optimistic about working with them to come up with a plan to address the need for better plans over time and the impacts to neighborhoods.

Neighborhood concerns are generally about larger process issues. As institutions have said, they have reach agreements over the CUMP package that includes the TDM program. Neighborhoods are more concerned about base zones in general, now how TDMs play out over time.



## **TDM Requirements**

Title 33 just establishes the requirement for institutions to conduct a TDM. The language staff proposes for the transportation impact reviews is substantially the same as current.

There was concern raised about the nature of the TDM and uncertainly. The PSC can recommend the new chapter, 33.150, because we will work out what it means to be a TDM plan during the TSP discussions. Those discussions will better define, but we can close the book on Chapter 150.

*Commissioner Smith:* We've adopted aggressive vehicle miles traveled (VMT) goals, and we have a new transportation hierarchy. We will see TSP language that has aggressive mode-split numbers included. So this language connects us to the TSP.

We have meetings through February with institutions to discuss what having a state-of-the-art TDM plan means.

*Commissioner Baugh* noted the TSP still needs to be resolved, and there is uncertainly for the institutions, until the 2023 date regardless. The TSP is the focus point, which can still be influenced with input.

- As part of the TSP, we set how high the bar is. The difference is when the institutions have to jump over the bar.

[PSC members confirmed that having direction to create a TDM in 33.150 is appropriate and that the details about TDM requirements will be in the TSP, not the chapter itself.](#)

## **Non-conforming Uses**

Concern from institutions is about in the transition to Campus Zones, some uses on campuses or development would become non-conforming.

Non-conforming use sections can apply to campuses and adequately protect their interests. Staff doesn't think there is a use on a campus that would become non-conforming that would get caught up in the proposed Campus Zones.

*Commissioner Bachrach* asked: if there is housing today on the campus that isn't for students or patients, it would become non-conforming?

- We are not aware of any situation like this. Housing on campuses is typically for students and faculty, and on hospital campuses, there isn't residential development that isn't for staff or visiting families.

*Commissioner Smith* noted a concern from the community in the Comp Plan institutional designation from some property owners.

- When an institution applies for a CUMP, they need to control all property in the boundary that is set. An IMR allows the institution to fold into their IMP boundary properties they don't own but that they are interested in acquiring; they can't control or rezone until they own. We did notify all property owners in these instances, and when we heard back from property owners who wanted out, we honored their requests.

[The PSC provided support for adopting the non-conforming use language provided by staff.](#)

## **Request to Remove 3 Lots from Legacy Emanuel Campus**

NNEBA asked for 3 lots at the SE Legacy Emanuel campus be removed as part of a larger negotiated approach to identify these sites for more community-based activities and educational or small business opportunities. Based on history of this campus, we want to give this request air time. We have passed on their letter to Legacy Emanuel administration. NNEBA has forwarded this testimony to Council as well. Staff thinks Council can take the lead in any sort of discussion between the City and Legacy for this.

*Commissioner Oxman* asked if these lots have been controversial since 1969.

- Yes, and they are still vacant.
- We received other testimony from PAALF and the Eliot NA about what the Comp Plan designation should be on these vacant lots. We will bring forward a zoning map proposal based on what Council ends up for the Comp Plan map.

*Commissioner Smith* wonders if the PSC wants to endorse this testimony from the community (contrary to the PSC's initial recommendation).

Susan suggested she could informally share the testimony with Council in lieu of a PSC letter. [Susan will share the PSC's general interest in Council pursuing a community use for the three lots in question.](#)

*Commissioner Tallmadge* commented on "similar" testimony. What did other organizations say?

- Staff needs to compile these letters to summarize for PSC members.

If this were zoned mixed-use, could it be all affordable housing placed on the property?

- Yes. But it could all be medical center use, too. The main difference would be building height allotment.

*Commissioner Larsell* asked if this means the lots wouldn't be included in the Institutional Zone.

- Yes, this is the request. They are currently vacant lots.

If Emanuel sells the property, have they suggested what they'd like to sell the properties for/to?

- We haven't seen specific development proposals from Legacy Emanuel or from neighbors. Conceptual from both sides at this time.

### **Request to add "Residential" to Permitted Uses List**

We received testimony about whether or not to add residential uses to the allowed category on the primary use table. Currently institutions can build residential dorms and housing that is accessory to their primary mission. Adding a residential use as an allowed use allows institutions to do more speculative housing (e.g. affordable or market rate housing; assisted living facilities). This isn't necessarily something the institutions that are looking to do, but staff wanted to take what little institution land we have and make sure it is primary focus for those uses. We heard concerns from NA reps that allowing residential development could result in free market apartments adjacent to their NAs. It would entail a different transportation pattern, car ownership, etc. This would have to be included in the TDM plan, but there would be larger impacts to the surrounding area.

*Commissioner Smith* noted this is like commercial land being converted to commercial. I favor keeping the proposed code. *Commissioner Houck*: ditto.

