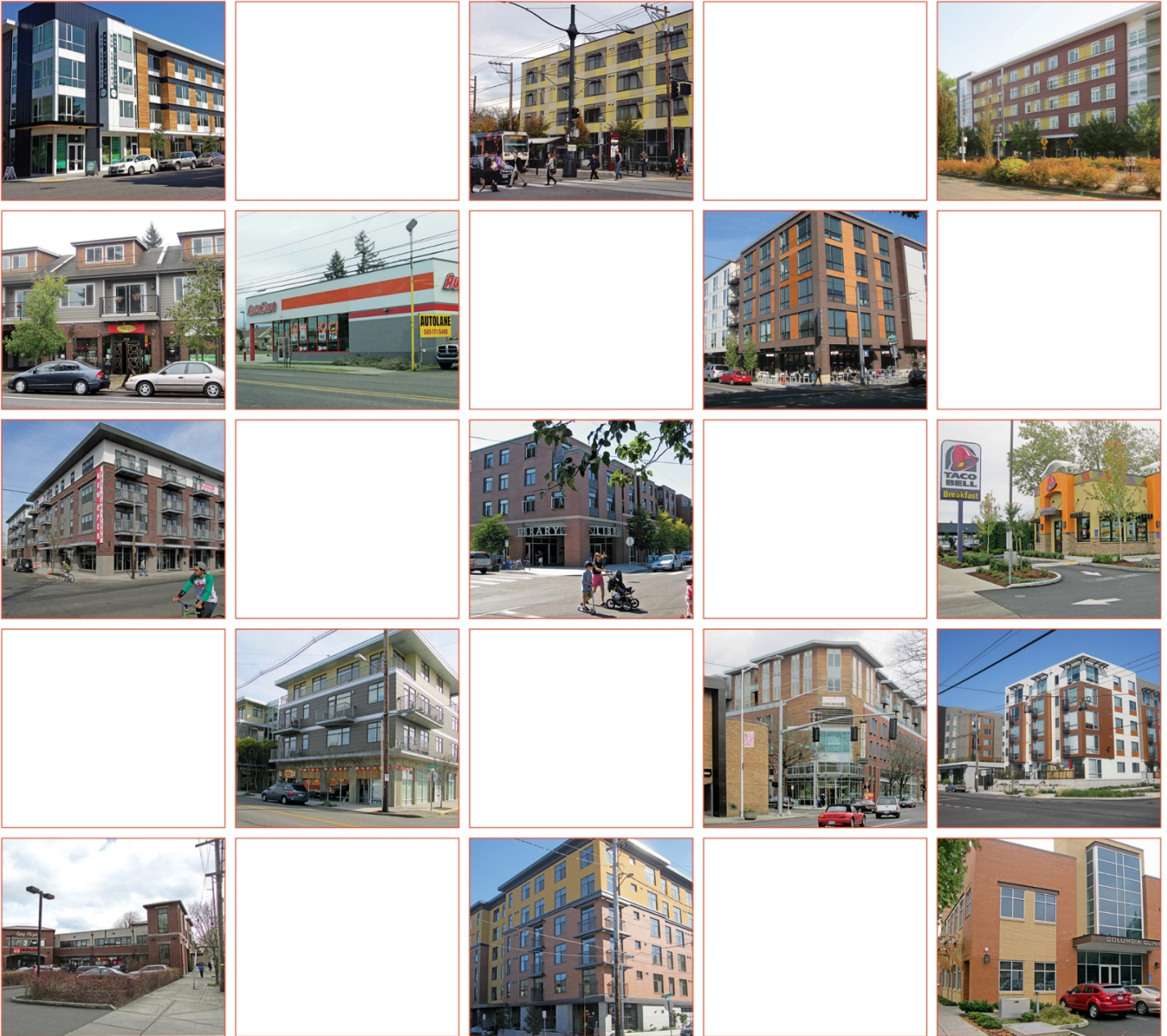


# Mixed Use Zones Project

EARLY IMPLEMENTATION OF THE 2035 COMPREHENSIVE PLAN

RECOMMENDED DRAFT - AUGUST 2016



City Council Public Hearings  
October 6 and 13, 2016



Discussion Draft



Proposed Draft



Recommended Draft



Adopted Plan

August 2016

[www.portlandoregon.gov/bps/mixeduse](http://www.portlandoregon.gov/bps/mixeduse)



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You may provide testimony to the Portland City Council through **October 13, 2016**, in any of the following ways:

- **By Email:** [cputestimony@portlandoregon.gov](mailto:cputestimony@portlandoregon.gov) with subject line “Comprehensive Plan Implementation”
- **By U.S. Mail:** Portland City Council, 1221 SW 4th Ave, Room 130, Portland, OR 97204, Attn: Comprehensive Plan Implementation
- **Through the Map App:** [www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp), click on Zoning Map Changes and use the comment tab to provide your testimony
- **In person at a public hearing:**

**October 6 at 2 p.m.** or

**October 13 at 2 p.m.**

City Council Chambers

1221 SW 4<sup>th</sup> Avenue, Portland

*To confirm dates and times, please check the City Council calendar at*

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*This project was partially funded by a Metro Construction Excise Tax (CET) grant.*

# Acknowledgements

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Amanda Fritz, *Commissioner*  
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# Section I: Introduction

The Mixed Use Zones Project is one of eight projects that implement Portland’s 2035 Comprehensive Plan, adopted by the Portland City Council on June 15, 2016. These “Early Implementation” projects are the final stage of the state-required periodic review of Portland’s Comprehensive Plan. Each project was considered through its own public process and timeline.

## The Comprehensive Plan Early Implementation Package

On August 23, 2016, the Portland Planning and Sustainability Commission voted to consolidate its recommendations on all of the Early Implementation projects into one submittal to City Council. This submittal, the “Comprehensive Plan Early Implementation Package,” includes:

- Zoning Code changes
- Zoning Map changes
- A new Community Involvement Program
- Transportation System Plan – Stage 2

The Planning and Sustainability Commission’s recommendations for each individual Early Implementation project are summarized in separate reports. This report addresses Mixed Use Zones Project changes only.

## Project Summary

The Mixed Use Zones Project (MUZ) is an initiative to develop new mixed use zoning designations to implement Portland’s new 2035 Comprehensive Plan. The 2035 Comprehensive Plan calls for managing growth and creating healthy, vibrant neighborhoods in part by focusing new housing, shops, and services into a network of centers and corridors located throughout Portland. These areas will serve as the anchors of neighborhoods and accommodate new residents. They will continue to evolve as places that meet the daily needs of nearby residents and are well served by shops, services, transit and other public services.

The Mixed Use Zones Project revises Portland’s zoning codes applied in centers and corridors outside of the Central City. The current array of zones applied in these areas (CN1, CN2, CO1, CO2, CM, CS, CG, CX, EX) was created over 20 years ago when auto-oriented and low intensity commercial uses were common.

The project addresses issues that arise with new more intensive mixed use buildings, such as massing and design, transitions and step-downs, and ground floor uses. It also addresses other opportunities to realize 2035 Comprehensive Plan goals and policies through development regulations and incentives. Incentives emphasize affordability of housing and commercial space. In addition to developing new zoning codes, the project also proposes a new zoning map using the new zoning designations. These map designations, which can be found on the Portland Map App (<https://www.portlandmaps.com/bps/mapapp>), specify which zones apply to specific properties.



*As Portland grows, development in the commercial /mixed use zones will meet an increasing share of the city's housing and employment needs.*

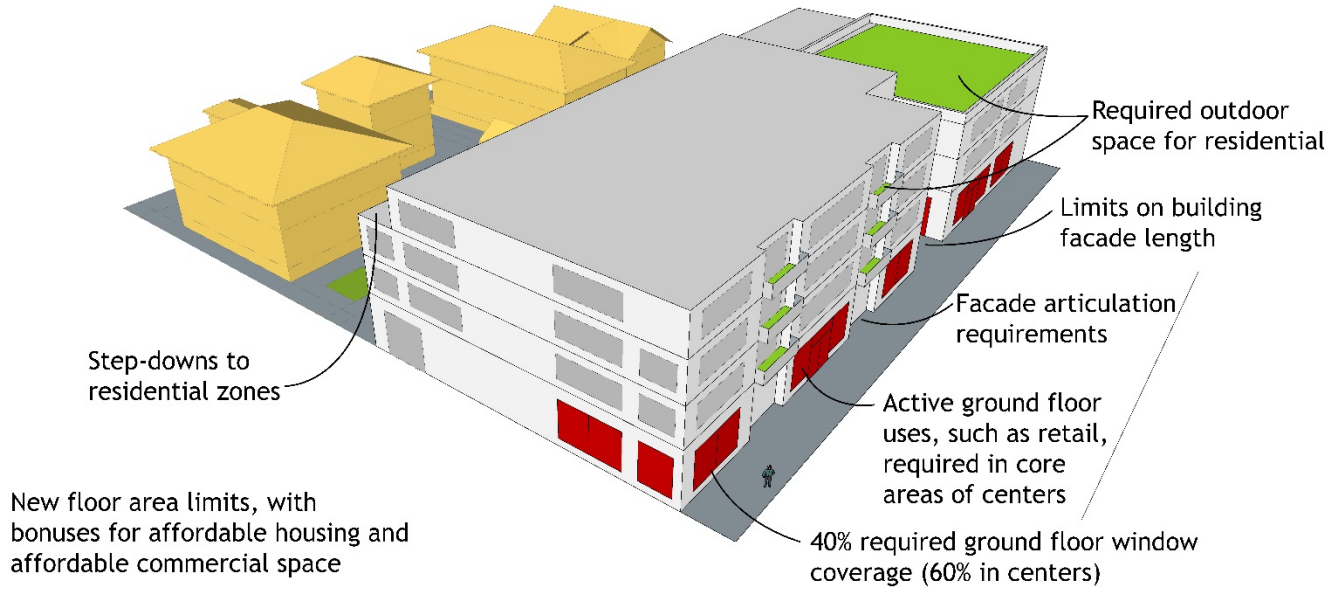
A description of the recommended zones is included in this report (Section I) along with a summary of the concept proposal with information on new development and design tools (Section IV), an overview of implementation tools (Section V), recommended amendments to the Zoning Code (Section VI), and recommended amendments to the Zoning Map (Section VII). Details of the 2035 Comprehensive Plan policies that form the basis for zoning directions can be found in Sections II of this report, and the Public Involvement process is described in Section III.

