MEMO

June 18, 2009

TO: Portland Planning Commissioners

FROM: Sallie Edmunds, River Planning Manager

SUBJECT: Summary of Public Feedback and Update on the Design, Permitting and Long-term Maintenance and Management Fee

At the May 26, 2009 meeting, Planning Commission requested that the River Plan / North Reach staff do two things prior to the June 23, 2009 meeting: 1) solicit feedback from the public on the current River Plan recommendations, and 2) conduct additional research on the design, permitting and long-term maintenance and management fee.

Public Feedback
On June 17th, staff held a lunchtime and late afternoon Listening Post to receive feedback on the revised zoning code and amendments presented to Planning Commission over the past several months. Stations were set up by topic to allow attendees to review and discuss the details with staff. About a dozen people attended the event and visited the various stations that included maps and other display materials previously presented to Planning Commission. Attendees had the opportunity to fill out comment cards and provide feedback to staff.

In addition, staff received 24 written comments from North Reach stakeholders. All of the written feedback and comment cards are attached with a brief summary of the oral feedback.

Design, Permitting and Long-term Maintenance and Management Fee
At your last meeting, we also discussed the design, permitting and long-term maintenance and management fee. Following the meeting, the River Team requested additional information from the Bureau of Environmental Services (BES) and Port of Portland (Port) regarding this. To date, we have received a memo from BES and expect one from the Port by the end of the week. The BES memo is attached. Staff plans to analyze this information and report to the Planning Commission at the meeting on Tuesday, June 23, 2009.

Attachments:

Summary of Comments Received from the Listening Post and all Written Comments Received by June 17, 2009
Updated Restoration Site Cost Estimates North Reach Plan, June 9, 2009
Revised River Plan / North Reach Status Report, June 17, 2009
Summary of Oral Comments from the Listening Post
June 18, 2009

Staff captured the following oral comments at the River Plan / North Reach Listening Post.

**EG2 Zoning/Industrial-Residential Interface**
- Some property owners are very happy that staff is no longer recommending a prohibition on new residential uses in the EG2 zone in the Baltimore Woods subdistrict. These property owners are concerned about any additional limitations on their property rights. They accept the height limit, the disclosure statement, and the requirement for additional noise insulation. They are concerned that the conditional use approval criteria language is too vague and adds uncertainty to the conditional use review process.
- Other property owners are upset that staff is no longer recommending a prohibition on new residential uses in the EG2 zone in the Baltimore Woods subdistrict. These property owners would like to limit future residential development in this area. They are supportive of the height limit and the stronger conditional use review approval criteria. They are concerned that the disclosure statement and the requirement for additional noise insulation shifts the burden of the industrial-residential conflict entirely on to the backs of the neighbors and does not acknowledge that industry has any responsibility to be a good neighbor. They feel that the requirement for additional noise insulation (certified by an acoustical engineer) during remodels valued at 75% of the assessed value is an economic burden for neighbors and that the industrial noise impact area stretches farther than is necessary or desirable. They feel that the disclosure statement will not be effective in resolving the conflicts and will only make residents feel that they have lost their rights to complain about nuisance impacts they do experience.
- A property owner asked if he would need a comprehensive plan map amendment in order to develop residential uses on his EG2 lot in the Baltimore Woods subdistrict. Staff replied that a comp plan map amendment would not be required but a conditional use would be required.

**Mitigation/Restoration/Fees and related zoning code provisions**
1. A Portland Parks and Recreation representative expressed concern over the cost of complying with the 15% vegetated area requirement. "Every dollar spent on permit application requirements or review is a dollar not spent on a parks facility". The representative also expressed support for the river environmental overlay zone exemption for maintenance and repair of existing structures.

2. A consultant for several riverfront property owners made three comments:
   - Land divisions should allow the river frontage to be placed in a tract if the tract will be a restoration site and there is an easement for a dock or other river access facility.
   - Trading of vegetated area credits should be allowed between private properties.
   - Applicants should be allowed to use the actual top of bank (first major change in slope of the incline) rather than be forced to use the specified default top of bank (50 feet from ordinary high water mark).

**Base Zones**
- A University of Portland representative expressed continued support for the proposed base zone change on the McCormick/Baxter site.

**Environmental Conservation and Protection Overlay Zones and the Natural Resource Inventory**
- A University of Portland representative indicated that they would explore additional site design options to determine if they can achieve their goals within the proposed conservation and protection zones.
- A neighborhood representative expressed support for the natural resource component of the River Plan.
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<tr>
<th>ID</th>
<th>Commenter</th>
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<td>5/22/09</td>
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<td>Audubon Society of Portland</td>
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<td>Shody Ryon</td>
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<td>Working Waterfront Coalition</td>
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May 22, 2009

Planning Commission
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

RE: River Plan/North Reach Proposed Draft
Changes to the EG2 zone in St. Johns

Dear President Hanson and Planning Commissioner Members:

I own vacant land in St. Johns, in the EG2 zone that will be affected by proposed changes in conjunction with the River Plan/North Reach Proposed Draft. I am strongly in favor of preserving my current development rights, including the right to build residential units through the conditional use process, without a particular limit on the number of units I could build. I do not feel that the possibility of future noise complaints is a strong enough reason to revoke my property rights.

If the Planning Commission feels that mitigation of future possible noise complaints is necessary, I would support the following:

- Deed restrictions that inform future owners and tenants about noise
- Construction requirements including better windows and increased insulation
- Height limitations not to exceed four stories
- Create a property owner’s group with covenants and restrictions
  - Transfer when a property is sold
  - Recorded against the property
  - Owner’s group comes together and meets when a noise complaints are generated

Thank you for your work on this issue. I hope that a resolution can be found that both addresses concerns about future potential noise complaints, and also preserves my current development rights.

Sincerely,

[Signature]

(Signature)

[Printed Name and Address] 219 NW 2nd Ave, Portland, OR 97209
May 22, 2009

Planning Commission
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

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[Signature]

BEATRICE L. ERICKSON
(Printed Name and Address)
May 22, 2009

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Portland, OR 97201

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[Signature]

Melanie Johnson-Schiller
9152 N Edison
Portland, OR 97203
May 22, 2009

Planning Commission
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

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Sincerely,

Daniel J. Waldman
(Signature)

Daniel J. Waldman 10048 N Edison
(Printed Name and Address)
May 22, 2009

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Portland, OR 97201

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May 22, 2009

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Sincerely,

[Signature]
From: Jan Secunda [tede@stephouse.net]
Sent: Wednesday, June 03, 2009 2:06 PM
To: Anderson, Susan
Subject: [Approved Sender] Fw: RIVER PLAN NEWS - June 1, 2009

6-3-9

This email is to the entire Planning Commission in care of you, Susan.

