

Portland Planning and Sustainability Commission

Tuesday, April 26, 2016

5:00 p.m.

Meeting Minutes

Commissioners Present: Andre' Baugh (arrived 5:35 p.m.), Gary Oxman, Michelle Rudd (arrived 5:35 p.m.), Katherine Schultz, Chris Smith, Eli Spevak, Teresa St Martin, Maggie Tallmadge

Commissioners Absent: Jeff Bachrach, Mike Houck, Katie Larsell

City Staff Presenting: Susan Anderson, Michael Armstrong, Bruce Walker, Troy Doss, Shawn Wood, Deborah Stein, Nan Stark, Marty Stockton, Tabitha Boschetti, Chris Scarzello, Joan Frederiksen

Guest Presenters: Commissioner Judy Shiprack, JD Deschamps, Multnomah County

Chair Schultz called the meeting to order at 5:01 p.m. and gave an overview of the agenda.

Items of Interest from Commissioners

- *Commissioner Spevak* gave an update on the Residential Infill Project.

[Documents and Presentations for today's meeting](#)

[Testimony for today's meeting](#)

Consent Agenda

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

Commissioner Smith moved to approve the Consent Agenda. *Commissioner St Martin* seconded.

The Consent Agenda was approved with an aye vote.
(Y6 – Oxman, Schultz, Smith, Spevak, St Martin, Tallmadge)

Multnomah County Courthouse

Hearing / Recommendation: Troy Doss; Commissioner Judy Shiprack, JD Deschamps, Multnomah County

[Presentation](#)

Troy gave an overview of the site for the new Courthouse. 200' is the current height allowance, which could be up to 240' with bonuses. In the West Quad Plan, we talked about bridgehead height and that 325' would be appropriate here. There are some views to be aware of, but this site is not impacted by any of those concerns.

The proposal is to push the height limit up to 325' on this site.

We are looking at 460,000 square feet for the area of the Courthouse. It's slated to be 17 floors, and we need at least 18' for courthouse rooms, which is higher than most offices, hence the need for additional height here. A judges stand, jury boxes and mechanical equipment can't fit into typical 10' floor height.

Shadow analysis: There will be some shadows created, but they primarily will be on the Hawthorne Bridgehead.

The max height would be 325' through the CC2035. This is the absolute max; no bonuses allowed to push the height farther.

Commissioner Smith: If the County would wait for CC2035 to be adopted, we wouldn't need anything different today, correct?

- Yes, but the Federal funds allocated include a clause that the project needs to break ground by Q1 2017. This height is what was discussed in the West Quad Plan.

Commissioner Tallmadge is curious about financing. Was there MWESB contracting in this process?

Commissioner Oxman asked about the 18' ceiling height. Does this have to do with the grandeur versus needed physical layout? Is this standard for courtrooms?

Commissioner Judy Shiprack (SE District) has been advocating for a central courthouse since 2009. She shared her strong support, which is also informed by her experience as deputy district attorney for the County. The current Courthouse is structurally obsolete. We have been studying how to renovate the building for over 40 years now. We have completed a robust process to select this site and design work and now have commitments of millions of dollars in funding. The City has been a good partner. The building will reflect the pride Portland feels in its appearance and cityscape and compatibility with the river. State funding contingent on starting in early 2017, so we need the approval of the 325' to make this happen.

JD is the project manager for the County. Troy gave a good update about the project and needs for a new courthouse.

Regarding the question about MWESB firms, the County set a goal for the architect and contractor. We selected the architect without subs. The contractor has committed 18-20 percent subs as MWESB.

We've hosted outreach events each month to fill the team.

For the question about floor height of 18': this is actually low but what the architect has typically used for courtrooms. It accommodates the dais for judge, jury and the witness box. The ceilings with mechanical equipment are different from standard buildings because we can't have noise transferring from room to room.

