



Land Use and Transportation Committee  
Wednesday, September 21, 2015, 7:00pm–9:00pm  
Northeast Coalition of Neighborhoods Office  
4815 NE 7<sup>th</sup> Avenue, Portland, OR  
**APPROVED Minutes**

**Meeting Attendees:**

Dave Johansen – Alameda, LUTC Co-chair  
Stephen Gomez – Boise  
Anjala Ehelebe – Woodlawn  
Nan Stark – Bureau of Planning and Sustainability (BPS)  
Mitchell Snyder – Vernon  
Courtney Duke – Portland Bureau of Transportation (PBOT)  
Andy Sheie – Humboldt, LUTC At-Large  
Ben Earle – Concordia

Jim Howell – King  
Garlynn Woodsong – Concordia, LUTC Co-chair  
Paul van Orden – Eliot  
Rachel Lee – Sabin  
Nancy Thorington – Bureau of Development Services (BDS)  
Cameron Herrington – N/NE Neighbors for Housing Affordability (NNNHA)  
Lokyee Au – NECN staff

**Meeting comes to order 7:03pm. Minutes**

Dave motions to approve August meeting minutes. Anjala seconds. Paul abstains. Motion passes.

**Portland Bureau of Transportation (Courtney Duke)**

Courtney Duke from the Portland Bureau of Transportation (PBOT) here to give an update on Transportation Systems plan (TSP), parking strategy, and basic info on transportation demand. First provides an overview of the Transportation Systems Plan (TSP). The TSP guides transportation policies and investments, meets planning requirements, and addresses local transportation needs through cost-effective improvements. The bureau just completed Stage 1 of the plan. It just finished at Planning Commission level and includes policies projects, programs, and financial plan, which were recommended by planning commission in July. As a clarification, the financial plan recommended July 24<sup>th</sup> doesn't list individual transportation projects; need to find the Project List to read about the individual projects within the Transportation Systems Plan.

Currently PBOT is in Stage 2 of the TSP. This stage includes making changes to maps and street classification designs, city code, and measures. It will also include adding things adopted by Council like Bike plan for 2030, master street plans, etc. since the last update in 2007.

New items in this draft that the bureau is looking for feedback on include:

Street design classifications (how it relates to land use)- Classification descriptions, descriptions based on parking policy; Performance Measures – looking at what investments and policies are needed to meet targets; Transportation Demand Management – changes in city codes and additional objectives/policies in TSP to reduce private vehicle use.

Other proposals: Proposals to expand parking allowances in mixed use zones, refinement plans update, move street vacation to City Code from policy, add TSP objectives to be consistent with the Comprehensive Plan.

Current TSP Stage 2 project timeline is as follows:

Oct 2: Discussion Draft released (first public interagency review)

Oct 15: Open House

Nov 13: Public Comment

Mid-Dec: Proposed Draft

Jan 2016: PSC briefing



## Feb 2016: Public hearing at PSC

Ben asks, when public comments occur, if you get significant comments that ask about certain issues, what happens to the comments, how do they get processed, and who do they go to? What criteria do you use to take feedback? Courtney responds, for criteria it's often based on if the comments are something that hasn't been thought about, or how comments align with policy. Regarding the first draft, a number of recommendations Planning and Sustainability Commission took were based on public comments, sometimes rejecting staff recommendations. Garlynn adds that something new will be that comments now follow the projects for the life of the project. Ben asks for clarification, are the comments listed based on categories of topics? Courtney says that for PBOT it's just a list of comments. Additionally, all the items related to Comp Plan comments are in a database with the Bureau of Planning and Sustainability. PBOT internally took comments, written and public, and made changes to projects, policies, and objectives based on public feedback. Ben asks, so the public can look at the documents to see the rationale for the final decisions? Courtney says yes.

## Transportation Demand Management (TDM)

TDM is a series of techniques or incentives for people to not drive their car that are carried out through an organization, business, or location. These incentives include things like bike shares, changing prices of parking, etc. PBOT is considering the requirement for TDM plans in mixed-use areas, and are working to refine proposals with additional feedback. Some of those proposals will be in the Oct 2<sup>nd</sup> draft.

## Citywide Parking Strategy Updates

Two types of updates will be given: 1. Central City Parking Policy, and 2. Centers and Corridors Parking Project.

1. Central City Parking Policy has three components: On-street parking management, private parking, and downtown meter rate adjustment.

On-street parking management looks to amend meter district policy to include the concept of Performance Based Parking Management in future discussion about parking meter rates. Private parking issues have risen since the parking code is long, complex, and doesn't actually reduce parking issues. Stakeholder Advisory Committee endorsed to simplify standards, apply maximum ratios to all uses (not just commercial), and relax restrictions on commercial parking to encourage efficient use of existing parking.

Downtown meter rate – Stakeholder Advisory Committee endorsed raising hourly parking meter rate by \$.40 to \$2/hour; city council has final authority over adjustment rates.

