

CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 140
Portland, OR 97204-1987

Recorded in the County of Multnomah, Oregon

C. Swick, Deputy Clerk

Total : 26.00

2002-029691 02/15/2002 04:11:02pm ATLJH

A77	3	REC	DOR	OLIS
		15.00	10.00	1.00

I hereby certify this Land Use Document No. 01-00617 CP ZC
to be a complete and exact copy of the original as the same appears on file and
of record in my office and in my care and custody on FEB 13 2002.

GARY BLACKMER
Auditor of the City of Portland

By 
Deputy

RETURN TO CITY AUDITOR
131/140/Auditor's Office

Handwritten mark resembling a stylized 'n' or '3'.

ORDINANCE NO. 176238

*Amend the Comprehensive Plan Map and change the zone of property at SE Water Avenue, Madison and Hawthorne - Eastbank Riverfront Esplanade from Marquam Bridge to Steel Bridge from IS, Industrial Sanctuary and Zoning of General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g,s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, with no change to overlay zones. (Ordinance; LUR 01-00617 CP ZC)

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, Portland Development Commission and Portland Bureau of Parks and Recreation, seek a Comprehensive Plan Map Amendment from General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g, s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment1, with no change to overlay zones, for East Portland; Tl 7300, TL 7400, Tl 7500 Blk 11, W 101' of E 555' of Block 10, Blk 8 Tl 1600, Tl 3800 Blk 9, Inc Pt Vac SE Madison St Inc Riparian Rts out to Harbor Line & Exc E 555' Block 10, Stephens Add; Tl 1501, Tl 1500 Blk 1, Inc Rip Rts Lot 1-4; Exc Pt In St Lot 5-8 Block 2, Section 03 1S 1E; Tl 101 1.82 Acres, Tl 100 2.46 Acres, Tl 200 0.19 Acres, Section 34 1N 1E; Tl 1300 2.33 Acres; Dept of Revenue, Wheelers Add; Tl 800 Block 17; Dept of Revenue.
2. An application complying in all respects with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland and seeking such a Comprehensive Plan Map Amendment and Zone Change has been received.
3. Applicant has paid the proper fee for the filing of such application.
4. The City's Hearings Officer by Report and Recommendation dated December 21, 2001, (OPDR File No. LUR 01-00617 CP ZC) after and as a result of a duly authorized and conducted public hearing held December 11, 2001, on said property, has recommended that the Comprehensive Plan Map Amendment and Zone change be granted.
5. The notice requirements for public hearings were fulfilled according to law.
6. This rezoning constitutes an amendment of the City's Comprehensive Plan Map. Based upon the facts and findings and conclusions of the Hearings Officer's Report and Recommendation, this amendment of the Comprehensive Plan Map from General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g,s, to OS, Open Space

and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1 General Employment 1, with no change to overlay zones, is found to be in accordance with the Comprehensive Plan.

7. This rezoning is in conformance with the Comprehensive Plan for the City, is in accordance with generally accepted land use planning standards and with applicable City and State legislative enactments as indicated in the Report of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings, conclusions and recommendation of the Hearings Officer in OPDR File No. LUR 01-00617 CP ZC are adopted by City Council.
- b. The zone of East Portland; Tl 7300, TL 7400, Tl 7500 Blk 11, W 101' of E 555' of Block 10, Blk 8 Tl 1600, Tl 3800 Blk 9, Inc Pt Vac SE Madison St Inc Riparian Rts out to Harbor Line & Exc E 555' Block 10, Stephens Add; Tl 1501, Tl 1500 Blk 1, Inc Rip Rts Lot 1-4; Exc Pt In St Lot 5-8 Block 2, Section 03 1S 1E; Tl 101 1.82 Acres, Tl 100 2.46 Acres, Tl 200 0.19 Acres, Section 34 1N 1E; Tl 1300 2.33 Acres; Dept of Revenue, Wheelers Add; Tl 800 Block 17; Dept of Revenue, is changed to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, and the Comprehensive Plan Map is hereby amended to conform thereto.
- c. No change shall be made to the zoning maps until the effective date of this ordinance.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council: JAN 30 2002

GARY BLACKMER
Auditor of the City of Portland

By *Susan Parsons*

Deputy



**OFFICE OF CITY AUDITOR
CITY OF PORTLAND**

**Gary Blackmer, City Auditor
Council/Contracts Division**

Mailing Address:
1221 SW 4th, Room 140
Portland, Oregon 97204-1987
Email: kmoore-love@ci.portland.or.us
Phone: (503) 823-4086 Fax: (503) 823-4571

January 31, 2002

Portland Development Commission
Michael McElwee
1900 SW 4th Avenue Suite 7000
Portland, Oregon 97201

* Amend the Comprehensive Plan Map and change the zone of property at SE Water Avenue, Madison and Hawthorne – Eastbank Riverfront Esplanade from Marquam Bridge to Steel Bridge from IS, Industrial Sanctuary and Zoning of General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g, s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, with no change to overlay zones (Hearing; Ordinance; LUR 01-00617 CP ZC)

Dear Mr. McElwee,

On January 30, 2002, at 2:10 p.m., at a regularly scheduled meeting in Council Chambers, after hearing testimony and considering evidence, the Council accepted the Report and Recommendation of the Hearings Officer in Case File No. 01-00617 CP ZC and unanimously passed Ordinance No. 176238.

This Ordinance needs to be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. Please send a check to this office for \$26.00 payable to the Multnomah County Recorder indicating the file number on your check.

Yours sincerely,

Gary Blackmer
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Cc: George Lozovoy
Portland Bureau of Parks & Recreation
1120 SW 5th Avenue Suite 1302
Portland, OR 97204

2:00 PM

117

Eastbank Riverfront Esplande Amend Comp Plan

1 7 6 2 3 8

IF YOU WISH TO **SPEAK** TO CITY COUNCIL, **PRINT** YOUR **NAME & ADDRESS**

NAME

ADDRESS & ZIP CODE

✓ Jessan Lindsay

1618 SE ALDER
97214



**Office of Planning
and
Development Review
Land Use Review Division**

176238
1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-7800
www.ci.portland.or.us

**NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL ON A
COMPREHENSIVE PLAN MAP AMENDMENT AND
ZONE MAP AMENDMENT**

CASE FILE: LUR 01-00617 CP ZC
WHEN: January 30, 2002 at 2:00 PM
WHERE: City Council Chambers
1221 SW Fourth Avenue

A public hearing will be held to consider the Land Use Hearings Officer's recommendation on a Comprehensive Plan Map Amendment and Zoning Map Amendment. The Land Use Hearings Officer recommended approval of both reviews. You are invited to testify at this hearing. Because this case includes a Comprehensive Plan Map Amendment, the City Council must make the final decision.

For a general explanation of the City Council hearing process with an evidentiary hearing, please refer to the last page of this Notice.

Date: January 9, 2002
To: Interested Person
From: Stephanie Liefeld, Development Review Phone: 503-823-7837
Sylvia Cate, Development Review Phone: 503-823-7771

Development has been proposed in your neighborhood requiring a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. We are the OPDR staff handling the case. Please call either of us if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

CASE FILE NUMBER: LUR 01-00617 CP ZC

Applicants: Michael McElwee Phone: 503-823-3351
Portland Development Commission
1900 SW 4th Avenue, Suite 7000
Portland OR 97201

George Lozovoy Phone: 503-823-5595
Portland Bureau of Parks & Recreation
1120 SW 5th Avenue, Suite 1302
Portland OR 97204

Representative: Peter Finley Fry, AICP Phone: 503-274-2744
2153 SW Main Street #104
Portland OR 97205

Property Owners: Rolland Arney, Senior Right of Way Agent Phone: 503-731-8427
Oregon Department of Transportation
123 NW Flanders Street
Portland OR 97209

Don Mazziotti, Executive Director Phone: 503-823-3200
Portland Development Commission

designation of the same area to EG1—General Employment 1. Refer to the attached site and zoning maps for the specific locations of the proposed zones.

There are several areas within the site which also have overlay zoning. The overlay zones within the site are the Scenic Resource Overlay Zone (“s”) and the River General Greenway Overlay Zone (“g”). These zones are not affected by the proposal, and will remain as currently shown on the Existing Zoning Maps (attached).

The *existing* IG1 zoning allows a variety of industrial uses such as manufacturing and production, warehouse and freight movement, wholesale sales, and industrial service. Vehicle repair, quick vehicle servicing, self-service storage, parks and open areas, and agricultural uses are also allowed. Commercial uses such as office or retail are allowed on a limited basis, or through a conditional use review. Residential development, commercial parking, commercial outdoor recreation, major event entertainment, aviation and surface passenger terminals, and detention facilities are allowed through a conditional use review. There is no maximum height limit or maximum floor area ratio for development in the IG1 zone. Except where it abuts a residential zone, development in the IG1 zone can have 100% building coverage, with no required setback from property lines. There are no existing residential zones directly abutting the site of this proposal.

The *proposed* OS zone allows agriculture uses. The zone also allows basic utility uses and parks and open areas with some limitations, or through a conditional use review. Retail, commercial outdoor recreation, community service, and school uses are allowed through conditional use review. Development associated with allowed or limited uses must be set back from all property lines one foot for each foot of building height. Outdoor activity facilities, such as swimming pools and basketball courts, must be set back 50 feet from abutting residential zones. Playground facilities must be set back 25 feet from abutting residential zones if not illuminated, and 50 feet if illuminated.

The *proposed* EG1 zone allows industrial uses including manufacturing and production, warehouse and freight movement, wholesale sales, and industrial service. The zone also allows institutional uses including parks and open areas, schools, colleges, medical centers, daycare, and religious institutions. Commercial uses including quick vehicle servicing, vehicle repair, self-service storage, and commercial outdoor recreation are allowed. Office and community service uses are allowed on a limited basis. Retail is allowed on a limited basis or through a conditional use review. Residential development, commercial parking, major event entertainment, aviation and surface passenger terminals, and detention facilities are allowed through a conditional use review. All development in the EG1 zone is subject to a maximum height limit of 45 feet and a maximum floor area ratio of 3 to 1 (3 square feet of building floor area per one square foot of site area). Buildings must be set back a minimum of 5 feet from a street lot line, and up to 14 feet from an abutting residential zone. Buildings may cover a maximum of 85% of the site. A minimum of 15% of the site must be landscaped.

The applicants state the intent of the request is to facilitate implementation of the Eastbank Riverfront Park Master Plan (Portland Parks and Recreation/Portland Development Commission, 1994). The purpose of the Eastbank Riverfront Master Plan is *“to develop a vision that will guide the design and development of a park which will establish itself as a premier urban recreation facility in Portland’s Central City—one which physically and symbolically links the east and west sides of the city.”* The Master Plan envisions a riverfront recreation area that includes a beach and marsh, observation terraces, a marina, a boathouse, attractions such as a restaurant, public market, festival plaza, and community center, as well as a large crescent shaped park/ampitheater located just north of the Marquam Bridge. In the area proposed to be zoned EG1, the plan envisions the transformation of an existing warehouse building (the “Holman” or “Maddox” building) into a light watercraft facility, with space for public boat rentals as well as private boating programs. The building may also include a community center and/or an athletic facility. The request to change the Comprehensive Plan Map and Zoning Map designations does not include a request for approval of any specific development plans for the area.

APPROVAL CRITERIA CITATION

Comprehensive Plan Map and Zoning Map Amendments will be approved if found to be in compliance with Section 33.810.050, (Comprehensive Plan Map Amendment) Approval

GENERAL EXPLANATION OF THE CITY COUNCIL HEARINGS PROCESS WITH EVIDENTIARY HEARING

1. SUBMISSION OF TESTIMONY

- a. Testimony may be submitted in writing to the Council Clerk, 1221 SW Fourth Avenue, Room 140, Portland, OR 97204. Written comments must be received by the time of the hearing and should include the case file number.
- b. Testimony may be submitted orally (see below).

2. HEARINGS PROCESS

- a. The order of appearance and time allotments are generally as follows:

Staff Report	10 minutes
Applicant	10 minutes
Supporters of Applicant	3 minutes each
Principal Opponent	15 minutes
Other Opponents	3 minutes each
Applicant Rebuttal	5 minutes
Council Discussion	As needed

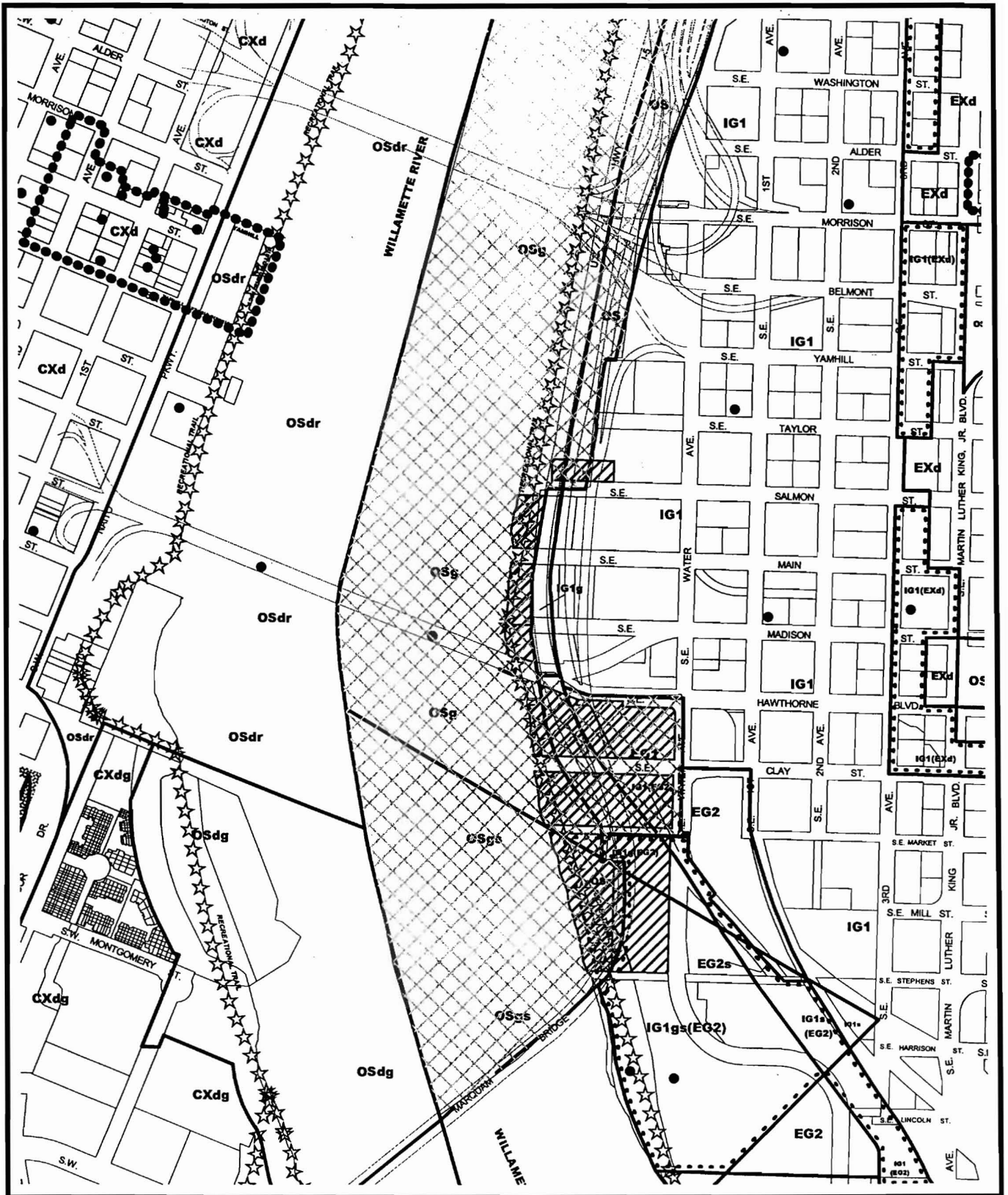
- b. The applicant and proponents have the burden of proof to show that each and every element of the approval criteria can be satisfied. If the applicant is opposing the Hearings Officer's recommendation, the applicant may also argue the criteria are being incorrectly interpreted, the wrong approval criteria are being applied or additional approval criteria should be applied.
- c. In order to prevail, the opponents of the application must persuade the City Council to find that the applicant has not carried the burden of proof to show that the evidence submitted in support of the application demonstrates that each and every element of the approval criteria is satisfied. The opponents may wish to argue the criteria are being incorrectly applied, the wrong criteria are being applied or additional approval criteria should be applied.
- d. The applicant's rebuttal testimony is limited to addressing the testimony of the opponent.
- e. The failure to address an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) on that issue.



3. OTHER INFORMATION

- a. The Hearings Officer's report will be available seven days prior to the hearing. If any additional information is provided in support of the application, any party is entitled to a continuance of the hearing.
- b. If a participant requests it before the conclusion of the initial evidentiary hearing, the record will remain open for at least seven days after the hearing to allow submittal of new evidence. In that event the record will be held open an additional seven days to allow the other parties to respond to the new evidence.