Below is a summary of fundamental changes to the Commercial Mixed Use zones:

- Creates five new zones with varying scales:
  - **CR**, small-scale, 2-3 stories, 30’;
  - **CM1**, small-scale, 3 stories, 35’;
  - **CM2**, medium-scale, 4-5 stories, 45’-55’;
  - **CM3**, large-scale, 6-7 stories, 65’-75’; and
  - **CE**, a more auto-accommodating zone, medium-scale, 4-stories, 45’.
- Manages bulk of development by setting new Floor Area Ratios (FAR) for each of the zones;
- Provides incentives for affordable housing and commercial spaces through bonuses that earn additional floor area;
- Reduces building mass by articulating large façades and limiting building length;
- Enhances street-level environment by increasing ground-floor window requirements;
- Requires outdoor area for new residential units;
- Improves transitions to neighboring residential areas through a height “step down”;
- Sets building coverage and landscaping standards by place types (“pattern areas”);
- Addresses commercial-residential conflicts through landscaping and setbacks;
- Ensures active ground floor uses such as retail in the core commercial areas of centers;
- Facilitates ground-floor commercial uses through building height allowances that accommodate the high ceilings of retail and other commercial spaces;
- Allows added height and development flexibility on large sites via a Planned Development review;
- Requires neighborhood notification of most new development; and
- Prohibits drive-through facilities in eastern Portland and provides allowances that facilitate continuation of existing drive throughs in other areas.



The diagram below depicts many of the features of the new zones.



Overall, the Mixed Use Zones Project proposal includes the following major elements:

- New Commercial/Mixed Use zones to replace existing Commercial zones (33.130);
- Rewrite of the Commercial chapter of zoning code (33.130);
- Creation of a new Zoning Map with new base zones;
- Expansion of Design Overlay Zone (33.420);
- Application of new Centers Main Street Overlay Zone (33.415); and
- New requirements for Transportation Demand Management for residential projects (33.266).

## **Why is this important?**

Portland is expected to grow significantly over the next 20 years – in both new households and new jobs. The development produced by this growth, if located and designed correctly, will support and enhance the qualities that help make Portland an attractive place. As Portland’s population grows, its households will also change. In the next two decades the size of households is expected to decrease, and more Portlanders will live alone, and live longer. Accommodating this need, roughly 80% of new housing built over the next 20 years is expected to be multifamily development, much of it in centers and corridors within the mixed use zones.

## **What is in the report?**

This report contains:

- A summary of the recommended zoning framework and evolution of the proposal from Assessment to the Recommended Draft (Section I).
- A summary of the 2035 Comprehensive Plan goals and policies and other policy documents that prompted the Mixed Use Zones Project work program (Section II).
- A review of key public involvement components of the Mixed Use Zones Project and related policy efforts (Section III).
- A general description of the Mixed Use Zones Concept and a summary of significant changes made in the Proposed and Recommended Drafts (Section IV).
- An overview of implementation tools, including Zoning Code and Zoning Map Amendments; information on the approach to the recommended bonuses; additional information on transportation changes and programs; zoning code issues for subsequent amendments; and potential changes to other city Titles (Section V).
- Identification of Recommended Zoning Code (Title 33) amendments, which have been incorporated into a consolidated document, *Early Implementation of the 2035 Comprehensive Plan — Zoning Code Amendments Recommended Draft*.
- Identification of Recommended Zoning Map amendments that identify the recommended application of the new zones and are found on the City of Portland Map App.

## **A New Commercial Mixed-Use Zoning Framework**

The project creates a new framework of zones that will be applied to centers, corridors, and other mixed use areas outside Portland’s Central City. It creates five new zones: three new Commercial/Mixed Use zones (CM1, CM2, CM3) that vary by the scale of development allowed; a medium-scale Commercial Employment (CE) zone with a commercial and employment emphasis that is typically applied outside designated centers; and a small-scale Commercial Residential (CR) zone that allows limited commercial uses and is applied in limited locations in residential areas. These new zones generally replace the existing CN1/2, CO1/2, CS, CM, CG, and EX base zones applied outside of Portland’s Central City. The existing Central Commercial (CX) zone is retained in the base zones for application in the Central City, the Gateway Regional Center, and other selected locations. The zoning code for the new zones includes new development and design standards. The new zones are mapped based on a methodology that began with conversion to the most similar new zone, with subsequent refinement. This approach to mapping is described in Section VII.

The new zones update development and design standards in a variety of ways to meet the goals of the Comprehensive Plan, respond to different development and locational contexts, and address the needs and desires of a variety of community stakeholders. The new standards include approaches that incentivize development that provides public benefits, such as affordability, and address other aspects of design in context. Details about the new development standards are included in the 2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft.

The recommended zones are described on the following pages along with massing models of the zones and photos of existing development that is of the type and scale that could be developed in the respective zones.

**Commercial Residential (CR)** The Commercial Residential (CR) zone is a low-intensity zone for small and isolated sites in residential neighborhoods. The zone is intended to be applied in limited situations on local streets and neighborhood collectors in areas that are predominately residential in character. Many of these sites were previously zoned residential, with nonconforming commercial uses. The CR zone encourages small scale retail and service uses for surrounding residential areas. Uses are restricted in size to promote a local orientation, and to limit adverse impacts on surrounding residential areas. Where commercial uses are not present, residential density is limited to provide compatibility with surrounding residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residentially zoned areas.

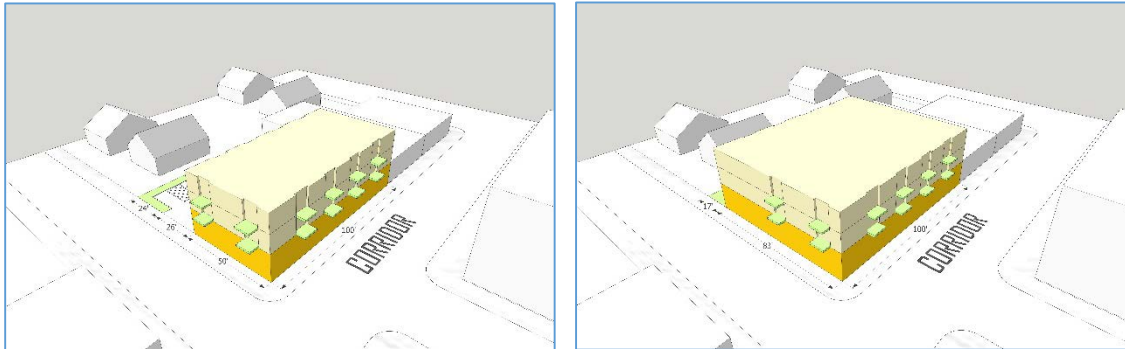


*The diagram above shows an example of the massing of development allowances in the CR zone.*

**Below are examples of the type and scale of development that could be allowed in the CR zone.**



**Commercial Mixed-Use 1 (CM1)** This small-scale commercial mixed use zone is intended for sites in smaller mixed use nodes within lower density residential areas, as well as on neighborhood corridors, and at the edges of neighborhood centers, town centers and regional centers. The zone is also appropriate for key areas within neighborhood centers that have low-rise storefront character and where this scale is intended to be maintained. This zone allows a mix of commercial and residential uses. Buildings in this zone are generally expected to be up to three stories. Development is intended to be pedestrian-oriented and generally compatible with the scale of surrounding residentially zoned areas.