2. Centers and Corridors Parking has 2 intended results:

- Development of toolkit to manage parking as mixed use areas develop
- New residential parking permit program: Priority parking access based on the primary land use; blocks with restricted parking except by permit will be drawn to include only residentially-zoned property; permits available to all residents of the permit area regardless of housing type or ownership status; total number of permits will reflect the total supply of parking; progressive pricing scheme (2<sup>nd</sup> permit costs more than 1<sup>st</sup> permit); plan for each permit area will describe how permit availability is extended to people



### **Bureau of Development Services (Nancy Thorington)**

Nancy provides a brief explanation of the demolition permitting and delay appeal process. When someone turns in an application for demolition for single-family residence, there is an initial demo delay of 35 days. Important to note this delay only applies to single-family residences and only on designations for Single-family Residential (Those that begin with an 'R').

Regarding the notification process: Neighborhood association and district coalitions, Restore Oregon, and Architectural Heritage Center receive Intent to demolish letters. Residences within 150 feet of the house to be demolished will receive a notecard with contact information for the applicant.

In applying for a demolition delay appeal, there is a fee of \$1318; only Recognized Organizations can get a fee waiver for the demolition delay appeal process. The deadline for the appeal is 4:30pm on the 35<sup>th</sup> day – it is a hard deadline. The appeal needs to be taken to the 2<sup>nd</sup> floor of the permitting services building. When receiving an appeal, Bureau of Development Services (BDS) uses the Office of Neighborhood Involvement (ONI) website to make sure individuals are who they say they are when filing appeal for a recognized organization.

If you meet the required criteria you get an extension of 60 days. This gives the individual appellant the ability to negotiate with the developer. If you don't, BDS can issue the permit once the written decision from the public hearings officer is given. If no decision is rendered, then BDS will wait the 60 days to issue the permit no matter what.

Since the new rules, 6 appeals have been submitted; 3 won and 3 didn't. The one in East Moreland is still in talks with the developer, unsure what the status is for the other 2 successful cases. From what she's seen so far, appeal plans that have been rejected were done so because they didn't show a reasonable ability to carry out their plan to for hearings officer to understand that they should grant the appeal. It also largely has to do with having a willing seller and able buyer.

Lead and asbestos self-certification process. BDS doesn't have the capacity to verify certification of contractor and they also don't have legal authority to require it. Commissioner Fritz and Mayor Hales were adamant they wanted to do something regarding the issue of lead and asbestos – the self-certification is what was done. To add some teeth, applicants had to sign a form that the certification information is correct, under penalty of perjury. Currently federal regulations do not require that asbestos testing be done. Oregon did pass regulation that will require developers have an asbestos survey done and asbestos contaminated area abated prior to demolition. Starting January 1<sup>st</sup> 2016 neighbors can ask for the asbestos survey/certification from the developer. Lead based paint issue has gaping hole and there's currently nothing BDS can do about it. This issue is based on the Clean Air Act, which doesn't apply to residential demolitions at all. Portland has no regulating authority over asbestos or lead, so they don't have the ability to issue a stop work order to give federal entities the time to test for asbestos or lead.

Anjala states the Woodlawn Neighborhood Association received an intent to demolish notification for a duplex. While they don't care about duplex, they do care about the heritage tree on the property. Is there anything the neighborhood can do to save the tree?

Nancy responds, that's an issue for Title 11 Tree Code. Unfortunately she can't answer.



Paul states there seems to be a pattern with demolition delays in which affluence determines whether the trees or structures can be saved based on the requirement of a realistic ability to either pay for the structure or move it. Nancy responds, this ordinance did bring to light what is already happening. BDS will be going back to council next summer, and in the meantime there is a link on the BSD website (<http://www.portlandoregon.gov/bds/37528>) to provide feedback to BDS.

### **United Neighbors for Reform – tabled by Dave.**

#### **Mixed Use Zoning Project**

Subcommittee met and came up with a set of recommendations:

1. Refer to floors rather than height in feet for structures – measuring something by floors is clearer
2. Residents in single family homes adjacent to mixed use zones should have right to design review. Process would be within the Coalition boundaries.
3. Solar access protection
4. In order to provide height increases, must provide 20% affordable housing; with fall back for PHB to buy in for affordable housing
5. Minimum expected lifespan of a century for buildings
6. Off street parking should be more like garages than parking stalls
7. Keep base rear setback to 14 feet, rather than 10 feet
8. Establish process with goal of better design with possibility to fast track project prototypes that meet better design goals

Stephen asks, if you don't have a cap on height, and just use of floors as measurement, wouldn't the possibility of developer to jack up floors and unintentionally create taller buildings than desired? Paul agrees with the question, and that there should be absolute height standards.

Regarding the design review request recommended- Does that mean there would be no community plan design process? Garlynn responds, point of that recommendation is if a neighboring resident really desires a review, they should have the ability to go through those negotiations. Purpose to propose a coalition design commission review is to avoid overloading the city-wide system and holding up the projects.