Testimony

1. Sam Galbreath: A member of the National Historic Preservation board who works on community development and adaptive reuse. I don't object to the zone change or recommendations, but I'd suggest a consideration to place before City Council regarding the Jefferson St substation. I commend County staff for gaining control of this full block. But the plans still call for the preservation of the substation, which is mediocre at best. Its removal from the list of historic buildings could open the way to its demolition so the architects can use the full new block at the new FAR and height limits on the entire block.

Commissioner St Martin asked what's in the substation building.

It used to be materials for a generating station. It was steam-powered from a plant that was on the Willamette River. It's now almost all been converted to offices. *Commissioner Smith* commented this is the Veritable Quandary. No, the VQ is actually a separate parcel.

Chair Schultz closed the hearing at 5:25 p.m.

Discussion

Troy noted we received 6 letters regarding the project, from a private citizen in opposition and 5 letters in support from various County and State officials. The opposition was about height and made reference to the West Quadrant Plan since the final zoning height has not yet been adopted.

Commissioner Spevak: If you were following, rather than jumping ahead of, the City's timeline to increase the height limit at this location, linkage fees for affordable housing might apply. Would that be something the County would pay if the City adopts linkage fees between now and when the code goes into place? Also, it seems like there would be a potential to save millions if they took down the existing building, and the funds could be used elsewhere. I would encourage the County to look at this option.

- The County's new budget includes \$10M for homelessness work. The rest of the question is beyond staff level but could be brought to the County Board.
- JD: I asked the architects initially about demoing the building. Biggest risk would be protest, City Council delay, and no project to bring to design review, then no state funding since the project would be much delayed. Our design includes looking at a number of building orientations. One of the advantages is the overhead train at Jefferson Station.

Commissioner Tallmadge asked about energy efficiency, which is a goal the City has for new buildings.

- We are aspiring for LEED Gold. All team members are involved and informed to make sure we get it right.
- *Chair Schultz* suggested LEED Platinum.

Motion

Commissioner Smith moved to recommend the height limit on Block 8 be raised to 325 feet.

Commissioner Tallmadge seconded.

(Y6 – Oxman, Schultz, Smith, Spevak, St Martin, Tallmadge)

The motion passed.

Deconstruction Code Language

Briefing: Shawn Wood

Shawn reminded the Commission about the briefing on the resolution that directed BPS to develop code language to require deconstruction if the house/duplex was a historic resource or if it was built before 1917.

Since February 17, staff have been developing code language; this has been a partnership between BDS, BPS, City Attorney and the Deconstruction Advisory Group. We have a 4 week public comment period now on the draft language.

Lots of codes are simple in terms of what you want to get out of it; ensuring compliance is the tricky part. We are proposing to use Certified Deconstruction Contractors, which will be trained and certified in accordance with guidelines from the Building Materials Reuse Association (BMRA). A pre- and post-deconstruction form will be used to identify and verify the process. We will require receipts and documentation. BPS would also do random inspections and posting the site with signage and who to call with concerns (similar to erosion concern signs). Outreach will be needed for the building and development side as well as community/neighborhood side.

We are working with a local consultant to do the training and certifying of contractors and workforce. The process kicks off on May 18, at the end of the public comment period.

Training program for labor: this code effectively will triple the amount of deconstruction work, so workforce development will be key.

We know deconstruction can typically cost more. We have a deconstruction grant program that is on-going. Initial funding was \$50k and just received a DEQ grant for an additional \$50k. We have spent about \$28k already.

We are bringing the ordinance to Council on June 29, and it's slated to be effective October 31.

Commissioner Baugh commented on the potential penalties and potential liens. How much could these be?

- See page 5: there are two tiers. Infractions for not posting signage would be a minor one, costing up to \$500. The worst case would be a project completely ignores and demolishes and uses improper mechanical equipment, which is up to \$10,000. There is an appeal process as well if necessary.

Commissioner Baugh: For minority contracting and certification, how are you working that?