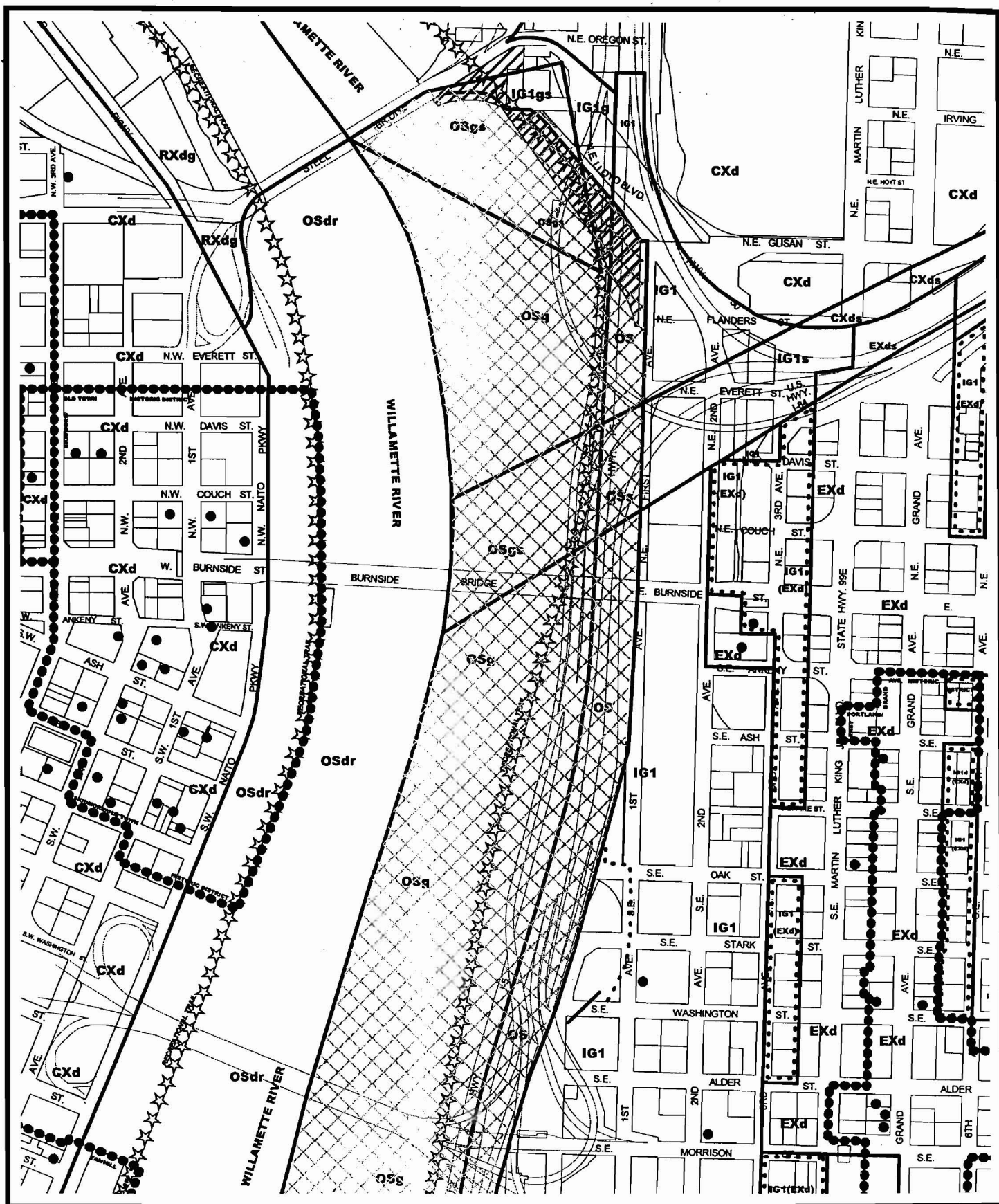


File No. LUR 01-00617 CP ZC
 1/4 Section 3230 , 3130 , 3030 , 2930
 Scale 1 inch = 500 feet
 State-Id 1N1E34AC -00800+
 Exhibit B.4 - (Oct 18, 2001)



ZONING  Site Tax Lots
 Extent of Zone Change
PROPOSED • Historic Landmark
 This site lies within the:
 CENTRAL CITY PLAN DISTRICT

File No. LUR 01-00617 CP ZC
 1/4 Section 3230, 3130
 Scale 1 inch = 500 feet
 State-Id 1S1E03AD -01600+
 Exhibit B (Jan 29, 2002)



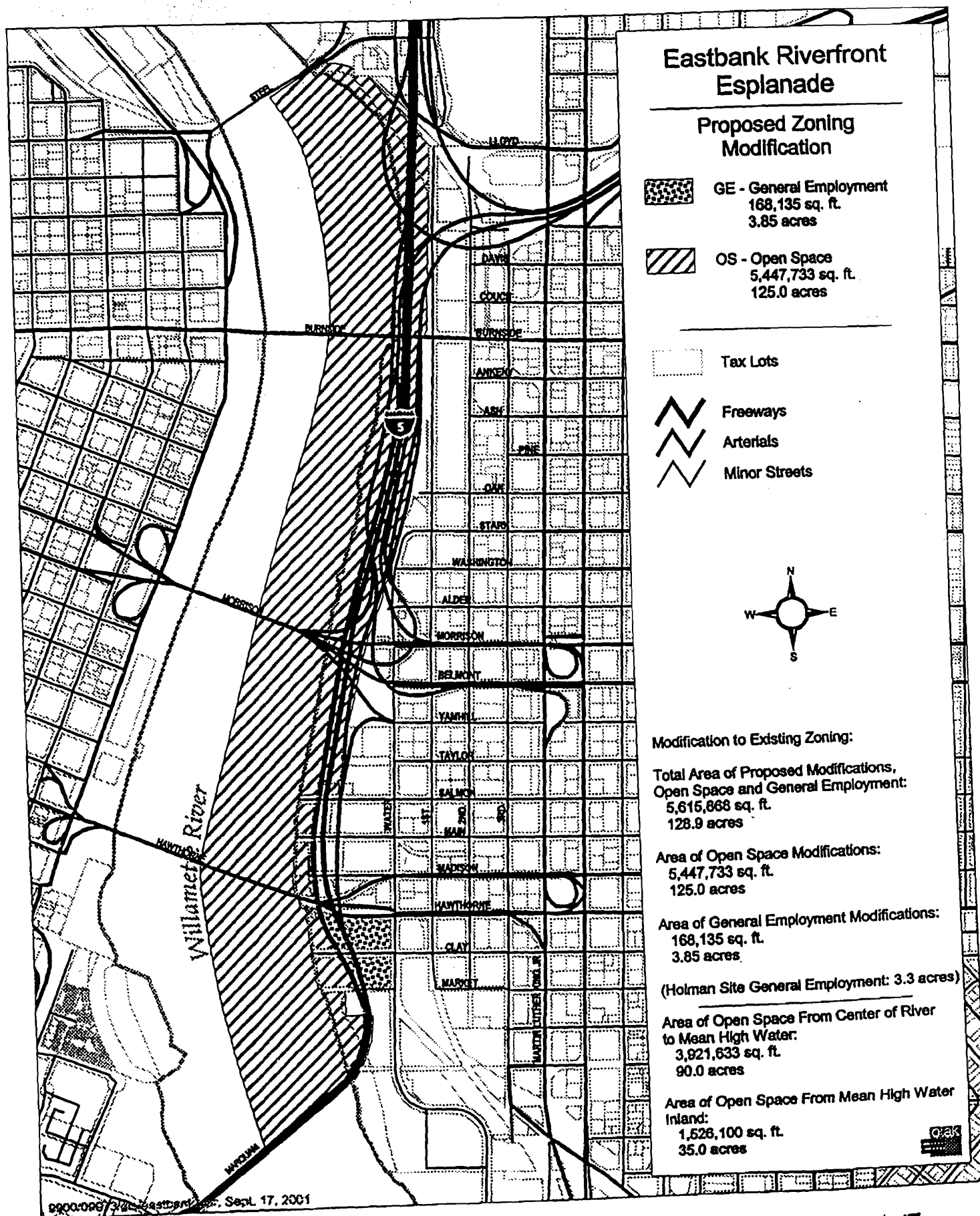
ZONING PROPOSED



- Site Tax Lots
- Extent of Zone Change
- Historic Landmark

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LUR 01-00617 CP ZC
1/4 Section	3230 , 3130
Scale	1 inch = 500 feet
State-Id	1N1E34AC -00800+
Exhibit	B
	(Jan 29, 2002)



OVERALL SITE MAP

LUR # 01-00 617
EXHIBIT B.5



CITY OF

PORTLAND, OREGON

HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100
 Portland, Oregon 97201
 Land Use Hearings (503) 823-7719
 Code/Towing Hearings (503) 823-7307
 FAX (503) 823-4347
 TDD (503) 823-6868

Report to Hearings Officer:
 Recommendation Mailed:

November 30, 2001
 December 21, 2001

RECOMMENDATION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File No: 01-00617 CP ZC

Applicants: Michael McElwee, Portland Development Commission, 1900 SW 4th Avenue, Suite 7000, Portland, OR, 97201

George Lozovoy, Portland Bureau of Parks & Recreation, 1120 SW 5th Avenue, Suite 1302, Portland, OR, 97204

Representative: Peter Finley Fry, AICP, 2153 SW Main Street #104, Portland, OR, 97205

Property Owners: Rolland Arney, Senior Right of Way Agent, Oregon Department of Transportation, 123 NW Flanders Street, Portland, OR, 97209

Don Mazziotti, Executive Director, Portland Development Commission, 1900 SW 4th Avenue, Suite 7000, Portland, OR, 97201

Doug Rice, Union Pacific Railroad, 800 Farnam Street, Omaha, NE, 68102

John Lilly, Oregon Division of State Lands, 775 Summer Street NE, Suite 100, Salem, OR, 97301-1279

Hearings Officer: Gregory J. Frank

OPDR Staff Representatives: Stephanie Seale, Sylvia Cate

Site Location: SE Water Avenue, Madison and Hawthorne - Eastbank Riverfront Esplanade from Marquam Bridge to Steel Bridge

Legal Description: East Portland; T1 7300, TL 7400, T1 7500 Blk 11, W 101' of E 555' of Block 10, Blk 8 T1 1600, T1 3800 Blk 9, Inc Pt Vac SE Madison St Inc Riparian Rts out to Harbor Line & Exc E 555' Block 10, Stephens Add; T1 1501, T1 1500 Blk 1, Inc Rip Rts Lot 1-4; Exc Pt In St Lot 5-8 Block 2, Section 03 1S 1E; T1

101 1.82 Acres, T1 100 2.46 Acres, T1 200 0.19 Acres, Section 34 1N 1E; T1 1300 2.33 Acres; Dept of Revenue, Wheelers Add; T1 800 Block 17; Dept of Revenue.

Tax Account No.: R903700860; R941340050; R226500380; R226500400; R226500540; R226500520; R226500500; R794000010; R794000220; R794000250; R794000300; R991030760; R991030750

State ID No.: 1N1E34AC 800; 1N1E34AD 1300; 1S1E03 1600, 3800, 3900, 7300, 7400, and 7500; 1S1E03DA 1400, 1500, 1501, and 1600; 1S1E03D 100 and 200

Quarter Section: 3230, 3130, 3030, 2930

Neighborhoods: Buckman, Hosford-Abernethy, Kerns, Lloyd District Community

Business District: Central Eastside Industrial Council

District Coalition: Southeast Uplift

Existing Zoning: Comprehensive Plan Map designation of Industrial Sanctuary (IS) and Zoning designations of General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone (IG1, OS, g, s)

Proposed Zoning: Comprehensive Plan Map designations of Open Space (OS) and Mixed Employment (ME), Zoning designations of Open Space, General Employment 1 (OS, EG1) with no change to overlay zones

Land Use Review: Type III Comprehensive Plan Map Amendment and Zoning Map Amendment, with a recommendation by the Hearings Officer and a decision by City Council. The decision can be appealed to the State Land Use Board of Appeals.

OPDR Staff Recommendation to Hearings Officer: Approval with conditions.

Public Hearing: The hearing was opened at 9:30 am on December 11, 2001, in the 3rd floor hearing room, 1900 SW 4th Avenue, Portland, OR, and was closed at 9:59 am. The record was closed at that time.

Testified at the Hearing: Stephanie Seale (OPDR Staff Representative); Peter Finley Fry, 2153 SW Main Street, #104, Portland, OR, 97205; Michael McElwee, Portland Development Commission, 1900 SW 4th Avenue, Portland, OR, 97201; Susan Lindsay, Buckman Neighborhood Association, 1618 SE Alder, Portland, OR, 97214

PROPOSAL

The site consists of land along the east bank of the Willamette River, stretching from the Steel Bridge south to the Marquam Bridge. The site is primarily developed with Interstate 5 and the Eastbank Esplanade. Other existing development includes a fire station, located on the river's edge near SE Madison Street, and an old industrial building (known as the "Holman" or "Maddox" building) located at SE Water Avenue and SE Clay Street. The site also includes undeveloped land underneath the elevated portions of Interstate 5 and a few parcels adjacent to the Interstate.

The area currently has a Comprehensive Plan Map designation of IS—Industrial Sanctuary, and a Zoning Map designation of IG1—General Industrial 1. The applicants request a Comprehensive Plan Map Amendment to change the designation for the majority of the site to Open Space, and a Zoning Map Amendment to change the zoning designation of the same area to OS—Open Space. In addition, the applicants request a Comprehensive Plan Map Amendment to change the designation of approximately 3.85 acres at the southern end of the site, near the Marquam Bridge, to Mixed Employment, and a Zoning Map Amendment to change the zoning designation of the same area to EG1—General Employment 1. Refer to the attached site and zoning maps for the specific locations of the proposed zones.

There are several areas within the site which also have overlay zoning. The overlay zones within the site are the Scenic Resource Overlay Zone ("s") and the River General Greenway Overlay Zone ("g"). These zones are not affected by the proposal, and will remain as currently shown on the Existing Zoning Maps (Exhibit B.1).

The *existing* IG1 zoning allows a variety of industrial uses by right such as manufacturing and production, warehouse and freight movement, wholesale sales, and industrial service. Vehicle repair, quick vehicle servicing, self-service storage, parks and open areas, and agricultural uses are also allowed. Commercial uses such as office or retail are allowed on a limited basis, or through a conditional use review. Residential development, commercial parking, commercial outdoor recreation, major event entertainment, aviation and surface passenger terminals, and detention facilities are allowed through a conditional use review. There is no maximum height limit or maximum floor area ratio for development in the IG1 zone. Except where it abuts a residential zone, development in the IG1 zone can have 100% building coverage, with no required setback from property lines. There are no existing residential zones directly abutting the site of this proposal.

The *proposed* OS zone allows agriculture uses by right. The zone also allows basic utility uses and parks and open areas with some limitations, or through a conditional use review. Retail, commercial outdoor recreation, community service, and school uses are allowed through conditional use review. Development associated with allowed or limited uses must be set back from all property lines one foot for each foot of building height. Outdoor activity facilities, such as swimming pools and basketball courts, must be set

back 50 feet from abutting residential zones. Playground facilities must be set back 25 feet from abutting residential zones if not illuminated, and 50 feet if illuminated.

The *proposed* EG1 zone allows by right industrial uses including manufacturing and production, warehouse and freight movement, wholesale sales, and industrial service. The zone also allows institutional uses including parks and open areas, schools, colleges, medical centers, daycare, and religious institutions. Commercial uses including quick vehicle servicing, vehicle repair, self-service storage, and commercial outdoor recreation are allowed. Office and community service uses are allowed on a limited basis. Retail is allowed on a limited basis or through a conditional use review. Residential development, commercial parking, major event entertainment, aviation and surface passenger terminals, and detention facilities are allowed through a conditional use review. All development in the EG1 zone is subject to a maximum height limit of 45 feet and a maximum floor area ratio of 3 to 1 (3 square feet of building floor area per one square foot of site area). Buildings must be set back a minimum of 5 feet from a street lot line, and up to 14 feet from an abutting residential zone. Buildings may cover a maximum of 85% of the site. A minimum of 15% of the site must be landscaped.

The applicants state the intent of the request is to facilitate implementation of the Eastbank Riverfront Park Master Plan (Portland Parks and Recreation/Portland Development Commission, 1994). The purpose of the Eastbank Riverfront Master Plan is *“to develop a vision that will guide the design and development of a park which will establish itself as a premier urban recreation facility in Portland’s Central City—one which physically and symbolically links the east and west sides of the city.”* [Ref. The Eastbank Riverfront Park Master Plan; *Purpose* statement, p.1] The Master Plan envisions a riverfront recreation area that includes a beach and marsh, observation terraces, a marina, a boathouse, attractions such as a restaurant, public market, festival plaza, and community center, as well as a large crescent shaped park/amphitheater located just north of the Marquam Bridge. In the area proposed to be zoned EG1, the plan envisions the transformation of an existing warehouse building (the “Holman” or “Maddox” building) into a light watercraft facility, with space for public boat rentals as well as private boating programs. The building may also include a community center and/or an athletic facility. The request to change the Comprehensive Plan Map and Zoning Map designations does not include a request for approval of any specific development plans for the area.