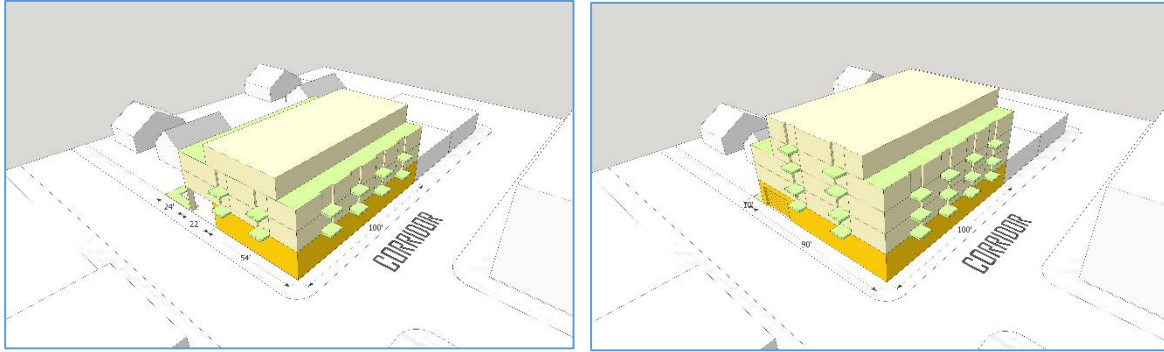


*The diagrams above show an example of the massing of development allowances in the CM1 zone. The left diagram shows the maximum base development allowance; the right diagram shows the maximum allowance with bonus.*

**Below are examples of the type and scale of development that could be allowed in the CM1 zone.**



**Commercial Mixed-Use 2 (CM2)** This medium-scale commercial mixed use zone is intended for sites in a variety of centers and corridors, and in smaller mixed use areas that are well served by frequent transit or within a larger area zoned for multi-dwelling development. The zone allows a mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zones are generally expected to be up to four stories, unless height and floor area bonuses are used to provide additional public benefits. Development is intended to be pedestrian-oriented and complement the scale of surrounding residentially zoned areas.



*The diagrams above show an example of the massing of development allowances in the CM2 zone. The left diagram shows the maximum base development allowance; the right diagram shows the maximum allowance with bonus.*

**Below are examples of the type and scale of development that could be allowed in the CM2 zone.**



**Commercial Mixed-Use 3 (CM3)** This large-scale commercial mixed use zone is intended for sites close to the Central City, in high-capacity transit station areas, town centers, and on Civic Corridors. The zone allows a wide mix of commercial and residential uses, as well as other employment uses that have limited off-site impacts. Buildings in this zone are generally expected to be up to six stories, unless height and floor area bonuses are used to provide additional public benefits or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, but buildings may be larger than those allowed in lower intensity mixed use and residential zones. Design review is required in this zone.



*The diagrams above show an example of the massing of development allowances in the CM3 zone. The left diagram shows the maximum base development allowance; the right diagram shows the maximum allowance with bonus.*

**Below are examples of the type and scale of development that could be allowed in the CM3 zone.**



**Commercial Employment (CE)** This medium-scale commercial employment zone is intended for sites along corridors in areas between designated centers, especially along Civic Corridors that are also Major Truck Streets or Priority Truck Streets. The zone is generally not expected to be applied in major centers. The zone allows a mix of commercial uses, some light manufacturing and distribution/employment uses that have few off-site impacts, and housing. This zone will allow quick vehicle servicing uses and drive-through developments in some locations. Buildings in this zone are generally expected to be up to four stories, and bonuses are more limited than in other zones. Development is intended to be pedestrian-oriented, as well as auto accommodating, and complement the scale of surrounding areas.



The diagram above shows an example of the massing of development allowances in the CE zone. The left diagram shows the maximum base development allowance; the right diagram shows the maximum allowance with bonus.

Below are examples of the type and scale of development that could be allowed in the CE zone.





## Steps to Publication of the Recommended Draft

The Mixed Use Zones Project builds on the goals and policies of the 2035 Comprehensive Plan. A Project Advisory Committee (PAC) was recruited in early 2014 and began monthly meetings. Seven community walks were conducted in spring 2014 to build on Comprehensive Plan outreach and further identify community aspirations, issues and concerns around mixed use development. In addition, in summer 2014 roundtable discussions were held with developers, architects/designers, affordable housing providers/advocates and the small business community to gain their perspectives on development issues. The mixed use zones concept builds on this feedback.

A [Mixed Use Zones Project Assessment Report](#) was published in fall 2014. This background report includes information and data on Portland policy directives, zoning approaches, and development issues. It is augmented by the [Case Studies in Zoning for Mixed Use Development: Best Practices from Peer Cities](#) report by Dyett and Bhatia, which assesses national best practices for zoning. These reports culminated in a set of recommendations to consolidate Portland's current array of nine commercial and employment mixed use zones in to fewer zones. They also identified new development design directions and standards to explore.

A [Preliminary Zoning Concept](#) was developed and released in November 2014. The preliminary concept outlined a new zoning framework for commercial/mixed use zones, and several development design standards and approaches to policy objectives to test and model. Since then, building form prototype models were developed based on the preliminary concept, to better understand the urban form, economic, and development implications of the preliminary standards. Visual and economic models of "base" regulations and "performance bonuses" were developed. For this modeling, prototypes using bonus area were assumed to include a percentage of "affordable" residential units to meet the bonus. The results of that architectural and economic testing and modeling are included in the [Mixed Use Building Form Prototypes and Financial Analysis](#) report by project consultants Dyett & Bhatia (included in *Code Concepts Report - Appendix*).

The results of the initial modeling were reviewed with the Project Advisory Committee, Technical Advisory Group, and city staff. Information was also shared with the public. Feedback about the physical form of the prototype models and the cost implications of the development standards led to further staff revision to features such as step backs, step downs, setbacks, lot coverage, and façade articulation. Floor area ratio recommendations were also refined in response to Advisory Committee comments and economic analysis.

A [Mixed Use Zones Project Code Concepts Report](#) was published in May 2015. The Code Concepts Report builds on the *Preliminary Zoning Concept* and added detailed information about conceptual development and design standards, a structure of performance bonuses, and other information about the approach to applying the new zones. The Code Concepts report is the basis for zoning code provisions designed to implement the concepts.

A [Discussion Draft](#) was released for public feedback in September 2015. The *Discussion Draft* was the first public draft of new zoning code regulations and a Zoning Map designed to implement the zoning structure, development allowances, design features and standards and other components of the Mixed Use Zones Project outlined in the concept report. The code was developed by staff from the city of Portland Bureau of Planning and Sustainability in consultation with other bureau stakeholders and was informed by previous Mixed Use zones project feedback, assessments and

research. Public and stakeholder comments received on the *Discussion Draft* informed staff in the development of a *Proposed Draft*. A summary of the major changes to the *Proposed Draft* from the *Discussion Draft* is in Section IV.

The *Proposed Draft* was presented to the Portland Planning and Sustainability Commission (PSC) in May 2016. Public testimony on the *Proposed Draft* led to changes recommended by the Planning and Sustainability Commission. Changes that were made during the Planning and Sustainability Commission review process are documented in Section IV. The Commission's final recommendations have been incorporated into the *2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft* that is scheduled to be considered by Portland City Council in Fall 2016.

# Section II: Relationship to the Comprehensive Plan

The Mixed Use Zones Project is one of eight early implementation projects as part of the City's [Comprehensive Plan Update](#). It implements Comprehensive Plan Guiding Principles and Policies to help provide adequate growth capacity in Portland's centers and corridors for about one-half of the approximately 123,000 new households and 142,000 new jobs which are projected by 2035.

## Comprehensive Plan Guiding Principals

The Mixed Use Zones Project helps implement the following guiding principles of the City of Portland Comprehensive Plan in the following ways.

- **Economic Prosperity.** *Support a low-carbon economy and foster employment growth, competitiveness, and equitably-distributed household prosperity.*

This project furthers this principle by accommodating the projected job growth in retail and service sectors and providing locations for neighborhood business opportunities.

- **Human Health.** *Avoid or minimize negative health impacts and improve opportunities for Portlanders to lead healthy, active lives.*
- **Environmental Health.** *Weave nature into the city and foster a healthy environment that sustains people, neighborhoods, and fish and wildlife. Recognize the intrinsic value of nature and sustain the ecosystem services of Portland's air, water, and land.*

This project furthers these principles by creating zones that are intended to increase walkable access to services for residents, provide for on-site open areas for residents, and include provisions for landscaped areas or other green/vegetated elements.

- **Equity.** *Promote equity and environmental justice by reducing disparities, minimizing burdens, extending community benefits, increasing the amount of affordable housing, affirmatively furthering fair housing, proactively fighting displacement, and improving socio-economic opportunities for under-served and under-represented populations. Intentionally engage under-served and under-represented populations in decisions that affect them. Specifically recognize, address, and prevent repetition of the injustices suffered by communities of color throughout Portland's history.*

This project furthers this principle by including incentives for provision of affordable housing and commercial spaces, and creating regulations for development that recognize the differences among the different geographies of the city.

- **Resilience.** *Reduce risk and improve the ability of individuals, communities, economic systems, and the natural and built environments to withstand, recover from, and adapt to changes from natural hazards, human-made disasters, climate change, and economic shifts.*

This project furthers this principle by providing additional opportunities for compact development at the neighborhood level, and by providing incentives for "green" features

that reduce energy consumption in buildings, manage stormwater, create on-site green space, and help to address urban heat island effects and other climate challenges.