- Our consultant helped BPS when we were developing Clean Energy Works program. We're using a similar approach now. We've extended invites to a number of organization for the May 18 meeting already. We will rely on the consultant to have people trained and the hiring aspects.
- Projects that the City does use a prime contractor and development program; MWESB are the contractors that do this work. The pool is about 20-30 contractors from that already.

Commissioner Baugh: Materials that come from deconstruction: is there a market for them?

- Yes... locally, West Coast and nationally. There are buyers from international that come to Portland to buy as well. We're less concerned about the demand than the requisite labor to do the deconstruction work.

Commissioner Spevak: What about additional permitting fees? I'd encourage not additional fees even though there is more staff time needed.

- Fees for deconstruction will be the same as for demolition.
- Also, similar to BDS fees, tipping fees are cost recovery, so this is less of an easy idea.

Commissioner Tallmadge asked about the penalty. Would someone demolishing a building save substantially more than \$10k? Would that need to be reevaluated?

- Just houses and duplexes, so it would have to be something like a mansion for the cost differential to be higher. \$10k is a working number at this point.
- *Commissioner Spevak* concurred. But the stop work order would be more of a penalty for the developer, so that's the real deterrent.

Commissioner Tallmadge: If we look at MWESB, a majority of the owners are still white men. Can we get around this for this program? Can you incorporate required subcontracting if it's a large project?

- Preliminary conversations: We would rely on local organizations to identify people in their existing programs to go through the training program. We'll have sources of funding. Then an apprenticeship-type program, and we know the Rebuilding Center is already interested in supplementing this.

Commissioner Oxman noted grandfathering in of existing practitioners. Is there code language?

- The Administrative Rules will detail this, and they will come right after the code language is adopted. We have training for the contractors/firms as well as the laborers. Existing practitioners still need to do the field work exam, just not in class. Contractors have to demonstrate 2000 hours of work.

Commissioner St Martin asked if there are plans for tracking the materials and telling the story of successes.

- The pre- and post-form requirement will help with this. We have a number of goals with the deconstruction grant program, including data-gathering. We have information about costs, hours, lessons learned, etc. We will use lots of this in the requirements so we can report on the amount of materials saved, etc.

Commissioner Smith noted this is going to be administered by BPS. But the day-to-day activities are what BDS does regularly.

- When we first started talking about code language, we worked closely with BDS. We decided the Zoning Code was not the best option for this code. Title 24, Building Code, was also an option. This would seem to fit in there neatly. But BDS suggested we should use Title 17, where Ban the Bag, Energy Benchmarking and Solid Waste are in there. BDS is a willing partner, but from a life-safety standpoint, this doesn't fit directly in their purview.

Commissioner Spevak: What about changing the language so it's consistently for buildings 100 years or older?

- In future phases we might expand this, but for now we're keeping the 1916 date.

If you were a certified deconstruction contractor and you want to expand the employee base, an obvious choice would be a graduate from the program. They will be better prepared instead of someone who doesn't have deconstruction experience. At least one person from the firm has to be a certified deconstruction contractor.

June 29 is the Council date. May 26 is the date to file Council documents.

A few PSC members are inclined to write a letter of support for the project. They will work with Shawn to draft the letter and can send it around for PSC members' approval.

The way the resolution reads, as well as on the back of the 2-pager, we were originally planning on going back to Council in 2017 with an update on the program. Then two years would look to raise the bar. The Mayor is interested in having more established goals after the first year. This wouldn't be codified but, for example, would target a 10 percent increase in the percent of homes deconstructed compared to those demolished. *Chair Schultz* would like the project to return to the PSC in a year as well.

Solid Waste Rates

Briefing: Michael Armstrong, Bruce Walker

[Presentation](#)

Michael reminded the PSC that this is the first year the PSC will recommend residential SWR rates to Council. At the next PSC meeting, we will have a public hearing on the rates.

Residential curbside collection includes single houses up to 4-plexes. Haulers serve geographic territories through a franchise system; the City sets the rates, administers rules and assists residents.