[PSC members confirmed the Proposed Code \(no independent residential uses allowed\).](#)

### **Small Scale Energy Production Allowance**

This was an item of testimony. If PSC wants to amend the code, we could eliminate the clause from C11 zones. But this was part of the "green package" from RICAP 5 that was approved in 2010. When you think about it, 10 tons of biological material isn't significant. Removing this precludes campuses from exploring small scale energy production ideas. Staff recommends that the language stay the same as originally proposed.

[PSC members confirmed the staff's proposed language.](#)

### **Good Neighbor Agreements (GNAs)**

NAs are requesting these. Staff has reviewed this a number of times and has had conversations with City Attorney. Aware that valuable communication takes place between campuses and NAs, but by definition, the City isn't a party to this and we don't have an enforcement role. So we don't want to

make a zoning decision on a third party agreement. Staff recommends no GNA requirement in the code.

*Commissioner Tallmadge* asked about where the testimony came from regarding the requirement.

- We received support from at least 2 NAs. Comments from institutions that have them say GNAs have been helpful in improving lines of communication. There is value with the agreements, but again, these are developed outside of a zoning code requirement.

*Commissioner Smith* thinks the current proposal underestimates the City's role as a convener. I support adding a GNA requirement to section 33.150.050, Neighborhood Contact and Outreach. *Commissioner Baugh* is also supportive of this.

*Commissioner Bachrach* asked if there are any institutions that have balked at GNAs.

- Campuses that were active in the project all have a GNA. But there were non-active participants that may not be supportive.

It would be a lot of pressure on the institutions to require a GNA.

*Commissioner Larsell*: You could get into situations where a GNA couldn't be agreed on, but they could get "credit" for working at it.

- The issue with including a GNA as a code requirements is that BDS needs a clear and objective standard to review.

We already have a requirement for a meeting, but a GNA implies further commitment and cooperation.

- *Commissioner Smith*: We could express this as an aspiration as the added 33.150.050 states.
- *Chair Schultz*: The goal is to meet to form a GNA. The requirement is to meet.
- *Commissioner Baugh*: "Good Faith" doesn't mean an agreement or you've talked. It just means you've reached out. I'm not worried about meeting the Good Faith standard.

*Commissioner Tallmadge* noted if a campus wants to develop free or subsidized housing, conceivably a NA could oppose that. If it required more than an effort, the NA could hold this up in negotiations.

GNAs to date have typically been used by institutions reaching out to the NA to talk about growing and advancing their missions, gain NA support before coming for City permits.

*Commissioner Spevak* noted the trigger becomes once you're meeting and to note that this would give the community more buy-in than they have right now in terms of review process.

*Commissioner Smith*: What's the proposed timing for how often they have to meet?

- Once per year.

PSC's proposal: The Good Neighbor requirement is for institutions to meet with Neighborhood Associations with a goal to create a Good Neighbor Agreement. There is no City enforcement role in the GNA process.

### **Continued Discussion about CUMP Expirations**

*Commissioner Spevak* noted the adoption date of 2012 and 2013 for some of the CUMPs, which is really recent. Perhaps if these weren't done well, I'd see the rationale behind the sooner 2020 expiration.

PSC supports amending the code to provide for later expiration date of 2023.

*Commissioner Smith* asked about in the Comp Plan where we applied a CI zone to high schools as well as institutions here. But at this point, high schools are not included in this zoning proposal.

- Correct. On the Comp Plan Map, high schools show as institutions with this new plan. But high schools are actually listed as prohibited uses in CI1 and CI2 zones in this proposal. We quickly realized the amount of outreach, zoning standards would be different from a college or

hospital. So in the future, we may look at an additional project to create a C13 zone, but as of now they will retain their underlying zones.

*Commissioner Smith* commented that through the Comp Plan implementation process he's looked at issues from the neighborhood and other equity issues. In this process, the CUMP give-and-take gives neighborhoods more ability to influence their outcomes, which gets us better outcomes, than what a one-size-fits-all approach will do.

#### **Recommendation**

- Amend Title 33: Planning and Zoning as shown in Proposed Draft Report (as amended tonight)
- Adopt the November Proposed Draft Report as further findings and legislative intent.
- Direct staff to refine code text as necessary.

*Map changes to be confirmed or amended at the public hearing on the citywide Zoning Map Update tentatively scheduled for May 24, 2016.*

*Commissioner Baugh* moved. *Commissioner Houck* seconded.

*Commissioner Bachrach* has heard the testimony and is comfortable moving forward.

#### **The motion passed.**

(Y9 – Bachrach, Baugh, Houck, Larsell, Oxman, Schultz, Spevak, St Martin, Tallmadge; N1 – Smith)

#### **Adjourn**

*Chair Schultz* adjourned the meeting at 7:51 p.m.

Submitted by Julie Ocken, PSC Coordinator