

Expanding Opportunities for Affordable Housing

Amendments to the Comprehensive Plan Map, Zoning Map
and Zoning Code

In-House Draft
October 2019



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Section I: Introduction

Project Summary

This report contains proposed amendments to the Zoning Code amendments that will facilitate development of affordable housing on land in the ownership of community-based organizations. The proposed amendments address regulatory barriers typically facing community-based organizations that are conditional uses in residential zones.

The proposal also includes Zoning Map and Comprehensive Plan Map amendments on sites where community development projects are planned; those sites are in the ownership of community-based organizations.

The major components of the proposed amendments include the following:

- Allow the following alterations to an existing conditional use site without a new conditional use review:
 - Development of affordable housing in compliance with base zone allowances.
 - Removal up to 50 percent of the existing parking spaces to facilitate the development of affordable housing on site close to frequent transit.
 - Reduction to the conditional use site area when all standards and conditions of approval met.
 - Additions of up to 2,000 square feet of floor area or exterior improvement area.
- Reduce the conditional use review procedure type for some alterations to an existing conditional use.
- Comprehensive Plan Map and Zoning map amendments for 12 community-based sites.

Commentary describing each amendment can be found on the facing pages next to the zoning code amendments in this report.

Section II: Zoning Code Amendments

This section presents staff proposed zoning code amendments. The section is formatted to facilitate readability by showing draft code amendments on the right-hand pages and related commentary on the facing left-hand pages.

Commentary

33.815.040.B.1

The amendments to this Paragraph streamline the permitting process for conditional uses, such as religious institutions and parks, in three ways:

1. First, the amendments allow an existing conditional use to change its site boundary without a conditional use review when the change does not affect or alter the remaining conditional use and the boundary change follows existing property lines. In some cases, portions of a conditional use site (ownership) remain unused. Requiring a review to sell a vacant lot that happens to be part of an ownership provides no value. When the lot in question is unused, there are no impacts to the remaining conditional use site or the surrounding lots. The review is just a costly barrier to selling the lot for development that is allowed by the base zone. Creating a legal lot line will continue to require a Land Division.
2. Second, the amendments increase the square footage threshold for a conditional use. Currently, adding more than 1,500 square feet of floor area or exterior improvement area to a site with a conditional use triggers a new conditional use review. This amendment provides a little more flexibility for conditional uses by increasing the thresholds to 2,000 square feet. The new thresholds comport with the size of several conditional use expansions on park and school sites that have occurred over the past 2-3 years.
3. Third, the amendments eliminate the threshold entirely for expansions of floor area that include affordable housing. In this case, a conditional use can add any amount of square footage (within the allowances provided by the base zone such as allowed housing type and maximum FAR) without triggering a conditional use review if the additional floor area is for housing, and at least 50% of the new dwelling units in the expanded floor area are affordable to people earning no more than 60% of median family income for rental units, as specified by the Portland Housing Bureau for ownership units. This amendment is intended to remove a major barrier that institutions face when utilizing their land for residential use. In addition, the amendment to Subsubparagraph B.1.g(1) (see page 7) allow the removal of up to 50% of the existing parking spaces when affordable housing will be provided.

33.815 Conditional Uses

815

33.815.040 Review Procedures

The procedure for reviewing conditional uses depends on how the proposal affects the use of, or the development on, the site. Subsection A, below, outlines the procedures for proposals that affect the use of the site while Subsection B outlines the procedures for proposals that affect the development or reduce the conditional use site boundary. Proposals may be subject to Subsection A or B or both. The review procedures of this section apply unless specifically stated otherwise in this Title. Proposals may also be subject to the provisions of 33.700.040, Reconsideration of Land Use Approvals.

- A.** [No change]
- B. Proposals that alter the development of an existing conditional use.** Alterations to the development on a site with an existing conditional use and reducing the boundary of a conditional use site may be allowed, require an adjustment, modification, or require a conditional use review, as follows:
1. Conditional use review not required. A conditional use review is not required for alterations to the site and reductions to the conditional use site boundary that comply with Subparagraphs a through g. All other alterations and boundary changes are subject to Paragraph 2, below. Alterations to development and reductions to the site boundary are allowed by right provided the proposal:
 - a. Complies with all conditions of approval;
 - b. Meets one of the following:
 - (1) Complies with the development standards of this Title, or
 - (2) Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
 - c. Either maintains the exiting conditional use site boundary or reduces the conditional use site boundary along legal lot lines;
 - de. Does not increase the floor area by more than 1,500,000 square feet. Floor area for housing that is affordable is exempt from this limitation. For the purposes of this subparagraph, housing that is affordable means that at least 50 percent of the dwelling units in the additional floor area are affordable to those earning no more than 60 percent of the median family income or as specified by the Portland Housing Bureau. To qualify for this exemption, the applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the standard stated above and any administrative requirements;
 - ed. Does not increase the exterior improvement area by more than 1,500,000 square feet. Fences, handicap access ramps, and on-site pedestrian circulation systems, ground mounted solar panels, Community Gardens, Market Gardens, and parking space increases allowed by 33.815.040.B.1.f, below, are exempt from this limitation;

Commentary

33.815.040.B.1.g(1)

See commentary on page 4

33.815.040.B.2.a(2) and (3)

These amendments reduce the review procedure type from a Type III to a Type II review when altering the boundary of a conditional use causes the development on the conditional use site to be out of conformance with a development standard and when alterations to the site cause a reduction in parking spaces. A Type III review is costly and can present a barrier to adding development allowed by the base zone. The Type II review procedure still provides notice to neighbors, an opportunity to comment, and the ability to appeal the decision.

33.815.040.B.2.a(4) and (5)

These amendments ensure that in the event a conditional use review is required in order to add affordable housing to the site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

- fe. Will not result in a net gain ~~or loss~~ of site area; and
- gf. Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
- (1) Removing parking spaces is allowed as follows:
 - On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; ~~however, the removal of more than 5 spaces requires a conditional use review; or~~
 - On sites within 500 feet or less of a transit street with 20-minute peak hour service or 1500 feet or less of a transit station, up to 50 percent of the total number of existing parking spaces may be removed when the removal is for housing that is affordable as defined by Subparagraph B.1.d.;
 - (2) Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
 - (3) Any cumulative loss or gain of parking allowed in (1) or (2) above is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.
- b. Major alterations. All other alterations to the site will be reviewed through a Type III procedure.
2. Conditional use required. Conditional use review is required for the following:
- a. Minor alterations. Except as provided in Paragraph B.1 above, conditional use review through a Type II procedure is required for the following:
 - (1) When proposed alterations to the site will not violate any conditions of approval;
 - (2) When there will be a net loss in site area ~~that will not take the site out of conformance, or further out of conformance, with a development standard.~~
 - (3) When there will be an increase or decrease in the net number of parking spaces ~~by up to 2 spaces or up to 10 percent of the total number of parking spaces, whichever is greater;~~
 - (4) When the proposed alteration increases the floor area on the site and the increase is for housing that is affordable as defined by Subparagraph B.1.d.;
 - (5) When the individual or cumulative alterations will not increase the floor area on the site by more than 10 percent, up to a maximum of 25,000 square feet. Floor area for housing that is affordable as defined by Subparagraph B.1.d. is exempt from this limitation;
 - (6~~5~~) When the individual or cumulative alterations will not increase the exterior improvement area on the site by more than 10 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a.(3) are exempt from this limitation;

Commentary

33.815.040.B.2.a(7)

This amendment ensures that in the event a conditional use review is required in order to add affordable housing to the site (e.g. when the proposal will affect a condition of approval of the existing CU), the review will be processed as a Type II rather than a Type III procedure.

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

- (~~7~~6) When the individual or cumulative alterations will not increase the floor area and the exterior improvement area on the site by more than 10 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a (3) and floor area for housing that is affordable as defined by Subparagraph B.1.d. are exempt from this limitation; or
- (~~8~~7) The increases in subparagraphs 3 through 6, above, are measured from the time the use became a conditional use, the effective date of this ordinance, or the last Type III conditional use review of the use, whichever is most recent, to the present.
- b. Major alterations. All other alterations to the site will be reviewed through a Type III procedure.