Bruce shared the factors in rate-making. BPS oversees 14 haulers that provide residential curbside services. Key cost factors for rate-setting include:

- Labor and fuel costs as adjusted for inflation
- Garbage disposal costs (can weights and tip fees)
- Yard debris/food scraps tip fees
- Recyclable material sales revenue
- Incentives/disincentives

The most common service level is the 35-gallon roll-cart. Slide 4 shows the breakout of costs that make up the fees associated with these costs. The proposed rates are adjusted based on costs, economic projections and haulers' input. There are slight adjustments from the current fiscal year and looking into what we expect costs to be next year.

Overall, we are proposing a \$0.20 monthly cost decrease for the 35-gallon roll-cart, which is the most common service level. This is the fourth year in a row we will see rates staying flat or decreasing, which is a testament to haulers becoming more efficient.

Commissioner Baugh asked if the reduction is as result in more composting by customers. Or is it just efficiency of the haulers?

- There is greater efficiency in the collection. Lower fuel costs play into this as well.
- People are also creating less waste in the first place. We are doing better and better at moving things from garbage to compost is also a savings. At the next meeting, staff can break out the various rows/buckets to a finer grain.
- Garbage \$96.25/ton tipping rate; compost is \$63/ton. So there is a substantial savings when we compost.

Commissioner Oxman asked about the tipping fee increase. Does this have to do with the difficulties working with food scraps?

- This gets to the 2 composting facilities' operational costs and charges. Material is all delivered to Metro stations, and they set the rates that include the transfer fees to the composting facilities.

Commissioner Spevak: How does this compare to commercial rates? Who determines or makes sure what is being claimed as a residential property is a 4-plex or smaller?

- The Solid Waste program works with the BPS Tech Services staff who helps with mapping, so we know the individual properties on a tax lot.
- Because we don't set commercial rates, we don't know the comparison. Some likely pay more, others less. Businesses always have the option of choosing the same service (at the same rate) as residential customers, if that level of service is sufficient for their business.

At the May 10 PSC meeting, we will have a final number and hearing before we take the rate recommendation to Council on May 19. Rates take effect on July 1.

Commissioner Smith asked if the meeting on May 10 is a public hearing.

- Yes, May 10 is a hearing for the PSC. The PURB accepted public comment when they had purview of these rates. Historically it has been the haulers coming to testify. There have also been composting and recycling advocates who have testified in the past.

Commissioner St Martin: Are the haulers happy with this?

- They have been good partners. They think this is a fair process.

Chair Schultz: We have seen lower fuel costs. Since we're setting for the year ahead, is there a buffer in case fuel costs rise?

- We are comparing against what is in the current rates and an estimate of what the fuel portion is. Then we forecast costs based on the U.S. Energy Information Administration that provides projections about costs.

Chair Schultz: Is there a mechanism to have an emergency change?

- There is an emergency clause in the franchise contract. But we wouldn't just look at one component in isolation. E.g. the market for recycling would likely rise with a huge rise in fuel costs.

Commissioner Spevak: So this is like "a regulated monopoly".

- Yes. A hauler can sell the franchise to another company with consent from City Council. This has happened numerous times over the years. There is a limit that no one operator can have more than 40 percent of the residential market.

Task 5: Residential & Open Space Zoning Map

Work Session: Deborah Stein, Nan Stark, Marty Stockton, Tabitha Boschetti, Chris Scarzello, Joan Frederiksen

Presentation

Deborah introduced her team and the work session. As a reminder, we have 4 categories of residential and open space zoning map changes in the proposed draft. You have received testimony on these (and will continue to receive testimony through the public hearing on the Composite Zoning Map in July).

Including testimony you received at your April 12 public hearing, the PSC has received approximately 200 pieces of testimony. Staff has summarized testimony by general theme in the memo dated April 21. Most of the testimony focuses on category #4: to match 1980 Comp Plan designations.