APPROVAL CRITERIA CITATION

Comprehensive Plan Map and Zoning Map Amendments will be approved if found to be in compliance with Section 33.810.050, (Comprehensive Plan Map Amendment) Approval Criteria, and Section 33.855.050, Approval Criteria for Base Zone Changes. The proposal must also address applicable policies of the Transportation Element of the Comprehensive Plan, and Metro’s Urban Growth Management Functional Plan.

II. ANALYSIS

Site and Vicinity: The site includes two areas of proposed change. The first area (Area 1), proposed to be changed from IG1 (Comprehensive Plan Map designation IS) to OS (Comprehensive Plan Map designation OS), can be generally described as follows: starting at the north end at the Steel Bridge, south along the west edge of the railroad tracks (Tax Lot 1N1E34AD 1300), continuing south along the east edge of Interstate 5 to SE Salmon Street, west along the centerline of SE Salmon Street to the west edge of Interstate 5, then continuing south following the west edge of the elevated portion of the Interstate 5 south to the OMSI shop building, excluding the shop building, then back to the west edge of the Marquam bridge, west to the center of the river, then following the center of the river north to the Steel Bridge.

Area 1 is currently developed with Interstate 5 and the Eastbank Esplanade. The Esplanade development is comprised of a riverside trail with access from the bridges and from a few of the adjacent streets. The trail is constructed both on the riverbank and on floating structures in the river. The trail development includes benches, art, docks, plazas, and historic and commemorative plaques, as well as abundant native plantings. The only existing building in this area of the site is a fire station located on the riverbank at the terminus of the SE Madison Street right-of-way. Two parking lots were recently developed adjacent to the fire station, underneath the elevated portion of Interstate 5. The area includes very little land currently available for development. Existing development to the east of this site area consists primarily of industrial buildings and associated parking and storage areas.

The second area of the site (Area 2), proposed to be changed from IG1 (Comprehensive Plan Map designation IS) to EG1 (Comprehensive Plan Map designation ME), can be generally described as follows: from the intersection of SE Hawthorne Street and SE Water Avenue, moving south along the centerline of SE Water Avenue to SE Market Street, then west along the centerline of SE Market Street to the west edge of Interstate 5 (abutting the proposed OS area), then north along the west edge of Interstate 5 to the Hawthorne Bridge, then east generally down the centerline of SE Hawthorne Street to the intersection with SE Water Avenue.

Area 2 is currently developed with a large warehouse building in the northeast corner. The remainder of the area is undeveloped, although portions of it have been used for parking. Adjacent development includes the OMSI shop building to the south, a recently constructed Portland Community College building to the east, and industrial buildings and related development to the north.

Zoning: The site area is currently zoned IG1, with areas of scenic (“s”) and greenway (“g”) overlay zones. The overlay zones are not affected by the proposal, and will remain as currently shown on the Existing Zoning Maps (Exhibit B.1). Uses allowed in the IG1 zone are detailed in the Proposal Description, above.

The proposed zones are OS and EG1. The uses allowed in these zones are detailed in the Proposal Description, above. Key development standards for the existing and proposed zones are identified below.

Standard	EXISTING IG1	PROPOSED OS	PROPOSED EG1
Maximum FAR (see 33.140.205)	no limit	--	3 to 1
Maximum Height (see 33.140.210)	no limit	--	45 ft.
Min. Building Setbacks (see 33.140.215) - Street lot line[4]	0	1 foot back for each foot of building height	5 ft. [4]
- Lot line abutting an OS, C, E, or I zoned lot	0	1 foot back for each foot of building height	0
- Lot line abutting an R zoned lot [5]	0 to 14 ft. [2]	1 foot back for each foot of building height (activity areas set back minimum 50 feet)	0 to 14 ft. [2]
Maximum Building Coverage (see 33.140.220)	100% of site area	--	85% of site area
Min. Landscaped Area (see 140.225)	None	--	15% of site area
Ground Floor Window Standards apply (see 33.140.230)	No	No	No
Pedestrian Standards Apply (see 33.140.240)	No	No	Yes
Min. Landscaping Abutting an R zoned lot (see 33.140.215.B.)	5 ft. @ L3 [3]	--	5 ft. @ L3 [3]

- [1] Plan district regulations may supersede these standards.
- [2] See Table 140-5.
- [3] For building setbacks of 5 feet or less, landscaping is required for the entire depth of the setback. However, no landscaping is required when buildings abut a lot line.
- [4] In the EG1 and EX zones, minimum and maximum setbacks from Transit Streets or streets in Pedestrian Districts are stated in Table 140-6
- [5] No setbacks are required from an internal lot line that is also a zoning line on sites with split zoning.

Properties adjacent to Area 1 of the site are zoned IG1. Properties adjacent to Area 2 of the site are zoned IG1 and EG2.

Land Use History: City records indicate that prior land use reviews in the site area include the following:

- PC 7329 ZC: Zone change in 1983 from M2S WSR to M2S WSD (Greenway Zone Change) on the east side of the Willamette River just north of the Hawthorne Bridge, Conditional Use for heliport with waivers, and Conditional Use for construction within a greenway zone with variance. No information regarding a final decision was found in the records.
- CU 6-80: Conditional Use request in 1980 for improvements within the Willamette Greenway, adjacent to the Hawthorne Bridge at the foot of SW Clay Street. Proposed improvements included a three story office building riverward of the high water line, a 10,000 square foot floating retail/restaurant structure, and a 40-slip marina. Approved.
- CU 10-82: Conditional Use request in 1982 for marina/restaurant/office building in the Willamette Greenway and in the M2 General Manufacturing Zone, on the east side of the Willamette River adjacent to the south side of the Hawthorne Bridge. Approved.
- GP 14-83 and CU 53-83: Greenway permit and Conditional Use request in 1983 to construct a heliport on the east side of the Willamette River between the Hawthorne Bridge and SE Salmon Street. No information regarding final decision in records.
- CU 43-85: Conditional use request in 1985 to construct a public use heliport on the east side of the Willamette River at SE Main Street. No information regarding a final decision was found in the records.
- GP 10-86 and CU 3-86: Greenway permit and Conditional Use request in 1986 for a fill exceeding 1,000 cubic yards and development in the Willamette River Greenway, from Interstate 5 west to the Willamette River between the Burnside Bridge and SE Clay Street. Approved with conditions.
- VZ 67-86: Variance request in 1986 to waive required landscaping and screening in order to continue the use of several “temporary” commercial pay parking areas on the east side of the Willamette River, north of the Hawthorne Bridge. No information regarding a final decision was found in the records.
- GP 23-87: Greenway permit request by PDOT and ODOT in 1987 to construct the Interstate 5/Water Avenue ramp and three fills for a new greenway trail and

esplanade. Hearings Officer decision of approval was appealed to City Council. Council approved the request with conditions.

- GP 19-90: Greenway permit in 1990 to replace a wood pier structure on the riverbank near SE Water Avenue. Administrative approval with conditions.
- LUR 94-00910 AD: Adjustment request to waive the perimeter and interior landscaping requirements for a parking lot, located between SW Taylor and SW Salmon Streets at SW Water Avenue. Administrative decision of denial, appealed to the Adjustment Committee. The Adjustment Committee reversed the administrative decision and approved a modified proposal, subject to conditions.
- LUR 97-00378 DZ GW AD: Design Review and Greenway review for bicycle/pedestrian facility and floating dock south of the Steel Bridge. Adjustment to height limit for pedestrian/bicycle facility in identified view corridor. Approved with conditions.
- LUR 98-00493 GW: Greenway review for Phase 1 of the Eastbank Riverfront Trail. Approved with conditions.
- LUR 98-01025 GW: Greenway review for Phase 2 of the Eastbank Riverfront Trail, from the Burnside Bridge to the Hawthorne Bridge. Approved with conditions.
- LUR 99-00169 GW: Greenway review to relocate a previously approved (Case File LUR 97-00378 GW) public dock further south, connected to the northern portion of an existing floating walkway (approved through LUR 98-00493 GW). Approved with conditions.
- LUR 99-00565 GW: Greenway review for construction of Willamette River overlooks, pedestrian plaza and demonstration riverbank habitat restoration project near the Hawthorne Bridge. Approved with conditions.
- LUR 00-00134 GW: Greenway review for security fencing over head ramps, Interstate 5 on the east bank of the Willamette between the Steel Bridge and the Hawthorne Bridge. Approved with conditions.
- LUR 00-00274 GW: Greenway review to construct a boat dock for passive recreational activities. Application withdrawn. New application submitted under Case File LUR 00-00508 CU GW.
- LUR 00-00508 CU GW: Conditional Use and Greenway review for a new dock for fire and emergency response vessels associated with the existing fire station located on the east bank of the Willamette River. Approved with conditions.
- LUR 00-00685 CU: Conditional Use review for two directional bores beneath the Waterfront Park, Eastbank Esplanade, and the Willamette River for a fiber optic telecommunications network. Approved with conditions.
- LUR 00-00704 GW AD: Greenway and Adjustment review to develop two parking lots west of SE Water Avenue adjacent to the existing fire station, with Adjustments to perimeter and interior landscaping requirements. Approved with conditions.

None of the conditions cited above affect the current proposal.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **November 20, 2001**. The following agencies responded with comments:

- The **Water Bureau** reviewed the proposal and notes that the applicant should contact the Bureau directly for information about water availability in the area. Exhibit E.3 contains the complete Water Bureau response.
- The **Fire Bureau** reviewed the proposal for access and water issues including the travel distance to hydrants, water flow requirements, and other life safety concerns, and has no objections or requirements at this time. Exhibit E.4 contains the complete Fire Bureau response.
- **Metro Regional Government Planning Department** reviewed the proposal and responds with concerns and comments. Metro's response is discussed under Approval Criterion A.1, Goal 1, Title 4, below. Exhibit E.5 contains the complete Metro response.
- The **Bureau of Environmental Services (BES)** reviewed the proposal and responds with no objections. Exhibit E.1 contains the complete BES response.
- **Portland Transportation Development Review** reviewed the proposal and responds with comments. Comments specific to the approval criteria and the Transportation Element of the Comprehensive Plan are included below in this recommendation. Exhibit E.2 contains the complete Transportation response.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 20, 2001**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.810.050 Approval Criteria (Comprehensive Plan Map Amendments)

A. Quasi-Judicial. Amendments to the Comprehensive Plan Map which are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:

1. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the Comprehensive Plan as a whole than the old designation;

Findings: The following analysis includes an assessment of the Comprehensive Plan goals, policies and objectives relevant to this proposal. Based on this analysis, it is determined that on balance the proposed designations are equally or more supportive of the Comprehensive Plan than the old designation.

Comprehensive Plan Goals and Policies

- **Goal 1 Metropolitan Coordination:** This goal seeks to ensure that the Comprehensive Plan is coordinated with federal and state law, and supports goals, objectives, and plans adopted by the Metropolitan Service District.

Findings: The proposal is consistent with *Policy 1.5, Compliance with Future Metro Planning Efforts*. Because of the proposal's consistency with this Policy, the proposal, on balance, is supportive of Goal 1, **Metropolitan Coordination** of the Comprehensive Plan. A detailed analysis of the applicable policy follows, below.

Policy 1.5. Compliance with Future Metro Planning Efforts. Review and update Portland's Comprehensive Plan to comply with the regional Framework Plan adopted by Metro.

The *Urban Growth Management Functional Plan* was approved November 21, 1996, by the Metro Council and became effective February 19, 1997. The purpose of the plan is to implement the Regional Urban Growth Goals and Objectives (RUGGO), including the 2040 Growth Concept. Local jurisdictions must address the Functional Plan when Comprehensive Plan Map Amendments are proposed through the quasi-judicial or legislative processes.

On balance, the requested Comprehensive Plan Map Amendments will have little or no effect on the intent of these titles, or the intent of these titles will be met through compliance with other applicable City regulations.

Title 1 Requirements for Housing and Employment Accommodation. This title requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is generally implemented through city-wide analysis based on calculated capacities from land use designations.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS)

The requested amendment will not significantly change the residential development capacity of this area of the site. The current zoning (IG1) prohibits residential uses except in the form of a houseboat or houseboat moorage. Considering the site is adjacent to the river in the heart of the city, where the channel is narrow and the river traffic is significant, it would be difficult to develop any of the site area with houseboat moorages. Access to the river's edge is restricted due to the location of Interstate 5, further limiting the development potential of this area. In addition, the riverbank is

currently developed with the Eastbank Esplanade. Although the proposed OS zone prohibits residential uses, the proposal does not result in a net loss of land available for residential development. Since the area contains little developable land, the requested amendment from industrial to open space zoning has no direct effect on employment opportunities. However, the continued development of a recreational amenity along the Willamette River may encourage businesses to locate in the adjacent industrial and employment areas.

Area 2: Requested Amendment from IG1(IS) to EG1(ME)

The requested amendment will increase the development capacity of this area of the site for residential uses. The current zoning (IG1) prohibits residential uses except in the form of a houseboat or houseboat moorage. The proposed EG1 zone allows residential uses through a conditional use review, which requires the residential development to be buffered from impacts of uses allowed outright in the zone, and requires a design, landscape and transportation plan which will limit conflicts between the residential and non-residential uses. The EG1 zone has a minimum lot area of 20,000 square feet, but no minimum or maximum density requirements. A multi-dwelling development of significant size could be constructed within the framework of the development standards: maximum floor area ratio of 3:1 (three square feet of building floor area to one square foot of site area), maximum height limit of 45 feet, and a maximum building coverage of 85% of the site. Under the current zoning, residential development would be limited to the number of houseboats that could be safely located on the river without impacting the use of the main channel. The proposed zone could accommodate as many, if not substantially more, residential units. Since the EG1 allows a broad range of uses including commercial, industrial, and institutional uses, the proposed amendment is supportive of employment accommodation in the region.

Title 2 Regional Parking Policy. This title regulates the amount of parking permitted by use for jurisdictions in the region.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS)

The proposed Comprehensive Plan designation of OS is more in conformance with this title than the existing designation in this area. Development under the current designation and zoning requires a minimum number of parking spaces, depending on the proposed use. Development under the proposed designation, with the exception of agricultural and some parks and open area uses that are allowed outright, must be approved through a conditional use review. In order to be approved through a conditional use

review, a new use must comply with transportation-related approval criteria as well as the policies of the Transportation Element of the Comprehensive Plan. This level of review is consistent with the intent of this title to encourage compact development that uses land efficiently and that promotes alternative modes of transportation.

Area 2: Requested Amendment from IG1(IS) to EG1(ME)

The proposed Comprehensive Plan designation of ME and Zoning Map designation of EG1 are generally supportive of this title. The EG1 zone allows uses similar to those allowed in the current IG1 zone, with the same minimum and maximum parking regulations. However, EG1 also allows some institutional uses such as schools and colleges that are prohibited in the IG1 zone. Because the Zoning Code includes a maximum parking regulation for these uses, development in the EG1 zone will be in compliance with this title.

Title 3 Water Quality, Flood Management, and Fish and Wildlife Conservation. This title protects the beneficial water uses, functions, and values of resources by limiting or mitigating the impact of development activities on these areas.

Comment: Compliance with this title is achieved in this area through the Greenway Overlay Zone. The River General (“g”) Greenway Overlay Zone is currently in place along the entire length of the east bank of the Willamette River. The location of the “g” overlay will not be altered by this proposal.

Title 4 Retail in Employment and Industrial Areas. This title limits retail development within Employment and Industrial areas to those uses that are supportive of the area and do not draw from a larger market area extending beyond the Employment or Industrial area.

Comment: The Metro Planning Department reviewed the proposal and responds that the site area is designated as an Industrial Area on the *Metro Title 4: Retail Restrictions in Industrial and Employment Areas Map*. Title 4 prohibits retail uses in excess of 60,000 square feet in areas shown as Industrial Areas on the Title 4 Map. The EG1 zone, proposed for the area just north of the Marquam Bridge, allows Retail uses in excess of 60,000 square feet through a Conditional Use review. In order to conform with this title, staff recommends a condition of approval (Condition B) restricting the size of Retail uses to a maximum of 60,000 square feet in the area of the proposed zone change to EG1.

Title 5 Neighbor Cities and Rural Reserves. This title defines Metro policy with regard to areas outside the Metro urban growth boundary.

Comment: The proposal is within the urban growth boundary and has no impact on neighboring cities or rural reserves; therefore, this title is not applicable.

Title 6 Regional Accessibility. This title recommends street design and connectivity standards that better serve pedestrian, bicycle and transit travel and that support the 2040 Growth Concept. This title also seeks to focus development in concentrated activity centers to encourage use of alternative modes of transportation in order to avoid unacceptable levels of congestion.