Please be aware that I continue to oppose the River Plan as it stands because it creates more opportunity for the ruination of the Willamette River. If you need the specifics for my opposition I will be more than happy to accommodate you and to reiterate for the umpteenth time every little scientifically based speck of evidence that supports my rationale. Save yourselves some trouble and listen now instead of after you've made a serious mistake.

Again, the offer for a toxic tour of the Linnton part of the North Reach still stands. I recommend that you visit this Linnton site which the River Plan is basically condemning to continued environmental and financial degradation. BUT, you must schedule the tour quickly because the opportunity for reversing your pro-pollution stance is running out.

As to the bullshit offer (below) of more public comment being directed through the River Team: I think I already have a sufficient amount of evidence of their Orwellian treatment of public comment.

To be as plain as is humanly possible: Do not, as indicated below go forward with the plan as it stands. Indeed, I can promise you that it will not go well for you or for Portland politically if this situation escalates.

It is a plain scientific fact that you are killing the river with this plan. Do you truly believe that you can get by with killing the river in today's pro-environment anti-pollution climate? Vote the current extremely damaging River Plan down. And, if it's within your power, recommend that the team be reconfigured and the plan be redrawn. It's easy! Do the right thing.

Honest to God, you remind me of little kids who like to play with fire.

It ought to never happen that a concerned citizen has to go to this much trouble and put up such a fight to keep a municipal entity from being so persistently insanely stupidly recalcitrant, you hateful naughty incorrigible little brats. Stop this before you hurt yourselves!

Jan Secunda

----- Original Message ----- 
From: BOP River Plan<mailto:riverplan@ci.portland.or.us>
To: BOP River Plan<mailto:riverplan@ci.portland.or.us>
Sent: Monday, June 01, 2009 4:56 PM
Subject: RIVER PLAN NEWS - June 1, 2009

RIVER PLAN NEWS
June 1, 2009
Planning for the Willamette Riverfront
IN THIS ISSUE
1. Gathering feedback on the North Reach Proposed Plan
2. Revised River Plan / North Reach Schedule

---------------------------------------------

1. Comment on the North Reach Proposed Plan


How can I provide feedback? The River Team is hosting a Listening Post on June 17, 2009 to answer questions and gather feedback. Staff will summarize comments for Planning Commission at their work session and scheduled decision on June 23, 2009. You can also submit written comments through the River Team before June 17, 2009. Written comments will be included in the staff summary for the Planning Commission.

Event Details
River Plan / North Reach Proposed Plan Listening Post Wednesday, June 17, 2009 12:00 to 1:30 pm and 4:30 to 6:30 pm Bureau of Planning and Sustainability 1900 SW 4th Avenue, Room 7a (seventh floor) Portland, OR 97201

Submit written feedback to (deadline June 17):
River Team
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
Telephone: 503-823-7700
Fax: (503) 823-7800
TTY: (503) 823-6868
riverplan@ci.portland.or.us<mailto:riverplan@ci.portland.or.us>

Where do I get more information? The River Plan / North Reach comments, responses and amendments are available online: Public Testimony, Staff Responses & Proposed Amendments<http://www.portlandonline.com/planning/index.cfm?c=49856>. For more assistance or additional information, please contact the River Team at (503) 823-2281 or riverplan@ci.portland.or.us<mailto:riverplan@ci.portland.or.us>.

2. Revised River Plan / North Reach Schedule

June 8, 2009
Final proposed draft code released

June 17, 2009
12:00 - 1:30 pm
4:30 - 6:30 pm

Proposed Plan Listening Post

June 23, 2009
tentatively scheduled for 6:00 pm

Planning Commission Work Session/Decision

Fall 2009

Planning Commission Briefing (to be scheduled)
June 3, 2009

City of Portland Planning Staff
1500 SW Fourth Avenue, Room 7100
Portland, OR 97201

RE: River Plan/North Reach Proposed Draft
Changes to the EG2 zone in St. Johns

To: Arianne Sperry and Planning Staff:

At the 5/26/09 Planning Commission Workshop, the Commission asked staff to gather feedback from EG2 Stakeholders on the new language for the EG2 changes, presented on 5/26/09. The following is my feedback.

I own vacant land in St. Johns, in the EG2 zone that will be affected by proposed changes in conjunction with the River Plan/North Reach Proposed Draft. In the new language proposed by staff, item #1 and item #2 are acceptable. These items do limit my development rights, but I am willing to compromise. However, item #3, as proposed by staff, is too vague, and does not provide clear direction. I am concerned because it makes demands on my property and a future project, but it does not say what those demands are. It is very expensive to submit a conditional use application, and currently the requirements are more clearly defined. I am against changing this. In the spirit of compromise, I offer the following proposed language:

Revise conditional use review approval criteria 33.815.130 F for residential uses in the EG1, EG2, IG1, IG2, and IH zones to require that the proposal be designed and developed so that the housing is protected from potential noise impacts coming from uses allowed by right in the zone and EG1, EG2, IG1, IG2 and IH zones within 1000 feet of the site through the use of windows and wall insulation or building systems that provide insulation value beyond what is required by building code. Require that the proposals include site and building designs, a landscape plan, and a transportation plan that will limit to the extent practicable any conflicts between residential, employment and industrial uses.

Thank you for your work on this issue. I hope that a resolution can be found that both addresses concerns about future potential noise complaints, and also preserves my current development rights.

Sincerely,

[Signature]  
06-06-09  
(Date)
(Printed Name and Address) NICHOLAS THORp — property located on the corner of N. Navy St. and N. Denver St.
June 3, 2009

City of Portland Planning Staff
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

RE: River Plan/North Reach Proposed Draft
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Sincerely,

Sarah J. Stevenson
Executive Director
June 3, 2009

City of Portland Planning Staff
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

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Regarding the noise generated by Toyota, I feel that if the car-loading process was done inside a building instead of outdoors in the open, much of the noise problem would be solved.

Thank you for your work on this issue. I hope that a resolution can be found that both addresses concerns about future potential noise complaints, and also preserves my current development rights.

Sincerely,

[Signature]  
(Date)

Dan and Cris Waldron, 10048 N. Edison Street, Portland, OR 97203-1451
June 3, 2009

City of Portland Planning Staff
1900 SW Fourth Avenue, Room 7100
Portland, OR 97201

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Sincerely,

[Signature]

[Printed Name and Address]

[Date]
June 5, 2009

Hello Arianne,

Attached is JHI’s feedback to staff’s new proposed EG2 language, and the feedback of two other neighbors.

As you will see, I removed the language about lights and odor from the approval criteria, because these seemed to be fairly minor issues, and they were not even discussed at the stakeholder meeting.

Also, I need to let you know that I am concerned by Paul Van Orden’s email today. To find out that the decision to take away property owner’s rights was not based on a quantified number of complaints was disturbing. This is on top of the fact that the Port does not have documented noise complaints, and that the neighborhood association doesn’t either. To be honest, without this data I question if it is appropriate to limit the EG2 property owner’s rights at all. Anyway, that is a question that staff and the Planning Commission will need to consider.