Tonight we're looking for general direction from the PSC about what goes into the next iteration of the Zoning Map. This map will be a compilation of all the Zoning Map layers (Residential and Open Space, Employment, Campus Institutions and Mixed Use) and will be published in early June, with opportunities for public review and testimony to the PSC at a public hearing on July 12.

Because the record for testimony on the Residential and Open Space Zoning Map Update remains open through July 12, the direction that staff seeks from the PSC today is provisional only. The timing of the Composite Zoning Map will allow staff to incorporate any Zoning Map changes needed to align with yet-to-be adopted City Council amendments to the Comprehensive Plan Map.

If in doubt, we'd suggest that the PSC direct staff to include the property/concept in the Proposed Draft Composite Zoning Map so that affected property owners and neighbors have more opportunity to review, understand and provide testimony. It's easier to do this if there is something on the map to respond to.

Commissioner Oxman commented about the economic distribution of the rezoning, and that the response was limited. What about the question of the properties and the differences between these and the rest of the city. Would you be able to provide some more depth? Inter-generational wealth transfer is something I'm really interested in, and I'm happy to work with staff on this.

- We hear that some things we are proposing will diminish property value, but we think by allowing more options on property could increase potential the property value and wealth potential. We are very concerned about displacement and changes that might prompt the displacement of lower-income tenants and owners.

Chair Schultz: Is there empirical data that tracks rezoning?

- We have asked our economic team about this. Some is situational and location-specific, but we can come back with some examples to better evaluate zoning changes.

Commissioner Tallmadge: How are you tracking displacement of tenants? Can we see where these areas are?

- We don't have a way to do this. We're using generalize assumptions about owner-occupancy versus renter-occupancy. Renter-occupied we were more cautious about proposing a zone change.
- In the March proposal, we have a page or two about each of the zoning review areas. What it doesn't show is similar data for where we aren't proposing changes.

Commissioner Spevak: If something is zoned R2.5 but R5 in zoning, I understand that can happen in this proposal. What about changing to R3 instead of R2.5?

- We could look into that. But it does impact the Comp Plan Map, and we can't change the Comp Plan designation to R3 since that is at Council at this point.
- Some R5 and R2.5 are 5000 square foot lots, so R3 doesn't work for those lots.

Commissioner Tallmadge commented on a study to see if keeping the designation and holding back up-zoning could be a value-capture opportunity. How would that apply to this work?

- We looked at this for various scenarios. But it doesn't play out in a feasible way going from R5 to R2.5.

General discussion question #1: Should any of the following factors be the basis for modifying staff's proposals for residential Zoning Map changes?

- a. Increased potential for demolition of existing homes.
- b. Effect of redevelopment on neighborhood character and scale.
- c. Pressures of redevelopment on parking and local traffic.
- d. Effect of zone changes on property values or taxes.
- e. Potential impact of a zone change on the racial composition in neighborhoods that are experiencing gentrification.

Commissioner Baugh would like to see this more in the context of if we have data to look into this based on high-rental neighborhoods or high-diversity areas. We would want to be consistent with the Housing Bureau's homeownership strategy; make sure zoning is not hurting the efforts, for example, in N/NE or on Powell-Division.

The April 21 memo includes a list of the criteria staff have looked at; the factors have been taken on balance in our recommendations. Slope hadn't originally been a factor, but that came out of a community conversation, so we added this for consideration.

Commissioner Tallmadge was shocked (e) wasn't in the original staff list of considerations.

Commissioner Oxman continues to struggle without having a quantitative framework for how big a decision is relative to the goal of accommodating the new households coming to the city. The size of the trade-off matters in each decision.

This relates to how this is a piece of a larger puzzle. We were zeroing in on where there is already a Comp Plan designation in place, not every area of the city.

Commissioner Baugh noted he's not sure how much this moves the needle in single-family housing. I am concerned about the Portland Plan measurements, particularly demographics and middle housing. I'd like to see the accumulation of this data.