Comment: The site is located in the heart of downtown Portland. The existing development on the site includes Interstate 5 and the Eastbank Esplanade trail. The Esplanade trail serves as an important connection for pedestrians and bicyclists. The trail can be accessed from several bridges and a few streets at the south end of the site. The connection offers a pleasant alternative to the existing streets in the industrial area on the east side of the river, allowing downtown employees to more easily commute to east side residential areas. Connectivity in the area has been improved by the current development, and will continue to be improved through implementation of the Eastbank Riverfront Park Master Plan.

Title 7 Affordable Housing. This title works with Title 1 to require cities and counties to accommodate development at higher densities in locations supportive of the transit system. Title 7 identifies tools for improving the availability of sufficient housing affordable to households of all income levels.

Comment: The requested Comprehensive Plan Map amendments involve zones that do not require, nor allow outright, residential development. Residential development can be allowed through a conditional use review process in both the existing industrial and the proposed employment zones. Residential uses are prohibited in the proposed Open Space zone. However, the requested amendment from Industrial Sanctuary to Open Space is for land that is currently developed with Interstate 5 and the Eastbank Esplanade. The proposal does not result in a net decrease of land available for residential development, nor does it have any impact on the availability of a range of affordable housing in the area.

Title 8 Compliance Procedures. This title outlines compliance procedures for amendments to comprehensive plans and implementing ordinances.

Comment: This proposal meets this title by fulfilling the notice requirements for Type III land use reviews, as outlined in the Portland Zoning Code

section 33.810, Comprehensive Plan Map Amendments. Specifically, in addition to notifying the affected neighborhood associations, district coalition and property owners within a 400-foot radius of the site, the City has mailed a notice of the proposal to Metro and to the Department of Land Conservation and Development.

Title 9 Performance Measures. This title establishes performance measures designed to monitor progress in implementation of the functional plan.

Comment: The performance measures established by this title are not applicable to the requested Comprehensive Plan Map amendments.

Title 10 Functional Plan Definitions. This title defines language used in the functional plan.

Comment: The functional plan definitions are not applicable to the requested Comprehensive Plan Map amendments.

Title 11 Urban Growth Boundary Amendment Urban Reserve Plan Requirements. This title requires all territory added to the Urban Growth Boundary to be included within a city or county's comprehensive plan prior to urbanization.

Comment: The proposal does not add territory to the Urban Growth Boundary; therefore, this title is not applicable.

- **Goal 2 Urban Development:** This goal calls for the maintenance of the City's role as a regional employment, population, and cultural center through public policies that encourage expanded opportunity for housing and jobs, while retaining the character of established residential neighborhoods and business centers.

Findings: The proposal is consistent with *Policy 2.1, Population Growth, Policy 2.2, Urban Diversity, Policy 2.6, Open Space, Policy 2.7, Willamette River Greenway Plan, Policy 2.10, Downtown Portland, Policy 2.12, Transit Corridors, Policy 2.14, Industrial Sanctuaries, Policy 2.20, Utilization of Vacant Land, and Policy 2.26, Central City Plan.* Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 2, ***Urban Development*** of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 2.1. Population Growth. Allow for population growth within the existing city boundary by providing land use opportunities that will accommodate the projected increases in city households by the year 2000.

Comment: The requested Comprehensive Plan Map amendments involve zones that do not require, nor allow outright, residential development. Residential development can be allowed through a conditional use review process in both the existing industrial and the proposed employment zones. Due to the location of the site, and the requirement for housing to be limited to houseboats under the current industrial zoning, it is unlikely the site would be developed for residential use. Residential uses are prohibited in the proposed Open Space zone. However, the requested amendment from Industrial Sanctuary to Open Space is for land that is currently developed with Interstate 5 and the Eastbank Esplanade. The proposal does not result in a net decrease in land available for residential development, nor does it have any impact on the availability of a range of affordable housing in the area.

Policy 2.2. Urban Diversity. Promote a range of living environments and employment opportunities for Portland residents in order to attract and retain a stable and diversified population.

Comment: As stated above, the proposed amendments neither increase nor decrease the land available for residential development. The proposal does not affect the range of living environments available in Portland. The proposed amendment to EG1, an employment zone, offers a broader range of commercial/industrial uses allowed by right than the current zone, IG1. The applicants' intent to further develop the Eastbank Riverfront, as outlined in the Eastbank Riverfront Park Master Plan, will result in new employment opportunities in the area just north of the Marquam Bridge. The proposed amendment from industrial to open space is for an area that contains no significant developable land, therefore, the amendment has no effect on employment opportunities.

Policy 2.6. Open Space. Provide opportunities for recreation and visual relief by preserving Portland's parks, golf courses, trails, parkways and cemeteries. Establish a loop trail that encircles the city, and promote the recreational use of the city's rivers, creeks, lakes and sloughs.

Comment: The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Open Space and Zoning Map amendment from IG1 to OS will facilitate the continued development of Eastbank Riverfront Park, a recreational amenity along the eastern edge of the Willamette River in downtown Portland. The Eastbank Esplanade trail connects to the west side of the river and the downtown employment and commerce area, providing

pedestrian and bicycle connections as well as visual relief from the interstate and industrial development along the east side of the river. The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment and Zoning Map amendment from IG1 to EG1 is supportive of the open space area by allowing development that is supportive of the existing parks and open space uses in the OS zone. For example, as envisioned by the Eastbank Riverfront Park Master Plan, a light watercraft center could be developed in the area proposed to be zoned EG1.

Policy 2.7. Willamette River Greenway Plan. Implement the Willamette River Greenway Plan which preserves a strong working river while promoting recreation, commercial and residential waterfront development along the Willamette south of the Broadway Bridge.

Comment: The Willamette River Greenway Plan, adopted by City Council on November 5, 1987, provides direction for future uses of land within the identified greenway area. The Willamette Greenway Concept Map identifies the south end of the site area (proposed to be zoned OS along the river and EG1 inland) as a “transitional” area, with both industrial and mixed use development emphasis. The map identifies the north end of the site area (proposed to be zoned OS) as a recreational use emphasis area. The Public Access Map identifies a continuous trail along the east side of the Willamette River, consistent with the Eastbank Esplanade trail. The resource protection aspects of the plan are implemented through the Greenway Overlay Zones: River Industrial, River General, River Recreation, and River Natural. The River General Overlay Zone, indicated on the zoning maps by a small “g”, is currently in place along the east bank of the river and will not be altered by this proposal. The proposal is consistent with the Concept Map and the Public Access Map, and development in the area will be subject to the regulations of the River General Greenway Overlay Zone.

Policy 2.10. Downtown Portland. Reinforce the downtown’s position as the principal commercial, service, cultural and high density housing center in the city and the region. Maintain the downtown as the city’s principal retail center through implementation of the Downtown Plan.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will facilitate further development of a primary recreational and cultural amenity in downtown Portland. The Eastbank Riverfront Park Master Plan envisions development such as a light watercraft center, community or art center, amphitheater and other amenities that will reinforce the identity of downtown Portland as the center of the region.

Policy 2.12. Transit Corridors. Provide a mixture of activities along major transit routes and Main Streets to support the use of transit. Encourage development of commercial uses and allow labor-intensive industrial activities which are compatible with the surrounding area. Increase residential densities on residentially-zoned lands within one-quarter mile of existing and planned transit routes to transit-supportive levels. Require development along transit routes to relate to the transit line and pedestrians and to provide on-site pedestrian connections.

Comment: The central location of the site allows users of all types to arrive at the park and facilities via bus or light rail, by bike or as a pedestrian. In addition, a “river taxi” providing public transit service between the east and west sides of the river is envisioned as a potential future development for the area.

Policy 2.14. Industrial Sanctuaries. Provide industrial sanctuaries. Encourage the growth of industrial activities in the city by preserving industrial land primarily for manufacturing purposes.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS)

This portion of the site is currently developed with Interstate 5 and the Eastbank Esplanade. The proposal does not include any areas of vacant, developable industrial land.

Area 2: Requested Amendment from IG1(IS) to EG1(ME)

The area proposed to be zoned EG1 is adjacent on two sides to properties currently zoned EG2. The proposal will maintain a reasonably consistent zoning pattern, and does not constitute a “spot” zone. The EG1 zone allows nearly all types of industrial uses, with the exception of Railroad Yards and Waste-Related uses. Although the proposal is for an employment rather than industrial zone, it will not result in a reduction of lands available for industrial development.

Policy 2.20. Utilization of Vacant Land. Provide for full utilization of existing vacant land except in those areas designated open space.

Comment: The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Open Space, and the Zoning Map amendment from IG1 to OS, are for an area of the site that is currently developed with Interstate 5 and the Eastbank Esplanade. Because the proposed OS zone is limited to the area where the interstate is on the ground rather than elevated,

the area does not include vacant, developable land. The proposal to designate this land Open Space is consistent with this policy. The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment, and the Zoning Map amendment from IG1 to EG1 will still allow full utilization of the vacant land within the southern portion of the site, and is therefore equally consistent with this policy.

Policy 2.26. Central City Plan. Encourage continued investment within Portland's Central City while enhancing its attractiveness for work, recreation, and living. Through the implementation of the Central City Plan, coordinate development, provide aid and protection to Portland's citizens, and enhance the Central City's special natural, cultural and aesthetic features.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments allow further development of the east bank of the Willamette River as a cultural and recreational amenity. This development of the east bank of the river connects the area to downtown Portland, and extends the positive qualities of Waterfront Park on the west side of the river to the east. Development of the east bank of the Willamette River enhances the attractiveness of downtown, and of Portland's unique feature—the Willamette River.

- **Goal 3 Neighborhoods:** This goal seeks to preserve and reinforce the stability and diversity of the City's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses. The goal also seeks to ensure the City's residential quality and economic vitality.

Findings: The proposal is consistent with *Policy 3.5, Neighborhood Involvement*, and *Policy 3.6, Neighborhood Plan*. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 3, **Neighborhoods**, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 3.5 Neighborhood Involvement. Provide for the involvement of neighborhood residents and businesses in decisions affecting their neighborhood.

The surrounding neighborhoods (Buckman, Hosford-Abernethy, Kerns) have been provided with several opportunities to be involved in this amendment request. The affected neighborhood associations were notified of the Pre-Application Conference held on April 11, 2001, at which the applicants' proposal was discussed among the involved City bureaus. A "Request for

Response” was also sent to the affected neighborhoods on October 26, 2001, in which the applicants’ proposal was described. The site has been posted since November 2, 2001, with a notice describing the proposal and identifying the time and date of the scheduled hearing before the Hearings Officer. On November 20, 2001, a “Notice of Public Hearing” was mailed to the affected neighborhood associations, the district coalition, and the surrounding property owners within a 400-foot radius of the tax lots of the subject site. The public will have an opportunity to submit written comments on the proposal, and to testify both at the Hearings Officer and City Council hearings.

Policy 3.6 Neighborhood Plan. Maintain and enforce neighborhood plans that are consistent with the Comprehensive Plan and that have been adopted by City Council.

Comment: The site area for the proposal falls within the boundaries of three neighborhoods: Buckman, Hosford-Abernethy, and Kerns. Each of the neighborhoods have an adopted Neighborhood Plan, discussed below.

Buckman Neighborhood Plan

The Buckman Neighborhood Plan was adopted by City Council in July 1991, providing vision and direction for development and redevelopment in the inner-eastside neighborhood. The vision of the Buckman Neighborhood Plan includes an emphasis on recognizing and celebrating the diversity of the community, maintaining and integrating historic structures, building the economic base of the community, and supporting the many institutional uses in the community while ensuring those uses do not overwhelm the neighborhood. Adopted neighborhood plan policies are discussed below.

Policy 1, Urban Design and Livability. Maintain and improve the quality and urban character of Buckman’s physical environment and attract compatible development.

Comment: The proposal is to change the zoning along the Willamette River from industrial to open space, and to change a pocket of land near the Marquam Bridge from industrial to employment, in order to continue development of the Eastbank Esplanade. The goal of the Eastbank Riverfront Park project is to enhance the east bank of the Willamette River, creating a much needed bicycle and pedestrian connection in the inner eastside as well as providing amenities and attractions for the users of the facility. Further development of this project will improve the quality and urban character of the eastside riverfront, and will be compatible with the existing development in the neighborhood.

Policy 2, Housing. Preserve and improve housing and maintain the availability of quality, affordable housing to attract and keep long-term, responsible residents.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will not significantly affect the availability of housing in the area. The site area does not include any areas of existing residential development. Neither the existing industrial zone nor the proposed open space zone allow residential development (other than houseboats in the industrial zone). The stated intent of the proposal is to further develop the Eastbank Esplanade, which does not include a housing component, but which will provide an attractive amenity for residents of the area.

Policy 3, Historic Preservation. Celebrate Buckman's heritage and preserve its historic character.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments do not effect any identified historic resources. The Eastbank Esplanade development includes elements, such as commemorative plaques, which connect the current development with the history of the downtown area.

Policy 4, Safety and Community. Keep Buckman safe and neighborly through active involvement in crime prevention and by building a sense of community.

Comment: This policy is not applicable to the proposed Comprehensive Plan Map and Zoning Map amendments.

Policy 5, Transportation. Maintain mobility through alternative forms of transportation and reduce the impact of auto and truck use in Buckman.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments are intended to facilitate the further development of Eastbank Riverfront Park. The Eastbank Riverfront Park Master Plan envisions the east side of the Willamette River as a major recreational amenity and transportation facility for non-vehicle modes. The current Eastbank Esplanade development offers an attractive and useful pedestrian and bicycle connection for the inner eastside. The trail is connected to the westside waterfront and downtown, broadening the range of options for commuting to work by alternative transportation methods.

Policy 6, Education, Recreation, and Cultural Resources. Promote and improve the educational, recreational, and cultural resources and activities in the Buckman neighborhood.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will allow further development of the east side of the Willamette River as envisioned in the Eastbank Riverfront Master Plan. The development is intended to serve as an educational, recreational, and cultural resource. As described in the Eastbank Riverfront Park Master Plan, the development will function as a park, as an educational resource (both historic and environmental), and as a meeting place for the community for cultural and other events.

Policy 7, Business. Encourage and support businesses that enhance the neighborhood and provide needed goods and services to local residents.

Comment: The proposal does not directly effect any existing businesses. The proposed EG1 zoning allows some continued opportunity for future commercial or industrial development in the area north of the Marquam Bridge.

Policy 8, Social Services and Institutional Uses. Ensure that social service agencies and institutions, which provide needed services to the neighborhood and the broader community, do not cause adverse impacts.

Comment: This policy is not applicable to the proposed Comprehensive Plan Map and Zoning Map amendments.

Hosford-Abernethy Neighborhood Action Plan

The Hosford-Abernethy Neighborhood Action Plan was adopted by City Council in February 1988. The plan divides the neighborhood into seven sectors. The proposal area falls within the Central Eastside Industrial District (CEID), which is described as the western gateway to the neighborhood, a regional transportation hub, and an important industrial employment base. The description of the area also notes that it is lacking in pedestrian amenities, landscaping, and lighting. Adopted neighborhood plan policies are discussed below.

Policy 1, Parks, Recreation, and Waterfront Activities. Promote a diversity of recreational, educational, and cultural opportunities for Hosford-Abernethy Neighborhood Development (HAND) residents of all ages and income levels.

Comment: The Eastbank Riverfront Park Master Plan envisions a waterfront development that includes recreational, educational, and cultural opportunities. The proposed Comprehensive Plan Map and Zoning Map amendments will facilitate the development of some of these elements, such as a possible light watercraft center, art center and/or community center in the area proposed to be zoned EG1, beach or marsh areas along the river, and an amphitheater for concerts and gatherings.

Policy 2, Housing. Protect and improve existing housing while providing the opportunity of new housing for people of all ages and income levels.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will not significantly affect the availability of housing in the area. The site area does not include any areas of existing residential development, nor does the existing zoning allow the development of housing other than houseboats. The stated intent of the proposal is to further develop the Eastbank Riverfront Park, which does not include a housing component, but which will provide an attractive amenity for residents of the area.

Policy 3, Transportation. Encourage safe and efficient use of the transportation network which minimizes negative traffic impact on neighborhood livability and business operations.

Comment: Portland Transportation reviewed the proposed Comprehensive Plan Map and Zoning Map amendments, and found the proposal to be acceptable in terms of potential traffic impact. While there is a potential for additional traffic to be drawn to the area by development of a light watercraft facility and/or community center at SE Water Avenue and SE Clay Street, the traffic would likely be confined to Interstate 5 and major streets in the area and therefore would not impact the bulk of the neighborhood. In addition, the existing Eastbank Esplanade trail serves as an alternative transportation route for pedestrians and bicyclists.

Policy 4, Livability, Identity, and Public Safety. Develop a strong neighborhood identity that unifies the residents and industrial and commercial interests in order to foster a safe and caring community.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments are intended to facilitate further development of the Eastbank Esplanade, as outlined in the Eastbank Riverfront Park Master Plan. As a waterfront park with recreational and cultural amenities, this development will enhance the livability and identity of the entire central eastside area.

Policy 5, Commercial/Industrial. Promote a supportive relationship between the residential and commercial/industrial interests of the neighborhood.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will create an opportunity to connect residential development in the eastern portion of the neighborhood through the industrial area west to the river and downtown. The proposal will benefit both residents and businesses in the area.