Section III: Comprehensive Plan Map and Zoning Map Amendments

This section presents staff proposed Comprehensive Plan Map and Zoning Map amendments. The section is formatted to facilitate readability by showing draft map amendments on the right-hand pages and related commentary on the facing left-hand pages.

The changes proposed on the following maps originate from work of the BPS district liaison program, and district liaison work on the Expanding Opportunities for Affordable Housing Project, which was funded by a Metro grant. The proposed Comprehensive Plan Map and Zoning Map changes fall into one or more of these categories:

- The site is adjacent to the zoning that is proposed, or the proposed zone matches the sites underlying Comprehensive Plan map designation;
- The site is on a corridor or TSP-designated collector.
- The change rectifies a nonconforming use or split-zoning situation.
- The site is in the ownership of an institution or community-based organization.
- The change creates a pathway for providing community benefits.

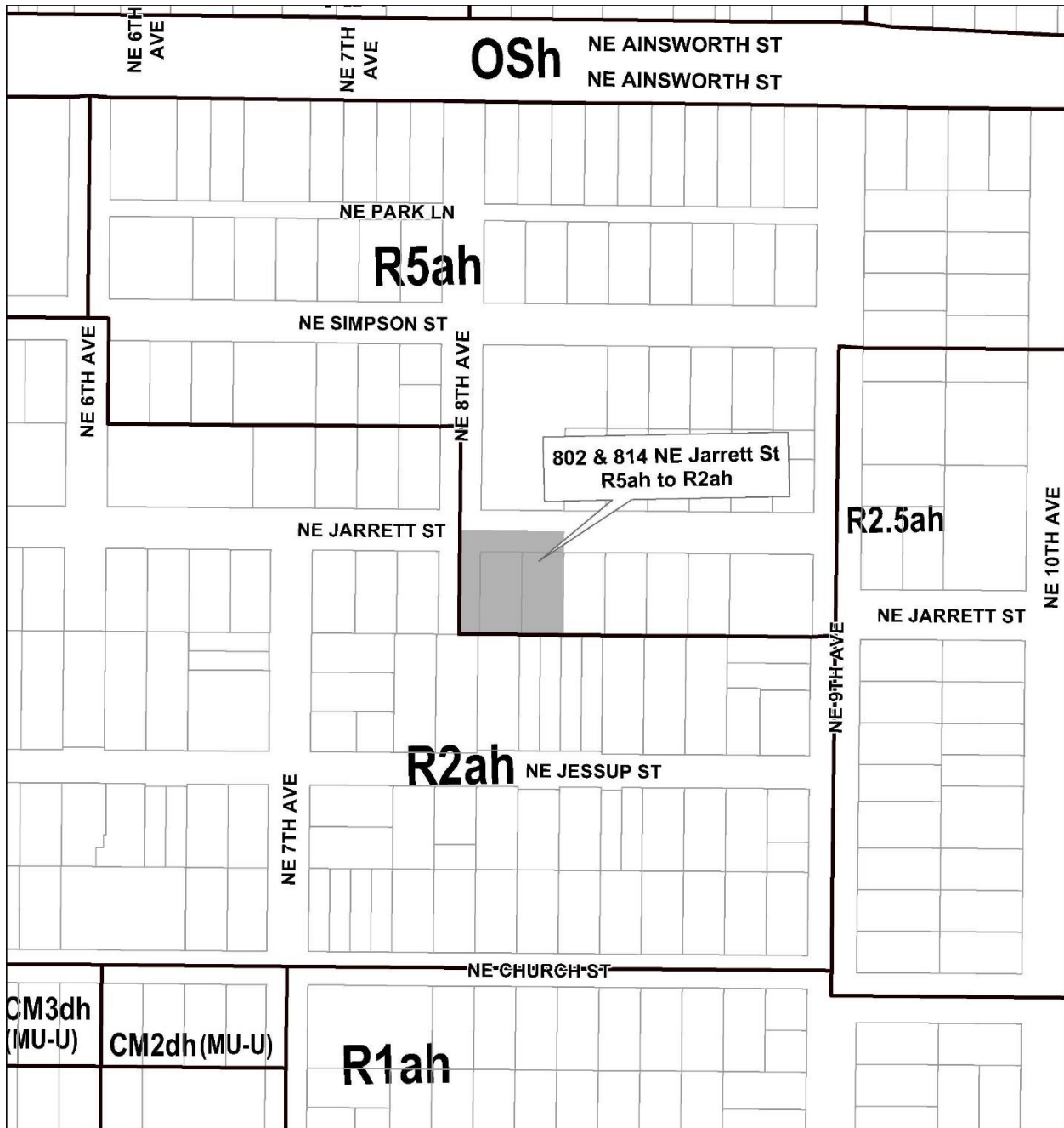
Commentary

Bethel AME -

802 and 814 NE Jarrett St
R136487 and R136486

Comprehensive Plan Map amendment:
from Single-Dwelling 5,000 to Multi-Dwelling 2,000

Zone Map amendment:
from R5ah to R2ah



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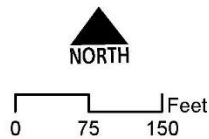
Map 1: Bethel AME

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Legend

- Existing Zoning
- Draft Change Area



Commentary

Trinity Lutheran

5606 NE Killingsworth and 5555 NE Sumner
R317953, R317692

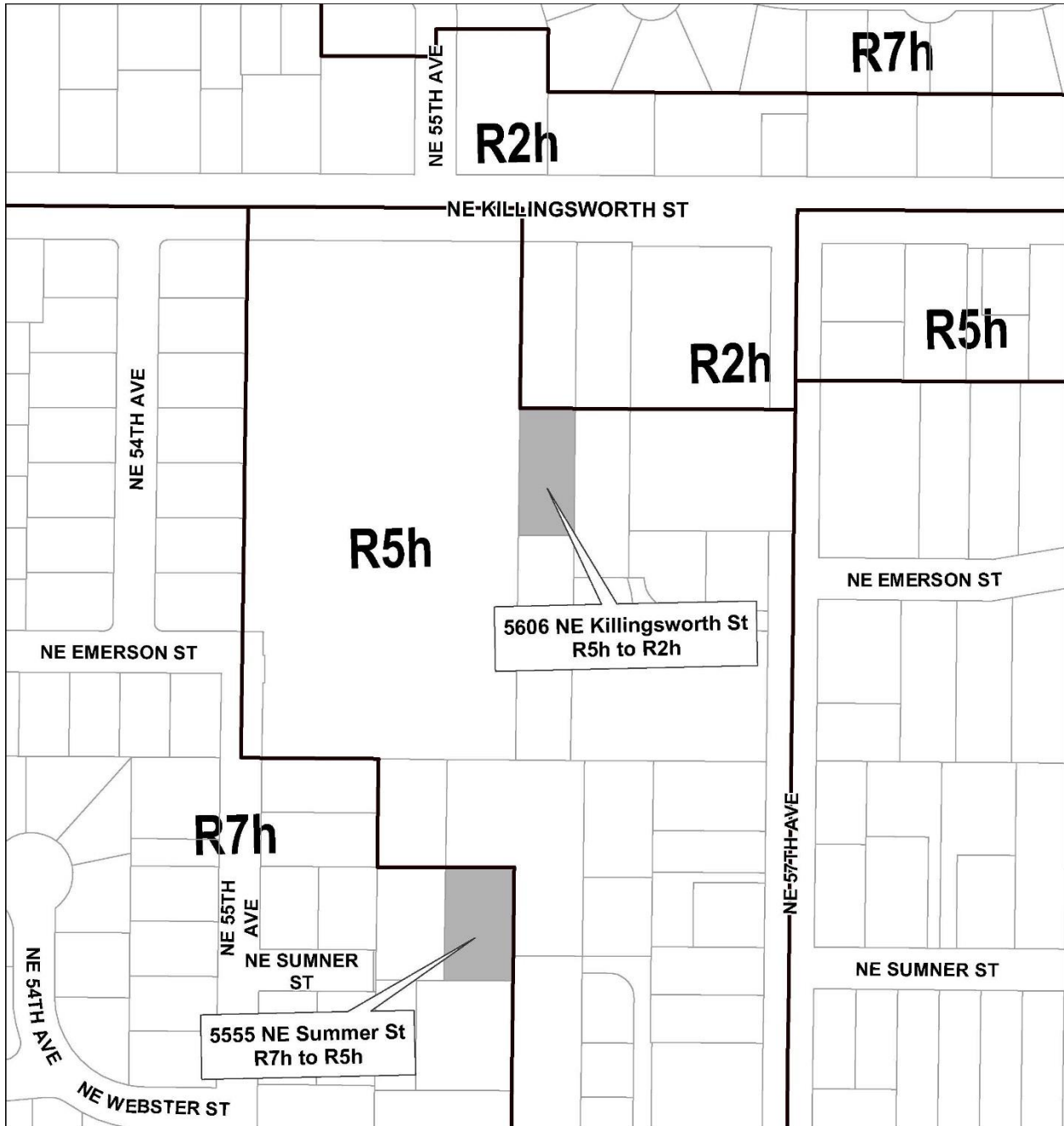
Comprehensive Plan Map amendment:

5555 NE Sumner—from Single-dwelling 7,000 to Single-Dwelling 5,000

Zoning Map amendment:

5555 NE Sumner—from R7h to R5h

5606 NE Killingsworth—from R5h to R2h





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Map 2: Trinity Lutheran

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Legend

-  Existing Zoning
-  Draft Change Area



0 75 150 Feet



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Commentary

Zion AME

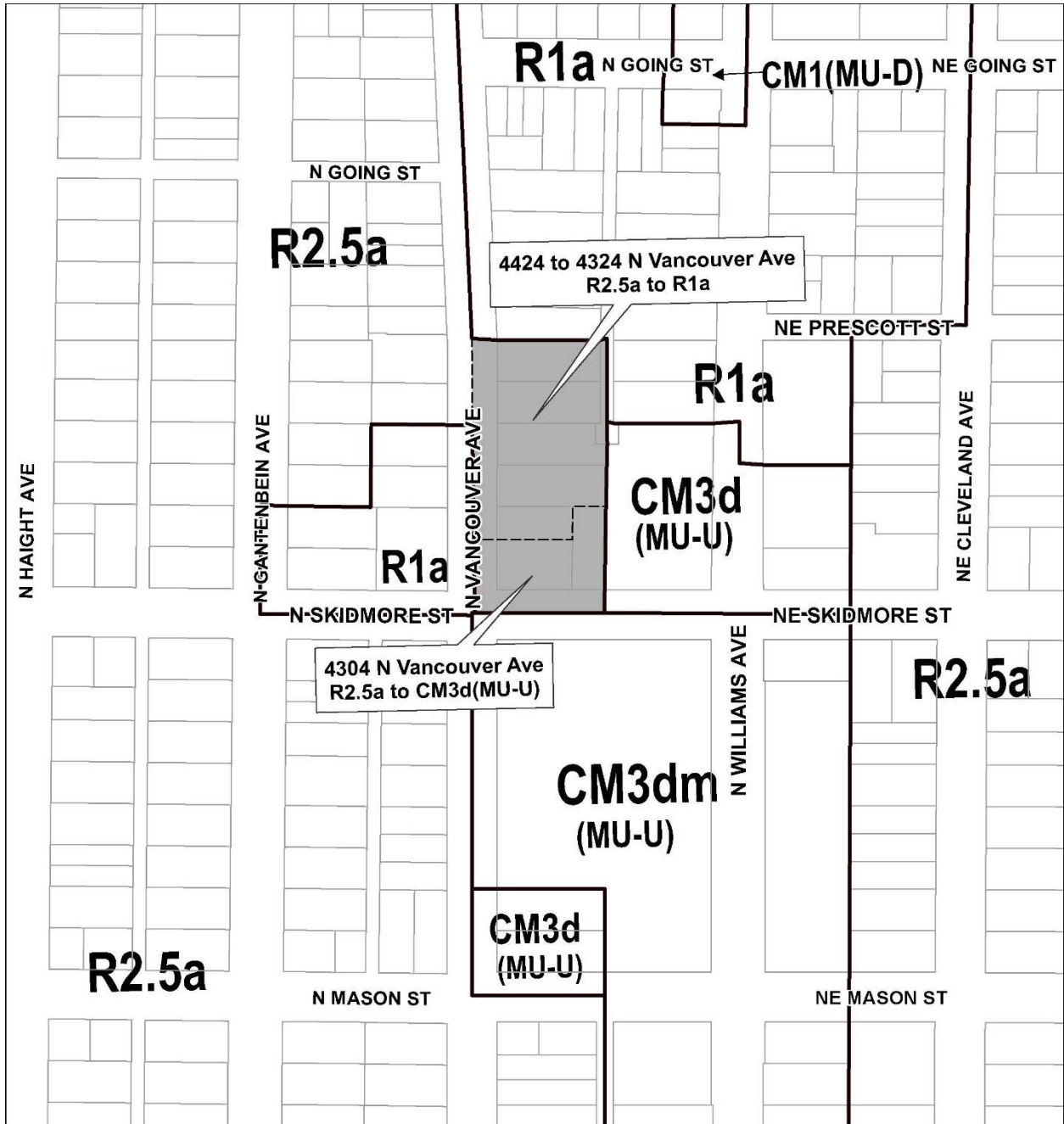
4304 N Vancouver

Comprehensive Plan Map amendment:

- Parcels R102895 and R102897 from Single-Dwelling 2,500 to Commercial Mixed-Use Urban Center
- Parcels R102889, R102890, R102891, R102894, R102896 from Single-Dwelling 2,500 to Multi-Dwelling 1,000

Zoning Map amendment:

- Parcels R102895 and R102897 from R2.5a to CM3d
- Parcels R102889, R102890, R102891, R102894, R102896 from R2.5a to R1a





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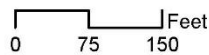
Map 3: Zion AME

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Legend

-  Existing Zoning
-  Draft Change Area



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Commentary

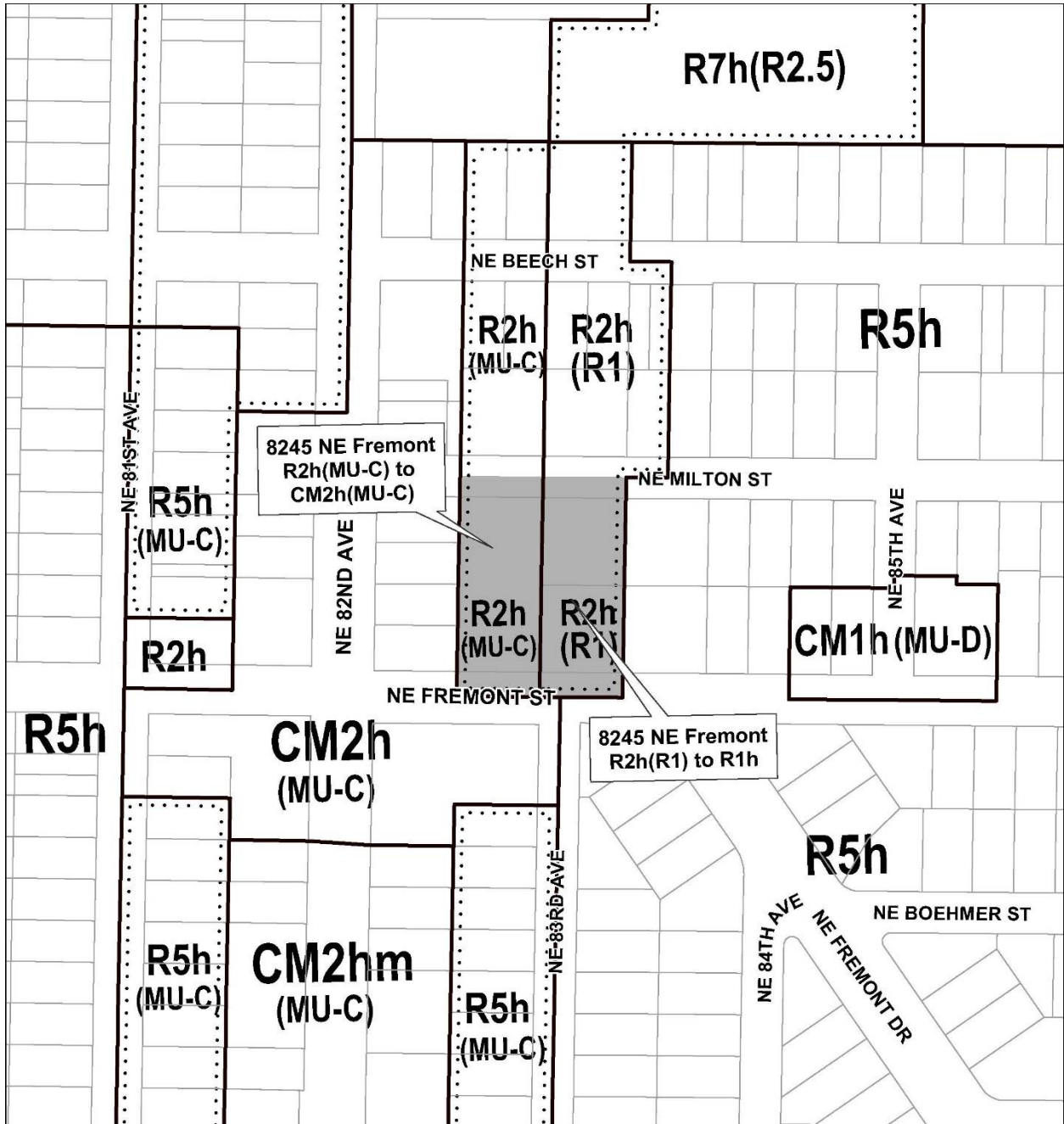
First Orthodox Presbyterian
8245 NE Fremont St