Thank you,

Julie Garver
Housing Development Director
Innovative Housing, Inc.
-----Original Message-----
From: A E Bigelow [mailto:aebigelo@aracnet.com]
Sent: Tuesday, June 16, 2009 1:10 PM
To: BOP River Plan
Cc: MikeHouck@urbangreenspaces.org
Subject: Questions Re North Reach Willamette Planning

I am wondering if developments such as Hana’s vertical marina and/or the SK jetski repair service could be located on Swan Island, maybe by the old drydock inlet. Is there anything in the plan to act as an incentive for this sort of development? At one time, I thought, these developments were slated for the east side of the river, near the Ross Island Bridge; as a human-powered water craft person and a person for a no-wake-zone by Ross Island, I would really like to see these enterprises moved away from Ross Island. I would also really like to see the Willamette JetBoat operation using the north reach of the river for their thrill rides -- they certainly are obnoxious around Ross Island; any way city planning could influence the course of this private business (incentives? permitting?)?

The underlying question is how much coordination goes on between different parts of the city in planning/prioritizing -- or what role planning plays when permits are issued. Sometimes it seems that the permitting process is at the leaf level while planning is, as it should be, the tree and forest level.

Thank you.
Anita Bigelow
June 16, 2009

Ms. Sallie Edmunds  
Bureau of Planning  
1900 SW 4th Ave., Suite 7100  
Portland, OR 97201-5380

Dear Sallie,

I am writing on behalf of the Audubon Society of Portland to encourage the Planning Commission to accept the North Reach River Plan with the revised Restoration Program (option 1) presented at the May 26, 2009 work session. Audubon believes that the River Plan represents a significant step forward that could lead to real ecological improvement in the North Reach. Much of the testimony to date has focused on areas of disagreement. What should not be lost in these discussions is the fact that industry and conservation groups have made unprecedented progress in finding common ground on what has long been one of the most conflicted landscapes in the region. That progress is the result of more than 18 months of very difficult discussion and negotiation.

The plan is far from perfect. There are many aspects of this plan that are new and experimental. We have great uncertainty as to whether major elements will ever be funded or implemented on the ground. We also believe that significant changes that have been made over the past six months limiting industry contributions to fund environmental objectives have undermined the plan’s overall efficacy. However we believe that the time has come to cease debating the details and move towards adoption and ground-testing the work that has been done to date. We anticipate that many elements will have to be tweaked and adjusted over time and we would reiterate that it is critical that the city establish a process and timeline to periodically review and amend the plan. We do not believe however that continuing to debate the plan in a theoretical vacuum will lead to a better product; if anything we believe that continuing to make changes will reduce overall plan coherency and result in a document that is increasingly disconnected from its primary objectives.

We would encourage no further action at this time on two issues that were still in play at the May 26th Work Session: 1) the 90% management fee and 2) the addition of a restoration trading program.

1. **90% Management Fee:** We believe that BES has done a good job of justifying the 90% management fee. We would urge the Planning Commission to recognize the fact that the vast majority of restoration projects in the North Reach conducted by private parties as part of city permit requirements over the past two decades have not achieved desired outcomes. In fact BDS could point to only one restoration project in the entire North Reach that had actually met the requirements of the permit. Designating BES as the agency charged with implementing offsite restoration and mitigation and providing the bureau with adequate resources to accomplish this objective provides a much higher level of certainty that restoration and mitigation objectives will actually be achieved going forward.

2. **Restoration Trading Program:** We concur with the opinion expressed by several Planning Commission members on May 26th that the addition of a Restoration Trading Program at this late

Audubon Society of Portland  
5151 NW Cornell Road  
Portland, OR 97210  
(503) 292-6855  
www.audubonportland.org
date would add unnecessary complexity to a plan that is already highly complex and experimental. It would also divert funding away from the restoration sites (pearls) which both industry and conservation organizations have mutually agreed should be the highest priorities for restoration in the North Reach. We believe that it makes much more sense to implement the program that has been carefully and thoughtfully developed over the course of more than a year and leave consideration of new and complex elements such as a trading program for future review processes.

We appreciate the work of City staff at the Planning Bureau, BES and BDS who have put tremendous time and energy into the River Plan. We also appreciate the work of the Planning Commission in reviewing this Plan. Finally we would note the Port of Portland, Schnitzer Steel and NOAA Fisheries all of whom spent many long and arduous session laboring with us to address environmental concerns. It is time to move forward and test whether we have accomplished our objectives.

We urge the Planning Commission to accept the River Plan-North Reach and forward it to Portland City Council for final adoption. We would suggest that Council review occur in the fall allowing time throughout the summer for the Planning Bureau to assemble what after months of tweaking is now a somewhat fragmented document into a coherent whole and evaluate the changes for internal coherency as well as consistency with original plan objectives. It will also allow time to continue to work with stakeholders to flesh out aspects of this plan that remain incomplete such as the mitigation banking program and funding mechanisms, and to develop a more robust narrative to accompany the code language that more clearly articulates the plan’s intent. To the degree that further adjustments are necessary, we believe that they can be made during review by Council.

To conclude, we recognize that a plan that represents this magnitude of change is bound to create uncertainty on the part of all parties. We certainly feel that trepidation. However, we also believe that further significant modifications will only exacerbate those concerns. It is time to take the progress that has been made on paper and test it out on the ground. We have no doubt that adjustments will need to be made over time but we believe that it is difficult at this point to precisely anticipate what those adjustments will need to be. The most effective way to address ongoing concerns among all stakeholders is to set a date certain to review the plan once we come to better understand the plan’s strengths and weaknesses.

Thank you for your consideration of these comments.

Bob Sallinger
Conservation Director
Audubon Society of Portland

Audubon Society of Portland
5151 NW Cornell Road
Portland, OR 97210
(503) 292-6855
www.audubonportland.org
One job/purpose of government is to protect human rights and property rights of the individual.

A likely perpetrator or encroachment on these rights would come from big business.

A note in the USA constitution is the right of "quiet enjoyment" of one's property.

The ports glee of Toyota choosing Portland as a major USA port shows in their foot dragging regarding train noise. Truck engines broke noise on St. John Bridge, poor bridge design regarding car and truck noise directly below the bridge (cluttering over each deck section), just as areas south, with $1 million condos, etc. Some day St. Johns will be residential, worth big $, if Portland becomes a world class city worth living in, or maybe be fully industrial - in the mean time, it is bad at both
Date: 6-17-09
Event: Listening Post
Name: Barbara Quinn

Please change borders of Industrial impact area to emphasize new development. Place near Industrial zones and railroads which are the main noise producers. Keep 40' ft. limit within Ego zone.

