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Mixed Use Zones Project Advisory Committee (PAC)

DRAFT Meeting Notes

Date: August 20th, 2014

Time: 4:00 p.m. to 6:00 p.m.

Location: 1900 SW 4th Avenue, Portland, 2nd Floor - Room 2500

Committee Members in Attendance: Jason Barnstead-Long, Bob Boileau, Lori Boisen, Tim Brunner, Eric Cress, Carol Gossett, Damien Hall, Heather Hoell, Duane Hunting, Sarah Iannarone, Lauren Jones, Doug Klotz, Charlotte Larson, James McGrath, Jason Miner, Curt Schneider, Vicki Skryha, Yu Te, Mike Warwick

Project Team in Attendance: Bill Cunningham, Samantha Petty, Tyler Bump (BPS); Deb Meihoff (Facilitator), Michael Dyett (Consultant).

Members of the Public in Attendance: Kenneth Becren, Sarah Ori, Jack Bookwalther, David Mullens, Jim Peyeruon, Linda Nettekoven, Heather Flint Chatto, Sean Green, Kelly Green, Sharon Green, Ellen Burr

Meeting Goals: Roundtable summary; national zoning best practices information sharing; opportunity for public comments.

Meeting Notes

Welcome and Introductions

A special welcome was given to the members of the public and staff gave a brief explanation of the notices that recently went out to residents and an update on how the public could stay involved in the MUZ Project.

PAC Process Updates and Feedback

- Meeting Notes are available from the last meeting (Available [here](#)).
- Comp Plan Update - 40,000 notices indicating proposed Comp Plan changes went out to residents, there is a fair amount of interest from the community regarding the Mixed Use Designations.
- Staff gave a briefing to PSC regarding the Mixed Use Zones Project (Available [here](#)). The Planning Commission gave feedback expressing their preference for active ground floor spaces in key areas, especially spaces that serve the community, and the need for affordable commercial space.



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Roundtable Highlights (Bill Cunningham)

Staff explained how the roundtables fit into our public outreach strategy. Participants were professionals who work within affected zones and their input complements the feedback we heard from the neighborhood walks. About 60 people participated in the roundtables, private for-profit developers, nonprofit/affordable housing providers, and architects and urban designers. Staff gave a presentation highlighting what was important to these different groups. Available [here](#).

National Zoning Best Practices (Michael Dyett)

Project consultant Michael Dyett gave a presentation on national best practices for Mixed Use Zoning. He emphasized that Portland does not have to reinvent the wheel for mixed use zoning because it has been in place in other locales for some time. His goal is help PAC understand what is working and not working in these other places. Presentation available [here](#).

The consultants selected cities that had undergone similar processes and are about five years ahead of Portland. Each city offers different lessons for Portland and together they illustrate common approaches to mixed use.

- Chicago: Experienced citywide rezoning under Daley
- Denver: Provides a model for Form-Based Code.
- Kansas City: A conservative city that worked closely with the business community and the neighborhoods resulting in a “light touch” model.
- San Francisco: A case study with significant regulation
- Santa Monica: A good example of a place that required community benefits
- Seattle: A city with a flexible approach
- Washington DC: A case study with strict height limits and a place that dealt directly with gentrification.

The presentation included sample zoning maps of commercial corridors in each city to illustrate that many cities have tight zones along the commercial corridors. Half block zoning that transitions on-site is a common practice.

Presentation Takeaways:

- Density and intensity incentives are successfully used to promote mixed-use development
- Many cities give FAR bonuses for mixed use developments



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- Developers generally prefer a required percentage of active ground floor space that is active; a form-based rather than use-based approach
- Height bonuses for active ground floor form/uses are common and the high ceilings on ground floor spaces are universally liked, Denver regrets it that it does not require this
- Setting a 3,000 sq.ft. maximum for ground floor retail tenant space is a way to promote affordable commercial space
- 25 ft. depth for commercial ground floor use is a common measurement
- Build-to-lines are generally used to get structure on or within five feet of front of property line
- Front and side setbacks are sometimes required when the buildings include residential space
- 60% ground floor transparency is a common standard; Portland requires 25% transparency
- Limits on blank walls
- Require multiple entrances on street frontage
- San Francisco is the only city that has an open space requirement, commercial uses are also required to provide open space.
- TDR is widespread and works well for historic preservation, also gives you the money for adaptive reuse of buildings. TDR can also be used to preserve SROs or micro-units that do not use the full massing available

PAC Comments/Discussion of both presentations:

- Please define *Active Use*. Response: Community spaces, services, showrooms, walk in offices, residential uses can be part of an active frontage through good landscaping and street oriented entrances. This concept should be broad not limiting.
- What did affordable housing providers have to say about parking? Response: They generally like the new regulations, however, because most affordable housing projects develop around 55 units due to funding structures they are all required to include parking. There was a hope that housing for people with disabilities or other likely transit dependent populations could be exempt from the regulations.
- How do case study cities regulate for multiple entrances? Response: You require an entrance every (X) number of feet, and make the regulations context sensitive; different requirements for downtown vs a neighborhood setting.
- A PAC member commented that roundtable groups were critical of the current design system.
- Step-downs is something we do already in Portland – through transitions of zones with different height limits (45' to 35' etc). How do other cities address the fact that existing buildings are not always as high as allowed so the transition looks greater than zoning implies? Response: Cities may step down on site or through a zoning transition. At least one city uses a 45 degree plane for transitions where the height differences are great, but that 45 degrees is still to the zone not the existing structure.
- What is a setback budget? Response: It allows flexibility in the build-to-line by allowing developers to meet the build-to-line requirements for a certain percentage of the property.



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- Clarification from PAC member: neighborhood and business associations are working together in many neighborhoods. But business associations would like the same rights as neighborhood associations when it comes to being informed and included in the development process.
- In a PAC member's experience working with businesses in San Francisco and Portland 60% transparency and ground floor active use are key for vibrant commercial streets
- The San Francisco requirement to build public space in buildings provides an amazing opportunity that allows pedestrians to go in and out of buildings and engage with the space.
- Active use is often code for retail for business owners
- What did you learn about historic preservation and sensitivity to specific neighborhoods? Can you give us more information on this aspect of the project? Response: A designation process paired with preservation plans is a common approach. Flexibility for interior remodel and TDR are key. Conservation guidelines, straight designations, overlays are used. Conservation is more flexible and affordable than preservation.
- PAC member expressed caution about zoning based on entitlement. Portland is an assemblage of villages. It is a bit of a shock to the neighbors when their two story neighborhoods are suddenly four stories. Response: The prevailing wisdom is to consider the character and sculpt the floor area and height to generally meet what is already on the ground and then make adjustments from there.
- To the extent that a proposal is compatible to what already exists we should allow that by right and then incentivize public goods. Response: This does resonate with case studies
- Does a display window count as transparency? Response: Yes a setback display.
- Do any cities address how to control the design of buildings adjacent to unique historic structures? Response: If there is a designation process it is easier to preserve these buildings.
- Can you clarify density transfer? What are the receiving areas? Where would we add density in Portland? Could density from a commercial zone be transferred to a residential zone? Response: Receiving areas area areas you want reinvestment and that can take the extra density.
- PAC member commented that the struggle we face right now is implementing sweeping change. We need to provide a way forward in a reasonable and predictable way. This group must lead the way forward and negotiate change. Response: A technique used by case study cities is to specify conservation areas, trending areas, and change areas.
- We need to clarify entitlements. We need to show the community the starting point of massing and height.
- Are there limits on TDR? Response: We can come back with more detail on these topics.
- Are there creative tools for incentivizing intensification, especially for places with more suburban form? Response: Yes there are cities who are using incentives for this, we can come back with more detail.
- I understand that there are other cities that transition onsite. But Portland has many small lots, which may stay vacant if they have to transition onsite because the development economics do not pencil. Block patterns should factor into setbacks and transitions.
- Add a column for Portland on the main comparison chart please.



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- I think it is a great idea to show the public current heights and allowable heights along with other development restrictions. Combine that with density expectations and community growth.
- Can you expand on the Entitlement v. Privilege concept? Response: Nationally entitlement processes are important, but many jurisdictions want a discretionary process to include public feedback before granting approval for development.
- Inclusionary zoning was common in case study cities. How does this impact your findings? Response: Despite this a number of cities do try to bonus affordable housing.
- Gentrification and maintaining affordability for neighborhood businesses is a very important issue. I like the San Francisco idea of limiting commercial space.

Public Comment:

- Looking at the Map App, it is clear that most MU zones make sense, Why Hayden Island and Jantzen Beach? They are large sites attracting Vancouver shoppers. These are not neighborhood like settings. Why Mixed Use here? I think these parcels are so unique they may need their own designation. Staff: we will need to consider the special considerations for large sites. There is interest in increased development scale for some of these sites.
- Solar Access and Proportionality of Building to Street are important to me – did these make an appearance in the case studies? Staff: Solar Access yes. And in Toronto there is a 1:1 relationship between building height and the street width.
- We have mixed use zones in our neighborhood and we will be majorly impacted by this project. We have requested that the PSC extend the hearings of the Comp Plan or that the record of the hearings be left open for at least 90 days following the release of the provisions of these definitions to give the neighborhood a chance to understand the impact of the definitions and time to respond.
- We own a 5 acre piece of land that is currently out of compliance and our buildings are falling down and we cannot repair them. We need to have some sort of low density designation that allows us to rebuild what we have. This committee should consider how to deal with low density businesses like ours that that provide green space, plants etc. Staff: Please also share that testimony at the Land Use Map Hearings.

Adjourn