Comprehensive Plan Map amendment:

- East portion of R261007: no change necessary; this portion of the site currently has a Comprehensive Plan designation of *Commercial Mixed Use Civic Corridor*
- West portion of R261007 and R261008: no change necessary; this portion of the site currently has a Comprehensive Plan designation of *Multi-Dwelling 1,000*

Zoning Map amendment:

- East portion of R261007 from R2h to CM2h
- West portion of R261007 and R261008 from R2h to R1h





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Map 4: First Orthodox Presbyterian

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Legend

-  Existing Zoning
-  Draft Change Area



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Commentary

St. Charles

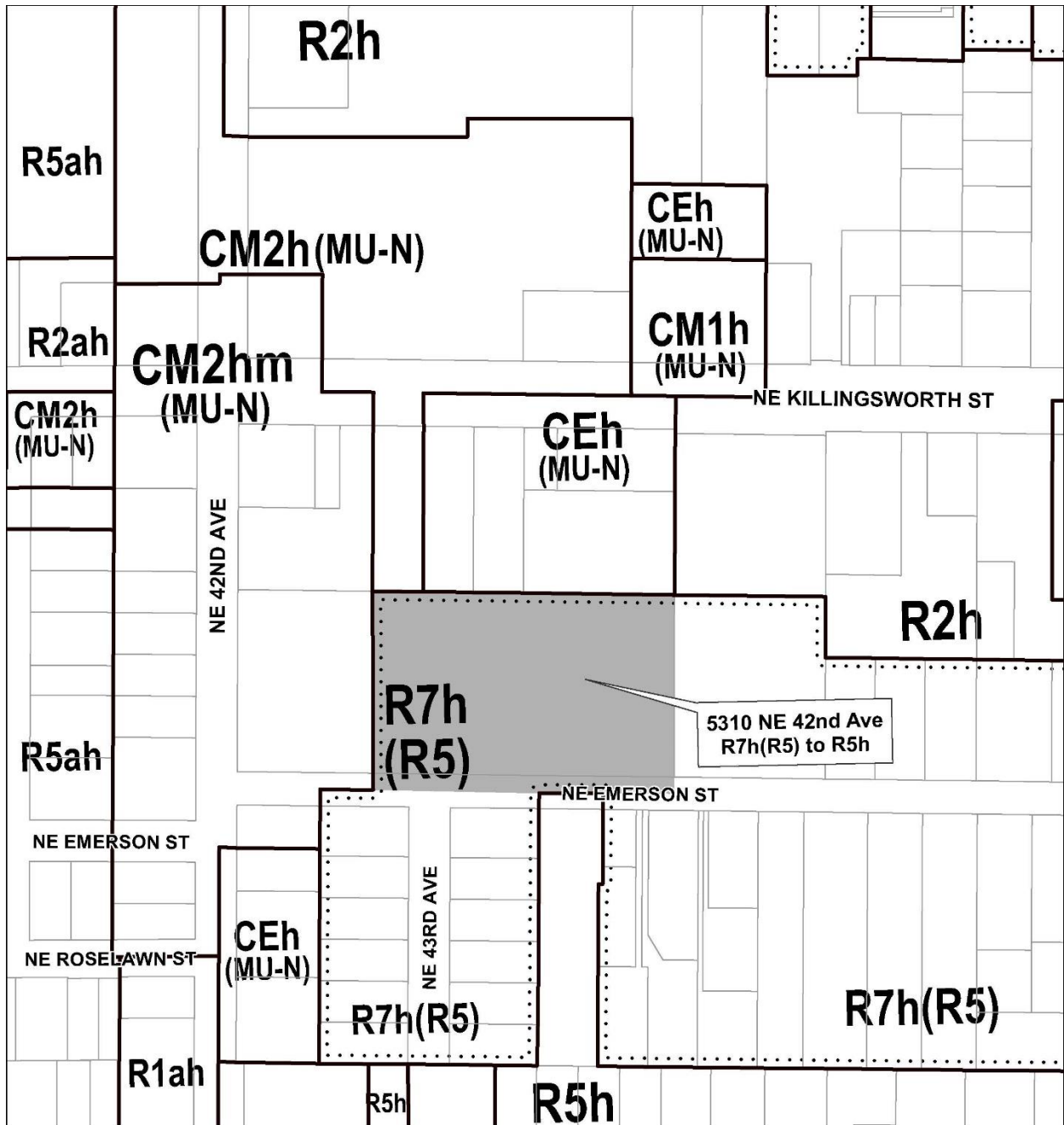
4317 NE Emerson
a portion of R194285

Comprehensive Plan Map amendment:

No change necessary; the portion of the parcel proposed to be changed currently has a Comprehensive Plan designation of Single-Dwelling 5,000

Zoning Map amendment:

From R7h to R5h





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Map 5: St. Charles

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Legend

-  Existing Zoning
-  Draft Change Area



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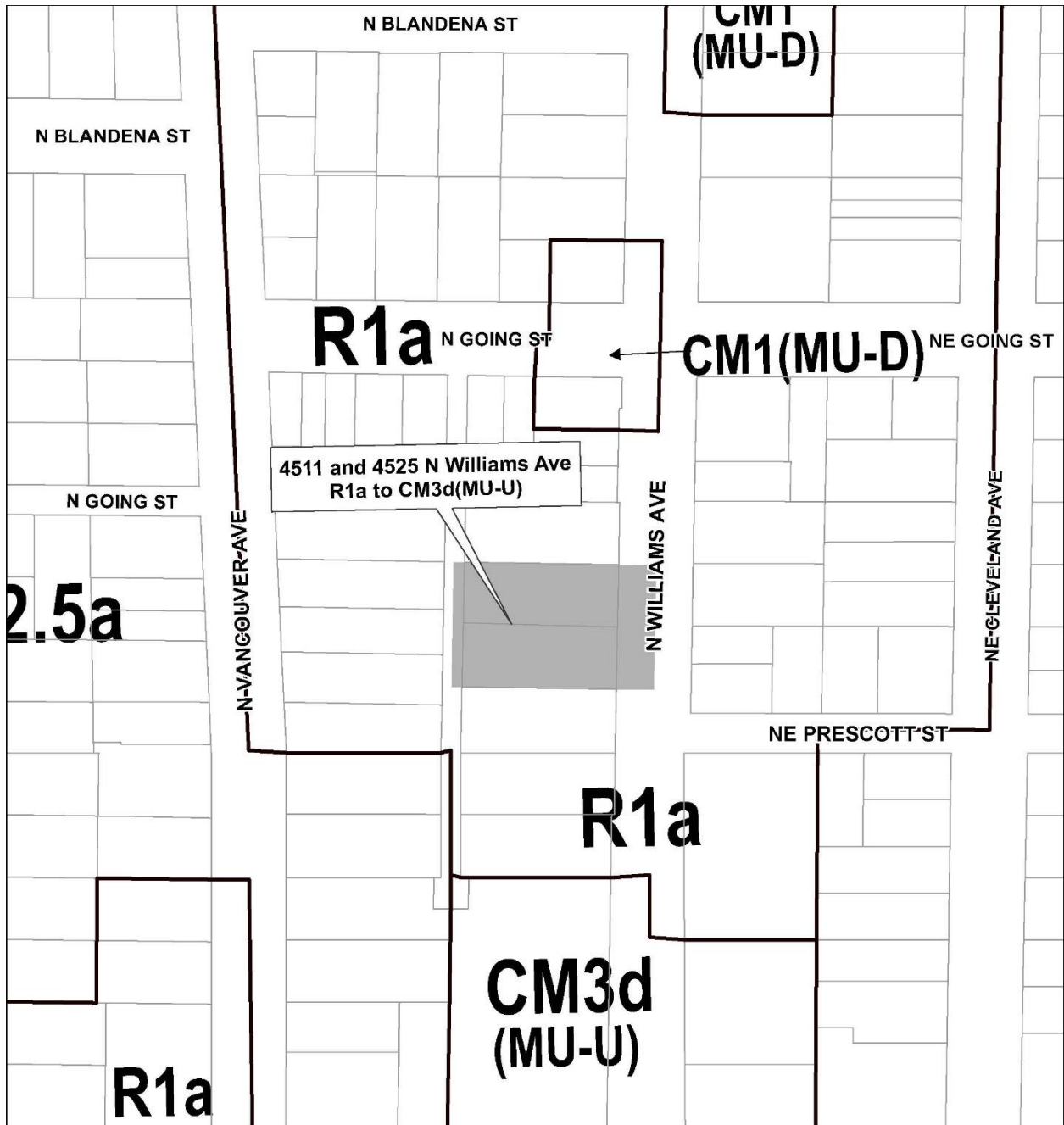
Commentary

Gordly House
4511 N Williams Ave
R211701

Overstreet Memorial Powerhouse Temple
4525 N Williams Ave
R211700

Comprehensive Plan Map amendment:
from Multi-Dwelling 1,000 to Commercial Mixed-Use Urban Center

Zoning Map amendment:
from R1a to CM3d



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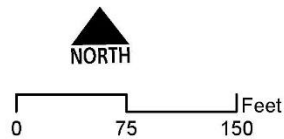
Map 6: Gordly House

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Legend

- Existing Zoning
- Draft Change Area



Commentary

Hill Block / Legacy Health

Vancouver/Russell/Graham/Williams

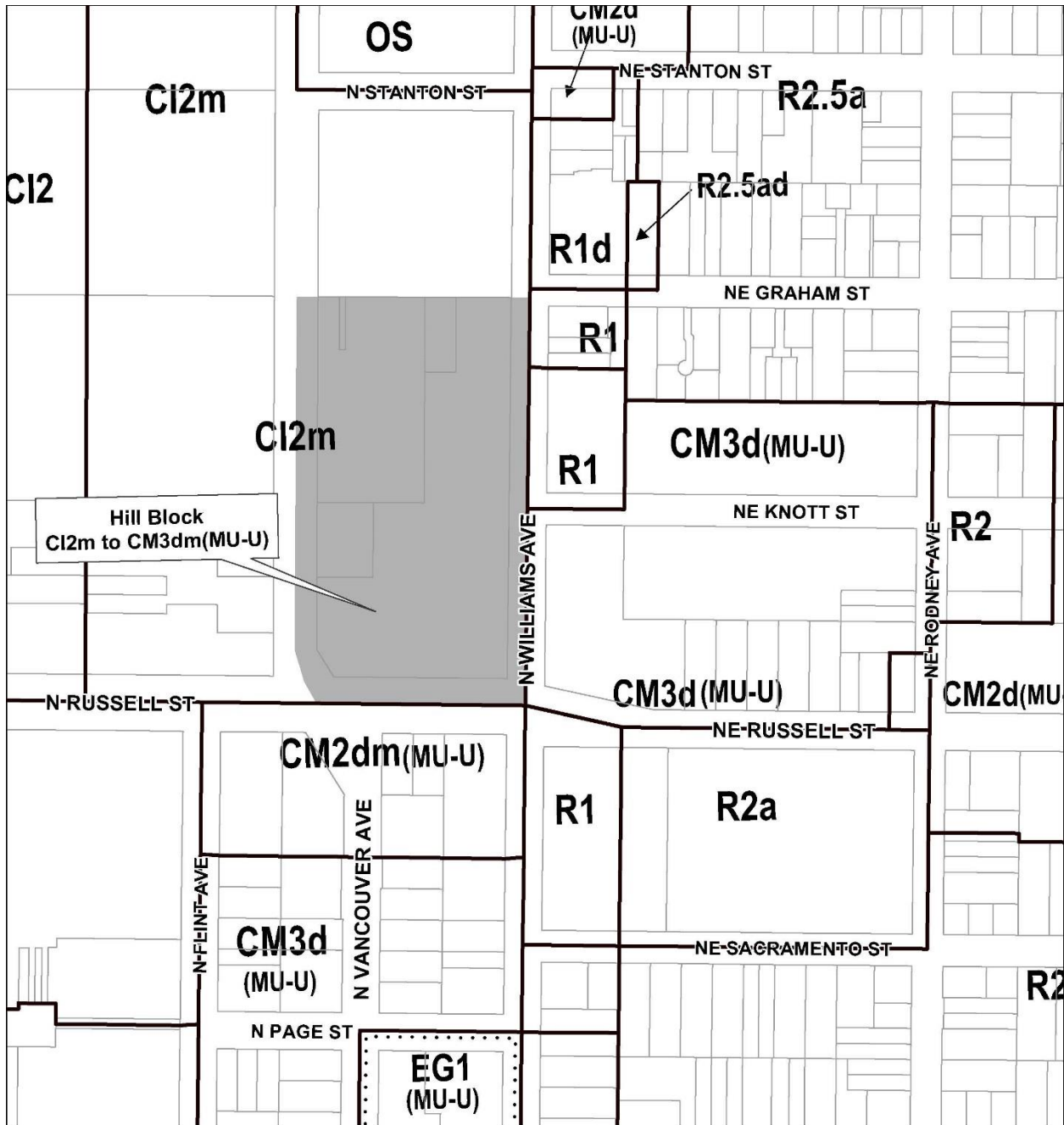
R251391, R251392, R251393, R251394, R251395

Comprehensive Plan Map amendment:

from Institutional Campus to Commercial Mixed-Use Urban Center

Zoning Map amendment:

from CI2m to CM3dm





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Map7: Hill Block

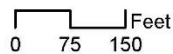
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Legend