## Goals and Policies

The Comprehensive Plan includes goals and policy language designed to support and further the guiding principles. The Mixed Use Zones Project is primarily aimed at supporting the Urban Form policies of Chapter 3, which call for creating a city that better serves Portlanders by focusing growth, investment and development in centers and corridors throughout the city. The Mixed Use Zones Project also supports other goals and policies that are closely linked with development in centers and corridors. These span the breadth of the Comprehensive Plan, but most clearly relate to goals and policies of the following chapters of the Comprehensive Plan: Chapter 4, Design and Development; Chapter 5, Housing; Chapter 6, Economic Development.

Key Comprehensive Plan Goal and Policies supported by the MUZ project are listed below.

### **Urban Form**

#### **GOAL 3.A: A city designed for people**

*Portland's built environment is designed to serve the needs and aspirations of all Portlanders, promoting prosperity, health, equity, and resiliency. New development, redevelopment, and public investments reduce disparities and encourage social interaction to create a healthy connected city.*

#### **GOAL 3.B: A climate and hazard resilient urban form**

*Portland's compact urban form, sustainable building development practices, green infrastructure, and active transportation system reduce carbon emissions, reduce natural hazard risks and impacts, and improve resilience to the effects of climate change.*

#### **GOAL 3.C: Focused growth**

*Household and employment growth is focused in the Central City and other centers, corridors, and transit station areas, creating compact urban development in areas with a high level of service and amenities, while allowing the relative stability of lower-density single-family residential areas.*

#### **GOAL 3.D: A system of centers and corridors**

*Portland's interconnected system of centers and corridors provides diverse housing options and employment opportunities, robust multimodal transportation connections, access to local services and amenities, and supports low-carbon complete, healthy, and equitable communities.*

#### **GOAL 3.E: Connected public realm and open spaces**

*A network of parks, streets, City Greenways, and other public spaces supports community interaction; connects neighborhoods, districts, and destinations; and improves air, water, land quality, and environmental health.*

**GOAL 3.F: Employment districts**

*Portland supports job growth in a variety of employment districts to maintain a diverse economy.*

**Policy 3.1**      **Urban Design Framework.** *Use the Urban Design Framework (UDF) as a guide to create inclusive and enduring places, while providing flexibility for implementation at the local scale to meet the needs of local communities.*

**Policy 3.2**      **Growth and stability.** *Direct the majority of growth and change to centers, corridors, and transit station areas, allowing the continuation of the scale and characteristics of Portland’s residential neighborhoods.*

**Policy 3.3**      **Equitable development.** *Guide development, growth, and public facility investment to reduce disparities; encourage equitable access to opportunities, mitigate the impacts of development on income disparity, displacement and housing affordability; and produce positive outcomes for all Portlanders.*

**3.3.a.** *Anticipate, avoid, reduce, and mitigate negative public facility and development impacts, especially where those impacts inequitably burden communities of color, under-served and under-represented communities, and other vulnerable populations.*

**3.3.b.** *Make needed investments in areas that are deficient in public facilities to reduce disparities and increase equity. Accompany these investments with proactive measures to avoid displacement and increase affordable housing.*

**3.3.c.** *Encourage use of plans, agreements, incentives, and other tools to promote equitable outcomes from development projects that benefit from public financial assistance.*

**3.3.d.** *Incorporate requirements into the Zoning Code to provide public and community benefits as a condition for development projects to receive increased development allowances.*

**3.3.e.** *When private property value is increased by public plans and investments, require development to address or mitigate displacement impacts and impacts on housing affordability, in ways that are related and roughly proportional to these impacts.*

**3.3.g.** *Encourage developers to engage directly with a broad range of impacted communities to identify potential impacts of private development projects, develop mitigation measures, and provide community benefits to address adverse impacts.*

**Policy 3.4**      **All ages and abilities.** *Strive for a built environment that provides a safe, healthful, and attractive environment for people of all ages and abilities.*

**Policy 3.5**      **Energy and resource efficiency.** *Support energy-efficient, resource-efficient, and sustainable development and transportation patterns through land use and transportation planning.*

**Policy 3.6**      **Land efficiency.** *Provide strategic investments and incentives to leverage infill, redevelopment, and promote intensification of scarce urban land while protecting environmental quality.*

- Policy 3.7** ***Integrate nature.** Integrate nature and use green infrastructure throughout Portland.*
- Policy 3.8** ***Leadership and innovation in design.** Encourage high-performance design and development that demonstrates Portland’s leadership in the design of the built environment, commitment to a more equitable city, and ability to experiment and generate innovative design solutions.*
- Policy 3.13** ***Role of centers.** Enhance centers as anchors of complete neighborhoods that include concentrations of commercial and public services, housing, employment, gathering places, and green spaces.*
- Policy 3.14** ***Variety of centers.** Plan for a range of centers across the city to enhance local, equitable access to services, and expand housing opportunities.*
- Policy 3.15** ***Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.*
- Policy 3.19** ***Accessibility.** Design centers to be compact, safe, attractive, and accessible places, where the street environment makes access by transit, walking, biking, and mobility devices such as wheelchairs, safe and attractive for people of all ages and abilities.*
- Policy 3.32** ***Role of Town Centers.** Enhance Town Centers as successful places that serve the needs of surrounding neighborhoods as well as a wider area, and contain higher concentrations of employment, institutions, commercial and community services, and a wide range of housing options.*
- Policy 3.33** ***Housing.** Provide for a wide range of housing types in Town Centers, which are intended to generally be larger in scale than the surrounding residential areas. There should be sufficient zoning capacity within a half-mile walking distance of a Town Center to accommodate 7,000 households.*
- Policy 3.36** ***Role of Neighborhood Centers.** Enhance Neighborhood Centers as successful places that serve the needs of surrounding neighborhoods. In Neighborhood Centers, provide for higher concentrations of development, employment, commercial and community services, and a wider range of housing options than the surrounding neighborhoods.*
- Policy 3.37** ***Housing.** Provide for a wide range of housing types in Neighborhood Centers, which are intended to generally be larger in scale than the surrounding residential areas, but smaller than Town Centers. There should be sufficient zoning capacity within a half-mile walking distance of a Neighborhood Center to accommodate 3,500 households.*
- Policy 3.40** ***Growth.** Expand the range of housing and employment opportunities in the Inner Ring Districts. Emphasize growth that replaces gaps in the historic urban fabric, such as redevelopment of surface parking lots and 20th century auto-oriented development.*
- Policy 3.41** ***Corridors.** Guide growth in corridors to transition to mid-rise scale close to the Central City, especially along Civic Corridors.*

- Policy 3.42** ***Distinct identities.** Maintain and enhance the distinct identities of the Inner Ring Districts and their corridors. Use and expand existing historic preservation and design review tools to accommodate growth in ways that identify and preserve historic resources and enhance the distinctive characteristics of the Inner Ring Districts, especially in areas experiencing significant development.*
- Policy 3.53** ***Neighborhood Corridors.** Enhance Neighborhood Corridors as important places that support vibrant neighborhood business districts with quality multi-family housing, while providing transportation connections that link neighborhoods.*
- Policy 3.54** ***Transit-oriented development.** Encourage transit-oriented development and transit-supportive concentrations of housing and jobs, and multimodal connections at and adjacent to high-capacity transit stations.*
- Policy 3.57** ***Center stations.** Encourage transit stations in centers to provide high density concentrations of housing and commercial uses that maximize the ability of residents to live close to both high-quality transit and commercial services.*
- Policy 3.59** ***Transit neighborhood stations.** Encourage concentrations of mixed-income residential development and supportive commercial services close to transit neighborhood stations. Transit neighborhood stations serve mixed-use areas that are not in major centers.*
- Policy 3.88** ***Inner Neighborhoods main streets.** Maintain and enhance the Streetcar Era pattern of street-oriented buildings along Civic and Neighborhood corridors.*
- Policy 3.97** ***Eastern Neighborhoods corridor landscaping.** Encourage landscaped building setbacks along residential corridors on major streets.*
- Policy 3.99** ***Western Neighborhoods village character.** Enhance the village character of the Western Neighborhoods' small commercial districts and increase opportunities for more people to live within walking distance of these neighborhood anchors.*

## **Design and Development**

### **Goal 4.A: Context-sensitive design and development**

*New development is designed to respond to and enhance the distinctive physical, historic, and cultural qualities of its location, while accommodating growth and change.*

### **Goal 4.B: Historic and cultural resources**

*Historic and cultural resources are identified, protected, and rehabilitated as integral parts of an urban environment that continues to evolve.*

### **Goal 4.C: Human and environmental health**

*Neighborhoods and development are efficiently designed and built to enhance human and environmental health: they protect safety and livability; support local access to healthy food; limit negative impacts on water, hydrology, and air quality; reduce carbon emissions; encourage active and sustainable design; protect wildlife; address urban heat islands; and integrate nature and the built environment.*

#### **Goal 4.D: Urban resilience**

*Buildings, streets, and open spaces are designed to ensure long-term resilience and to adjust to changing demographics, climate, and economy, and withstand and recover from natural disasters.*