Sound cost & insulation & sound engineer?
Name: I am concerned that the new noise abatement regulations in the Cathedral Park area are extended too broadly. It seems obvious that there are some portions of the neighborhood where noise and industrial impacts justify the proposed regs, but I recommend that they be scaled back closer to the C and I zones near Cathedral Park.

C. R. Palmer
Koski, Amy

From: Koski, Amy
Sent: Wednesday, June 17, 2009 3:13 PM
To: Koski, Amy
Subject: FW: noise proposal

From: therese devoe [mailto:t34devoe@yahoo.com]
Sent: Wednesday, June 17, 2009 2:18 PM
To: BOP River Plan
Subject: noise proposal

Hi there,
You have a proposal on the docket for sound protection for homes near the industrial area. Please consider revising this to include sound protection only on new construction within 500 feet of the industrial zone, not so much of the neighborhood.

Thank you,

Therese Devoe
9226 N Edison St
Koski, Amy

From: Koski, Amy
Sent: Wednesday, June 17, 2009 3:14 PM
To: Koski, Amy
Subject: FW: River Plan

From: Wilfred Thompson [mailto:wilfredthompson@gmail.com]
Sent: Wednesday, June 17, 2009 1:13 PM
To: BOP River Plan
Cc: Edmunds, Sallie; Sperry, Arianne; Barbara Quinn
Subject: River Plan

33.583.290

1. If neighbors and industrial property owners agree that steps need to be taken, why is the planning proposing to allow higher density residential use right next to industry? This doesn't make sense. Residential use is a conditional use of EG2, it should be eliminated entirely or at the very least limited to R5.

It states that typically the density of new development has been at an R2 level suggesting this should be the precedent for residential use on the EG2. This should not be the precedent for residential use for a number of reasons. The R2 development on the N. end of the EG2 area was all done by one developer. This development still has a large area of undeveloped EG2 between residential and industrial use forming a buffer. This R2/EG2 residential area also does not share streets with the industrial area to the west. There is a large section of R5 development S. of N. Caitlin on Decatur where there is no buffer and N. Decatur is shared between uses. A large amount of complaints come from this R5 area even though it has a lower density, because of it's closer proximity to industry.

The planning of this area is welcoming conflicts with semi-trucks, bicycles, cars by allowing higher density multi dwelling residential directly next to industrial use.

The 40ft. height limit is only one parameter in limiting density. Was the planning meaning to include all the limits of R2 or only the height? FAR? Setbacks?

2. This may have some impact, but how does this affect rental properties? Is the landlord required to have the tenant sign this same notice? One multi-use dwelling houses low income residents where the residents are fortunate to have been accepted. How are those residents protected, where they have no choice in where to live?

3. It is disappointing that the impetus is being shifted to the residents of Cathedral Park and not building the quiet zone, although it is not surprising. There seems to be a pattern going on with the

6/18/2009
residential/industrial conflicts, including no bike lanes on the St. Johns bridge, a difficulty in putting in cross walks on Ivanhoe, blocking trucks on St. Louis, etc.. Is the planning going to require the Port of Portland to make any changes regarding noise at all?

4. See below
33.815.130.E Noise and light are not the only pollution from industrial uses. A large share of complaints from residences in the EG2 zoning in Cathedral Park are from odors/air pollution. Some of the facilities that paint, have started applying perfumes to their paints, in response to neighborhood complaints, e.g. Bushwacker. The last sentence should be changed to: "It will also ensure that impacts from noise, light and air pollution have little, if not zero, negative impact on the health and wellbeing of the residents."

Thank you,
Wilfred Thompson

P.S. Why the late notice and hardly anytime to respond?
From: Koski, Amy  
Sent: Wednesday, June 17, 2009 3:30 PM  
To: Koski, Amy  

From: Jinnet Powel [mailto:jinnetpowel@comcast.net]  
Sent: Wednesday, June 17, 2009 1:37 PM  
To: cathedralpark@yahoogroups.com; BOP River Plan  
Subject: [User Approved] RE: [Friends of Cathedral Park] Emergency notice, short timeline

Dear River Team,

I just learned of the proposed North Reach Plan today. Please limit the requirement for sound insulation to new construction only within 500ft of the industrial zone.

I have not been able to access the map showing the area. We live at 9911 N Ivanhoe, and while I can hear both the International speedway and the trains by the Toyota terminal, the level of noise is not offensive. We would like to be able to remodel our home in the future. However, additional costs always run the risk of making such projects prohibitively expensive. I am sure we are not alone. That would mean a potential loss to not only individual homeowners but to the neighborhood's property value and to the city coffers.

BTW, the noise level from the International speedway is much more bothersome at our home than the train whistles, which for us are quiet enough to be romantic at night. I certainly feel for those who live right next to the tracks and are at eye level with the Toyota parking lot lights.

Thanks, Jinnet Powel

From: cathedralpark@yahoogroups.com [mailto:cathedralpark@yahoogroups.com] On Behalf Of Barbara Quinn  
Sent: Tuesday, June 16, 2009 11:12 PM  
To: Friends of Cathedral Park Neighborhood Assoc.  
Subject: [Friends of Cathedral Park] Emergency notice, short timeline

Dear neighbors,

The latest proposed North Reach Plan creates an industrial impact zone in our neighborhood & requires neighbors/landowners who are doing remodeling or new construction to insulate their homes to soundproof levels and hire a sound engineer to approve it! Big $$$ for neighbors! This is the city’s response to our concerns about industrial noise, odor and light issues!

Instead ask city planners to require sound insulation on new construction only within 500ft of the industrial zone, not the huge area they now have designated an impact zone. (Please see map on page 147).

Why is the financial burden being placed on neighbors? Please write or contact Planning with your feedback about the timeline of this announcement which came to us only a week ago.

Listening Post Details  
Wednesday, June 17, 2009  
12:00 to 1:30 pm and 4:30 to 6:30 pm  
Bureau of Planning and Sustainability  
1900 SW 4th Avenue, Room 7a (seventh floor)  
Portland, OR

Submit written or electronic feedback by June 17 to:
June 17, 2009

Mr. Don Hanson, Chair
Planning Commission
City of Portland
1900 SW Fourth Avenue
Portland, OR 97201

Dear Chair Hanson:

We received the new revised River Plan and accompanying code changes (Proposed Plan) that is still only partially complete, one week before the June 17, 2009 deadline for public comment with little time for review. We remain committed to working with staff to achieve the original goals of this program. The Proposed Plan does not clearly meet this test, will result in negative impacts to the City’s economy, and provides no demonstrated, material improvement in ecosystem health. The following comments summarize our concerns:

- We do not believe the Proposed Plan supports the original 2001 River Renaissance vision to, “Promote Portland as a hub for ship, barge, railroad, highway and air, transportation and as a Pacific Northwest gateway to the changing global marketplace”
- The code changes do not appear to have a demonstrable, material benefit to the ecosystem health of the North Reach,
- We are willing to pay more than the status quo for a coordinated strategy involving natural resource enhancement at specific sites, in conjunction with an improved permit process to facilitate economic development and employment opportunities; this is why we have spent time participating in this process,
- Through the Working Waterfront Coalition (WWC), we have made multiple proposals that are legally supportable, would have generated higher fees to support the ecosystem health improvement program, and had the support of WWC members; these proposals have neither been accepted nor even acted upon in a substantive manner,
- Our key issues are:
  - Industrial land – 15% lost to landscape requirement
  - Project Review – adds cost, complexity, delay and uncertainty absent further modification
  - River Restoration Sites – unclear management and implementation plan at high cost

Until these issues can be resolved, we believe that the Proposed Plan will not serve to significantly enhance ecosystem health or further the economic prosperity of the working harbor. Therefore, we cannot support it.