Commissioner St Martin noted (d) is interesting in a higher-level discussion.

Chair Schultz: a-d fall within discussions we've had about the Comp Plan.

Staff will relook at the proposals through these screens to see if we'd like to alter anything from the original proposal.

General Question #2: Does the PSC generally support proposed Zoning Map changes in the David Douglas School District, recognizing the temporary reduction of development potential on affected properties?

As a reminder, the down-zone for the David Douglas School district is coupled with a Zoning Code change that is part of the Miscellaneous Zoning Code Project. The Zoning Code change will give the

school district a “service provider” status and include them as a reviewer with veto power in land use reviews for zoning map amendments and land divisions within the David Douglas SD boundary.

They will have the ability to review Zoning Map amendments and land division applications for capacity within the school catchment area that serves the site under review. Theoretically, if the local school does not have capacity, the school district can deny the application.

There are about 63 properties included here, equating to fewer than 200 units under current zoning. With the reduction in density, it will drop a bit more. R1 to R2 still gives some multifamily opportunities. We’re not touching properties in the Gateway area, where there is lots of capacity.

We’re only heard from 2 property owners who were in opposition to this proposed down-zoning.

Commissioner Smith noted “temporary” downzoning. What is the duration of “temporary”?

- It is the context in the Comp Plan Map changes. The larger map shows lots of down-designations in DDS, which are permanent until we update the Comp Plan in 20 years. These are temporary because the property owner can make the request to rezone, but DDS would be able to deny the request.
- DDS is actively pursuing opportunities to expand their capacity, which is the condition under which we are proposing the temporary down-zoning. We will have an IGA and will have an option to reconsider if things don’t move forward.

Commissioner Spevak is happy to hear the IGA is in the works.

Staff intends to bring the IGA back to the PSC for review.

Commissioner Oxman thinks the policy makes sense, but have we thought about unintended consequences of this?

- Susan: Part of this is about how many units this will affect, and staff will look into this. What we’re doing is basically giving breathing space before a new school can be built. This is only looking at reducing the ability to do a zoning map amendment or land use division, not anything that is already allowed by right that could have an impact on the school district.

Commissioner Rudd: I like this as a step to help the school district. It is appropriate.

Staff should think about any unintended consequences of this recommendation, but advance these changes with the next iteration of the map.

Area-specific question #1: Does PSC support retaining the R5 zoning/pattern in the Rose City Park Neighborhood near the MAX station? Or should the zoning be changed to reflect location at 60th Ave station area?

Rose City Park doesn’t want high-density housing in proximity to the freeway. Their proposal to Council is shown on slide 9, which is a big change from the current RH, R1 and R2 zoning. This was an area with opportunity for growth, but it didn’t happen. There might not yet be the demand to build out yet, so we’d suggest to go with Comp Plan designations but not Zone change designations.

The majority of testimony we heard is that people want to keep the single-family neighborhood. The lack of transportation infrastructure that doesn’t support the higher density is one of the neighborhood concerns.

Commissioner Smith: For context, just south of here is N Tabor, which very similar in character and is begging for more density.

Key items from testimony: Preserve existing character and scale of neighborhood. Rose City Park Neighborhood Association talked about health concerns about high-density housing near the freeway. Inadequate infrastructure. This is a stable area and change could effect affordability and cause displacement; parking would be more exacerbated with higher density.

RCPNA voted to retain R5 zoning with exception of properties that are developed other than single-family housing. This creates a fairly spotty map.

Staff foresee the changes would be slow and incremental. This is mostly a pattern of 5000 square foot lots, so we'd see duplexes and attached houses. R1 would be a bit of a game-changers, so we could see some redevelopment of the area.

Also, there is the question of what is on the constrained list in the TSP. A big issue for PBOT is making the case for the improvements if the density and zoning isn't there to support it. The NA does recognize this.

Commissioner Smith: If we zoom out, would we be better off letting the density go to N Tabor and not take on RCPNA until after that center is established?