- Policy 4.1**      **Pattern areas.** *Encourage building and site designs that respect the unique built natural, historic, and cultural characteristics of Portland’s five pattern areas described in Chapter 3: Urban Form.*
- Policy 4.2**      **Community identity.** *Encourage the development of character-giving design features that are responsive to place and the cultures of communities.*
- Policy 4.3**      **Site and context.** *Encourage development that responds to and enhances the positive qualities of site and context — the neighborhood, the block, the public realm, and natural features.*
- Policy 4.4**      **Natural features and green infrastructure.** *Integrate natural and green infrastructure such as trees, green spaces, ecoroofs, gardens, green walls, and vegetated stormwater management systems, into the urban environment. Encourage stormwater facilities that are designed to be a functional and attractive element of public spaces, especially in centers and corridors.*
- Policy 4.5**      **Pedestrian-oriented design.** *Enhance the pedestrian experience throughout Portland through public and private development that creates accessible, safe, and attractive places for all those who walk and/or use wheelchairs or other mobility devices.*
- Policy 4.6**      **Street orientation.** *Promote building and site designs that enhance the pedestrian experience with windows, entrances, pathways, and other features that provide connections to the street environment.*
- Policy 4.7**      **Development and public spaces.** *Guide development to help create high-quality public places and street environments while considering the role of adjacent development in framing, shaping, and activating the public space of streets and urban parks.*
- Policy 4.10**     **Design for active living.** *Encourage development and building and site design that promotes a healthy level of physical activity in daily life.*
- Policy 4.11**     **Access to light and air.** *Provide for public access to light and air by managing and shaping the height and mass of buildings while accommodating urban-scale development.*
- Policy 4.12**     **Privacy and solar access.** *Encourage building and site designs that consider privacy and solar access for residents and neighbors while accommodating urban-scale development.*
- Policy 4.13**     **Crime-preventive design.** *Encourage building, site, and public infrastructure design approaches that help prevent crime.*
- Policy 4.20**     **Walkable scale.** *Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.*
- Policy 4.21**     **Street environment.** *Encourage development in centers and corridors to include amenities that create a pedestrian-oriented environment and provide places for people to sit, spend time, and gather.*



- Policy 4.22** ***Relationship between building height and street size.** Encourage development in centers and corridors that is responsive to street space width, thus allowing taller buildings on wider streets.*
- Policy 4.24** ***Drive-through facilities.** Prohibit drive through facilities in the Central City, and limit new development of new ones in the Inner Ring Districts and centers in order to support a pedestrian-oriented environment.*
- Policy 4.25** ***Residential uses on busy streets.** Improve the livability of places and streets with high motor vehicle volumes. Encourage landscaped front setbacks, street trees, and other design approaches to buffer residents from street traffic.*
- Policy 4.26** ***Active gathering places.** Locate public squares, plazas, and other gathering places in centers and corridors to provide places for community activity and social connections. Encourage location of businesses, services, and arts adjacent to these spaces that relate to and promote the use of the space.*
- Policy 4.27** ***Protect defining features.** Protect and enhance defining places and features of centers and corridors, including landmarks, natural features, and historic and cultural resources, through application of zoning, incentive programs, and regulatory tools.*
- Policy 4.28** ***Historic buildings in centers and corridors.** Identify, protect, and encourage the use and rehabilitation of historic resources in centers and corridors.*
- Policy 4.29** ***Public art.** Encourage new development and public places to include design elements and public art that contribute to the distinct identities of centers and corridors, and that highlight the history and diverse cultures of neighborhoods.*
- Policy 4.30** ***Scale transitions.** Create transitions in building scale in locations where higher-density and higher-intensity development is adjacent to smaller-scale single-dwelling zoning. Ensure that new high-density and large-scale infill development adjacent to single dwelling zones incorporates design elements that soften transitions in scale and limit light and privacy impacts on adjacent residents.*
- Policy 4.31** ***Land use transitions.** Improve the interface between non-residential uses and residential uses in areas where commercial or employment uses are adjacent to residentially-zoned land.*
- Policy 4.33** ***Off-site impacts.** Limit and mitigate public health impacts, such as odor, noise, glare, light pollution, air pollutants, and vibration that public facilities, land uses, or development may have on adjacent residential or institutional uses, and on significant fish and wildlife habitat areas. Pay particular attention to limiting and mitigating impacts to under-served and under-represented communities.*
- Policy 4.34** ***Auto-oriented facilities, uses, and exterior displays.** Minimize the adverse impacts of highways, auto-oriented uses, vehicle areas, drive-through areas, signage, and exterior display and storage areas on adjacent residential uses.*
- Policy 4.46** ***Historic and cultural resource protection.** Within statutory requirements for owner consent, identify, protect, and encourage the use and rehabilitation of historic buildings, places, and districts that contribute to the distinctive character and history of Portland’s evolving urban environment.*

- Policy 4.48** ***Continuity with established patterns.** Encourage development that fills in vacant and underutilized gaps within the established urban fabric, while preserving and complementing historic resources.*
- Policy 4.68** ***Energy efficiency.** Encourage and promote energy efficiency significantly beyond the Statewide Building Code and the use of solar and other renewable resources in individual buildings and at a district scale.*
- Policy 4.72** ***Energy-producing development.** Encourage and promote development that uses renewable resources, such as solar, wind, and water to generate power on-site and to contribute to the energy grid.*
- Policy 4.73** ***Design with nature.** Encourage design and site development practices that enhance, and avoid the degradation of, watershed health and ecosystem services and that incorporate trees and vegetation.*
- Policy 4.75** ***Low-impact development and best practices.** Encourage use of low-impact development, habitat-friendly development, bird-friendly design, and green infrastructure.*
- Policy 4.76** ***Impervious surfaces.** Limit use of and strive to reduce impervious surfaces and associated impacts on hydrologic function, air and water quality, habitat connectivity, tree canopy, and urban heat island effects.*
- Policy 4.83** ***Urban heat islands.** Encourage development, building, landscaping, and infrastructure design that reduce urban heat island effects.*
- Policy 4.85** ***Grocery stores and markets in centers.** Facilitate the retention and development of grocery stores, neighborhood-based markets, and farmers markets offering fresh produce in centers. Provide adequate land supply to accommodate a full spectrum of grocery stores catering to all socioeconomic groups and providing groceries at all levels of affordability.*
- Policy 4.86** ***Neighborhood food access.** Encourage small, neighborhood-based retail food opportunities, such as corner markets, food co-ops, food buying clubs, and community-supported agriculture pickup/drop-off sites, to fill in service gaps in food access across the city.*

## **Housing**

### **Goal 5.B: Equitable access to housing**

*Portland ensures equitable access to housing, making a special effort to remove disparities in housing access for people with disabilities, people of color, low-income households, diverse household types, and older adults.*

### **Goal 5.C: Healthy connected city**

*Portlanders live in safe, healthy housing that provides convenient access to jobs and to goods and services that meet daily needs. This housing is connected to the rest of the city and region by safe, convenient, and affordable multimodal transportation.*

**Goal 5.D: Affordable housing**

*Portland has an adequate supply of affordable housing units to meet the needs of residents vulnerable to increasing housing costs.*

- Policy 5.1**      **Housing supply.** *Maintain sufficient residential development capacity to accommodate Portland’s projected share of regional household growth.*
- Policy 5.2**      **Housing growth.** *Strive to capture at least 25 percent of the seven-county region’s residential growth (Multnomah, Washington, Clackamas, Yamhill, Columbia, Clark, and Skamania counties).*
- Policy 5.3**      **Housing potential.** *Evaluate plans and investments for their impact on housing capacity, particularly the impact on the supply of housing units that can serve low- and moderate-income households, and identify opportunities to meet future demand.*
- Policy 5.5**      **Housing in centers.** *Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.*
- Policy 5.15**     **Gentrification/displacement risk.** *Evaluate plans and investments, significant new infrastructure, and significant new development for the potential to increase housing costs for, or cause displacement of communities of color, low- and moderate-income households, and renters. Identify and implement strategies to mitigate the anticipated impacts.*
- Policy 5.16**     **Involuntary displacement.** *When plans and investments are expected to create neighborhood change, limit the involuntary displacement of those who are under-served and under-represented. Use public investments and programs, and coordinate with nonprofit housing organizations (such as land trusts and housing providers) to create permanently-affordable housing and to mitigate the impacts of market pressures that cause involuntary displacement.*
- Policy 5.22**     **New development in opportunity areas.** *Locate new affordable housing in areas that have high/medium levels of opportunity in terms of access to active transportation, jobs, open spaces, high-quality schools, and supportive services and amenities. See Figure 5-1 — Housing Opportunity Map.*
- Policy 5.23**     **Higher-density housing.** *Locate higher-density housing, including units that are affordable and accessible, in and around centers to take advantage of the access to active transportation, jobs, open spaces, schools, and various services and amenities.*
- Policy 5.26**     **Regulated affordable housing target.** *Strive to produce and fund at least 10,000 new regulated affordable housing units citywide by 2035 that will be affordable to households in the 0-80 percent MFI bracket.*
- Policy 5.32**     **Affordable housing in centers.** *Encourage income diversity in and around centers by allowing a mix of housing types and tenures.*
- Policy 5.35**     **Inclusionary housing.** *Use inclusionary zoning and other regulatory tools to effectively link the production of affordable housing to the production of market-rate housing. Work to remove regulatory barriers that prevent the use of such tools.*
- Policy 5.36**     **Impact of regulations on affordability.** *Evaluate how existing and new regulations*

affect private development of affordable housing, and minimize negative impacts where possible. Avoid regulations that facilitate economically-exclusive neighborhoods.