Sincerely,

[Signature]

David J. Harvey
Gunderson Environmental Director
June 17, 2009

Mr. Don Hanson  
Planning Commission  
City of Portland  
1900 SW Fourth Avenue  
Portland, OR 97201

RE: North Reach River Plan

Dear Mr. Hanson:

Vigor Industrial owns and operates the Portland Shipyard on Swan Island. We provide ship repair services and construct barges, and employ over 500 union and nonunion workers. Our facility has been used for shipbuilding and repair almost continuously since the beginning of World War II.

We have significant concerns with the revised River Plan for the North Reach of the Willamette River. Specifically, the requirement to vegetate 15 percent of the total site area is overreaching and excessive, and the proposed in-lieu of fee of $6.70 per square foot is too high. If these conditions are established in the code, they will severely limit our ability to react to changing market conditions by quickly taking advantage of new business opportunities, and will hamper our ability to remain competitive in our industry.

Our facility is over 60 acres in area. A 15 percent vegetation requirement equates to 9 acres. The attached figure illustrates how much area this represents within the footprint of our facility. The value of this real estate is in excess of $3,000,000, and this does not consider the value we can extract from the space by using it for industrial purposes. For example, in 2006 we started a barge construction business using the very space marked on the figure. Our ability to react quickly and cost effectively to an emerging market opportunity using existing infrastructure enabled us to rapidly establish a new business that now employs over 150 people. We continue to explore new opportunities for using our facility to enter new businesses in the areas of wind energy, wave energy and short sea shipping, and believe these opportunities will be negatively impacted by the proposed restrictions and fees.
June 17, 2009

Page 2

While we support the concept of mitigation, we also believe that established industrial land and infrastructure is an extremely valuable resource. It is highly unlikely that a new shipyard will ever be built in Portland again. Therefore, it is incumbent upon us as a landowner, and the City with responsibility for economic development, to use such an industrial resource to its highest potential. As such, we strongly urge the Planning Commission to reject these provisions of the River Plan.

Sincerely,

T. Alan Sprott
Vice President
Dear River Team:

As a resident of Cathedral Park neighborhood, I am concerned with some of the content in the above documents, which I have been reviewing at portlandonline.com. Specifically, I disagree with the proposed language in Section 33.583.300 concerning the Industrial Noise Impact Area. Certainly, noise and other industrial by-products do impact our quality of life in this area and can be viewed as a health hazard. Residents of Cathedral Park recognize the value that nearby industry brings to the city, and we accept that there are negative consequences to living in proximity to this activity. Generally, as the neighborhood grows, we seek to find ways in which all concerned parties can adapt to make the area more livable and workable.

Section 33.583.300 of these documents, however, seems to put the burden of reducing these impacts squarely on the shoulders of residents alone. The proposed changes represent a potentially great financial burden to homeowners in the neighborhood. More importantly, they will do very little to improve the environment in the Industrial Noise Impact Area should nothing else change. Noise from the nearby Toyota facility and the trains which service it are most egregious during the warmer months, when windows are kept open at night. None of the proposed changes in code, with their costly impact to residents, will mitigate this problem in the least. Sound travels clearly through an open window, regardless of how well insulated the walls are.

Please reconsider the current language in the document and spare residents of Cathedral Park and St. Johns the monetary burden of this ineffectual proposal to deal with a very real problem.

Thank you,
Rich Ormond

6708 N. Pittsburg Ave.
Portland, OR 97203
June 17, 2009

Mr. Don Hanson, Chair
Planning Commission
City of Portland
1900 SW Fourth Avenue
Portland, Oregon 97201

Re: River Plan – North Reach

Dear Chair Hanson:

Members of the Working Waterfront Coalition (WWC) received the new revised River Plan and accompanying code changes (Proposed Plan) one week before the June 17, 2009 deadline for public comment. We remain committed to working with staff to achieve the original vision of River Renaissance. However, the WWC and its members have concerns that the Proposed Plan will result in negative impacts to the City's economy and uncertain improvement to the environment.

River Renaissance committed the City to "promote Portland as a hub for ship, barge, railroad, highway and air transportation and as a Pacific Northwest gateway to the changing global marketplace." We do not believe the Proposed Plan meets this commitment. Rather, the Proposed Plan will impede significant investment in the working harbor, the City, and the region. The Proposed Plan will add significant costs, complexity, and confusion for projects that the River Renaissance program intended to encourage. Why would a company invest in the harbor if permitting and fees are so much more complex and costly than they would be elsewhere? They would not. The Proposed Plan also reduces our ability to compete globally and react quickly to changing market opportunities. This results in lost jobs for the City and region.

As we have said before, the WWC and its members are willing to pay more than the status quo for a coordinated strategy involving natural resource enhancement at specific sites, in conjunction with an improved permit process to facilitate jobs and economic development. We have consistently supported these goals and continue to believe that the goals are compatible and achievable. That is why the WWC and its members have devoted hundreds of hours to the River Plan effort.

During the course of our involvement, we have submitted several proposals to the City as compromise solutions that would have generated substantial fees to support the restoration program, even though they would have cost more than what WWC members incur today to accomplish the same projects. These proposals were rejected.
We fully recognize the challenges of developing a code that will address the interests of multiple stakeholders and a complex regulatory climate. However, many of the issues we presented in earlier testimony remain unresolved. These issues include, but are not limited to:

- **Fees** – excessive in geographic scope and amount
- **Industrial land** – 15% lost to landscape requirement
- **Project review** – adds cost and complexity, and delays Superfund and other cleanup projects, absent further modifications
- **City review below ordinary high water** – redundant with state and federal regulations
- **Greenway Trail** – operational and safety concerns at some locations
- **Restoration Sites** – unclear management and implementation plan and uncertain site boundaries

Until these critical issues are resolved, we believe that the Proposed Plan will not enhance the environment or further the economic prosperity of the working harbor. Therefore, we cannot support the Proposed Plan in its present form.