Kerns Neighborhood Action Plan

The Kerns Neighborhood Action Plan was adopted by City Council in July 1987. The plan focuses on the forces that shape development patterns in the area--land use and economic issues, transportation routes, population growth, river uses, and cultural needs—and promotes addressing these forces to direct their impact in positive ways. Adopted neighborhood plan policies are discussed below.

Policy 1, Neighborhood Quality & Livability. Improve the quality and livability of Kerns by insuring an environment which contributes to the safety, welfare and education of those who live, work, and own property in the neighborhood.

Comment: The proposed Comprehensive Plan Map and Zoning Map Amendments are intended to facilitate further development of the Eastbank Riverfront Park. Development of the waterfront area for recreational and cultural use will enhance the quality and livability of the area.

Policy 2, Land Use. Encourage new investment opportunities while minimizing displacement of existing commercial activities and residents.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments and the continued development of the eastside riverfront will encourage other investment in the area, without displacing existing commercial activities and residents.

Policy 3, Housing. Maintain and enhance the quality of the existing diverse housing types while providing a range of purchase and rental prices.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments will not significantly affect the availability of housing in the area. The site area does not include any areas of existing residential development. The stated intent of the proposal is to further develop the

Eastbank Esplanade, which does not include a housing component, but which will provide an attractive amenity for residents of the area.

Policy 4, Safety and Security. Reduce crime in Kerns and enhance the safety of residents, business people, and visitors to the neighborhood.

Comment: This policy is not applicable to the proposed Comprehensive Plan Map and Zoning Map amendments.

Policy 5, Business and Industry. Maintain a healthy and viable environment for new and existing businesses that provide local and regional jobs and services.

Comment: The proposal does not directly effect any existing businesses. The proposed EG1 zoning allows some opportunity for future commercial or industrial development in the area north of the Marquam Bridge.

Policy 6, Transportation. Encourage efficient use of the transportation network while minimizing traffic impact on livability and business operations.

Comment: Portland Transportation reviewed the proposed Comprehensive Plan Map and Zoning Map amendments, and found the proposal to be acceptable in terms of potential traffic impact. While there is a potential for additional traffic to be drawn to the area by development of a community facility in Area 2, north of the Marquam Bridge, the traffic would likely be confined to Interstate 5 and major streets in the area and therefore would not impact the bulk of the neighborhood. In addition, since the existing Eastbank Esplanade trail serves as an pedestrian and bicycle trail, many of the users of the park area arrive by modes other than private vehicles.

Policy 7, Institutional Expansion. Ensure that institutions which provide needed services to the neighborhood and community do not cause adverse impacts.

Comment: This policy is not applicable to the proposed Comprehensive Plan Map and Zoning Map amendments.

Policy 8, Developed Residential Area. Maintain the developed residential area for residential uses.

Comment: The proposal does not affect the residential area as identified in the Kerns Neighborhood Action Plan.

Policy 9, Neighborhood Commercial Areas. Provide a quality urban environment with compatible residential, commercial and retail uses and service amenities.

Comment: The proposal does not affect the neighborhood commercial area as identified in the Kerns Neighborhood Action Plan.

Policy 10, North of Sandy/Mixed Use Area. Maintain a compatible mix of high-density residential and light manufacturing uses.

Comment: The proposal does not affect the mixed use area as identified in the Kerns Neighborhood Action Plan.

Policy 11, Central Eastside Industrial District (CEID). Maintain and promote the area as an industrial, manufacturing, and distribution employment center.

Comment: The proposal area falls within the westernmost portion of the CEID, near Interstate 5 and E. Burnside Street. Because the proposed Comprehensive Plan Map and Zoning Map amendment in this area (IS/IG1 to OS/OS) applies only to the area developed with the interstate and esplanade, the proposal has no effect on this policy.

- **Goal 4 Housing:** This goal seeks to further Portland as the center of the region's housing market by providing housing of different types, tenures, densities, sizes, costs and locations.

Findings: The proposal is consistent with *Policy 4.8, Maintain Housing Potential*. Because of the proposal's consistency with this Policy, the proposal, on balance, is supportive of Goal 4, **Housing**, of the Comprehensive Plan. A detailed analysis of the applicable policy follows, below.

Policy 4.8, Maintain Housing Potential. Retain housing potential by requiring no net loss of land reserved for, or committed to, residential, or mixed-use. When considering requests for amendments to the Comprehensive Plan Map, require that any loss of potential housing units be replaced.

Comment: There will be no loss of long term potential housing units. The existing IG1 zone doesn't require and in fact severely restricts development of housing.

- **Goal 5 Economic Development:** This goal seeks to foster a strong and diverse economy that provides a full range of employment and economic choices.

Findings: The proposal is consistent with *Policy 5.4, Transportation System*, and *Policy 5.8, Diversity and Identity in Industrial Areas*. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 5, **Economic Development** of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 5.4 Transportation System. Promote a multi-modal regional transportation system that encourages economic development.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS): As noted earlier in this recommendation, the portion of the site proposed to be zoned Open Space is currently developed with Interstate 5 and the Eastbank Esplanade as a pedestrian path, bikeway, and recreational amenity. The Eastbank Esplanade trail provides a significant bike and pedestrian connection between employment areas downtown and residential areas to the northeast and southeast, circumventing the developed industrial area in the inner eastside. In addition, as noted in the adopted Eastbank Riverfront Park Master Plan, there is a future potential for developing a river taxi stop, if approved through a future land use review, in the Observation Terraces and Marina area near the north end of the Esplanade. This potential taxi would provide an additional transportation mode in addition to the multi-modal aspect of the Esplanade and its proximity to existing transit services in the immediately adjacent areas that run the full length of the subject site. The Esplanade is not only an amenity to the Eastbank area, but provides transportation alternatives to those who live and work nearby, as well as enhanced pedestrian connectivity to the Central City area on the west side of the Willamette.

Area 2: Requested Amendment from IG1(IS) to EG1(ME): The proposal to amend the Comprehensive Plan and change the zone from Industrial to Mixed Employment at the southerly end of the site is also consistent with this policy because the Eastbank Esplanade and the Eastbank Riverfront Park development will be a significant transportation system that provides access to this area. In addition, as a recreational trail, the Esplanade will provide a significant amenity for workers who will be employed by businesses allowed in the Mixed Employment zone. Thus, this amendment will enable future business and economic development to occur on this site with significant features to attract both development and employees.

Policy 5.8 Diversity and Identity in Industrial Areas. Promote a variety of efficient, safe and attractive industrial sanctuary and mixed employment areas in Portland.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS): As noted earlier, the Eastbank Esplanade not only provides a significant alternative transportation system and enhanced connectivity to existing public transit and pedestrian and bike connections into the Central City on the west side of the Willamette, but it also provides an attractive amenity for businesses and employees who work in the nearby Industrial and Mixed Employment areas immediately adjacent to the Esplanade. By amending the zone from Industrial to Open Space, this portion of the site becomes a significant piece of the overall Master Plan for the Riverfront Park system, providing connectivity to the inner Eastside neighborhoods, as well as connections to the existing Waterfront Park along the west side of the Willamette River. Such an amenity is a unique and significant feature that provides a safe and attractive element enhancing the nearby industrial and mixed employment areas on the Eastside.

Area 2: Requested Amendment from IG1(IS) to EG1(ME): The proposal to amend the zone from Industrial to Mixed Employment at the southerly end of the site will provide additional diversity in this important industrial and employment area on the inner east side. The change to Mixed Employment is consistent with the existing or designated zoning on adjacent parcels, and will provide additional economic development opportunities that are consistent with the overall purpose of a Mixed Employment zone, while providing such opportunities in close proximity to the Central City and to the significant amenities and connectivity of the Eastbank Esplanade.

- **Goal 6 Transportation:** This goal seeks to provide for and protect the public's interest and investment in the public right-of-way and transportation system by encouraging the development of a balanced, affordable and efficient transportation system consistent with the Arterial Streets Classifications and Policies.

Findings: Portland Transportation reviewed the proposal and found it to be consistent with the policies of Goal 6. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 6, ***Transportation***, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Portland Transportation reviewed the amendment request for conformance with the applicable Comprehensive Plan policies, and more specifically, for

the potential impacts on the public right-of-way, traffic and transportation services. Portland Transportation also reviewed the proposal for conformance with street designations and Title 17. Portland Transportation provides the following assessment of the proposal:

Transportation Analysis

The applicant has submitted a transportation impact analysis for the site. The study identifies that the area proposed for a change from IG1 to OS will experience a net decrease in vehicle trips, while the area changing IG1 to EG1 will see an increase in trips. For the overall area, the number of vehicle trips will decrease. However, due to differences in trip distribution, there is still a net growth of traffic at some intersections. The applicant has analyzed intersections in the project area and found that they will all operate at acceptable levels of service. Transportation concurs with the conclusions of the traffic study.

Comprehensive Plan Map Amendment Approval Criteria

Policy 6.4 of the Transportation Element of the Comprehensive Plan requires coordination between transportation and land use planning. The Transportation Element of the Comprehensive Plan guides the land use planning and transportation project development process. In reviewing land use requests such as goal exceptions, Comprehensive Plan Map amendments, Zone changes in compliance with the Comprehensive Plan, and Conditional Uses and Master Plans, the Transportation Goal and Policies 6.1 through 6.29, the District Policies, the Classification Descriptions, and the Maps are used as mandatory approval Criteria. Policies are listed and addressed below.

Central City Transportation Management Plan:

Street Classifications and Policies

The site falls within the area defined as the Central City, further divided into the Lloyd Center and Central Eastside districts. Street classifications and district policies for this site are listed in the Central City Transportation Management Plan (CCTMP). Public streets adjacent to or crossing the site include: Steel Bridge, NE Irving Street, Burnside Bridge; SE 1st Avenue, NE Lloyd Boulevard, NE 1st Avenue, Interstate 5, SE 1st Avenue, SE Oak Street, SE Stark Street, SE Washington Street, SE Alder Street, SE Water Avenue, SE Morrison Street, Morrison Bridge, SE Belmont Street, SE Yamhill Street, SE Taylor Street, SE Salmon Street, SE Main Street, SE Madison Street, SE Hawthorne Boulevard, Hawthorne Bridge, SE Clay Street, SE Market Street. Due to the number of streets, the classifications are not listed for each street; they may be found in the maps in the CCTMP. After reviewing the District policies and the street classifications Portland Transportation found no items which conflict with the proposed zoning for the site.

Policies of the Transportation Element of the Comprehensive Plan

Policy 6.1 Intergovernmental Coordination

Coordinate long-range transportation planning activities by participating in Metro's management of funds and resources. Coordinate transportation facilities and improvements with development activities, both public and private, and with regional transportation and land use plans in order to achieve maximum benefit with the limited available funds. Coordinate with affected state and federal agencies, local governments, special districts, and providers of transportation services in the development of the Transportation System Plan. Update the Transportation Element of the Comprehensive Plan to be consistent with the City and Regional Transportation Plans and the Transportation Planning Rule. The proposed land use has no relevant features applicable to the requirements of this criterion. This criterion is met.

Policy 6.2 Regional and City Travel Patterns

Interregional traffic should use the Regional Transit and Trafficway system. Major City Traffic Streets, District Collectors, and Neighborhood Collectors should not be designed or managed to serve as alternative routes for regional trips. Collectors should serve as the distributor of local traffic to and from Major City Traffic Streets. Local Service Traffic Streets should not carry excess traffic from Collector Streets or experience high traffic volumes or speed. The proposed land use would not lessen Transportation's ability to manage adjacent streets in compliance with this policy. This criterion is met.

Policy 6.3 No New Regional Trafficways

The Regional Trafficway system within the City of Portland is complete. Any future increases in regional traffic should be accommodated by improvements to the existing trafficways and not by building new corridors for circumferential freeways within the City. Specifically, the proposed Western Bypass should not be extended north of U.S. 26 into the City, through Forest Park, and across the Willamette and Columbia Rivers. This land use request does not include or create the need for new regional trafficways. This criterion is met.

Policy 6.4 Coordinate Land Use and Transportation Planning

Coordinate land use planning with transportation planning. The Transportation Element of the Comprehensive Plan will guide the land use planning and transportation project development process. In reviewing land use requests done as Goal Exceptions, Comprehensive Plan Map Amendments, Zone Changes in compliance with the Comprehensive Plan, Conditional Uses, and Master Plans, the Transportation Goal and Policies 6.1 through 6.29, the District Policies, the Classification Descriptions, and the Maps are used as mandatory approval criteria. By evaluating this land

use against the policies, classifications and maps of the Transportation Element of the Comprehensive Plan, this criterion is met.

Policy 6.5 Neighborhood Collector and Local Service Street Traffic Management

Manage traffic on Neighborhood Collectors and Local Service Streets according to the hierarchy established in Chapter 3 of the Transportation Element, Arterial Streets Classifications and Policies, and the land uses they serve. Measures taken by the Bureau of Traffic Management, within the criteria of both the Collector Recovery and Neighborhood Traffic Management Programs to manage traffic on Neighborhood Collectors and Local Service Streets, should encourage nonlocal traffic to use streets with higher traffic classifications and should not significantly divert traffic to other nearby streets of the same or lower classification. This proposed land use does not change any street classifications or alter Transportation's ability to manage adjacent streets in compliance with this policy. This criterion is met.

Policy 6.6 Urban Form

Support a regional form composed of mixed-use centers served by a multimodal transportation system. New development should be served by interconnected public streets which provide safe and convenient pedestrian, bicycle, and vehicle access. Street and pedestrian connections should be provided to transit routes and within and between new and existing residential, commercial, and employment areas and other activity centers. The site is a long, narrow area bounded by the Willamette River on one side. Additional street connections in an east/west direction through the site would be blocked by the river. Also, much of the site is adjacent to railroad and/or freeway which are also physical barriers to east/west street connections. In the north south direction the narrow site would not need a connection due to other north/south alignments in the vicinity. The site does include a public bicycle/pedestrian way running the length of the site. This criterion is met.

Policy 6.7 Public Transit

Develop transit as the preferred form of person trips to and from the Central City, all regional and town centers, and light rail stations. Enhance access to transit along main streets and transit corridors. Transit shall not be viewed simply as a method of reducing peak-hour, work-trip congestion on the automobile network, but shall serve all trip types. Reduce transit travel times on the primary transit network, in the Central City, and in regional and town centers, to achieve reasonable travel times and levels of reliability, including taking measures to allow the priority movement of transit on certain transit streets. Support a public transit system that addresses the special needs of the transportation disadvantaged. It is possible that new

transit modes, such as a river taxi may be identified as a means to improve transit in the Central City. In the proposed OS zone, a new public transportation facility such as a river taxi could be allowed through a conditional use review process. This criterion is met.

Policy 6.8 Regional Rail Corridors

Assign priority to the funding and development of the regional mass transit system to reduce both the need for new regional traffic facilities and reliance on the automobile. Decisions on light rail transitway alignments and their connections to other regional facilities will be based on individual corridor studies. Regional Transitway designations in the northern and southern corridors represent alternative alignments for future light rail transitways. The Transportation Element will be amended to show the chosen alignment as determined by the Draft Environmental Impact Statement process and as adopted by City Council. Funding decisions for light rail transit corridors should be based upon the population served, the opportunities for redevelopment, and the traffic congestion problems in the corridors. Current and potential future corridors for light rail should not be precluded by this land use proposal. Public mass transit facilities can be allowed in the OS zone through a conditional use review process. This criterion is met.

Policy 6.9 Transit-Oriented Development

Reinforce the link between transit and land use by increasing residential densities on residentially-zoned lands and encouraging transit-oriented development along Major City Transit Streets and Regional Transitways, as well as in activity centers, at existing and planned light rail transit stations, and at transit centers in conformance with the Comprehensive Plan and Zoning Code. The proposed zoning allows a variety of developments, some through a conditional use review. The proposed zoning does not preclude locating or orienting those developments to Major City Transit (Major Transit Priority Streets). This criterion is met.

Policy 6.10 Barrier-Free Design

Transportation facilities shall be accessible to all people. All improvements to the transportation system (traffic, transit, bicycle, and pedestrian) in the public right-of-way shall comply with the Americans with Disabilities Act of 1990. The proposed land use does not limit the ability to construct improvements in public rights-of-way to meet public ADA standards. This criterion is met.

Policy 6.11 Pedestrian Transportation

Plan and complete a pedestrian network that increases the opportunities for walking to shopping and services, institutional and recreational destinations,

employment, and transit. The proposed zoning does not preclude or limit the ability to enhance or improve pedestrian transportation. This criterion is met.

Policy 6.12 Bicycle Transportation

Make the bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. The proposed zoning does not preclude or limit the ability to enhance or improve bicycle transportation. This criterion is met.

Policy 6.13 Transportation Demand Management

Require the use of transportation demand management techniques such as carpooling, ridesharing, flexible work hours, telecommuting, parking management, and employer-subsidized transit passes to mitigate the impact of development-generated traffic in land use reviews. Require a percentage of employee parking spaces to be set aside for preferential carpool/vanpool parking. The proposed zoning changes will have a net decrease in development-related traffic. Therefore, mitigation is not needed. This criterion is met.