**Policy 5.51** **Healthy and active living.** Encourage housing that provides features supportive of healthy eating and active living such as useable open areas, recreation areas, community gardens, crime-preventive design, and community kitchens in multifamily housing.

## **Economic Development**

### **Goal 6.C: Business district vitality**

Portland implements land use policy and investments to:

- Ensure that commercial, institutional, and industrial districts support business retention and expansion.
- Encourage the growth of districts that support productive and creative synergies among local businesses.
- Provide convenient access to goods, services, and markets.
- Take advantage of our location and quality of life advantages as a gateway to world-class natural landscapes in Northwest Oregon, Southwest Washington, and the Columbia River Basin, and a robust interconnected system of natural landscapes within the region's Urban Growth Boundary.

**Policy 6.16** **Regulatory climate.** Improve development review processes and regulations to encourage predictability and support local and equitable employment growth and encourage business retention, including:

**6.17.b.** Promote certainty for new development through appropriate allowed uses and "clear and objective" standards to permit typical development types without a discretionary review.

**6.17.c.** Allow discretionary-review as a way to facilitate flexible and innovative approaches to meet requirements.

**6.16.f.** Consider short-term market conditions and how area development patterns will transition over time when creating new development regulations.

**Policy 6.62** **Neighborhood business districts.** Provide for the growth, economic equity, and vitality of neighborhood business districts.

**Policy 6.66** **Neighborhood-serving business.** Provide for neighborhood business districts and small commercial nodes in areas between centers to expand local access to goods and services. Allow nodes of small-scale neighborhood-serving commercial uses in large planned developments and as a ground floor use in high density residential areas.

**Policy 6.67** **Retail development.** Provide for a competitive supply of retail sites that support the wide range of consumer needs for convenience, affordability, accessibility, and diversity of goods and services, especially in under-served areas of Portland.

- Policy 6.69** ***Non-conforming neighborhood business uses.** Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.*
- Policy 6.70** ***Involuntary commercial displacement.** Evaluate plans and investments for their impact on existing businesses.*
- 6.70.a.** Limit involuntary commercial displacement in areas at risk of gentrification, and incorporate tools to reduce the cost burden of rapid neighborhood change on small business owners vulnerable to displacement.*
- 6.70.b.** Encourage the preservation and creation of affordable neighborhood commercial space to support a broad range of small business owners.*
- Policy 6.71** ***Temporary and informal markets and structures.** Acknowledge and support the role that temporary markets (farmers markets, craft markets, flea markets, etc.) and other temporary or mobile-vending structures play in enabling startup business activity. Also acknowledge that temporary uses may ultimately be replaced by more permanent development and uses.*
- Policy 6.73** ***Centers.** Encourage concentrations of commercial services and employment opportunities in centers.*
- 6.73.a.** Encourage a broad range of neighborhood commercial services in centers to help residents and others in the area meet daily needs and/or serve as neighborhood gathering places.*
- 6.73.d.** Require ground-level building spaces in core areas of centers accommodate commercial or other street-activating uses and services.*
- 6.73.e.** Encourage employment opportunities as a key function of centers, including connections between centers, institutions, and other major employers to reinforce their roles as vibrant centers of activity.*

## **Transportation**

### **Goal 9.B: Multiple goals**

*Portland's transportation system is funded and maintained to achieve multiple goals and measureable outcomes for people and the environment. The transportation system is safe, complete, interconnected, multimodal, and fulfills daily needs for people and businesses.*

- Policy 9.53** ***New development.** Create and maintain TDM regulations and services that prevent and reduce traffic and parking impacts from new development and redevelopment. Encourage coordinated area-wide delivery of TDM programs. Monitor and improve the performance of private-sector TDM programs.*
- Policy 9.55** ***Parking management.** Reduce parking demand and manage supply to improve pedestrian, bicycle and transit mode share, neighborhood livability, safety, business district vitality, vehicle miles traveled (VMT) reduction, and air quality. Implement strategies that reduce demand for new parking and private vehicle ownership, and that help maintain optimal parking occupancy and availability.*
- Policy 9.57** ***On-street parking.** Manage parking and loading demand, supply, and operations in the public right of way to achieve mode share objectives, and to encourage safety,*

*economic vitality, and livability. Use transportation demand management and pricing of parking in areas with high parking demand.*

**Policy 9.58** **Off-street parking.** *Limit the development of new parking spaces to achieve land use, transportation, and environmental goals, especially in locations with frequent transit service. Regulate off-street parking to achieve mode share objectives, promote compact and walkable urban form, encourage lower rates of car ownership, and promote the vitality of commercial and employment areas. Use transportation demand management and pricing of parking in areas with high parking demand. Strive to provide adequate but not excessive off-street parking where needed, consistent with the preceding practices.*

**Policy 9.59** **Share space and resources.** *Encourage the shared use of parking and vehicles to maximize the efficient use of limited urban space.*

## **Land Use Designations and Zoning**

### **Goal 10.A: Land use designations and zoning**

*Effectively and efficiently carry out the goals and policies of the Comprehensive Plan through the land use designations, Zoning Map, and the Zoning Code.*

**Policy 10.1** **Land use designations.** *Apply a land use designation to all land and water within the City's Urban Services Boundary. Apply the designation that best advances the Comprehensive Plan goals and policies. The land use designations are shown on the adopted Land Use Map and on official Zoning Maps.*

**13. Mixed Use — Dispersed.** *This designation allows mixed use, multi-dwelling, or commercial development that is small in scale, has little impact, and provides services for the nearby residential areas. Development will be similar in scale to nearby residential development to promote compatibility with the surrounding area. This designation is intended for areas where urban public services are available or planned. Areas within this designation are generally small nodes rather than large areas or corridors. The corresponding zones are Commercial Mixed Use 1 (CM1) and Commercial Employment (CE).*

**14. Mixed Use — Neighborhood.** *This designation promotes mixed-use development in neighborhood centers and along neighborhood corridors to preserve or cultivate locally serving commercial areas with a storefront character. This designation is intended for areas where urban public services, generally including complete local street networks and access to frequent transit, are available or planned, and development constraints do not exist. Areas within this designation are generally pedestrian-oriented and are predominantly built at low-to mid-rise scale, often with buildings close to and oriented towards the sidewalk. The corresponding zones are Commercial Mixed Use 1 (CM1), Commercial Mixed Use 2 (CM2), and Commercial Employment (CE).*

**15. Mixed Use — Civic Corridor.** *This designation allows for transit-supportive densities of commercial, residential, and employment uses, including a full range of housing, retail, and service businesses with a local or regional market. This designation is intended for areas along major corridors where urban public services are available or planned including access to high-capacity transit, frequent bus service, or streetcar service. The Civic Corridor designation is applied along some of the City's busiest, widest, and most prominent streets. As the city grows,*

*these corridors also need to become places that can succeed as attractive locations for more intense, mixed-use development. They need to become places that are attractive and safe for pedestrians while continuing to play a major role in the City's transportation system. Civic Corridors, as redevelopment occurs, are also expected to achieve a high level of environmental performance and design. The corresponding zones are Commercial Mixed Use 1 (CM1), Commercial Mixed Use 2 (CM2), Commercial Mixed Use 3 (CM3), and Commercial Employment (CE).*

**16. Mixed Use — Urban Center.** *This designation is intended for areas that are close to the Central City and within Town Centers where urban public services are available or planned including access to high-capacity transit, very frequent bus service, or streetcar service. The designation allows a broad range of commercial and employment uses, public services, and a wide range of housing options. Areas within this designation are generally mixed-use and very urban in character. Development will be pedestrian-oriented with a strong emphasis on design and street level activity, and will range from low- to mid-rise in scale. The range of zones and development scale associated with this designation are intended to allow for more intense development in core areas of centers and corridors and near transit stations, while providing transitions to adjacent residential areas. The corresponding zones are Commercial Mixed Use 1 (CM1), Commercial Mixed Use 2 (CM2), Commercial Mixed Use 3 (CM3), and Commercial Employment (CE). This designation is generally accompanied by a design overlay zone.*

**17. Central Commercial.** *This designation is intended to provide for commercial development within Portland's Central City and Gateway Regional Center. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural, and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together along a pedestrian-oriented, safe, and attractive streetscape. The corresponding zone is Central Commercial (CX). This designation is generally accompanied by a design overlay zone.*

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# Section III: Public Involvement

The Mixed Use Zones Project conducted public involvement specific to the project beginning in early 2014, but also built on outreach efforts begun as early as VisionPDX. Early public involvement was furthered during policy development in the Portland Plan and later in conjunction with the Centers and Corridors Policy Expert Group undertaken during the *2035 Comprehensive Plan* update process.