With that said, we remain committed to River Renaissance and the River Plan. We will continue to work with staff as they refine the code. In order to ensure the long-term prosperity of Portland’s working waterfront, the WWC believes that this is precisely the time to debate and resolve the details.

Sincerely,

Working Waterfront Coalition
See attached signatures
Bob Short
Glacier Northwest, Inc.

Jennifer Weahkeit
J.R. Simplot Company

Sue Sawa
Port of Portland

Eric Stark
NRC, Inc., for CLD Pacific Grain, LLC

R.H. Matthes
Kinder Morgan Liquids Terminals LLC

Ricky Nebl
NuStar Energy L.P.

Ann L. Gardner
Schnitzer Steel Industries, Inc.

W.B. Claxton
American Waterways, Inc., and Northwest Pipe Company

David J. Harvey
Gunderson, LLC

F. E. Mcd.
Miller Nash LLP

T. Adam Smith
Vigor Industrial, LLC

Steve E.
Perkins Coie

Debbie Deet Silvo
Evraz Oregon Steel
Koski, Amy

From: Koski, Amy
Sent: Thursday, June 18, 2009 10:01 AM
To: Koski, Amy
Subject: FW: North Reach Plan

-----Original Message-----
From: Julie Gebron [mailto:jgebron@mac.com]
Sent: Wednesday, June 17, 2009 11:13 PM
To: Edmunds, Sallie
Subject: North Reach Plan

To whom it may concern:

I’ve just read about the proposed requirement in the North Reach Plan which places a huge financial burden on folks in our neighborhood who are remodeling or undertaking new construction. Is it really true that neighbors in this situation will be required to pay a sound engineer to have their home insulated against noise? That is a huge expense out of taxpayers pockets and really does nothing to address the noise itself! Noise is not only a problem when in houses, and it will not address those homeowners who can not afford to pay, or who are not doing any remodeling.

Several other questions:

Is the noise level going to continue at the current level? Is it expected the noise level will increase?

What sort of noise abatement plan is there for this neighborhood beyond telling folks they will have to deal with it themselves by changing their homes?

Sure would appreciate a response.

Thank you,

Julie Burns
Cathedral Park Neighborhood
From: Barbara Quinn [mailto:barbaraquinn@clarion-design.com]
Sent: Wednesday, June 17, 2009 10:59 PM
To: Wilfred Thompson; BOP River Plan; Erik Palmer
Cc: Edmunds, Sallie; Sperry, Arianne
Subject: Re: River Plan

I am going to have to agree with Wil on the timing issue. I think we need more time...at least until the next neighborhood meeting to discuss this not only to clarify but get feedback. This was sent a week ago when I was in finals. Unfortunately didn't get to even look at it till Monday.

Can we get an extension to clarify for neighbors & gather feedback?
Thanks Barbara

On 6/17/09 1:12 PM, "Wilfred Thompson" <wilfredthompson@gmail.com> wrote:

33.583.290
1. If neighbors and industrial property owners agree that steps need to be taken, why is the planning proposing to allow higher density residential use right next to industry? This doesn't make sense. Residential use is a conditional use of EG2, it should be eliminated entirely or at the very least limited to R5.

It states that typically the density of new development has been at an R2 level suggesting this should be the precedent for residential use on the EG2. This should not be the precedent for residential use for a number of reasons. The R2 development on the N. end of the EG2 area was all done by one developer. This development still has a large area of undeveloped EG2 between residential and industrial use forming a buffer. This R2/EG2 residential area also does not share streets with the industrial area to the west. There is a large section of R5 development S. of N. Caitlin on Decatur where there is no buffer and N. Decatur is shared between uses. A large amount of complaints come from this R5 area even though it has a lower density, because of it's closer proximity to industry.

The planning of this area is welcoming conflicts with semi-trucks, bicycles, cars by allowing higher density multi dwelling residential directly next to industrial use.

The 40ft. height limit is only one parameter in limiting density. Was the planning meaning to include all the limits of R2 or only the height? FAR? Setbacks?

2. This may have some impact, but how does this affect rental properties? Is the landlord required to have the tenant sign this same notice? One multi-use dwelling houses low income residents where the residents are fortunate to have been accepted. How are those residents protected, where they have no choice in where to live?

3. It is disappointing that the impetus is being shifted to the residents of Cathedral Park and not building the quiet zone, although it is not surprising. There seems to be a pattern going on with the residential/industrial conflicts, including no bike lanes on the St. Johns bridge, a difficulty in putting in cross walks on Ivanhoe, blocking trucks on St. Louis, etc... Is the planning going to require the Port of Portland to make any changes regarding noise at all?

4. See below
33.815:130.E Noise and light are not the only pollution from industrial uses. A large share of complaints from residences in the EG2 zoning in Cathedral Park are from odors/air pollution. Some of the facilities that paint, have started applying perfumes to their paints, in response to neighborhood complaints, e.g. Bushwacker. The last sentence should be changed to: "It will also ensure that impacts from noise, light and air pollution have little, if not zero, negative impact on the health and wellbeing of the residents."

Thank you,
Wilfred Thompson
-----Original Message-----
From: Laurie & Dave King [mailto:landd_2@q.com]
Sent: Wednesday, June 17, 2009 10:14 PM
To: Edmunds, Sallie; Sperry, Arianne
Cc: Barbara Quinn
Subject: Industrial Impact Zone

Can it really be that in the North Reach plan you are proposing to make a building code change to soundproof our houses as an answer to our neighborhood’s complaints about industrial air, light and noise pollution? That will really make people mad. Dave King
MEMORANDUM

June 9, 2009

TO:
Sallie Edmunds
Bureau of Planning and Sustainability

FROM:
Paul Ketcham, Kristen Acock
Watershed Services Group

RE:
Updated Restoration Site Cost Estimates
North Reach Plan

The purpose of this memo is to further clarify cost estimates for the restoration sites identified in the North Reach Plan. Direct construction costs are defined as the amount paid to a contractor to construct projects according to plans and specifications. Other project costs include acquisition and clean-up to pre-design and design through construction, maintenance and monitoring. Although a small portion of the overall budget, monitoring is an important and often forgotten component of restoration budgets.

BES Watershed Services staff have not provided estimates for acquisition or clean-up. These items are being addressed by North Reach Plan staff.

Using unit prices provided primarily by North Reach Plan staff and quantity estimates by BES staff\(^1\), we developed construction cost estimates for each site. The unit prices were for construction activity costs only and did not include costs for other phases or for City staff time that occurs during the construction phase. It is typical to apply a contingency to the cost estimate commensurate with the level of confidence in the design. As a design progresses, the contingency factor decreases. The descriptions at these North Reach potential restoration sites are highly conceptual at this stage and have not been vetted by a feasibility analysis. A high contingency of 75% was applied to reflect this early stage of project development.\(^2\)

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\(^1\) See 2/27/09 Memorandum from Sallie Edmunds, Bureau of Planning and Sustainability to Planning Commissioners, “River Plan / North Reach Acquisition and Restoration Cost Estimates.”

