

## Group A: Testimony requesting changes from Residential to Mixed Use Zones

In general, staff supports applying Commercial/Mixed Use zoning to correspond with Mixed Use designations on the Adopted 2035 Comprehensive Plan Map. On some sites with newly adopted Mixed Use designations that have existing residential structures, staff supports retaining the existing Residential Zone in order to preserve viable housing and allow the market to make the change to mixed use development over time. On sites where there are existing residences and where enhanced transit service or future station area planning is anticipated, staff also supports retention of the Residential Zone in anticipation of future zoning refinements in the area.

In a few cases, testifiers have called attention to nonconforming situations in which a commercial use exists on a residentially-zoned property. These testifiers are now requesting a Zoning Map change to apply Mixed Use zoning. Generally, these situations were not known at the time that the Comprehensive Plan Map was developed and the Adopted 2035 Comprehensive Plan Map designates these properties as Residential. Mixed Use zones are neither corresponding nor allowed on sites with a Residential Comprehensive Plan Map designation, per Figure 10-1 in the Adopted 2035 Comprehensive Plan. Therefore, residential zoning would need to be retained. These situations may be able to be corrected in the near future through a periodic map adjustment process, similar to RICAP, that would be limited to addressing situations such as nonconforming uses and split zones.

Location(s)	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>1. Requests to correct nonconforming situations by applying a Mixed Use Zone, where Comp Plan Designation is Residential</b>						
a. 2519 E Burnside St b. 6735 SE 82 <sup>nd</sup> Ave	R1 R1	Property owners	<b>Retain existing R1 zone</b>	<ul style="list-style-type: none"> <li>Mixed Use Zones are not consistent with the existing Residential Comprehensive Plan designation.</li> <li>Staff recommends reconsideration of the designation and zone through a future periodic map update to address nonconforming situations.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	
<b>2. Requests to change from Residential Zone to Mixed Use Zone to correspond with Mixed Use Comprehensive Plan designation</b>						
a. 4434 SE 26 <sup>th</sup> Ave; 4432 SE 28 <sup>th</sup> Ave; 4435 SE 28 <sup>th</sup> Pl	R2	Property owners	<b>Apply CE Zone as requested</b>	<ul style="list-style-type: none"> <li>CE corresponds with adopted Mixed Use – Dispersed designation.</li> <li>CE would be consistent with adjacent zoning for individual owner-occupied properties adjacent to a commercial node in an area lacking neighborhood supporting services.</li> <li>Testimony was not received for 4435 SE 28<sup>th</sup> Pl, but it is a comparable situation in this commercial node.</li> <li>Properties are owner-occupied. Any future redevelopment would not pose a displacement risk for tenants.</li> </ul>	Properties would remain R2, a middle housing zone. Residential density could increase but without commercial uses.	
b. 311 W/ N Ivy St and 7000, 7036, 7050 and 7062 NE M L King Jr Blvd	R1	Property owners NNEBA (for 311 W/ N Ivy St)	<b>Apply CM2 as requested</b>	<ul style="list-style-type: none"> <li>CM2 corresponds with adopted Mixed Use – Urban Center designation.</li> <li>CM2 is appropriate near a Corridor within the Inner Ring at a scale consistent with adjacent existing Residential zoning.</li> <li>A change to Mixed Use increases opportunities on these vacant properties for retail, housing and services at a similar scale to, but higher intensity than the adjacent R1 zoning.</li> </ul>	Properties would remain R1 and only residential uses could be developed unless the property owner requests a Zoning Map Amendment through a quasi-judicial process to conform to the Comp Plan Map designation.	