## VisionPDX

The [VisionPDX](#) process engaged thousands of Portlanders in a process to determine Portlanders' priorities for the future. The foundational ideas for building healthy and complete neighborhoods around key hubs of activity, for incorporating diverse viewpoints and priorities, and for advancing resiliency and equity issues arose from this effort.

## Portland Plan

The [Portland Plan](#) is the result of more than two years of research, dozens of workshops and fairs, hundreds of meetings with community groups, and 20,000 comments from residents, businesses and nonprofits. The plan's three integrated strategies and framework for advancing equity were designed to help realize the vision of a prosperous, educated, healthy and equitable Portland.

The Healthy Connected City integrated strategy is another foundational element of the Comprehensive Plan and Mixed Use Zones Project. The strategy contains a goal to:

“Improve human health and environmental health by creating safe and complete neighborhood centers linked by a network of city greenways that connect Portlanders with each other. Encourage active transportation, integrate nature into neighborhoods, enhance watershed health and provide access to services and destinations, locally and across the city.”

The Portland Plan established a number of Guiding Policies and a 5-Year Action Plan around the topic of “Vibrant Neighborhood Centers” to help achieve the goals. Selected Guiding Policies and Action Items are called out below.

***Guiding policy H-7:*** *Preserve the distinctive characteristics and history of Portland’s neighborhoods and districts when making decisions regarding growth, urban design and the design of improvements.*

***Guiding policy H-9:*** *Use investments, incentives and other policy tools to minimize or mitigate involuntary displacement resulting from new development and economic change in established communities.*

***Guiding policy H-16:*** *Encourage development of high-quality, well designed housing in and around neighborhood centers and near transit – at a variety of sizes and cost ranges.*

***Guiding policy H-19:*** *Integrate parks, plazas or other gathering places into neighborhood centers to provide places for community activity and social connections.*

**Guiding Policy H-23:** *Invest in underserved areas with disadvantaged populations, incorporating tools to reduce displacement.*

**Action 106: Quality Affordable Housing:** *Complete the citywide housing strategy and use it as a basis for regulations, location policies, incentives and public-private partnerships that help locate new well-designed, energy efficient, affordable housing in service-rich, transit accessible locations in and around neighborhood hubs.*

## **Comprehensive Plan Update**

As part of its 2035 *Comprehensive Plan* update, the City assembled a Neighborhood Centers Policy Expert Group (PEG) that met from June 2012 through September 2013 to advise on policy and possible Comprehensive Plan map changes relevant to the Equity Framework and Centers and Corridors development strategies of the Portland Plan. Issues related to development in neighborhood and town centers and development along Portland’s neighborhood and civic corridors were the primary focus of this group. Interest in the Urban Form, Design and Development, and Housing policy areas has remained strong throughout the Comprehensive Plan process, and the city has received thousands of comments on these issues.

In July 2015 the Portland Planning and Sustainability Commission finalized deliberations on the Comprehensive Plan and sent its Recommended Comprehensive Plan to Portland City Council for consideration in late 2015. Portland City Council took public testimony, and is amending the plan for adoption.

## **Mixed Use Zoning Project**

BPS initiated the [Mixed Use Zones Project](#) in late 2013 to develop zoning amendments designed to address Comprehensive Plan goals and policies, as well as to respond to other community stakeholder concerns. The project is partially funded by a Metro Construction Excise Tax grant.

## **Project Advisory Committee**

A Project Advisory Committee (PAC) comprised of professionals and neighborhood stakeholders with expertise and interest in Portland’s mixed use and commercial development issues was formed. Twenty-eight members representing a broad array of perspective were initially invited to serve on the committee from a pool of over 100 applicants. The PAC began meeting in February 2014 and has continued to meet at key points through release of the Proposed Draft in May 2016. The group provided feedback and advice on key development issues throughout the process and brought a variety of perspectives to the table. The group was not formed as a decision-making body, and while there was agreement on some issues among members, consensus among members was not sought for development of the final proposal. Agendas, meeting notes and materials from these meetings are available on the project webpage at: <http://www.portlandoregon.gov/bps/63621>.

## **Public Outreach and Feedback**

The Mixed Use Zones Project conducted significant public outreach in the development of zoning code concepts. This included regular meetings with a Project Advisory Committee (PAC); public walks and roundtables during the assessment phase; and public workshops, information sessions and other group presentations during the concept development phase.

In the assessment phase of the project, the project team conducted seven community walks and several roundtable conversations with developers, designers, affordable housing specialists and local businesspeople. Those comments are documented thoroughly in the *Mixed Use Zones Project Assessment Report*, and summarized below.

### **Assessment Phase**

Seven community walkabouts were conducted in spring 2014 to gather information and feedback from the community on mixed use and development issues through a local lens. About 170 folks participated in these events. A full report is under separate cover. A summary of the key issues heard on the Community Walk follows.

#### **1. Address building scale/articulation: height and mass/length**

- Scale/height was especially important in locations adjacent to lower-density residential areas, with larger buildings more acceptable in other locations.
- Variation, especially building in height, helps add character, and avoids the “canyon” feeling some neighbors are concerned about.
- Higher density around transit stops may be appropriate.

#### **2. Provide scale transition to low density residential zoned areas**

- Step downs and setbacks are key tools in helping transition to residential neighborhoods, and should be employed more frequently.
- Generally, attempting to focus growth and density along corridors is a good strategy, rather than pushing this development by default back into neighborhoods.

#### **3. Encourage continuity of retail in centers and corridors**

- Activate streets and ground floors; storefronts close to sidewalks can help with continuity and cohesion of commercial areas; Small businesses tend to do better together in nodes.
- Don't try and force outcomes/retail that the market won't support.



#### **4. Preserve or protect significant buildings and key places**

- Make concerted effort to keep and support what's already working; preserve key shops/services that serve local residents and places that serve as hubs for communities.

- Find ways to keep beautiful and older structures - this provides benefits such as lower rent rates and variation along the street.

#### **5. Provide incentives for open space/plazas that are open to the public**

- Consider development allowances such as a height allowance for a courtyard or open space.
- Spaces need to remain truly public, not just be outdoor extensions of private businesses.

#### **6. Improve the design of buildings and sites; use quality materials**

- Pedestrian-friendly design is important at ground level.
- Incorporate desirable characteristics of other streets, like setbacks and irregularity.
- Design review and/or standards are critical for neighborhoods experiencing rapid growth.
- Features to improve buildings: façade articulation; varied roof lines; open spaces.
- Features to avoid: Inexpensive-looking materials; dark/ non-transparent windows; Ill-defined front entrances; small balconies; large blank walls.

#### **7. Encourage housing for a range of household types and incomes**

- Accommodating families, seniors, and others is very different than singles/couples – consider broader needs of community.

#### **8. Promote affordability – for housing and commercial space**

- Affordability is a goal – explore FAR/ height bonuses, other incentives in exchange for provision of affordable housing units.
- Consider whether an area will continue to be affordable for long-standing residents. Allow people to be able to “age in place”.
- Concern over increasing rents for long-standing small businesses along many corridors, which have been providing critical neighborhood services.

#### **9. Address parking issues: on-site; shared; management**

- Parking is an ongoing challenge for some neighborhoods, commercial area parking and traffic can spill back into residential neighborhoods.
- Consider creative parking solutions, including: mid-level, rooftop, and underground parking; car sharing services; metered parking; permits; shared parking.
- Prioritize transit and access to closer employment opportunities; transit service/access can affect how well density in centers and corridors works.

#### **10. Consider allowing more intensity on large opportunity sites**

- Potentially allow more intensity/height on key opportunity sites, but carefully consider transitions to the surrounding neighborhood.
- Concentrate higher scale in the center so that the edges can step down in scale.

Roundtables were held with groups of developers, architects and designers, affordable housing developers/providers, and representatives of the neighborhood business community. About 70 folks participated in these sessions. A full report is under separate cover. A summary of the key issues heard during the Roundtables follows.

### **Developers**

- Strive for certainty, flexibility, and code simplicity.
- Public goods such as affordability, open area/plaza, etc. should be encouraged with additional height or floor area, fee waivers, or reduced permit times.
- Code should be sensitive towards size of lots.
- Requiring only retail/commercial uses at ground floor is problematic; prefer “active use” which allows flexibility throughout life of building.
- Design system does not work well now, and needs to be more predictable.
- City requirements sometimes conflict with zoning standards - need for better alignment.

### **Architects/Designers**

- Be clear about what is allowed vs what is negotiable.
- Issues such as material choices and on-site open areas should be left to market.
- Provide more flexibility to allow taller building heights - strict height limits result in blocky buildings and make it difficult to create good ground-floor spaces.
- FAR and height can work together to help sculpt buildings.
- Consider “setback budget” or a flexible build-to line that allows for articulation, recesses and areas for people to pause or gather.
- Design system needs overhaul; community design standards are not appropriate/workable.

### **Affordable Housing Developers**

- Strive for certainty, flexibility, and code simplicity.
- Program determined by funding – does not respond to incentives same as private for-profit.
- Bonuses and incentives such as additional height or FAR may work for private developers to provide affordable housing.
- Concerned about costs of expanding design review and requiring outdoor spaces – use incentives and simple, flexible regulations to achieve desired outcomes.
- Requiring ground floor commercial uses add costs - BOLI wage regulations apply for commercial development.