\(^2\) Amendment No. 1 to the Implementation Procedures for Capital Projects, Amendment 1, August 2006, Bureau of Environmental Services, “Project Estimate Confidence Level Rating Index Defined.”
To estimate the costs for the remaining project phases (predesign, design, construction oversight, maintenance and monitoring), we compiled and compared life budgets from information readily available on seven BES restoration projects. We calculated the cost of these remaining phases as a percentage of the construction contract and initial revegetation work. This calculation produced a multiplier to be used to estimate restoration costs.

In the North Reach Plan cost estimates developed thus far, this multiplier has been called a “Management Fee,” although it encompasses much more than project management such as design, maintenance, and monitoring. As this may be a source of confusion in the future, we recommend changing the name to a more industry standard term, Soft Cost. This is a construction industry term for expenses not considered direct construction costs. Such costs include architectural, engineering, surveying, testing, permitting, and other pre- and post-construction expenses. The Soft Costs for the BES projects reviewed ranged from 39% to 198% of the sum of the costs for the construction contract and the first year of revegetation work.

The tables below provide more detailed information about the life budgets for the seven projects by project phase. In some cases updated budget information was used to construct the tables below.\(^3\)

The bar graph below (“Soft Costs”) shows the soft costs for the seven BES projects reviewed. The bars represent soft costs as a percentage of the construction contract including initial revegetation.

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\(^3\) See: 4/9/09 Memorandum to Sallie Edmunds, Bureau of Planning and Sustainability from Paul Ketcham and Kristen Accock, Bureau of Environmental Services, “Restoration Site Cost Estimates: North Reach Plan.”

Updated Restoration Site Cost Estimate
Page 2 of 5
Soft Costs calculations for the seven projects:

Average of all seven projects: 108%
Average without highest and lowest: 104%
Average without 2 highest and 1 lowest: 86%
Without the 1 high and 1 low: 104%

Recommendation: continue to use 90% Soft Cost multiplier in estimating restoration costs in the North Reach Plan

We are using this methodology to assist North Reach Plan staff in quickly developing cost estimates for numerous sites without detailed information. In conclusion, we recommend continuing to use a Soft Cost of approximately 90% of the construction cost with contingency to the cost estimates developed. This assumes the City is overseeing all phases of work from predesign through monitoring.

Additional Information on Project Costs

The bar graph below ("Life Budget % by Phase") compares the proportion of the life budget spent by phase for the seven BES projects reviewed. This provides another way of looking at "soft costs" as a proportion of the total life budget. For example, the four confluence projects Kelly, Tyron, Columbia Slough, and Stephens are good examples of the kind of restoration work to be undertaken in the North Reach.

![Life Budget % by Phase](image)

Updated Restoration Site Cost Estimate
Page 3 of 5
Definitions of project descriptions:

- **Construction contract** – amount paid to contractor to construct projects per plans/specs.
- **Initial Reveg (w/o maintenance):** First year of revegetation; typically includes invasives and planting work. This is done by the BES Revegetation group on our projects. (this is why it is listed separate from the contractor's payment. Other jurisdictions would include reveg as part of the contractor's work.)
- **Predesign & Design** – including but not limited to staff time, consultant in some cases, survey, testing, permitting, archaeological investigations, public involvement, advertising, bidding
- **Construction (in-house)** – costs during construction phase other than construction contract amount. Including but not limited to staff time and/or consultant time for inspection, construction contract management, response to contractors' requests for information, review of contractor submittals, public involvement, survey staking
- **Monitoring & Maintenance budget:** we assumed a minimum 3% of construction contract for this category. Many projects have more. Effectiveness monitoring should be based on objectives of project: could include gages, testing, survey, and staff time for fish counts, sampling, sedimentation, photo monitoring, bird counts, macroinvertebrates, and vegetation. Adaptive maintenance should be employed. Natural systems are dynamic.
### Soft Cost Project Comparison Table

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Construction Contract + Initial Reveg</th>
<th>Predesign + Design</th>
<th>Construction (in house)</th>
<th>Monitoring &amp; Maintenance (min. 3%)</th>
<th>Life Cost</th>
<th>Soft Cost (% of Construction Contract + Initial Reveg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brownwood</td>
<td>$ 4,151,110</td>
<td>$ 771,777</td>
<td>$ 738,666</td>
<td>$ 119,583</td>
<td>$ 5,781,136</td>
<td>39%</td>
</tr>
<tr>
<td>Kelley Confluence</td>
<td>$ 699,604</td>
<td>$ 336,584</td>
<td>$ 209,876</td>
<td>$ 19,458</td>
<td>$ 1,265,522</td>
<td>81%</td>
</tr>
<tr>
<td>Tryon Confluence</td>
<td>$ 614,000</td>
<td>$ 317,851</td>
<td>$ 92,000</td>
<td>$ 98,000</td>
<td>$ 1,121,851</td>
<td>83%</td>
</tr>
<tr>
<td>Columbia Slough Confluence</td>
<td>$ 293,000</td>
<td>$ 113,610</td>
<td>$ 94,558</td>
<td>$ 45,776</td>
<td>$ 546,944</td>
<td>87%</td>
</tr>
<tr>
<td>Stephens Confluence</td>
<td>$ 504,000</td>
<td>$ 240,298</td>
<td>$ 164,475</td>
<td>$ 60,500</td>
<td>$ 969,273</td>
<td>92%</td>
</tr>
<tr>
<td>Errol Confluence</td>
<td>$ 239,000</td>
<td>$ 178,865</td>
<td>$ 214,121</td>
<td>$ 34,798</td>
<td>$ 666,784</td>
<td>179%</td>
</tr>
<tr>
<td>Errol Heights Wetland</td>
<td>$ 41,319</td>
<td>$ 53,343</td>
<td>$ 27,700</td>
<td>$ 680</td>
<td>$ 123,042</td>
<td>198%</td>
</tr>
</tbody>
</table>
THE RIVER PLAN
NORTH REACH

The River Plan / North Reach Status Report
June 17, 2009

The River Plan is the first update to the Willamette Greenway Plan in more than twenty years. First crafted in 1979 to serve as Portland’s compliance with Statewide Planning Goal 15 (Willamette River Greenway), the current Willamette Greenway Plan was adopted by the Portland City Council in 1987. The River Plan will replace the 1987 Plan and guide, inspire and facilitate actions along the Willamette River in the future.