Location(s)	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
c. 2624 SE Division St d. 3905 SE Main St	R1 R2.5	Property owners	<b>Retain existing residential zone (R1 and R2.5, respectively)</b>	<ul style="list-style-type: none"> <li>Location may be appropriate for Mixed Use development in the future. The Adopted 2035 Comprehensive Plan Map designation recognizes this potential.</li> <li>In the near-term, however, the existing residences are either providing or may provide middle housing opportunities in a good location, and staff recommends retaining the existing zoning to avoid displacement of residents as a result of redevelopment.</li> </ul>	A rezoning to Mixed Use may prompt further redevelopment of an area that has already experienced rapid change.	
e. 7401 N Albina Ave	R1	Property owners	<b>Apply CM1 as requested.</b>	<ul style="list-style-type: none"> <li>CM1 corresponds with adopted Mixed Use-Dispersed designation.</li> <li>CM1 will ensure that building is a conforming use and provides flexibility of existing uses.</li> <li>CM1 allows a FAR of 1.5:1, which provides a more generous density allowance than existing R1 zone.</li> </ul>	Use is nonconforming in R1.	
f. Hawthorne and Chavez node – 1523, 1535, 1605, 1613, 1621-1627 and 1600-1604 SE Cesar E Chavez Blvd; 3829 SE Market St g. Hawthorne and SE 38 <sup>th</sup> – 1524, 1534 and 1604 SE 38 <sup>th</sup> Ave	R1 R2.5	Community member	<b>Affirm May 2016 proposal ( R5 to R1 on Chavez and R2.5 on 38<sup>th</sup>), in area designated MU-UC.</b>	<ul style="list-style-type: none"> <li>These properties have all had a commercial Comprehensive Plan Map designation since 1980.</li> <li>R1 and R2.5 are appropriate middle housing zones in these amenity- and transit-rich locations, allowing residential development similar to what a Mixed Use zone would allow.</li> </ul>	A rezoning to Mixed Use may prompt redevelopment of existing middle housing, which in turn could result in displacement of current residents.	
h. 2833 NE Weidler St	R1	Property owner	<b>Retain existing R1 on NE Weidler between 29<sup>th</sup> and 32<sup>nd</sup></b>	<ul style="list-style-type: none"> <li>These properties have all had a commercial Comprehensive Plan Map designation since 1980.</li> <li>R1 is an appropriate middle housing zone in this amenity-rich and transit-rich location, allowing residential development at a similar scale to what the adjacent Mixed Use zone along Broadway allows.</li> <li>Mixed Use may be appropriate along this three block stretch because it would enable more efficient redevelopment of lots sandwiched between the Hollywood Fred Meyer and commercially-zoned properties along NE Broadway. However, staff would want to consult with property owners and neighbors before proposing any change here, since the request to change zoning came from a single property owner.</li> </ul>	<p>A rezoning to Mixed Use may prompt redevelopment on a corridor that is experiencing change.</p> <p>Change here would be a surprise to neighbors and property owners, other than the single testifier, so staff would recommend consultation with property owners and neighbors if the PSC were to recommend this change to City Council.</p>	
i. 4714 NE Fremont St; 3436 NE 47 <sup>th</sup> Ave; 3436 NE 48 <sup>th</sup> Ave; 3430 NE 50 <sup>th</sup> Ave and adjacent vacant lot at	R2	Property owners	<b>Apply CM1, as requested</b>	<ul style="list-style-type: none"> <li>Fremont is a changing corridor, and more opportunities for retail on both sides of the street will better support mixed use development.</li> <li>For both Fremont and Halsey, providing a continuous pattern of Mixed Use zoning will encourage consistent redevelopment</li> </ul>	Rezoning to Mixed Use may prompt redevelopment of single family dwellings.	