-  Existing Zoning
-  Draft Change Area



 Feet
0 75 150



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Commentary

St Philip Neri - Option 1

2408 SE 16th Ave

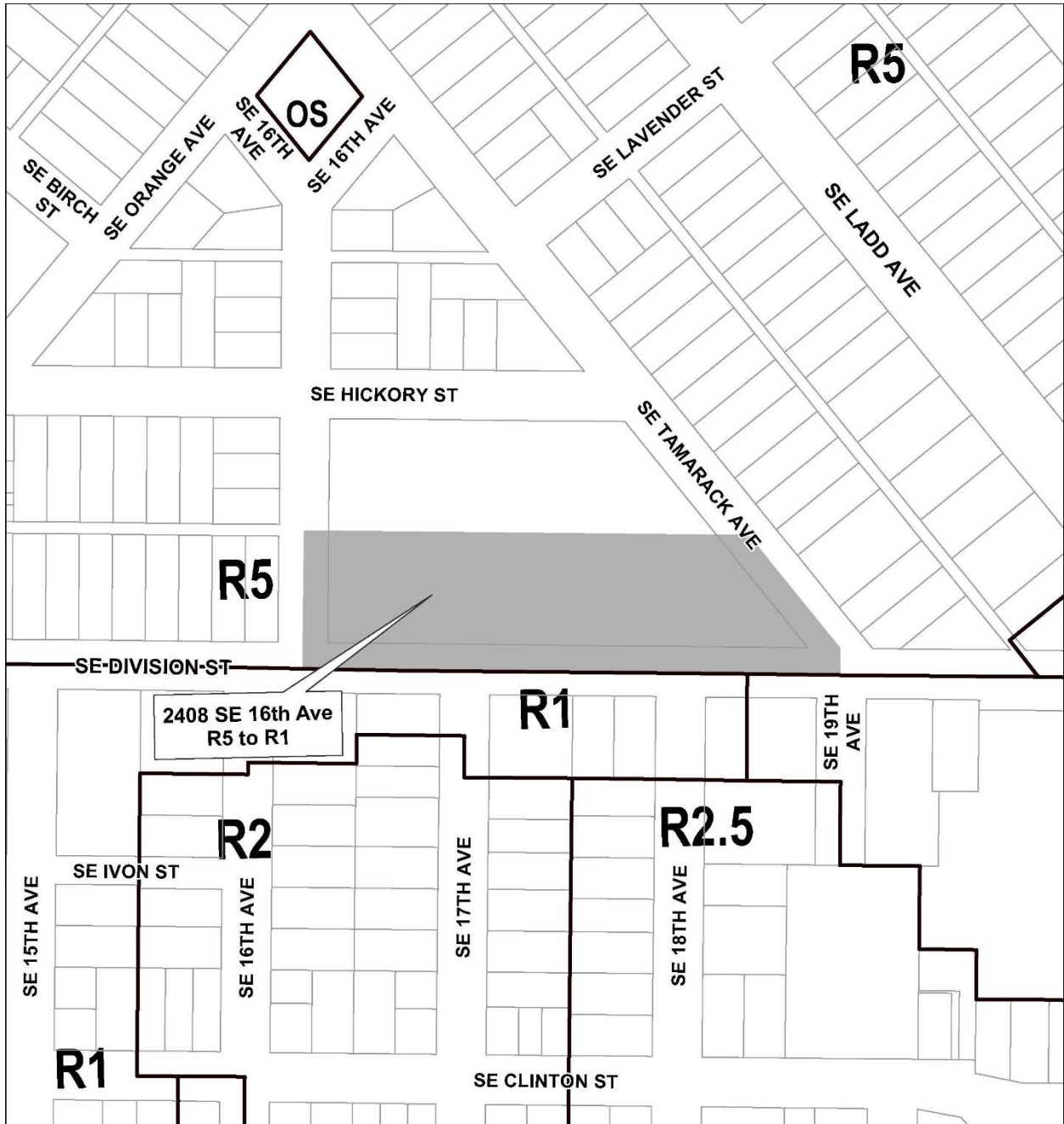
a portion of R200722

Comprehensive Plan Map amendment:

south half of parcel—from Single-Dwelling 5,000 to Multi-Dwelling 1,000

Zoning Map amendment:

south half of parcel—from R5 to R1





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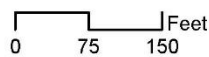
Map 8: St. Philip Neri - Option 1

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Legend

-  Existing Zoning
-  Draft Change Area



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Commentary

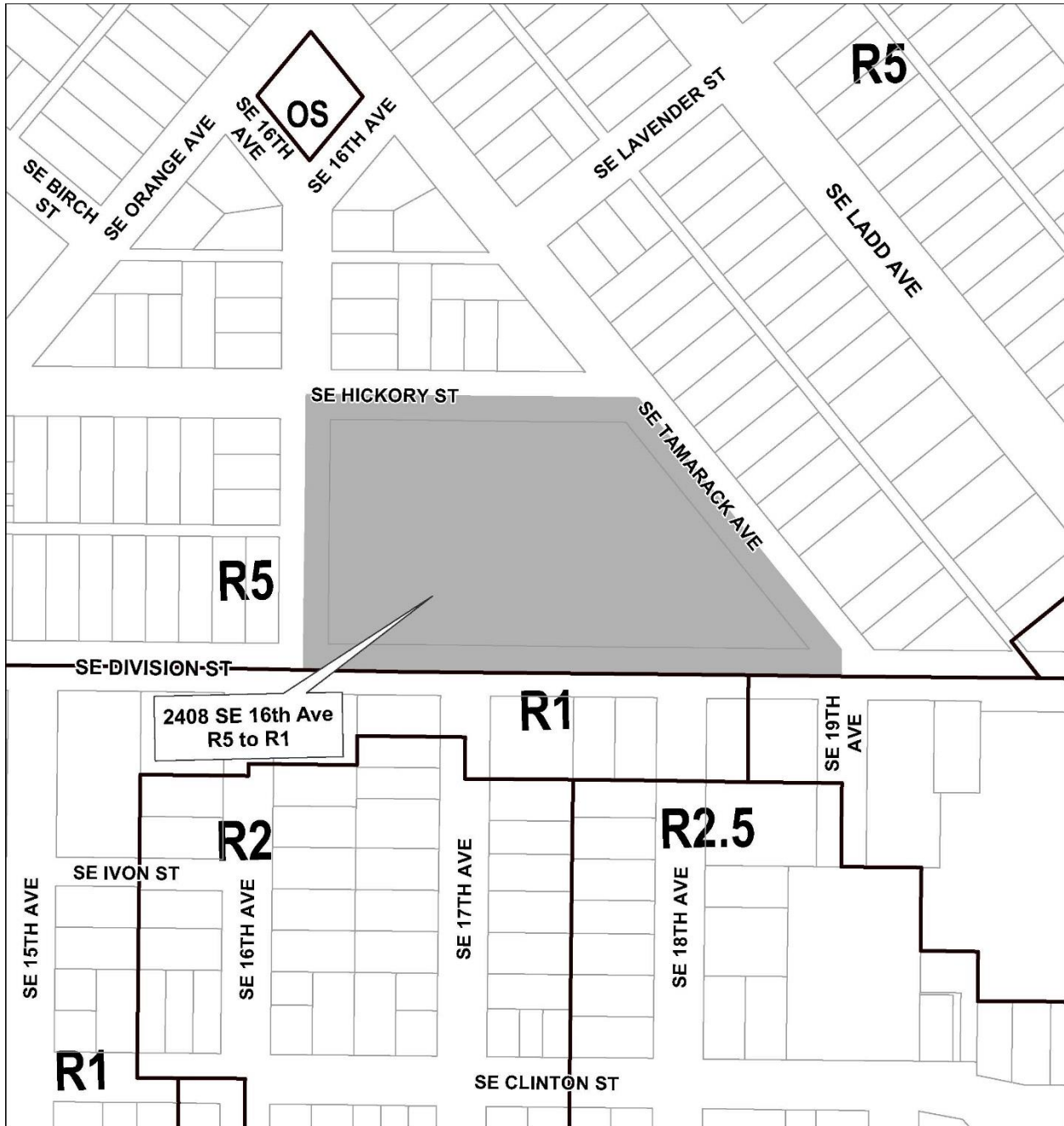
St Philip Neri - Option 2

2408 SE 16th Ave

R200722

Comprehensive Plan Map amendment:
from Single-Dwelling 5,000 to Multi-Dwelling 1,000

Zoning Map amendment:
from R5 to R1





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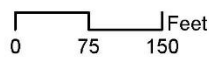
Map 9: St. Philip Neri - Option 2

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Legend

-  Existing Zoning
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Commentary