- *Commissioner St Martin:* 53rd is a bikeway. Because of what's already been developed, I think it's a prime area for middle-housing there. Why not have both N Tabor and Rose City Park upzoned?
- *Commissioner Spevak:* There are a couple different "flavors" of density we could see for middle-housing here.
- *Commissioner Baugh* would rather think about this in the middle-housing thought process.

Chair Schultz: Does this go along with some issues to continue to look at and giving that direction to staff to continue to look at the proposal in the next map iteration?

- Yes, it would be easier to keep this on the map for discussion rather than pull it off and try to put it back. We can keep it on and take into consideration these ideas you've provided before returning.

Commissioner Tallmadge: This could be a good place for increasing density, but I do want to be cautious about the potential for displacement.

- Nan: As an example, right now we have a 10-plex in an R5 zone (non-conforming). In an extreme condition, it could be torn down and replaced with a single-family house. This is very unlikely, but possible.

Commissioner St Martin: The residential infill project is finding that people want the middle-housing but are somewhat NIMBY about it. We'll likely have to identify some areas to rezone to R2.5 to try middle-housing options.

Deborah: In the memo, there is a response about the question of how PBOT considers transportation infrastructure deficiencies as we look at rezoning. This doesn't match what RCPNA is commenting on for this proposed area. If we leave R5 for now, things will not change; there won't be a vehicle to improve substandard streets and sidewalks, so that's the trade-off.

Chair Schultz: We are hearing general consensus for staff to continue looking at changing to R1 and R2 instead of retaining R5.

Area-specific discussion topic #2: Rose City Park, Euclid Heights: proposed change from R5 to R2.5. Does the PSC support retaining R5 zoning in order to preserve existing character and recognize the 20 percent slope?

Staff's proposal to change to R2.5 was based on the area's service-rich location (within half-mile of Hollywood/42nd Ave Transit Center and proximity to Providence, a major employer).

Testimony: We are a stable neighborhood. Single-family in scale. Old enough for some preservation.

Commissioner Oxman: The write-up mentions a 20 percent slope. Is this taken as a symbol of landslide danger? Or a building and planning issue?

- A building constraint.

Commissioner St Martin: I would support the neighborhood's comments about the stock and quality of housing. And it is very single-family looking and feeling.

Commissioner Smith: This is a more suitable middle-housing opportunity than RCP. We'd want to see more ADUs here. But I don't know if it's better to leave it at R5 instead of changing to R2.5.

Commissioner Spevak: I don't think going to R2.5 takes down nice old houses. I can't think the economics would make things change. I'd like to see this be upzoned to R2.5, and the market may or may not do anything with that.

Commissioner Tallmadge has a similar inclination. I'd support R2.5.

Staff should continue to look at area this for R2.5 zoning.

Area-specific discussion #3: SE Henry St (in Woodstock; proposed change from R5 to R2.5).

Testimony we heard: SE Henry Street is a dead end without an approved turnaround, and residents are concerned about fire safety and constraints on emergency response. Other testimony included concerns about increased need for parking; there are large trees on the church site, so fire concerns in relationship to it being on a dead end street.

Staff has consulted with the Portland Fire and Rescue. The street has a 55' right-of-way. East-west length is about 466'. It is a fully improved street. It's 32' curb-to-curb with parking allowed on both sides. PF&R has been really responsive and helpful.

Marty detailed the concerns and mapping about fire and access concerns.

Commissioner Tallmadge: This is a really accessible street compared to others in the area. I'm in favor of R2.5.

Commissioner Spevak: I thought there was compelling public testimony, but with the information from the Fire Bureau, I'm inclined to keep going for R2.5. If you want to get a building permit, and you're too far away from a fire hydrant, the Fire Bureau can create requirements for additional things from the builder, independent of zoning (e.g. additional hydrant, sprinklers in the building, etc).

Smith: At some point, we'll be looking at sprinkling for all residential properties.