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50 <sup>th</sup> /Fremont; 5024 NE Fremont St  j. South side of NE Halsey St between 61 <sup>st</sup> and 62 <sup>nd</sup>	R1			patterns that will strengthen the viability of the commercial corridors.		
k. 4606 SW Corbett  l. 04 SW Hamilton, 018 SW Hamilton	R2	Property owners	<b>Affirm May 2016 proposal (R2)</b>	<ul style="list-style-type: none"> <li>The adopted 2035 CP designation recognizes the potential and appropriateness of future mixed use zoning here. In the near-term the existing R2 zone is an appropriate zone near a Civic Corridor that is pending future light rail alignment and station area planning</li> </ul>	Rezoning to mixed use today could cause redevelopment under current conditions which could miss opportunities presented by anticipated station area planning efforts.	
<b>3. Requests to change from Residential Zone to Mixed Use Zone, where Adopted 2035 Comprehensive Plan designation is Residential</b>						
a. 69 NE Hancock St	R2.5	Property owners	<b>Affirm May 2016 proposal (R2.5)</b>	<ul style="list-style-type: none"> <li>City Council adopted a Comprehensive Plan Map designation of R2.5 on this property, a change from Central Employment (EX).</li> <li>R2.5 corresponds with the newly adopted designation.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	

## Group B: Testimony requesting a change to an Employment, Industrial, or Campus Zone

In general, staff supports applying Employment or Industrial zoning on properties that have Mixed Employment and Industrial Sanctuary designations on the Adopted 2035 Comprehensive Plan Map.

Sanctuary. Testifiers on Campus zoning was mainly concerned with how the zone functions versus approved conditional use master plans and mitigation plans CUMP/IMPs.

In a few cases, testifiers have called attention to situations in which an employment use exists on an existing Mixed Use-zoned property, but where staff has proposed Employment zoning; they are now requesting a Zoning Map change to revert back to the Mixed Use zoning consistent with the Adopted 2035 Comprehensive Plan designation of Mixed Use. Other testifiers are responding to recent Council Amendments to either Mixed Use or Industrial

Location	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>1. Requests to change from Employment to Mixed Use Zone, consistent with the Adopted 2035 Comprehensive Plan Mixed Use designation</b>						
a. 820-830 NW 18th Ave; 801 NE 21 <sup>st</sup> Ave (Sunshine Dairy)	EG1	Property owners	Apply CM3 zone as requested	<ul style="list-style-type: none"> <li>A Mixed Use zone here would be consistent with the Adopted 2035 Comprehensive Plan designation of Mixed Use – Urban Center.</li> <li>CM3 is appropriate within the Inner Ring at a scale consistent with adjacent existing commercial zoning.</li> <li>This change reverts back to the straight conversion to CM3 for the existing EXd zoning.</li> </ul>		
<b>2. Requests to change both Comp Plan Map designation and zone to Mixed Employment</b>						
a. NW 29th & Roosevelt - 2211 NW St Helens Rd, 3044 and 3030 NW Nicolai St, 2124 NW 31 <sup>st</sup> Ave, 3042 and 3032 NW Roosevelt St, 2123 NW 30 <sup>th</sup> Ave, 2135 NW 29 <sup>th</sup> Ave	EX	Affected and adjacent property owners	Affirm May 2016 proposal (EX)	<ul style="list-style-type: none"> <li>Staff concurs with testifiers' concerns about the negative impacts inherent in introducing new residents to an active industrial area. However, a zone change to EG1 would be inconsistent with City Council's decision to re-designate this area to EX.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	
b. Broadmoor Golf Course - 3509 NE Columbia Blvd	IG2 and OS	Owner representative	Retain existing IG2 and OS zoning	<ul style="list-style-type: none"> <li>Mixed Employment Zones are not consistent with the Industrial Sanctuary Comprehensive Plan designation.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	