Stephen states there is a difference between community design standards and design review. Design Commission Review and Community Design Standards are on the opposite ends of the spectrum. Design reviews are conducted city-wide by staff. Design Commission Review is separate entity that only applies in Central City and a few other areas. Nan adds that the Albina community plan does not have to go through the Type 3 review. The intent of this was to make it easier to get projects through faster by going through staff level review. It is a great point that Boise and other neighborhoods are getting hammered by projects that then only goes through a staff review; they should be given opportunity to give projects more thought.

Andy notes hesitancy in using words such as prototype in the recommendation. Potential to lose things like structure character when the recommendation suggests fast tracking projects that haven't given neighborhood character as much thought.



Paul adds, the mixed use zones process provides opportunity to make prescriptive items rather than relying solely on enforcement.

### **Residential Infill Stakeholder Advisory Committee Report**

Garlynn went to first meeting; generally big introduction with questions and answers. They will meet again in October. He notes that on agenda for committee are a couple of items that have been discussed and recommended within LUTC, including: allowing a second ADU, flats, and form based codes. Form-based codes regulate the form of buildings in relationship to the street rather than what the building is used for or what happens within them (As opposed to use-based code). Portland's code is a hybrid code of use and form.

### **Transportation Funding Survey**

Based on 102 responses, the following list is the overall ranking of preferred transportation funding options.

- |   |                        |
|---|------------------------|
| 1. Gas Tax                                    | 5. Personal Income Tax |
| 2. Weight-based Vehicle Miles Traveled charge | 6. Street Fee          |
| 3. Cordon Pricing                             | 7. Property Tax        |
| 4. City Sticker                               | 8. Cut City Services   |

### **Nan Stark**

Comprehensive Plan in hands of City Council at this point. Work sessions scheduled are open to the public. First public hearing will be November 19<sup>th</sup> at City Council, and will be a day time hearing. Two will be scheduled in November; will likely be in evening. Residents can also start testifying for the Comprehensive Plan by going onto the Map App, through physical letters, or email.

The Map App doesn't carry over comments made for previous drafts. It is very basic compared to the previous version. When the mixed use zoning discussion draft comes out, the Map App will have mixed use zones proposed available to view. Map App will then be followed by City Wide Proposed Zoning Map (likely a month from now).

Garlynn asks if there is any interest in committee to dive into the plan again. Anjala responds, that it seems other groups felt their comments had totally been ignored, and it would be useful to look it over. Anjala, Ben, Garlynn, and Paul volunteer to come together to read over the Comprehensive Plan over the next month. Next month's agenda will include discussion of any of the items that need to be addressed.

Nan suggests for LUTC members to think about the different projects coming up with discussion drafts and which one is important to the committee, and if they'd like to create subcommittees to be ready to provide public comments.

### **Cameron, North and Northeast Neighbors for Housing Affordability (NNNHA)**

Wondering if there's any interest this group may have in co-sponsoring a public meeting or event in October about the proposal to increase TIF funding on affordable housing. City council is weighing whether or not to accept this proposal. If this were adopted it would create about 80 million dollars in additional revenue for affordable housing that doesn't exist currently city-wide.



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Hoping to have a public event where they can invite NA members, public, community members to talk about the proposal, what it would mean for the neighborhoods, and offer opportunity for folks to advocate for the proposal. City council will discuss this issue on October 21<sup>st</sup>, they'd like to have the event a week before the meeting: October 14<sup>th</sup>.

Three asks from NNNHA: Is this something LUTC would be co-sponsoring this event? Would we help promote it within our networks? Would NECN be able to host it?

Stephen: that current 20%, what's the opposition going to be? Where is it currently going?

Cameron: other items they use it are for streetscape improvements, contingency fund that's not programmed.

Money collected in each Urban Renewal Area goes into each URA

The 30% number is an aggregate – it comes to a 30 % total, but you can't move the funds from location to location; must be spent within the URA

Stephen notes the Community Alliance of Tenants had a similar rally. He asks Cameron if he imagines NNNHA is looking for that kind of momentum. Cameron responds, we weren't thinking of holding a rally – looking to hold a panel of speakers to provide information and ways to advocate for action because NNNHA has focused on advocacy largely through education.

Cameron will make a succinct announcement that can be sent through social media. The event will likely be held between 6:30-8:30pm. If there are any speakers the committee would like to recommend for the event would be great. He notes they'd like to have one member of the Portland Housing Advisory Commission, someone from city council office that's been most supportive, and then another person that has been more involved with affordable housing advocacy. Stephen adds it may be useful to have someone that can provide more information on what the opposition to this proposal will look like.

Stephen motions for LUTC to support this event, promote event, and hopefully take place at NECN office. Amendment to original motion to include LUTC providing \$100 for snacks for the event. Paul seconds. All in favor. Passes unanimously.

**Meeting adjourns at 9:08pm.**