Policy 6.14 Parking Management

To achieve environmental and transportation policy objectives, the parking supply shall be managed to take into account both transportation capacity and parking demand. Implement measures to achieve Portland's share of the mandated 10 percent reduction (per the Transportation Rule) in parking spaces per capita within the metropolitan area over the next 20 years. Through the land use process, these measures should include restrictions on the development of new spaces and the redevelopment of existing parking spaces for other uses. This proposed land use does not preclude the ability to place restrictions on the development or redevelopment of parking spaces. This criterion is met.

Policy 6.15 On-Street Parking Management

Manage the supply, operations and demand for parking and loading in the public right-of-way to encourage economic vitality, traffic safety, and livability of residential neighborhoods. Parking in the right-of-way, in general, should serve land uses in the immediate area. Maintain existing on-street parking in older neighborhoods where off-street parking is inadequate. Parking for individuals, or at specific locations, is not guaranteed by this policy. However, the City should act to protect parking, first for residents and second for customers and visitors. The proposed land use does not change or limit Transportation's ability to manage on-street parking in conformance with this policy. This criterion is met.

Policy 6.16 Off-Street Parking

Off-street parking will be the primary source of parking supply. The Zoning Code shall require private development to supply adequate, but not excessive, off-street parking for all land uses. The CM, CS, CN1, EX, RX, or CX zones are placed near existing or future transit service. The City will not require the private development of off-street parking in these zones because growth in access is expected to be met primarily by transit, bicycles, and pedestrians. As long as developments occurring under the proposed zoning meet the requirements of 33.266 (Parking), this criterion is met.

Policy 6.17 Institutional Parking

Encourage institutions to regulate parking facilities, to first provide short-term parking for users, and secondly, to use demand management to minimize the amount of employee parking required. In approving land use changes for institutions, parking impacts on surrounding residential areas shall be mitigated. Under the proposed zoning, institutional uses may be allowed by right or through a conditional use. Where the use is allowed by right the regulations of Chapter 33.266 (parking) apply. Where the use requires a conditional use review, demand management techniques may be required. This criterion is met.

Policy 6.18 Clean Air and Energy Efficiency

Encourage the use of all modes of travel that contribute to clean air and energy efficiency. The proposed zoning does not alter or preclude the ability to encourage modes of travel that contribute to clean air and energy efficiency. This criterion is met.

Policy 6.19 Multimodal

Coordinate the planning, development, and interconnection of all modes of passenger transportation. Portland International Airport is the hub air passenger facility; direct connections for all modes should be provided to the airport. Union Station is the hub of the multimodal Transportation Center located in the North Downtown area and should serve as the primary passenger rail and intercity bus terminal in the Portland metropolitan area, providing direct connections between passenger rail, light rail, vintage trolley, intracity buses, taxis, and airport bus shuttles. This policy does not apply to the site. This criterion is met.

Policy 6.20 Northwest Corridor Passenger Rail Service

Expand Northwest Corridor passenger rail service between Eugene, Portland, Seattle, and Vancouver, B.C. Cooperate with the State of Washington and Province of British Columbia to explore the feasibility of high speed train service. Rail lines are allowed in the OS zone when

approved through a conditional use review, and are allowed by right in the EG1 zone. The proposal will not restrict the ability to expand rail service. This criterion is met.

Policy 6.21 Freight Intermodal Facilities and Freight Activity Areas
Develop and maintain a multimodal transportation system for the safe and efficient movement of goods within the City. As stated above, rail lines are allowed through conditional use in the OS zone, and by right in the EG1 zone. Other types of freight movement, such as using trucks, is not affected by the proposed amendments. This criterion is met.

Policy 6.22 Right-of-Way Opportunities
Preserve existing and abandoned rail rights-of-way and examine their potential for future rail freight, passenger service, or recreational trail uses. Acquire or control parcels of land that may be needed in the future for any transportation purpose when the opportunity arises through sale, donation, or land use action. Any abandoned rights-of-way may be considered for future use or acquisition when development is proposed for the site. This criterion is met.

Policy 6.23 South of Portland River Crossing
A new bridge crossing the Willamette River should be located south of the City of Portland to serve suburban travel demand between Clackamas and Washington Counties. The Sellwood Bridge should also be replaced, but be designed to connect Southeast and Southwest Portland neighborhoods. This policy does not apply to this site. This criterion is met.

Policy 6.24 Market-Based Congestion Management
Advocate a regional, market-based system to charge for auto trips during peak hours. The pricing strategies should be set based on the environmental and social costs of single-occupant commuters. This policy is not applicable to a quasi-judicial land use review. This criterion is met.

Policy 6.25 Access Management
The City will work with ODOT on a case by case basis as they develop access management agreements for state highways within the City. Local street connections to arterials from new subdivisions should be designed with adequate spacing to provide for local access to the arterial, while at the same time minimizing conflicts with through traffic. The proposed zoning does not preclude or limit the City's ability to work with ODOT on access management. This criterion is met.

Policy 6.26 Adequacy of Transportation Facilities

Ensure that amendments to the Comprehensive Plan or land use regulations which change allowed land uses, including goal exceptions, map amendments, zone changes, conditional uses, and master plans, and which significantly affect a transportation facility, are consistent with the identified function, capacity, and level of service of the facility. See discussion above under "Transportation Analysis." This criterion is met.

Policy 6.27 Public Involvement

Carry out a public involvement process that is consistent with Metro guidelines and provides information about transportation issues and processes to citizens, especially to those traditionally under-served by transportation services. This policy is not applicable to a quasi-judicial land use review. This criterion is met.

Policy 6.28 Transportation Education

Publicize activities and the availability of resources and facilities to encourage use of alternate modes of travel to the automobile. Implement educational programs that promote transportation choices and safety for all modes of travel and that recognize the need for developing and maintaining a comprehensive transportation system that supports freight as well as passenger movements. This policy is not applicable to a quasi-judicial land use review. This criterion is met.

Policy 6.29 Street Vacations

Allow street vacations only when there is no existing or future need for the right-of-way, the established City street pattern will not be significantly interrupted, and the functional purpose of nearby streets will be maintained. Evaluate opportunities and the need for a bikeway, walkway, or other transportation use. Where pedestrian and bicycle facilities are needed, the first preference is to retain public right-of-way for these uses. If retaining right-of-way is not feasible, a public easement can be required along with public improvements where they will preserve or enhance circulation needs. No street vacations are proposed with this land use request. This criterion is met.

Based on this analysis and recommendation, the proposed amendments are supportive of Goal 6. Portland Transportation recommends approval of the Comprehensive Plan Map and Zoning Map amendments.

- **Goal 7 Energy:** This goal seeks to promote a sustainable energy future by increasing energy efficiency throughout the City by 10 percent by the year 2000.

Findings: The proposal is consistent with *Policy 7.6, Energy Efficient Transportation*. Because of the proposal's consistency with this Policy, the proposal, on balance, is supportive of Goal 7, **Energy**, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 7.6 Energy Efficient Transportation. Provide opportunities for non-auto transportation including alternative vehicles, buses, light rail, bikeways and walkways. The City shall promote the reduction of gasoline and diesel use by conventional buses, autos and trucks by increasing fuel efficiency and by promoting the use of alternative fuels.

Comment: The proposed Comprehensive Plan Map and Zoning Map amendments are intended to facilitate further development of the east bank of the Willamette River as a pedestrian path, bikeway, and recreational amenity. The existing Eastbank Esplanade trail provides a much needed bike and pedestrian connection between employment areas downtown and residential areas to the northeast and southeast, circumventing the developed industrial area in the inner eastside.

- **Goal 8 Environment:** This policy seeks to maintain and improve the quality of Portland's air, water and land resources, and protect neighborhoods from detrimental noise pollution.

Findings: The proposal is consistent with *Policy 8.4, Ride Sharing, Bicycling, Walking and Transit, Policy 8.9, Open Space and Policy 8.11, Special Areas*. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 8, **Environment**, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 8.4 Ride Sharing, Bicycling, Walking and Transit. Promote the use of alternative modes of transportation such as ridesharing, bicycling, walking, and transit throughout the metropolitan area.

Comment: The proposed Comprehensive Plan Map amendments are intended to facilitate further development of the Eastbank Riverfront Park, including the Eastbank Esplanade trail. The trail currently is accessible from multiple transit lines, and functions as both a pedestrian pathway and a bicycle pathway. The Master Plan also envisions future development of alternative transportation modes, such as a river taxi.

Policy 8.9 Open Space. Protect Portland Parks, cemeteries and golf courses through an Open Space designation on the Comprehensive Plan Map.

Comment: The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Open Space is supportive of this policy. The site area proposed to be changed to OS zoning is currently developed with Interstate 5 and the Eastbank Esplanade trail. The trail area functions as a park, is intended to be further developed as a recreational area, and is generally unsuitable for either residential or commercial development due to the location of the interstate.

Policy 8.11 Special Areas. Recognize unique land qualities and adopt specific planning objectives for special areas.

Comment: The site area falls within the Willamette River Greenway area. Objective H of Policy 8.11 states: *Protect and preserve the natural and economic qualities of lands along the Willamette River through implementation of the city's Willamette River Greenway Plan.* The Willamette River Greenway Plan, adopted by City Council on November 5, 1987, provides direction for future uses of land within the identified greenway area. The Willamette Greenway Concept Map identifies the south end of the site area (proposed to be zoned OS and EG1) as a "transitional" area, with both industrial and mixed use development emphasis. The map identifies the north end of the site area (proposed to be zoned OS) as a recreational use emphasis area. The Public Access Map identifies a continuous trail along the east side of the Willamette River, consistent with the Eastbank Esplanade trail and with future improvements envisioned by the Master Plan. The resource protection aspects of the plan are implemented through the Greenway Overlay Zones: River Industrial, River General, River Recreation, and River Natural. The River General Overlay Zone, indicated on the zoning maps by a small "g", is currently in place along the east bank of the river and will not be altered by this proposal. The proposal is consistent with the Concept Map and the Public Access Map, and development in the area will be subject to the regulations of the River General Greenway Overlay Zone.

- **Goal 9 Citizen Involvement:** This policy calls for improving the method for citizen involvement in the on-going land use decision-making process, and providing opportunities for citizen involvement in the implementation, review and amendment of the adopted Comprehensive Plan.

Findings: The proposal is consistent with *Policy 9.1, Citizen Involvement Coordination and Policy 9.3, Comprehensive Plan Map Amendment.* Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 9, ***Citizen Involvement***, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 9.1 Citizen Involvement Coordination. Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations.

Policy 9.3 Comprehensive Plan Amendment. Allow for the review and amendment of the Comprehensive Plan which ensures citizen involvement opportunities for the city's residents, businesses and organizations.

Comment: The land use review process requires citizen involvement through mailed requests for responses, posting of the site, mailed notifications of public hearing, and public hearings before the Hearings Officer and City Council. Citizen involvement efforts related to this case are detailed in response to Policy 3.5.

- **Goal 10 Plan Review and Administration:** This policy calls for periodic reviews of the Comprehensive Plan to ensure that it remains an up to date and workable framework for land use development.

Findings: The proposal is consistent with *Policies 10.5, 10.7, 10.8, and 10.9*. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 10, ***Plan Review and Administration***, of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 10.5 Corresponding Zones and Less Intense Zones. Corresponding zones are zones which best implement a Comprehensive Plan map designation. Base zones must either be the zone corresponding to the designation, or be a less intense than the corresponding zone.

Policy 10.7 Amendments to the Comprehensive Plan Map. (see below)

Policy 10.8 Zone Changes. Base zone changes with a Comprehensive Plan Map designation must be to the corresponding zone stated in the designation. When a zone has more than one corresponding zone, the most appropriate zone will be applied based on the purpose of the zone, and the zoning and general land uses of surrounding lands.

Policy 10.9 Land Use Approval Criteria and Decisions. The approval criteria that are stated with a specific land use review reflect the findings that must be made to approve the request.

Comment: The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Open Space is combined with a Zoning Map amendment request to place the corresponding zone of OS in the area. The

proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment is combined with a Zoning Map amendment request to place the corresponding zone of EG1, one of the two zones that implement the ME designation. Staff responses to the approval criteria for the Zoning Map Amendments are included later in this recommendation.

Policy 10.7 Amendments to the Comprehensive Plan Map. Quasi-judicial amendments to the Comprehensive Plan Map will be reviewed by the Hearings Officer prior to City Council action, using procedures stated in the zoning code. The applicant must show the requested change is:

1. *Consistent and supportive of the appropriate Comprehensive Plan Goals and Policies;*

This recommendation includes findings for all ten Goals, and applicable policies, found in the Comprehensive Plan. Overall, the findings indicate that the proposed amendments are consistent with and supportive of the Comprehensive Plan Goals and Policies.

2. *Compatible with the land use pattern established by the Comprehensive Plan Map;*

The Comprehensive Plan has established a pattern of industrial and employment designations surrounding the site area. The proposed designation of Mixed Employment (with EG1 zoning) is consistent with adjacent employment Comprehensive Plan Map designation. The proposed designation of Open Space (with OS zoning) along the river primarily affects land that is currently developed as a park facility and public right-of-way. The proposed designation creates a new pattern for the river's east edge, consistent with the Open Space designation on the west side of the river.

3. *Consistent with the Statewide Land Use Planning Goals;*

The State Land Conservation and Development Commission (LCDC) has acknowledged the City's Comprehensive Plan. The City goals mentioned in *LCDC and Comprehensive Plan Considerations* are comparable to the statewide planning goals in that City Goal 1 is the equivalent of State Goal 2 (Land Use Planning); City Goal 2 addresses the issues of State Goal 14 (Urbanization); and City Goal 3 deals with local issues of neighborhoods. The following city and state goals are similar: City Goal 4—State Goal 10 (Housing); City Goal 5—State Goal 9 (Economic Development); City Goal 6—State Goal 12 (Transportation); City Goal 7—State Goal 13 (Energy Conservation); City Goal 8—State Goals 5, 6

and 7 (Environmental Impacts); and City Goal 9—State Goal 1 (Citizen Involvement). City Goal 10 addresses city plan amendments and rezoning, and City Goal 11 is similar to State Goal 11 (Public Facilities and Services). Other statewide goals related to coastal areas do not specifically apply to the City of Portland.

4. *Consistent with any adopted applicable area plans adopted as part of the Comprehensive Plan.*

The subject site is located within the boundaries of the *Buckman Neighborhood Plan*, the *Hosford-Abernethy Neighborhood Action Plan*, and the *Kerns Neighborhood Action Plan*, all adopted by City Council. A discussion of how the requested amendments are consistent with the relevant policies of these plans is detailed earlier in this recommendation in response to Policy 3.9. The site is also within the *Willamette Greenway Plan* area. A discussion of the proposal in relation to the Greenway Plan is included earlier in this recommendation in response to Policy 2.7 and Policy 8.11. The *Transportation Element of the Comprehensive Plan* is discussed in response to Goal 6, above. A discussion of the *Eastbank Riverfront Park Master Plan* is included under “Plans and Policies”, below.

- **Goal 11 Public Facilities:** This goal seeks to provide a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities.

Findings: The proposal is consistent with Goal 11. Agency responses to this proposal indicate that either adequate public facilities and services exist or can be reasonably made available as discussed in Exhibits E-1 through E-5. Because of the proposal’s consistency with these Policies, the proposal, on balance, is supportive of Goal 11, **Public Facilities** of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 11.2 Orderly Land Development. Urban development should occur only where urban public facilities and services exist or can be reasonably made available.

Comment:

Area 1: Requested Amendment from IG1(IS) to OS(OS): As noted throughout this recommendation, the proposed amendment to zone a narrow section of land between the east riverbank and I-5 as Open Space is fully supportive of the existing development along this portion of the site, namely the Eastbank Esplanade. The development of this facility became a reality due to coordination among multiple agencies and funding sources. Therefore,

the existence of the Esplanade is an example that this development was implemented in an orderly and planned fashion. The proposed change in the zone simply reinforces the actual development and use of this portion of the site, which cannot reasonably be developed with industrial uses due to the significant spatial constraints and similar barriers to viable industrial development.

Area 2: Requested Amendment from IG1(IS) to EG1(ME): The proposed change in zoning from Industrial to Mixed Employment is consistent with this goal, as services are available, or will be made available at time of building permits for new development on the southerly portion of the subject site.

Goal 11 F Parks and Recreation. Maximize the quality, safety, and usability of parklands and facilities through the efficient maintenance and operation of park improvements, preservation of parks and open space, and equitable allocation of active and passive recreation opportunities for the citizens of Portland.