Rudd: I understand new developers will sprinkle the new houses. But I'm concerned about the current houses, so what about a closer hydrant?

- The hydrant isn't the issue; the dead end street exceeds the 300 linear feet. There isn't a problem getting to the fire, but they'd have to back out a truck since it's a dead end.

Staff should continue to look at area this for R2.5 zoning.

Area-specific topic #4: Maplewood at SW 45th and California (proposed change from R7 to R1 to correspond with the Recommended 2035 Comprehensive Plan Map).

Does the PSC support retaining R7 zoning here, in response to testimony? This would require a property owner to apply for a quasi-judicial Zoning Map Amendment and would require additional public process.

Commissioner Spevak: This seems like an exceptional area for R1 zoning.

Commissioner Baugh: Is this an area for potential value-capture? I'm all for going to R1.

- Yes, this certainly would be a candidate area.

Staff should continue to look changing from R7 to R1 to correspond with the Recommended 2035 Comp Plan Map.

Area-specific topic #5: In locations with R5 or R2 zoning and Commercial/Mixed Use Comp Plan designation (either new for the 2035 plan or applied in 1980), should the Composite Zoning Map...

- a) Consider rezoning to Mixed Use?
- b) Consider rezoning to match the adjacent higher intensity residential zone?
- c) Retain the existing zoning?

We are not proposing to upzone existing residential unless they are either (1) split-zone; (2) non-conforming commercial; or (3) if there had been a formal and vetted public process.

Marty walked through a few examples of this question.

1. Woodstock is an example of where existing commercial designation was expanded to a full block Mixed Use-Neighborhood comprehensive plan designation.

2. On SE Caruthers, the lots are on the south side of Caruthers, and are directly north of commercial properties on Division St as well as the west side of SE Chavez. They have had a Comprehensive Plan designation of Commercial (UC(b)), for over 30 years. Planners in 1981 were looking forward when they designated these lots commercial. They were also influenced by the three lots on Caruthers at 37th that were in Commercial uses already at that time.

3. Properties south of Hawthorne and on the west side of SE Chavez. Properties along Chavez have nonconforming residential densities.

4. SE Holgate and Chavez: there are some duplexes in the R2 zone, which would ultimately become mixed-use. To the east is zoned R2 but Comp Plan R1... we're not proposing to change this at this time.

5. SE 50th and Powell: The property at 4831 SE Powell is a split zoned/nonconforming commercial use (U-Haul). We want to move forward to add to the mixed-use project. Properties east of SE 50th, north of Powell are single-family residences.

The question is if these areas should be taken to be review in the residential areas match the higher residential zone. They are mostly to R2.5. knowing they will retain mixed-use comp plan designation, so they could become mixed use in the future.

Smith: these seem to mostly be adjacent to mixed use, so I'd be inclined to see these in the mixed use proposal.

Status quo is keeping the zoning residential and designation mixed-use. The question is if the City should initiate any change in the near-term.

Commissioner Baugh: If we do R2.5, they are still getting an upzone but not to commercial. R5 to commercial is a really big lift.

Chair Schultz: I'd encourage us to look at what it means to go to a mixed-use zone. The fall back would be to the R2.5 zone.

Next Steps

Staff will be consolidating Zoning Map changes into a single "Composite Zoning Map" in June.

The Composite Zoning Map will be up on the Map App and avenues for testimony will be open via the Map App, email, letter and at the July 12 public hearing.

If we're adding new properties to the composite map, they will get a new Measure 56 notices sent on or about June 6 to:

- Any property owners with properties newly added to the zoning map (first notice of any potential change)
- Any property owners who received a previous M56 notice, but now we are proposing something different

The PSC will hold a public hearing on July 12 about the Composite Zoning Map, and you are scheduled to have a work session on August 2 to deliberate and make recommendations to forward to City Council.

Adjourn

Chair Schultz adjourned the meeting at 8:58 p.m.

Submitted by Julie Ocken, PSC Coordinator