The first phase of the River Plan focuses on the North Reach of the River. The North Reach extends roughly from the confluence with the Columbia River to the Broadway and Fremont Bridges. The River Concept, endorsed by City Council in 2006, characterizes the future for the North Reach as follows:

The North Reach will continue to provide Oregon with access to global markets and support the region’s economy as a West Coast distribution hub and a heavy industrial area. Environmental cleanup, recreational access, and watershed health actions will contribute to the harbor’s long-term vitality.

River Plan staff engaged property owners, members of interest groups, agency representatives, and the general public in the North Reach planning process for over two years prior to the release of the proposed River Plan / North Reach on October 28, 2008. The draft River Plan / North Reach includes new and revised zoning code regulations, and proposes a suite of new programs and public investments to support objectives in five topic areas:

- Economic Prosperity
- Watershed Health
- Access
- Riverfront Communities
- Working with our Partners
Planning Commission held briefings, public hearings and work sessions as listed below:

August 26, 2008  Briefing
September 23, 2008  Briefing
October 20, 2008  Briefing and Document Release
December 9, 2008  Hearing
January 13, 2009  Hearing
February 24, 2009  Worksession
March 24, 2009  Worksession
April 14, 2009  Hearing
May 12, 2009  Worksession
May 26, 2009  Worksession
June 23, 2009  Worksession and Decision (forthcoming)
Fall 2009  Briefing (to be scheduled)

After extensive public testimony and discussions with the Planning Commission, staff proposed a number of amendments to the October 28, 2008 proposed plan. On April 14th, the Planning Commission heard testimony on these amendments. Then, on May 12th and May 26th the Planning Commission discussed and indicated support for the amendments.

The following pages outline some of the key components of the revised draft River Plan / North Reach that will be presented to Planning Commission for a vote on Tuesday evening, June 23, 2009. A Recommended Plan will then be forwarded to City Council for a public hearing and adoption in fall 2009.

The revised River Plan / North Reach includes the following key elements:

Economic Prosperity *(includes topic areas Working Harbor Viability, Prime Industrial Land/Comp Plan Amendments and River Restoration Program)*

- Protect prime industrial land in the North Reach by prohibiting quasi-judicial Comprehensive Plan Map amendments.
- Retain the i-overlay as a tool to reserve riverfront land for those uses that are river-dependent or river-related.
- Refine the definition of river-related uses to allow more flexibility for industries that switch between primary reliance on river access and rail infrastructure.
- Ensure that riverfront parcels cannot be divided in a way that eliminates the requirement that the use be river-dependent or river-related.
- In the i-overlay, eliminate the greenway setback from the top of bank that currently applies to all development that is not river-dependent or river-related.
- Adopt standards to provide more streamlined permitting for certain industrial activities, including bulkheads, cargo conveyors, rail lines, utility lines and stormwater outfalls.
- Invest in public infrastructure and land development to fuel private reinvestment and create jobs in the working harbor.

The River Plan / North Reach Status Report
June 17, 2009
- Allow North Reach property owners to mitigate off site for impacts when approved by BDS and to pay a fee in lieu of balanced cut and fill. The mitigation and excavation will occur on one of the River Plan's restoration/mitigation sites.
- Do not apply river environmental zoning to areas that are ranked low in the Natural Resource Inventory.

**Watershed Health (includes topic areas Natural Resource Inventory, Conservation and Protection Overlay Zones, River Environmental Overlay Zones and River Restoration Program)**

- Adopt the updated Natural Resource Inventory for the North Reach to inform development and restoration activities.
- Adopt the new river environmental overlay zone along the river to strategically protect and conserve natural resources and facilitate certain types of industrial development through standards.
- Require mitigation for unavoidable impacts to natural resources. If the resources cannot be replaced on site, the applicant can purchase credits from a certified mitigation bank. The mitigation bank will restore resources on one of the River Plan's restoration/mitigation sites.
- Establish the starting point for the amount of mitigation due as the replacement cost of the affected natural resource. The mitigation cost could then be adjusted up or down depending on the relative resource value, the impact of the project design, the presence or absence of a time lag before the mitigation site has grown to maturity and the uniqueness of the resources on the impact site.
- Require every property in the North Reach to vegetate 15% of their site and provide an incentive to vegetate areas close to the river. If they cannot accommodate this on their site, they can pay an in-lieu fee and the River Restoration Program will use the funds to restore resources on one of the restoration/mitigation sites.
- Adopt refined conservation and protection overlay zone boundaries to protect and conserve upland resources.
- Develop a restoration program that includes the identification of restoration/mitigation sites that optimizes efforts to improve fish and wildlife habitat in the North Reach.
- Retain the City's regulatory jurisdiction below ordinary high water and develop a coordinated process to enhance inter-jurisdictional permit coordination.
- Expand City review of dredging proposals to ensure protection of shallow water habitat.

**Access (includes the topic area Greenway Trail)**

- Adopt a refined regulatory greenway trail alignment along both sides of the Willamette River. The trail will either be an off-street path or along an existing street or railway.
- Include an aspirational trail alignment in the River Plan policy document.
- Develop additional viewpoints that facilitate greater appreciation of the natural landscape and working waterfront in the North Reach.
- Establish an evaluation procedure to ensure that any trail related exaction is roughly proportional to the impacts of the proposed development before the exaction is required.
Riverfront Communities *(includes topic areas Industrial-Residential Interface and Base Zones)*

- Adopt a suite of measures to reduce conflicts in the industrial-residential interface in the St Johns / Cathedral Park area, including a requirement for additional noise insulation in new residential structures and a recommendation to encourage the establishment of a whistle free zone.
- Improve the vitality of the Linnton neighborhood by rezoning a portion of St Helens Road from CG to CS to encourage main street reinvestment.
- Work with the Linnton community to identify actions to revitalize the neighborhood that are consistent with the August 2006 City Council decision.
- Revitalize a long-vacant riverfront parcel adjacent to the University of Portland by rezoning it for university uses.

Working with Our Partners *(includes topic areas Inter-jurisdictional Permitting and Contaminated Sites)*

- Implement process improvements to enhance permit coordination and reduce potential conflicts among City, state and federal agencies in their decision-making.
- Provide clear guidance for contaminated site cleanup and develop materials and strategies to help applicants through the cleanup process.
- Improve communication between the City and our tribal partners.
- Develop programs that ensure continued education and outreach on North Reach issues.
- Establish a mitigation bank certified by the US Army Corps of Engineers and the Division of State Lands.
- Submit the River Plan including zoning code, zoning maps, and other relevant regulations and policies to the Environmental Protection Agency and the Department of Environmental Quality to be evaluated as Applicable or Relevant and Appropriate Requirements (ARARs) and To Be Considered (TBC) material for the Portland Harbor Superfund cleanup. This will ensure that the EPA knows and can take into account the City's River Plan goals during design of the Portland Harbor Superfund cleanup.