Comment: This policy is applicable to Area 1 of the site, which is proposed to be zoned Open Space. The applicant has noted in the narrative that this Comprehensive Plan amendment proposal is intended to further implement the vision of the adopted Eastbank Riverfront Park Master Plan. That adopted Master Plan is intended "...to develop a vision that will guide the design and development of a park which will establish itself as a premier urban recreation facility in Portland's Central City---one which physically and symbolically links the east and west sides of the city." [Ref. The Eastbank Riverfront Park Master Plan; *Purpose* statement, p.1] It is important to note that the Eastbank Esplanade is one component of the overall Park vision, albeit a crucial and central one. The policies that follow Goal 11 F, *Parks and Recreation*, Policies 11.42 through 11.51 speak to a defined methodology for managing all aspects of parks and recreation, from Master Development Plans to Maintenance, Capital Programming, Improvements, New Parkland, Self-sustaining Special Facilities, Other Special Facilities, Aquatics Facilities, Recreation Programs, and Public/Private Opportunities. The adopted Eastbank Riverfront Park Master Plan provides a guiding document as well as identified development goals and identified funding committed to implement many of these goals over time. Thus, this adopted Master Plan is consistent with all the policies of Goal 11 F, and the proposal to amend the zoning on Area 1 of the site is, on balance, more supportive of this Goal than the existing Industrial zone.

- **Goal 12 Urban Design:** This goal seeks to enhance Portland as a livable city, attractive in its setting and dynamic in its urban character by building

quality private developments and public improvements for future generations.

Findings: The proposal is consistent with Goal 12, which is intended to enhance Portland's identity as a livable city with attractive amenities creating an urban dynamic through quality projects. Because of the proposal's consistency with these Policies, the proposal, on balance, is supportive of Goal 12, *Urban Design* of the Comprehensive Plan. A detailed analysis of the applicable policies follows, below.

Policy 12.1 Portland's Character. Enhance and extend Portland's attractive identity. Build on design elements, features and themes identified with the City. Recognize and extend the use of City themes that establish a basis of a shared identity reinforcing the individual's sense of participation in the larger community.

Comment:

The intent of the proposal is to amend existing zoning on the site to better achieve the development of the vision embodied in the adopted Eastbank Riverfront Park Master Plan. A significant aspect of the vision embodied within the adopted Master Plan is the recognition of the importance of the Willamette River as a central feature to the life of Portland. As the Master Plan describes the importance of the river, it notes that the Willamette is "...the city's source and reason for being, and today serves the city as an artery of commercial, recreational and symbolic activity and energy...Over the years a number of policies such as the Willamette Greenway Plan, Central City Plan and the Eastbank Esplanade Plan have been adopted...which ...constitute a collective vision of the Willamette River and its banks as a central axis and focus for urban life, with its diversity of uses preserved and enhanced..." Thus, the proposed Comprehensive Map amendment and the associated zone change would further the implementation of this vision and facilitate additional development that coordinates with the Eastbank Esplanade and the vision for the Central City context, with the Willamette River as a central focal point.

In addition to this policy, several other policies are applicable to this proposal, specifically, Policy 12.2 *Enhancing Variety*, Policy 12.3 *Historic Preservation*, Policy 12.4, *Provide for Pedestrians*, Policy 12.5 *Promote the Arts*, and 12.7, *Design Quality*. The proposal furthers all of the policies, because the existing Eastbank Esplanade provides an amenity that specifically promotes and enhances the east river bank as an area of special identity with significant pedestrian connections with the surrounding Central City area. The Esplanade, although relatively recently completed, is already becoming a significant and attractive feature that further identifies the east

river bank as an important contributor to the Central City. The Esplanade is designed with a number of historic points along its route, identified by informational plaques describing view points, river features, and historic elements so that the public can pause and enjoy these important aspects from past generations. The Esplanade also provides a significant enhancement for pedestrians and bicycle riders, and creates a connection between the west and east banks of the Willamette that was virtually absent before its construction. Along this pedestrian pathway a number of public works of art are displayed, further enhancing the Esplanade as a dynamic place whose identity is deeply rooted in both the intensive urban environment of the Central City and the natural environment of the river. Given that the requested amendment and zone change will further support the vision of the adopted Master Plan and development of associated projects augmenting the Eastbank Esplanade, all of the above policies are better supported by the proposal than the existing zones.

2. When the requested amendment is from a residential designation to a commercial, employment or industrial designation, or from the urban commercial designation to another commercial, employment, or industrial designation, or to IR Institutional Residential from another residential or the mixed commercial zone, the requested designation will not result in a net loss of potential housing units. Potential housing units are calculated as follows:
 - a. The maximum density allowed by the zone is used. In zones where density is regulated by floor area ratios, a standard of 900 sq. ft. per unit is used in the calculation and the maximum floor area ratio is used. Exceptions are:
 - (1) In the RX zone, 20 percent of allowed floor area is not included;
 - (2) In the R3, R2, and R1 zones, the amenity bonus provisions are not included; and
 - (3) In the CM zone, one half of the maximum FAR is used.
 - (4) Where a residentially zoned area is being used by an institution and the zone change is to the Institutional Residential zone, the area in use as part of the institution is not included.
 - (5) Where a residentially zoned area is controlled by an institution and the zone change is to the Institutional Residential zone the area excluded by this provision also includes those areas within the boundaries of an approved current conditional use permit or master plan.
 - b. In commercial and employment zones, residential units that are required, such as by a housing requirement of a plan district, are not credited as mitigating for the loss of potential units.
 - c. Replacement of potential units may be accomplished through any of the following means:

- (1) Rezoning and redesignating land off site from a commercial, employment, or industrial designation to residential;
 - (2) Rezoning and redesignating lower-density residential land off site to higher-density residential land;
 - (3) Rezoning land on or off site to the CM zone;
 - (4) Building residential units on the site or in a commercial or employment zone off site. When this option is used to mitigate for lost housing potential in an RX, RH, or R1 zone, only the number of units required by the minimum density regulations of the zone are required to be built to mitigate for the lost housing potential; or
 - (5) Any other method that results in no net loss of potential housing units, including units from the housing pool as stated in 33.810.060 below.
- d. When housing units in commercial or employment zones are used to mitigate for lost housing potential, a covenant must be included that guarantees that the site will remain in housing for the credited number of units for at least 25 years.

Findings: The requested amendments do not involve a change from a residential designation to a commercial, employment or industrial designation, or from the urban commercial designation to another commercial, employment, or industrial designation, or to IR Institutional Residential from another residential or the mixed commercial zone. Therefore, this criterion is not applicable.

33.855.050 Approval Criteria for Base Zone Changes

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

A. Compliance with the Comprehensive Plan Map. The zone change is to a corresponding zone of the Comprehensive Plan Map.

1. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Findings: The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Open Space (Area 1) involves only one corresponding zone (OS). The proposed Comprehensive Plan Map amendment from Industrial Sanctuary to Mixed Employment (Area 2) involves two

corresponding zones: General Employment 1 (EG1), and General Employment 2 (EG2).

The purpose of the employment and industrial zones is to reflect the diversity of industrial and business areas in the City. The zones differ in the mix of allowed uses, the allowed intensity of development, and the development standards. The regulations promote areas which consist of uses and developments which will support the economic viability of the specific zoning district and of the City.

EG1 zoned areas generally have smaller lots and a grid block pattern, and are mostly developed, with high building coverages and buildings located close to the street. EG1 zoned lands will tend to be in strips or small areas.

EG2 zoned areas generally have larger lots and an irregular or large block pattern. The area is less developed, with medium and low building coverages and buildings usually set back from the street. EG2 zoned lands will generally be on larger areas than those zoned EG1.

Area 2 of the subject site is located in the inner eastside industrial area. The zoning north of the site is currently IG1. The zoning south of the site is currently EG2. The inner eastside area can be described as an area of smaller blocks with a grid block pattern. The area is heavily developed, with a majority of the buildings located close to the streets. Building coverage in the area is relatively high (50% to 100%). The existing development forms a consistent "urban industrial" pattern, more compatible with the EG1 zone. In comparing development standards, the EG2 zone is more reflective of a suburban or less intense type of development. The EG2 zone requires buildings to be set back a minimum of 25 feet from street lot lines, where the EG1 zone requires only a 5 foot setback. New development set back 25 feet from the street lot line in the inner eastside area would not be compatible with the historic development in the area.

In addition, the proximity of this portion of the site to the intensely developed Central City neighborhood makes it particularly suitable to be zoned EG1 rather than EG2. Encouraging a more suburban style of development on a parcel that is already constrained in size and is located adjacent to the most intensely developed portion of the City is not consistent with the Goals and Policies of the Comprehensive Plan. On balance, given that there are two corresponding zones for the Mixed Employment designation, the EG1 zone is more supportive overall of the Comprehensive Plan for this specific site than EG2.

2. Where R zoned lands have a C, E, or I designation with a Buffer overlay, the zone change will only be approved if it is for the expansion of a use from abutting nonresidential land. Zone changes for new uses that are not expansions are prohibited.

Findings: The site area is currently zoned IG1, therefore, this criterion is not applicable.

3. When the zone change request is from a higher-density residential zone to a lower-density residential zone, or from the CM zone to the CS zone, then the approval criterion in 33.810.050 A.2 must be met.

Findings: The zone change request is not from a higher density residential zone to a lower density residential zone, or from the CM zone to the CS zone. Therefore, this criterion is not applicable.

B. Adequate public services. Public services for water supply, transportation system structure and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, and proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services.

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands. Service demands may be determined based on a specific use or development proposal, if submitted. If a specific proposal is not submitted, determination is based on City service bureau demand projections for that zone or area which are then applied to the size of the site. Adequacy of services is determined by the service bureaus, who apply the demand numbers to the actual and proposed services to the site and surrounding area.
3. Services to a site that is requesting rezoning to IR Institutional Residential, will be considered adequate if the development proposed is mitigated through an approved impact mitigation plan for the institution.

Findings:

- The Bureau of Environmental Services (BES) responds that at this time the proposal appears to have no impact on BES facilities. BES notes that all future development on the property shall conform to the requirements of the Stormwater Management Manual.
- Portland Transportation responds that the street system is capable of accommodating traffic generated by the new zoning. A detailed

discussion of the Transportation analysis and findings is included earlier in this recommendation in response to *Comprehensive Plan Goal 6, Transportation*.

- The Water Bureau has no objections to the proposal.
- The Fire Prevention Division has no objections to the proposal.
- The Police Bureau has no objection to the proposal.

Based on responses by the affected service providers, this criterion is met.

PLANS AND POLICIES

The following area plans are applicable to this proposal:

The *Eastbank Riverfront Park Master Plan (1994)* was developed jointly by Portland Parks and Recreation and the Portland Development Commission to guide the design and development of a park which “will establish itself as a premier urban recreation facility in Portland’s Central City—one which physically and symbolically links the east and west sides of the city.” The master plan process was designed to facilitate comprehensive citizen participation, stimulate public interest in and discussion about the project, foster creative design solutions, coordinate many related projects within the study area and involve and consult with the regulatory agencies during the process. A citizen advisory committee was convened and developed a mission statement and seven goals for the master plan. Goals include developing a park character that reflects the diversity of its setting and complements the Willamette River, creating a link between the river and the inner eastside residential neighborhoods, benefiting the business environment and complementing other regional attractions in the area, protecting the environmental qualities of the river, improving access to the park, making it inviting, visible, and safe, efficient to maintain, designed to tolerate heavy use, partially self supporting, and designed in a way that can be implemented in feasible phases. As stated previously, the proposed Comprehensive Plan Map and Zoning Map amendments are intended to facilitate implementation of this plan. As such, the proposal is consistent with and supportive of all of the policies and objectives in the adopted master plan.

The *Central City Plan* was adopted by City Council in March 1988. The plan applies to the core area of downtown Portland and is intended to be a “vision for the future, which establishes the Central City as the center of commerce and cultural activities in the community, recognizes the unique environmental setting and historic precedence of the area, incorporates the residential and business characteristics of individual districts within the area, preserves the integrity of adjacent neighborhoods, and improves the livability of the area for all citizens.” The Central City Plan divides the core area into 8 districts. The subject site for this review falls within two of the districts: Coliseum/Lloyd Center and Central Eastside. The proposal is supportive of many of the functional policies of the

Central City Plan, specifically *Policy 2 (The Willamette Riverfront)*, *Policy 4 (Transportation)*, *Policy 7 (Natural Environment)*, *Policy 8 (Parks and Open Spaces)*, *Policy 12 (Urban Design)*, and *Policy 14 (Downtown)*. In addition, the proposal is supportive of *Policy 20 (Central Eastside)* which calls for “expanding the area devoted to the Eastbank Esplanade”.

The site falls within the boundaries of the *Buckman Neighborhood Plan*, the *Hosford-Abernethy Neighborhood Action Plan*, and the *Kerns Neighborhood Action Plan*. These plans are discussed in detail earlier in this recommendation in response to Comprehensive Plan Goal 3, Neighborhoods.

The *Transportation Element of the Comprehensive Plan* is discussed earlier in this recommendation in response to Comprehensive Plan Goal 6, Transportation.

The *Willamette River Greenway Plan* is discussed earlier in this recommendation in response to Comprehensive Plan Policies 2.7 and 8.11.

III. CONCLUSIONS

OPDR staff found that the request to change the Comprehensive Plan Map designation from Industrial Sanctuary to Open Space and Mixed Employment was equally or more supportive of the Comprehensive Plan goals and policies. The Hearings Officer concurs with OPDR the proposed staff findings. The proposal is consistent with the applicable Titles of the Functional Plan, and is consistent with state planning goals. The Hearings Officer also found that the request to change the Zoning Map designation from General Industrial 1 to General Employment 1 meets the applicable approval criteria.

IV. RECOMMENDATION

- Approval of the requested Comprehensive Plan Map Amendment from Industrial Sanctuary to Open Space; and
- Approval of the requested Comprehensive Plan Map Amendment from Industrial Sanctuary to Mixed Employment; and
- Approval of the requested Zoning Map Amendment to place the OS zone in the area of the Open Space Comprehensive Plan designation.
- Approval of the requested Zoning Map Amendment to place the EG1 zone in the area of the Mixed Employment Comprehensive Plan designation.

As depicted in Exhibits B-3 and B-4, subject to the following conditions:

- A. As part of a building permit application submittal, the following development-related condition (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File #LUR 01-00617." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Retail uses over 60,000 square feet in area are prohibited in the area zoned EG1, in conformance with Title 4 of Metro's Urban Growth Management Functional Plan.



Gregory J. Frank
Hearings Officer

The application for this land use review was determined to be complete on October 19, 2001.

City Council Hearing: The City Code requires the City Council to hold a public hearing on this case and you will have the opportunity to testify. The hearing will be scheduled by the City Auditor upon receipt of the Hearings Officer's Recommendation. You will be notified of the time and date of the hearing before City Council. If you wish to speak at the Council hearing, you are encouraged to submit written materials upon which your testimony will be based, to the City Auditor.

If you have any questions contact the Office of Planning and Development Review representative listed in this Recommendation (823-7700).

