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Meeting #2 -- Notes

Campus Institution Zoning Update Project (CIZUP) Advisory Group

Date: Thursday, February 13, 2013
Time: 3:00 p.m. to 5:00 p.m.
Location: 1900 SW 4th Avenue, Conference Room 7A

In attendance: Beverly Bookin, Julia Kuhn, Elizabeth Decker, Tamara DeRidder, Justin Dollard, David Ellis, D.J. Heffernan, Dave Johnston, Karen Karlsson, Tom Karwacki, Jill Panches, Mike Warwick, Tom Armstrong, John Cole, Desiree Williams

- **Introductions:**

Three new members introduced themselves to the advisory group:

- Karen Karlsson – Northwest District Association, business owner
- Daniel (D.J.) Heffernan -- NNE Business Association
- Julia Kuhn – Kittleson and Associates (replaces Mike Coleman)

The following is a synopsis of the comments made at the first advisory group meeting. Similar concepts have been combined for clarity. While there appeared to be some consensus surrounding certain issues, the comments below represent individual participant's opinions and experiences.

- **Notes from Meeting #1**

Notes from the December 12, 2013 meeting were reviewed. Advisory group members indicated that the overall tone of the notes seemed to be written from an institutional perspective. Additional reference to the discussion regarding “satellite uses” should be added as should the earlier request for information regarding the legal parameters that the project is working within, i.e. state statutes regarding legal notice and review processes etc.

Staff indicated that it would add these topics to the meeting notes and post the revised version on the project website.

- **Equity Impact**

Desiree Williams-Rajee, BPS Equity Coordinator described the bureau's commitment to workplace excellence and culturally appropriate engagement.



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Participation in bureau sponsored projects by communities of color has not always been adequate and the bureau is committed in doing what it can to increase these participation rates and to more fully consider projects' impacts on populations that may not be present at deliberations.

A quick (baseball stadium) exercise was conducted to illustrate the difference between “equality” where everyone is treated the same and “equity” where individuals are provided customized support depending on their needs in order to provide equal access to community engagement and resources.

An equity framework document was distributed through which issues or decisions can be viewed for their potential impacts on people, place, power and process. This was followed by small group discussion and reports back to the larger group regarding how such a lens can be applied to the Campus Institution Zoning Update Project. A pdf of this framework is included on the [project webpage](#).

A map was displayed that illustrated where the campus institutions under review by the project were located relative to “vulnerable populations” a category derived from census tract level information describing the presence of communities of color, low-income populations, low education levels and/or low home ownership levels.

As the CIZUP project continues we will continue to revisit how our decisions impact such vulnerable populations and how the benefits and burdens of our decisions are distributed. Staff will look for additional targeted outreach opportunities to engage communities that may not be fully represented on the Advisory Group.

- **Existing Conditions Part II**

The advisory group continued its discussion from meeting #1 regarding existing conditions applicable to campus institutions using a staff prepared handout “Dispersed Campus Institutions Regulatory Matrix” as an organizing tool for the discussion. Some shortcomings to the matrix were identified:

- It reflects only what was included in the Hearings Officer decision and related public record. It represents what the Hearings officer saw and was influenced by. To the extent that potential issues were anticipated by the applicants and addressed or avoided outside of the land use hearing they are not included in the matrix although they may have entailed significant effort or represent significant alteration of plans.
- The “Predominant Issues” column seems to be written from the neighborhood’s perspective, for example, a neighborhood’s interest in “lighting and event management” is the flip side to an institution’s interest in





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providing “athletic activities for their students” but it is not presented in this way.

It was suggested that staff revisit some of its matrix text and replace judgmental terminology with balanced verbs and more focus on thematic issues.

Another example of an important issue not reflected in the table was one of ‘enrollment caps” which is common across college campuses as a marker for traffic and other off-site impacts but not included on the regulatory issue matrix.

An alternative matrix was suggested that would compare code approval criteria with decision findings demonstrating where perceived impacts were addressed through some manner of mitigation.

In response to a question from the group, staff explained why the current project does not include K-12 school campuses. An impetus for this project being included in the Comprehensive Plan Update early implementation project list is its impact on an identified shortfall in campus institution employment land. Under state law the city is obligated to provide growth capacity that will accommodate projected demand for the coming 20 year planning horizon. To meet this obligation the city must demonstrate that it is taking steps to increase development capacity for both industrial and campus institutional employment. The same requirement is not in place for K-12 education or other enterprises subject to the CUMP, such as the Zoo.