Unity

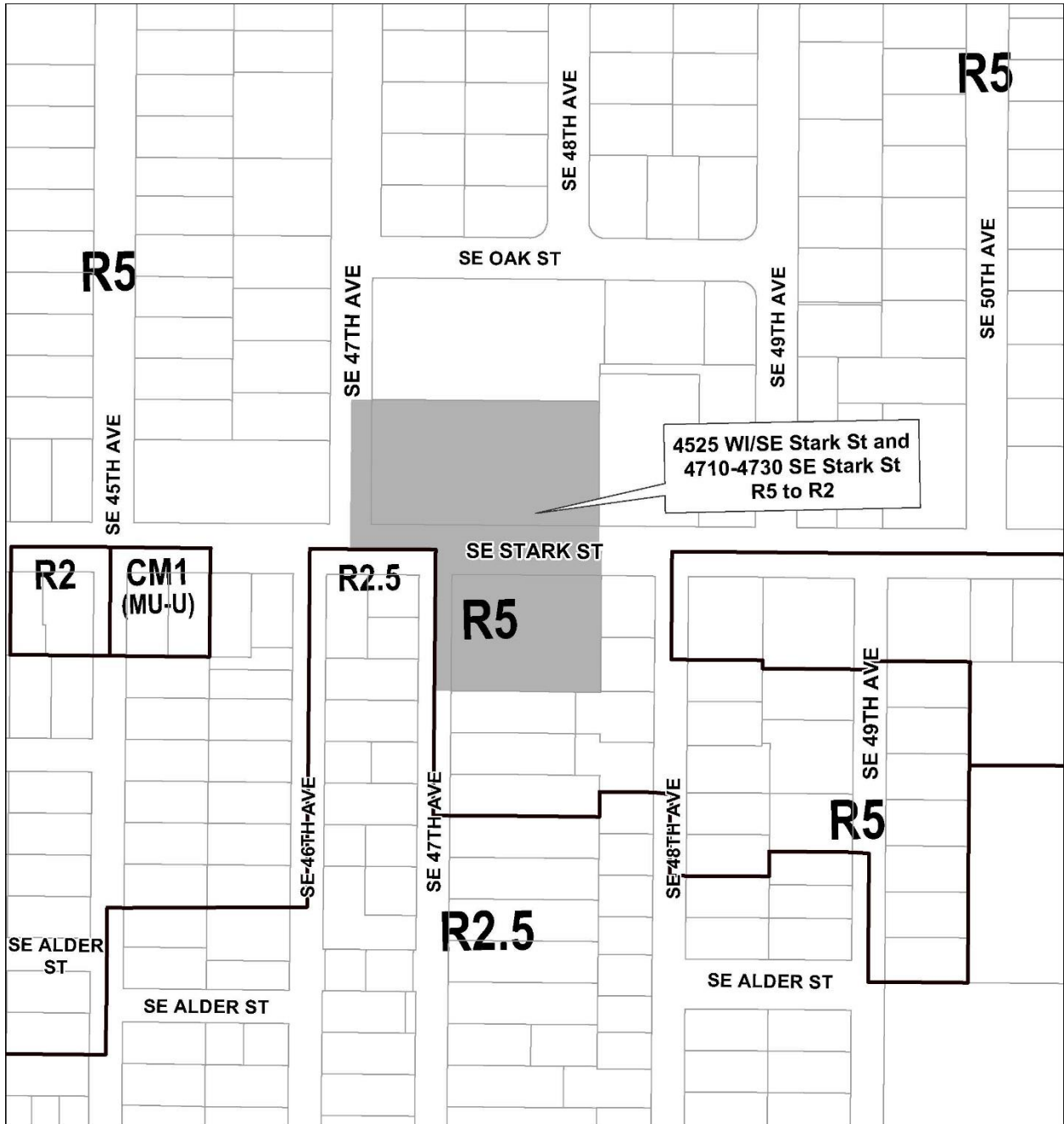
4525 SE STARK ST;
R319386

Stark Street LLC

4710-4730 SE Stark St
R149801

Comprehensive Plan Map amendment:
from Single-Dwelling 5,000 to Multi-Dwelling 2,000

Zoning Map amendment:
from R5 to R2



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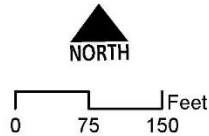
Map 10: Unity

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Legend

- Existing Zoning
- Draft Change Area



Commentary

Ascension

743 SE 76th

R332502, R332590, R332589

Sisters Adorers of the Holy Cross

7408 SE Alder

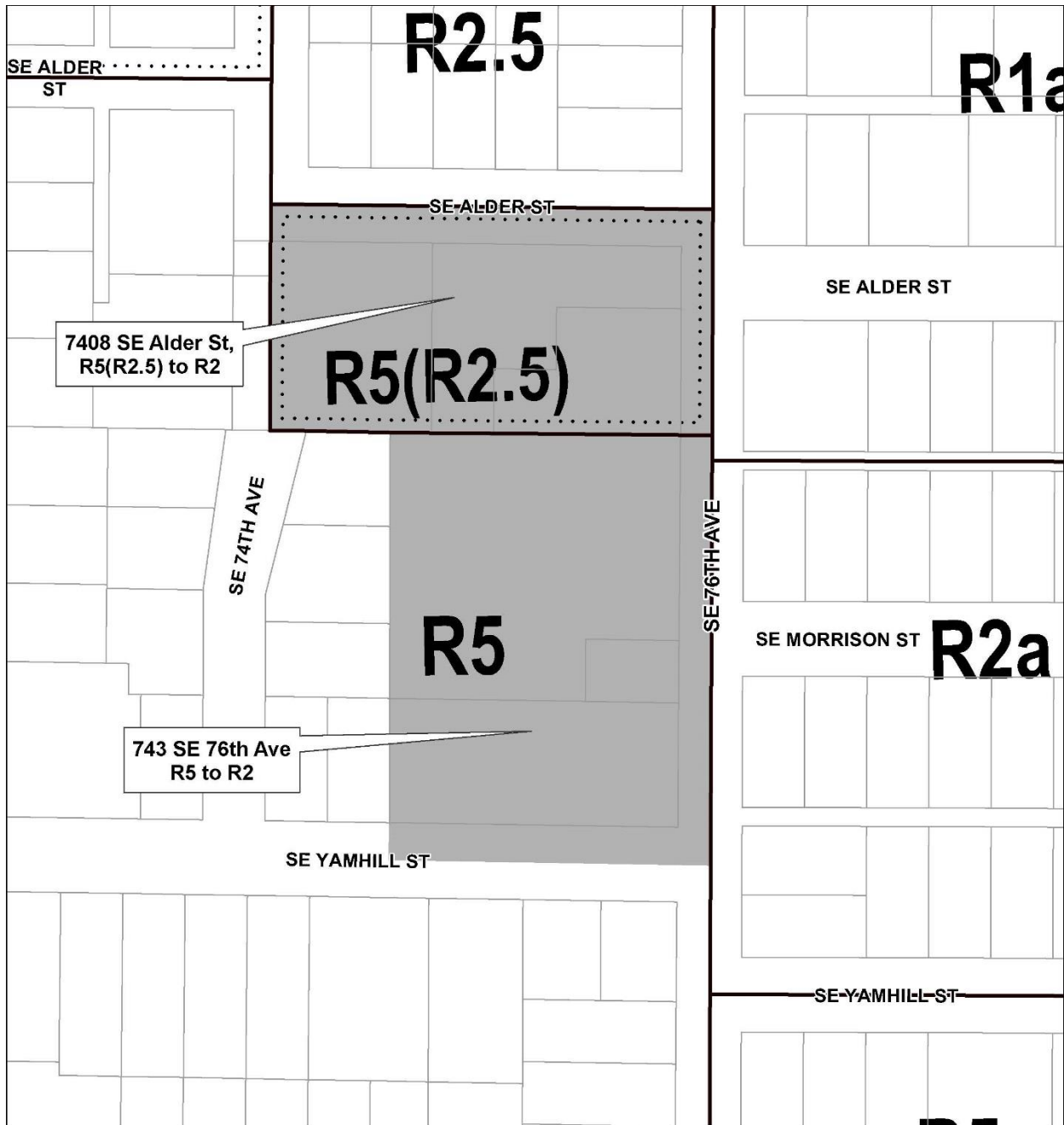
R22021, R22021, R220212

Comprehensive Plan Map amendment:

- a portion of R22021, and R22021, R220212—from Single-Dwelling 2,500 to Multi-Dwelling 2,000
- R332502, R332590, R332589—from Single-Dwelling 5,000 to Multi-Dwelling 2,000

Zoning Map amendment:

from R5 to R2





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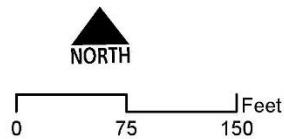
Map 11: Ascension