EXHIBITS

NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement

1. Narrative and response to approval criteria dated September 18, 2001
2. Memo to Portland Transportation dated September 18, 2001
3. Assessment and Recommendation dated September 12, 2001
4. Additional narrative dated September 20, 2001
5. Assessment and Recommendation supplement dated September 29, 2001
6. ODOT email dated October 2, 2001
7. Area description dated October 11, 2001
8. Email regarding Light Watercraft Center dated October 15, 2001
9. Email regarding previous memo, dated October 15, 2001
10. Additional information letter dated October 18, 2001
11. Traffic Impact memo, Macro Analysis dated September 24, 2001
12. Traffic Impact memo, Micro Analysis dated September 24, 2001
13. Traffic Impact analysis figures 1,3,4,5 and 6
14. Division of State Lands letter dated October 19, 2001
15. Light Watercraft memo dated October 15, 2001
16. Eastbank Riverfront Park Master Plan
17. Light Watercraft Center report

B. Zoning Maps (attached)

1. Existing Zoning (north section)
2. Existing Zoning (south section)
3. Proposed Zoning (north section)
4. Proposed Zoning (south section)
5. Overall site map

C. Plans & Drawings (none)

D. Notification information:

1. DLCD Notice
2. Request for response
3. Posting letter sent to applicant
4. Notice to be posted
5. Applicant's statement certifying posting
6. Mailed notice
7. Mailing list

E. Agency Responses:

1. Bureau of Environmental Services
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Metro Regional Government, Planning Department

F. Letters

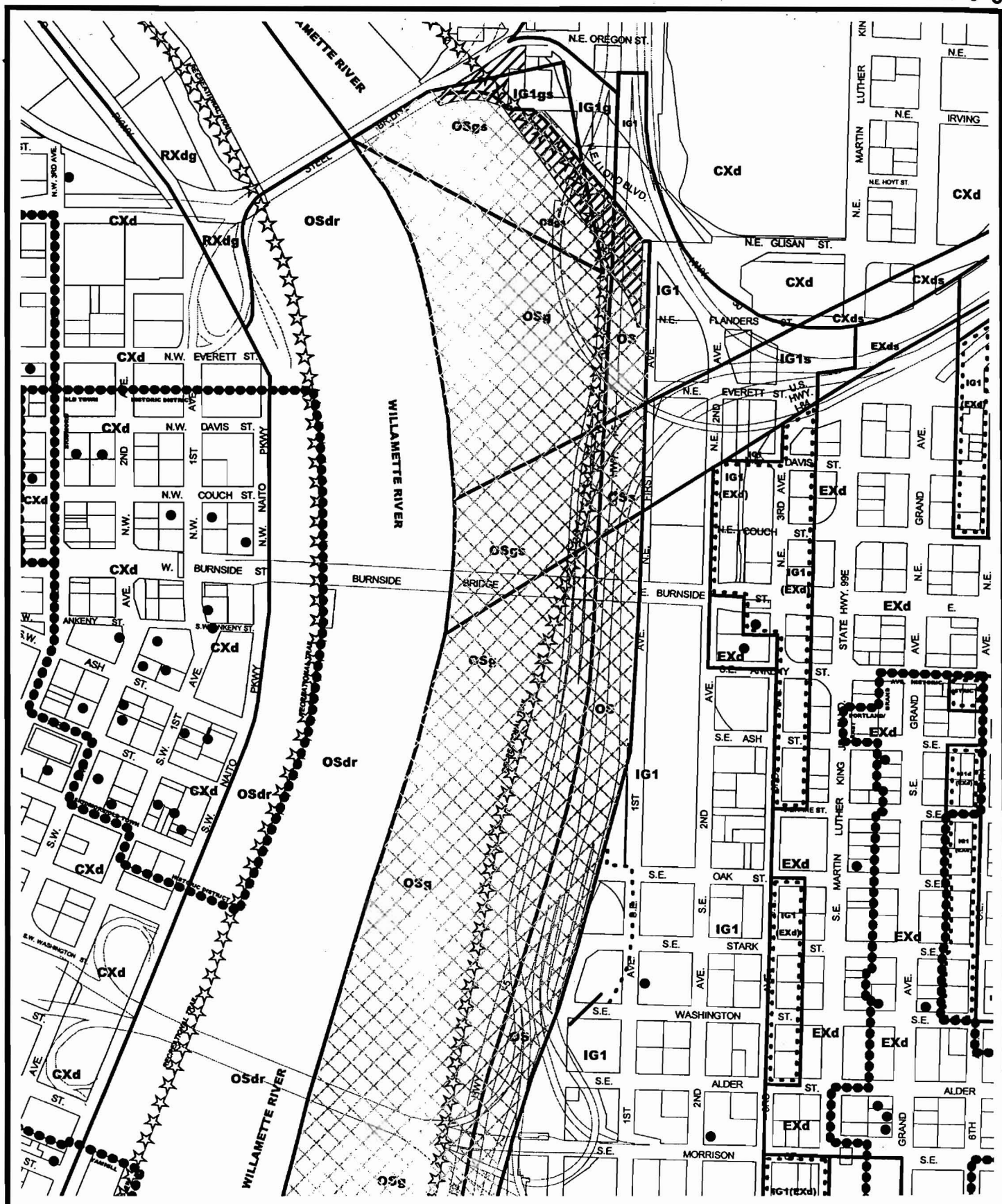
1. Incomplete letter dated October 2, 2001
2. Incomplete letter dated October 8, 2001

G. Other

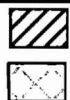
1. Original LUR Application
2. Site History Research

Received Before the Hearing

H. 1. OPDR Staff Report



ZONING PROPOSED



Site Tax Lots

Extent of Zone Change

• Historic Landmark

This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No. LUR 01-00617 CP ZC

1/4 Section 3230, 3130

Scale 1 inch = 500 feet

State-Id 1N1E34AC -00800+

Exhibit B

(Jan 29, 2002)

ZONING


EXISTING



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LUR 01-00617 CP ZC
1/4 Section	3230 , 3130 , 3030 , 2930
Scale	1 inch = 500 feet
State-Id	1N1E34AC -00800+
Exhibit	B.2 (Sep 26, 2001)

PROPOSED



Extent of Zone Change

- Historic Landmark

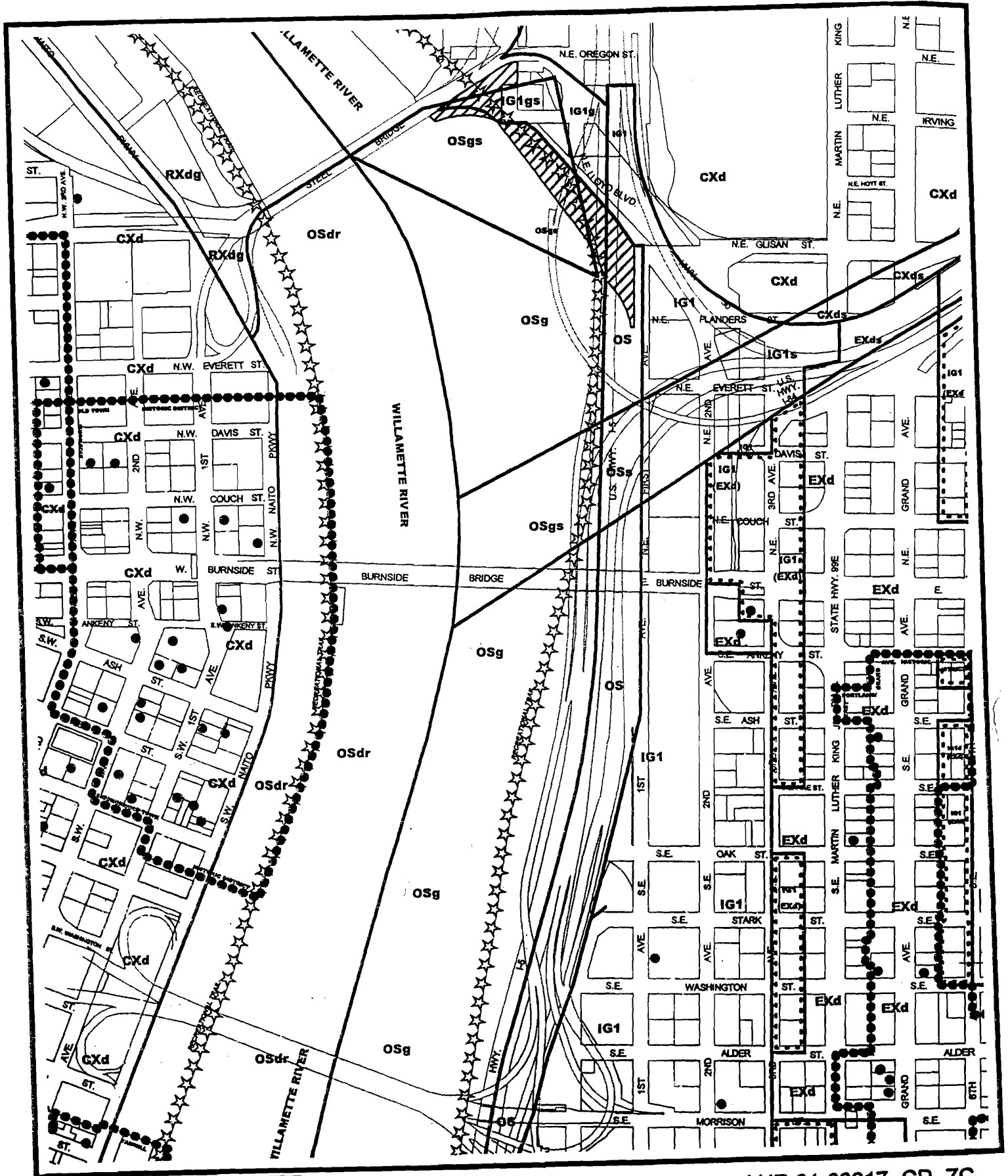
1/4 Section 3230 , 3130

Scale 1 inch = 500 feet

State-Id 1S1E03AD -01600+

B

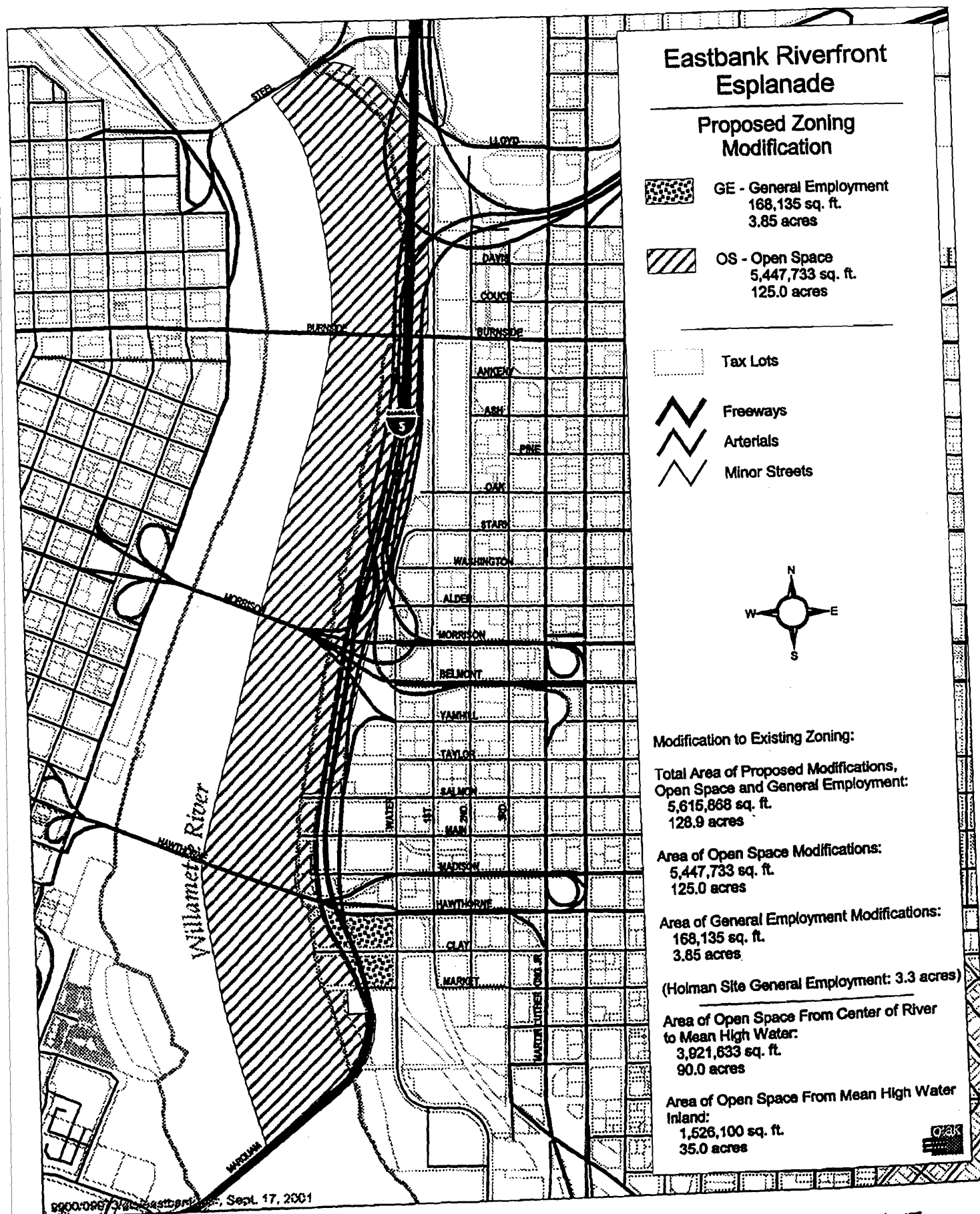
- (Jan 29, 2002)



ZONING  Site
 Historic Landmark
PROPOSED
 This site lies within the:
 CENTRAL CITY PLAN DISTRICT



File No. LUR 01-00617 CP ZC
 1/4 Section 3230, 3130, 3030, 2930
 Scale 1 inch = 500 feet
 State-Id 1N1E34AC -00800+
 Exhibit B.4 (Oct 18, 2001)



OVERALL SITE MAP

LUR # 01-00 617
EXHIBIT B.5

ORDINANCE NO. 176238

*Amend the Comprehensive Plan Map and change the zone of property at S E Water Avenue, Madison and Hawthorne - Eastbank Riverfront Esplanade from Marquam Bridge to Steel Bridge from IS, Industrial Sanctuary and Zoning of General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g,s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, with no change to overlay zones. (Ordinance; LUR 01-00617 CP ZC)

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, Portland Development Commission and Portland Bureau of Parks and Recreation, seek a Comprehensive Plan Map Amendment from General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g, s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment1, with no change to overlay zones, for East Portland; Tl 7300, TL 7400, Tl 7500 Blk 11, W 101' of E 555' of Block 10, Blk 8 Tl 1600, Tl 3800 Blk 9, Inc Pt Vac SE Madison St Inc Riparian Rts out to Harbor Line & Exc E 555' Block 10, Stephens Add; Tl 1501, Tl 1500 Blk 1, Inc Rip Rts Lot 1-4; Exc Pt In St Lot 5-8 Block 2, Section 03 1S 1E; Tl 101 1.82 Acres, Tl 100 2.46 Acres, Tl 200 0.19 Acres, Section 34 1N 1E; Tl 1300 2.33 Acres; Dept of Revenue, Wheelers Add; Tl 800 Block 17; Dept of Revenue.
2. An application complying in all respects with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland and seeking such a Comprehensive Plan Map Amendment and Zone Change has been received.
3. Applicant has paid the proper fee for the filing of such application.
4. The City's Hearings Officer by Report and Recommendation dated December 21, 2001, (OPDR File No. LUR 01-00617 CP ZC) after and as a result of a duly authorized and conducted public hearing held December 11, 2001, on said property, has recommended that the Comprehensive Plan Map Amendment and Zone change be granted.
5. The notice requirements for public hearings were fulfilled according to law.
6. This rezoning constitutes an amendment of the City's Comprehensive Plan Map. Based upon the facts and findings and conclusions of the Hearings Officer's Report and Recommendation, this amendment of the Comprehensive Plan Map from General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g,s, to OS, Open Space

and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1 General Employment 1, with no change to overlay zones, is found to be in accordance with the Comprehensive Plan.

7. This rezoning is in conformance with the Comprehensive Plan for the City, is in accordance with generally accepted land use planning standards and with applicable City and State legislative enactments as indicated in the Report of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings, conclusions and recommendation of the Hearings Officer in OPDR File No. LUR 01-00617 CP ZC are adopted by City Council.
- b. The zone of East Portland; Tl 7300, TL 7400, Tl 7500 Blk 11, W 101' of E 555' of Block 10, Blk 8 Tl 1600, Tl 3800 Blk 9, Inc Pt Vac SE Madison St Inc Riparian Rts out to Harbor Line & Exc E 555' Block 10, Stephens Add; Tl 1501, Tl 1500 Blk 1, Inc Rip Rts Lot 1-4; Exc Pt In St Lot 5-8 Block 2, Section 03 1S 1E; Tl 101 1.82 Acres, Tl 100 2.46 Acres, Tl 200 0.19 Acres, Section 34 1N 1E; Tl 1300 2.33 Acres; Dept of Revenue, Wheelers Add; Tl 800 Block 17; Dept of Revenue, is changed to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, and the Comprehensive Plan Map is hereby amended to conform thereto.
- c. No change shall be made to the zoning maps until the effective date of this ordinance.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council: JAN 30 2002

GARY BLACKMER
Auditor of the City of Portland

By

Susan Parsons

Deputy

1 1 1
Agenda No.

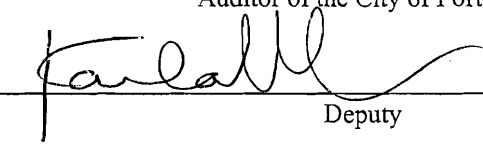
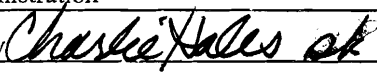

ORDINANCE NO. 176238

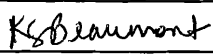
Title

F/2296018

*Amend the Comprehensive Plan Map and change the zone of property at SE Water Avenue, Madison and Hawthorne - Eastbank Riverfront Esplanade from Marquam Bridge to Steel Bridge from IS, Industrial Sanctuary and Zoning of General Industrial 1, Open Space, River General Greenway Overlay Zone, Scenic Resource Overlay Zone, IG1, OS, g, s, to OS, Open Space and ME, Mixed Employment, Zoning designations of OS, Open Space, EG1, General Employment 1, with no change to overlay zones Ordinance; LUR 01-00617 CP ZC)

(Hearing)

INTRODUCED BY	Filed: 12/12/2002
Vera Katz	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	By:  Deputy
Affairs	
Finance and Administration	
Safety 	
Utilities	For Meeting of:
Works	
BUREAU APPROVAL	
Bureau: Hearings Office/Auditor's Office	
Prepared by: G. Frank/ns Date: 12/21/01 	Action Taken:
Budget Impact Review:	
Completed <input checked="" type="checkbox"/> Not Required	
Bureau Head: Gary Blackmer	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular X	Francesconi	Francesconi	✓	
NOTED BY		Hales	Hales	✓	
City Attorney		Saltzman	Saltzman		
City Auditor		Sten	Sten	✓	
City Engineer		Katz	Katz	✓	