<b>3. Requests to change both Comp Plan Map designation and zone to Mixed Use</b>						
a. 2800 NE 82nd Avenue	EG2	Owner representative	<b>Affirm May 2016 proposal (EG2)</b>	<ul style="list-style-type: none"> <li>Mixed Use Zones are not consistent with the Mixed Employment Comprehensive Plan designation.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	
b. Hayden Meadows Shopping Center – 1120 N Hayden Meadows Dr	EG2	University Park Neighborhood Association	<b>Affirm May 2016 proposal (EG2)</b>	<ul style="list-style-type: none"> <li>City Council adopted a Mixed Employment designation on this property because of its potential to be redeveloped for employment uses.</li> <li>Mixed Use Zones are not consistent with the Mixed Employment Comprehensive Plan designation.</li> </ul>	A zone change without a corresponding Comp Plan Map change would be inconsistent with Figure 10-1 of the Comprehensive Plan ( <i>Corresponding and Allowed Zones for Each Land Use Designation</i> ).	
<b>4. Requests to retain existing Employment and Residential zoning</b>						
a. University of Portland - 5000 N Willamette Blvd	CI1	University Park Neighborhood Association	<b>Affirm May 2016 proposal (CI1)</b>	<ul style="list-style-type: none"> <li>Application of Institutional Campus zone on these sites is consistent with the Adopted 2035 Comprehensive Plan designation of Institutional Campus (IC).</li> </ul>	Without CI zoning, institutions would have to go through new Conditional Use Master Plan processes to allow continuation of campus-related functions that are not allowed by right in the respective base zones (R2, EG for University of Portland; R7 and R5 for Reed-owned properties).	
b. Reed College properties on the south side of Woodstock - 2840 and 3312 SE Woodstock Blvd	CI1	Community member				

**Group C: Residential Zoning Map changes**

The May 2016 proposal includes Residential Zoning Map changes to: 1) correspond with Adopted 2035 Comprehensive Plan Map changes; 2) address various situations, such as nonconforming density or split zones; 3) reduce residential density to ease David Douglas School District’s overcrowding; and 4) match Comprehensive Plan designations established in 1980. Most testimony about Residential Zoning Map changes centered on this fourth category. Generally, staff recommends Zoning Map changes to match the 1980 designation (most commonly R2.5) in

areas with relatively strong infrastructure investments and proximity to amenities and services. In areas farther from centers, with more limited infrastructure and/or with other constraints (such as steep slopes), staff generally recommends retaining the current zoning. In these areas, property owners would continue to be able to request an individual Zoning Map change through a land use review process, subject to meeting approval criteria in the Zoning Code.

Location	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>1. Upzoning proposals in Zoning Review Areas - R5(R2.5)</b>						
a. Piedmont – Zoning Review Area north of N Rosa Parks Way along N Borthwick and N Kerby streets	R2.5	Piedmont Neighborhood Association; property owners	<b>Retain existing R5(R2.5) zoning</b>	<ul style="list-style-type: none"> <li>Retention of existing zone addresses neighborhood concerns about potential displacement of long-term African-American community here, as expressed by property owners and supported by neighborhood demographic data.</li> <li>Because the Comprehensive Plan Map designation remains R2.5, an individual property owner may still request a zone change through a quasi-judicial Zoning Map Amendment process.</li> </ul>	Potential for further destabilizing existing African American enclave.	
b. Richmond – all Zoning Review Areas (support); specific areas in Richmond: north of SE Powell, east of SE 50 <sup>th</sup> Avenue (testimony in support); north of SE Powell, east of SE Chavez (testimony in opposition)  c. North Tabor - Zoning Review Area north of NE Glisan, east of NE 63 <sup>rd</sup> Ave (testimony in support)	R2.5	North Tabor Neighborhood Association; Property owners; community member	<b>Affirm May 2016 proposal (R2.5)</b>	<ul style="list-style-type: none"> <li>The R2.5 zone here is consistent with the Adopted 2035 Comprehensive Plan designation of Single-Dwelling 2,500.</li> <li>The R2.5 zone is consistent with pockets of R2.5 zoning throughout this Zoning Review Area.</li> <li>The #14 Hawthorne, the #4 Division/Fessenden, the #75 Cesar Chavez/Lombard, the #9 Powell are all frequent service lines.</li> </ul>	Limits potential for middle housing in area with high opportunity for residents	