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Legend

-  Existing Zoning
-  Draft Change Area



Commentary

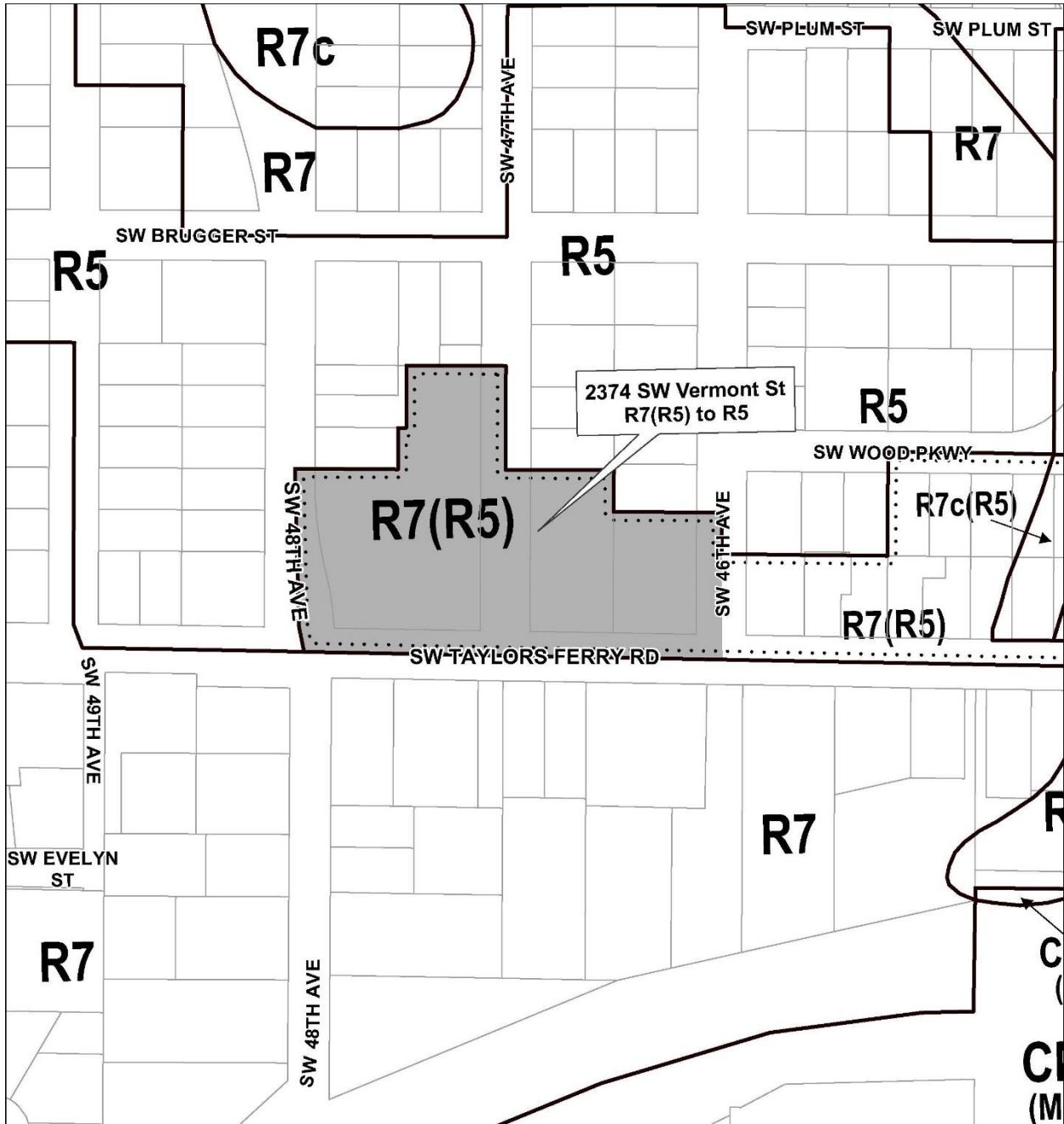
West Portland United Methodist
4729 SW Taylors Ferry Rd.
R302018, R302026, R302025

Comprehensive Plan Map amendment:

No change necessary; current Comprehensive Plan designation is Single-Dwelling 5,000

Zoning Map amendment:

from R7 to R5





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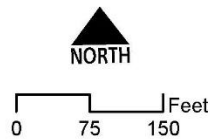
Map 12: West Portland United Methodist

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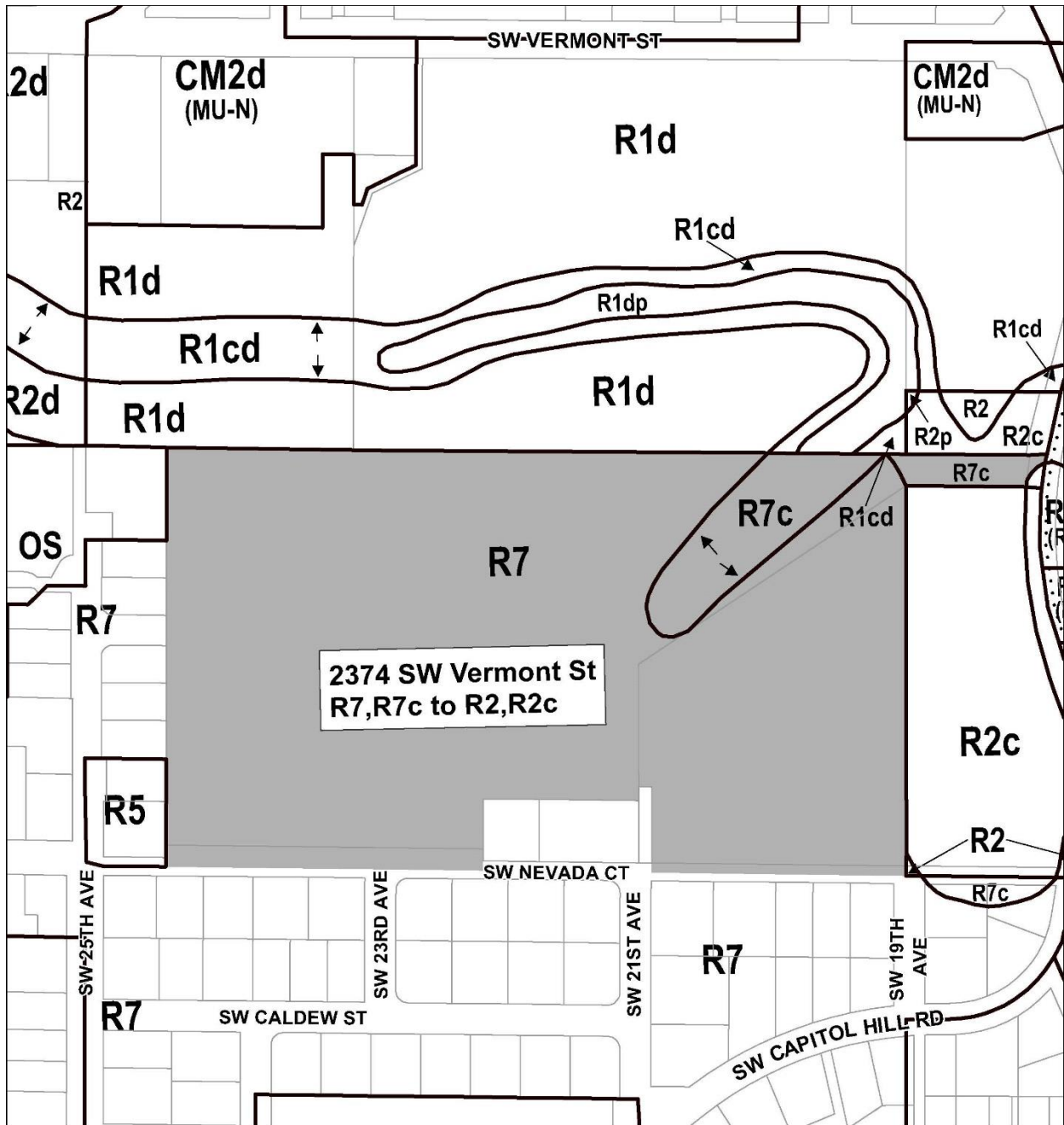
Commentary

Habitat for Humanity

2374 SW Vermont
R330070, R330267

Comprehensive Plan Map amendment:
from Single-Dwelling 7,000 to Multi-Dwelling 2,000

Zoning Map amendment:
from R7 and R7c to R2 and R2c





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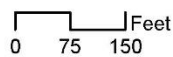
Map 13: Habitat/Greater Portland Bible

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