The advisory group noted that the business of institutions has changed over time and that some of the current use limitations and or thresholds should be changed. Examples from this discussion include:

- a shared desired for a coffee shop open to the neighborhood as part of the University of Portland CUMP that was prohibited by code, and
- a host of community services encouraged on Portland Public School campuses by the City’s Comprehensive Plan but prohibited by zoning. These include certain models of (for profit) health clinics, affordable healthy food sales available to the community and housing.

Similarly, some of the metrics used to manage traffic and other off-site impacts make sense but cause barriers going forward such as when bus service is curtailed. The nature of the CUMP makes it difficult for institutions to respond to changing circumstances.

It was repeated that the complexity of individual conditional use master plans often require following evidence back twenty years or more. This complexity suggests that





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one size will not fit all, hence the benefit of the Hearings Officer who can review the evidence and apply the law impartially to individual applications.

An alternative opinion was expressed that the CIZUP Advisory Group's charge is to think beyond the scope of current regulations to help develop an updated regulatory framework.

- **Alternative Approaches**

Group discussion turned to alternative regulatory approaches. It was pointed out that the Purpose Statements of the Conditional Use, Conditional Use Master Plan and Impact Mitigation Plan sections of the Development Code are worth comparing as they are significantly different.

A brief history of the Impact Mitigation Plan was provided

- A component of the 1990 Albina Community Plan
- Provided a performance standard based alternative to the CUMP
- Standards applied to impact metrics and mitigation measures not to specific
- Concept was for significant work conducted at the beginning of the development to facilitate subsequent ease of individual building permitting.

Reality is different in that Type II reviews for individual buildings (and parking) each still require significant effort on both applicants and city review staff, not to mention additional monitoring obligations. PCC Cascades IMP led rapidly to 7 or 8 Type II applications. After their experience PCC would rather invest more resources early in the process for less involved land use reviews of individual buildings.

Frustration was expressed regarding both the Conditional Use Master Plan process and the Impact Mitigation Plan process. Institutions expect to identify and mitigate impacts to their surrounding neighborhoods but would otherwise like flexibility regarding what goes on their campus. Neither the IMP nor CUMP processes works in this regard. It would be good to revisit what the City needs to know about what is going on any particular campus and why.

Public benefit should also be given some consideration in weighing institutional development proposals. Many of these institutions were in place prior to the residential neighborhoods that have grown up around them and some more direct method for acknowledging their positive impacts such as jobs, open space or community services.

It was reiterated that there is a significant difference in the physical character and off-site impacts among hospitals, colleges and k-12 schools. One size regulation may not fit all but use themes how do we capture that w/ flexible





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A brief update regarding the University of Portland Hybrid CUMP was presented. In their recent approval FAR was assigned broadly to the campus (rather than specific building footprints) with specific metrics triggering street improvements. Additional design consideration was given to the Willamette Boulevard frontage. Some neighborhood concerns were not included in the HO consideration because they are not included in the CUMP approval criteria; including environmental issues, livability and public safety. Additionally, the UofP CUMP did not adequately anticipate off-site development pressures (student housing) that are presenting themselves because the school is unable to finance on-campus dormitories.

This discussion ended with an observation that the Portland Public schools are being asked to deliver increasing neighborhood services, consistent with the Portland Plan while the distinctions between what is allowed under current regulations is not readily apparent. Medical clinics and food pantries are examples of accessory activities that are permitted on school sites if they are operated by a non-profit but not if it is offered by a for profit company. The financing model behind an activity is not a land use issue and could be fixed that through a definition. Similarly a school with a community center function included must apply for two conditional uses. Could such coincidental applications be streamlined or could more uses fit under the school definition? (Editor's note: such suggestions are not necessarily shared by the group as a whole.)

- **Public Comment / Adjourn**

The advisory group adjourned with staff previewing the next meeting which will explore alternative options for regulating campus institutions including, but not limited to, an overlay zone approach offered by the college coalition, plan districts such as are used on Marquam Hill and a new base zone (Public Service or Institutional Employment).

The next meeting is scheduled for Thursday April 10.



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