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<b>2. Upzoning proposals in Zoning Review Areas - R5(R2)</b>						
a. 3120 SE Stark St; 3027, 3033, 3039, 3051 and 3059 SE Alder St (testimony in support)	R5	Property owners; community member	Apply R2 zoning, as requested	<ul style="list-style-type: none"> <li>The R2 zone here would be consistent with the Adopted 2035 Comprehensive Plan designation of Multi-Dwelling 2,000.</li> <li>For the SE 31<sup>st</sup> and Alder area, the #15 Belmont/NW 23<sup>rd</sup> and #75 Cesar Chavez/Lombard busses are all frequent services lines in close proximity.</li> <li>For the Sellwood-Moreland area, the R2 zone would be consistent with pockets of R2 zoning throughout this area.</li> <li>The Tacoma Street MAX Station is within a quarter mile to the east. The proximity of this area to transit, amenities and services means that this area is a good location for a range in housing types.</li> </ul>	R5 limits the potential for middle housing in area with high opportunity for residents	
b. Sellwood Moreland – Area adjacent to Tacoma MAX Station north of SE Tacoma and east of SE 21 <sup>st</sup> Ave (testimony in support and in opposition)	R2ad		Affirm May 2016 proposal (R2)			
<b>3. Upzoning proposals in Zoning Review Areas - R5(R1)</b>						
a. North Tabor – Zoning Review Area north of NE Glisan, east of NE 60 <sup>th</sup> Ave; and south of NE Glisan, east of NE 61 <sup>st</sup> Ave (testimony in support)	R1	North Tabor Neighborhood Association; property owners	Affirm May 2016 proposal (R1)	<ul style="list-style-type: none"> <li>The R1 zone here would be consistent with the Adopted 2035 Comprehensive Plan designation of Multi-Dwelling 1,000.</li> <li>The R1 zone would be consistent with pockets of R1 zoning throughout this Zoning Review Area.</li> <li>The NE 60<sup>th</sup> MAX Station is within a quarter mile to the west. The proximity of this area to transit, amenities and services means that this area is a good location for a range in housing types.</li> </ul>	R5 limits the potential for middle housing in area with high opportunity for residents	
<b>4. Upzoning proposals in Zoning Review Areas - R2.5(R1)</b>						
a. 4109-4119 SE Morrison St (testimony in support)	R1	Property owners	Apply R1 zoning, as requested	<ul style="list-style-type: none"> <li>The R1 zone here would be consistent with the Adopted 2035 Comprehensive Plan designation of Multi-Dwelling 1,000.</li> <li>The R1 zone would be consistent with adjacent R1 zoning and is situated within a quarter mile of the SE 17<sup>th</sup>/Rhine Station of the MAX Orange Line. The #9 Powell bus runs along SE Powell Blvd to the south and is a frequent service line. The proximity of this area to transit, amenities and services means that this area is a good location for a range in housing types.</li> </ul>	R5 limits the potential for middle housing in area with high opportunity for residents	
b. Hosford-Abernethy – Zoning Review Area north of SE Powell, near SE 21 <sup>st</sup> and SE Powell (testimony in opposition)	R1		Affirm May 2016 proposal (R1)			

Location	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>5. Requests to retain existing R2 zoning (do not change to R5 as part of the David Douglas School District downzone)</b>						
a. 12500-12506 NE GLISAN ST, 451-457 NE 126th, 3348 SE 112th, 3541-3545 SE 111th, 13209-13215 SE Powell, 13227-13233 SE Powell, 3215-3219 SE 136th, 13737 SE Powell, R122756, R334285, R207776, R237316, R266365	R5	Property owners	Retain existing R2; remove from DDSD downzone	<ul style="list-style-type: none"> <li>These properties are already developed with multi-dwelling development. One property is an existing Mobile Home Park.</li> </ul>	A change to R5 would make existing multi-family properties non-conforming, and would not support the goal of mitigating DDSD capacity issues.	
b. 10703 E. Burnside, 10861 E. Burnside and 9 NE 109th	R5	Property owners	Affirm May 2016 proposal (R5)	<ul style="list-style-type: none"> <li>These 3 properties are beyond the ¼ mile Max Station area radius and are currently developed with single family structures.</li> <li>They will still have some additional development potential under R5 zoning.</li> </ul>	Retaining R2 zoning will allow multi-dwelling development by right, with potential to negatively impact DDSD capacity.	
<b>6. R5 (R1) and R5 (R2) zoning: support and opposition (Near 60th Ave MAX Station)</b>						
a. NE 57 <sup>th</sup> to 63 <sup>rd</sup> Ave south of Halsey, north of 60 <sup>th</sup> Ave Transit Station (Rose City Park)	R1 and R2	Property owners, Rose City Park NA	Affirm May 2016 proposal (R1 and R2)	<ul style="list-style-type: none"> <li>R1 and R2 zoning would be consistent with the Adopted 2035 Comprehensive Plan designations.</li> <li>The 60<sup>th</sup> MAX Station is within a quarter mile to the south. The proximity of this area to transit, amenities and services means that this area is a good location for a range of housing types.</li> <li>Pedestrian and bike improvements are expected to be made near this station area with the next few years. These improvements will better support incremental redevelopment. Prioritization of future transportation improvements is predicated by higher residential densities.</li> </ul>	Retaining R5 zoning would allow lots currently developed with houses, duplexes and multi-dwellings to be redeveloped with single-dwelling houses. R5 the limits potential for missing middle housing in area with high opportunity for residents.	



### Group D: Testimony requesting a change to an Open Space Zone

Changes to the Open Space designation were made through the Comprehensive Plan map update process on publicly-owned lands that were previously in a different designation. Two requests were made during this testimony period to change land that is not designated Open Space to the OS zone, which cannot happen without changing the

designation. One request is on public school property (where no changes from R to OS have been made), and the other is on privately owned land.

Location	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>1. Change both Comp Plan Map designation and zone to open space</b>						
a. Glencoe Elementary School - 825 SE 51 <sup>st</sup> Ave	R2.5	community member	<b>Affirm May 2016 proposal (R2.5)</b>	<ul style="list-style-type: none"> <li>Consideration of possible changes to zoning on school properties (other than high schools) is deferred to a future date so that recommendations can follow a comprehensive analysis that considers similar and different situations among Portland's different school districts.</li> </ul>	A change to the zoning on this one school property would be inconsistent with how other similar schools are zoned.	
b. McCormick & Baxter site - 6900 N Edgewater St	EG2	University Park Neighborhood Association	<b>Affirm May 2016 proposal (EG2)</b>	<ul style="list-style-type: none"> <li>The proposed EG zoning is a placeholder. The property is still in private ownership, and has not yet been acquired by University of Portland.</li> <li>The City does not generally apply Open Space zoning on privately owned property without a specific request from the owner.</li> <li>EG zoning would allow park and open area uses if proposed.</li> </ul>	Application of OS zoning on a privately-owned property, without owner's consent, is inconsistent with City practice.	

### Group E: Miscellaneous Overlay Requests

Location	May 2016 Proposal	Who testified	Staff Recommendation	Rationale	Implications if the PSC were to make a different recommendation	Discuss?
<b>1. Add environmental overlay to new area</b>						
a. Overlook neighborhood between N Going and N Skidmore	n/a	community member	<b>No change at this time.</b>	<ul style="list-style-type: none"> <li>Consideration of any changes to environmental overlay zones is beyond the scope of this current Zoning Map update.</li> </ul>		
<b>2. Create health overlay zone</b>						
b. North Portland	n/a	Arbor Lodge and University Park Neighborhood Associations	<b>No change at this time.</b>	<ul style="list-style-type: none"> <li>This proposal has good ideas and is worth pursuing further. The proposed overlay goes beyond the purview of the Zoning Map and Zoning Code. Further exploration is warranted, in partnership with other bureaus and agencies.</li> </ul>		