### **Neighborhood Businesses**

- Parking concerns; adding households is good, but people often frequent business by car.
- Explore shared, public or other community parking resource.
- Design and context is important to many districts – some support regulations that encourage compatibility, including design review.
- Not every place is a pedestrian/mixed-use district – some places will/should remain flexible for auto-oriented uses.
- Concerned about loss of affordable commercial space.
- Desire for commercial/active ground floor uses in key places.

### **Concept Phase**

During the concept development phase, additional public outreach was conducted, and monthly meetings were held with the Mixed Use Zones Project Advisory Committee. This led to development of a revised zoning concept.

The Preliminary Zoning Concept was released in November 2014 and coincided with two citywide public meetings on November 5, 2014 and November 6, 2014. In summary, attendees supported many of the mixed use concept features, with an emphasis on the following issues:

- Pedestrian-friendly street frontages
- Building articulation and massing
- Accommodate ground-floor active use and roofline variety
- Relate building height to street width
- Height transitions and buffering
- Bonus for community benefits

During fall 2014 the MUZ project team worked with the project consultants to refine draft code parameters for development, as well as a structure for performance bonus incentives. This entailed the development and analysis of prototype models for “base” and “bonus” levels of development in each of the new zones. This work is detailed in the *Mixed Use Building Form Prototypes and Financial Analysis* report. Initial prototype models and financial feasibility information was shared with the PAC in December 2014. Additional prototypes were developed and refinements were made; these were presented to the PAC in January. Initial PAC feedback on the prototypes was mixed, with questions and concerns expressed about:

- the relative small scale of development under base allowances in CM1 and CM2 zones;
- the development costs as a result of form-shaping requirements (step downs; open area);
- the capacity trade-offs for step downs to corridors and residential areas;
- the bonus structure, particularly the financial viability of the affordable housing bonus;
- the ability to accommodate growth forecast under scenarios that limit floor area ratios;
- the impact of bonus-scale development on community livability in different contexts.

Based on PAC feedback, the project team conducted further exploration of approaches to form-shaping development standards and development floor area allowances. The team also worked with Johnson Economics on further analysis of base and bonus floor area ratio relationships to better understand the implications on residual land values/development feasibility and to establish base and bonus floor area limits that would enhance the feasibility of bonus utilization, particularly in scenarios providing affordable housing. Based on PAC comments and further analysis, revisions were made to the concept.

Public outreach was conducted between February and April 2015 to share information and gather feedback on the Revised Zoning Concept. Public Information sessions were held on February 25 and 26, 2015 with about 80 people attending. A public open house was also held on March 10, 2015. Surveys were distributed to attendees and available online. The results of that survey showed general support for most of the revised concepts.

Additionally, the project team presented the revised concept to a number of community and stakeholder groups, including the following:

- Venture Portland
- Northeast Coalition of Neighborhoods
- Central Northeast Neighbors
- Southeast Uplift
- Multnomah Neighborhood Association
- Southwest Neighbors, Inc.

- Northwest District Association
- Neighbors West/Northwest
- North/Northeast Business Association
- Hollywood Boosters
- Division Design Initiative
- Hollywood Neighborhood Association
- Richmond Neighborhood Association
- 82<sup>nd</sup> Avenue Improvement Coalition
- Beaumont Business Association
- Representatives from: Coalition for a Livable Future; Upstream Public Health; 1000 Friends of Oregon; Living Cully; Audubon Society of Portland

Resident and shopper surveys were also conducted in April 2015 to better understand how mixed use areas are working. The Bureau of Planning and Sustainability contracted with Angelo Planning and DHM Research to conduct surveys of shoppers and residential tenants in five mixed use study areas – SE Division, NE 28<sup>th</sup>, Hollywood, N. Mississippi, and St. Johns. Shoppers were reached through an intercept survey, and asked questions their purpose in the district, travel mode, and parking. Apartment and condominium residents were surveyed through an online survey mechanism, and asked questions about car ownership, commuting, building amenities, shopping patterns, and design preferences. Follow-up informational meetings were held to get qualitative feedback from people who have direct experience living in buildings developed under the City’s commercial/mixed use zoning codes. The results of this work are found in the [Mixed-Use Center and Corridors Livability and Parking Analysis Final Report](#).

### **City Bureaus**

Portland’s development and service bureaus support development code options that achieve policy goals and are straightforward to administer. Members of bureaus have been involved as Technical Advisors on the zoning project and have commented on drafts of the proposal. A summary of ongoing bureau work and feedback follows.

**Portland Bureau of Transportation:** The Portland Bureau of Transportation (PBOT) is interested in better managing transportation system impacts and addressing the need for parking on-site and on public streets. PBOT has conducted a [Centers and Corridors Parking Strategy](#) to determine appropriate ways to address and manage on-street parking demand. In addition, PBOT is proposing that many types of new development, including residential development in mixed use zones, be required to develop Transportation Demand Management plans to address vehicle trips and parking issue. More information on these topics is in Section V.

**Bureau of Environmental Services:** The Portland Bureau of Environmental Services (BES) oversees environmental issues, specifically sanitary and stormwater management. The BES supports solutions and approaches to stormwater management that generally uses natural materials and approaches rather than highly engineered solutions. Feedback from BES supported features to reduce stormwater impacts, including lot coverage standards that address building coverage, and innovative solutions such as eco-roofs, green walls, and other features to better manage on-site stormwater.

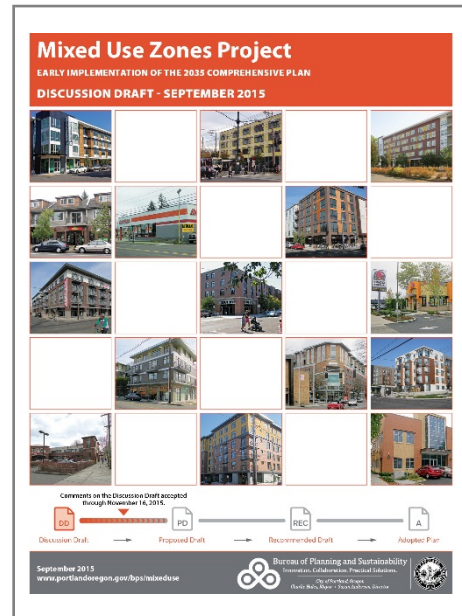
Portland Development Commission: The Portland Development Commission (PDC) is interested in supporting economic and small business development in Portland. They provided feedback on the bonus structure and will engage with BPS in further exploration of the bonus for affordable commercial space.

Bureau of Development Services: The Portland Bureau of Development Services (BDS) is the agency that permits development in Portland and administers the Zoning Code. Code clarity and consistent application of code are of key importance to BPS. The bureau provided extensive commentary on the codification of the concept and amendments to current code. BDS also staffs the Portland Design Commission and Portland Historic Landmarks Commission. BDS staff, the Portland Design Commission, and the Portland Landmarks Commission all provided feedback on the project.

Portland Housing Bureau: The Portland Housing Bureau (PHB) is engaged in the housing needs of the city, and specifically addresses programs that work to provide affordable housing for Portlanders. The PHB has been extensively involved in the development of the bonus for affordable housing both in the Mixed Use Zones project and in a parallel effort for the Central City.

### Discussion Draft

The Mixed Use Zones Project *Discussion Draft* was released in September 2015. Public feedback on the draft was submitted to project staff through November 2015. Written comments were received from over 60 individuals and organizations, some of which represented dozens of individual stakeholders, as well as from city commissions and partner agencies. A copy of the written comments is compiled in a document: [Comments on the September 2015 Discussion Draft](#). In addition, several outreach events were held in fall 2015 to coincide with release of the *Discussion Draft* to provide information and take community and stakeholder input. A summary document captures highlights of the events: <http://www.portlandoregon.gov/bps/article/555495>. Public and stakeholder comments on the Discussion Draft, and subsequent economic modeling and testing of the bonus incentive program, led to several changes in the Proposed Draft. The major changes are summarized in Section IV.



### Proposed Draft

The Mixed Use Zones Project *Proposed Draft* was released for Portland Planning and Sustainability Commission (PSC) review in March 2016. The PSC held public hearings on the Proposed Plan zoning code and zoning map on May 10, 2016 and May 17, 2016, and held an additional public hearing on the zoning map on July 12, 2016. Hundreds of items of oral and written testimony from individuals, property owners, organizations, city bureaus and others were submitted to the PSC to consider. A copy of the written comments is available on the project web site: <http://www.portlandoregon.gov/bps/70425>.

Public and stakeholder comments on the *Proposed Draft* led to several changes in the *Recommended Draft*. The major changes are summarized in Section IV.



# Section IV: Concept and Proposal

The Mixed Use Zones Project establishes a new framework of Commercial Mixed Use Zones designed to help implement the varied goals and policies of the Portland *2035 Comprehensive Plan*. Roughly 50 percent of Portland’s future household growth is expected to occur in commercial mixed use zones located outside of the Central City. Recent development trends show that this is already happening in some of the areas currently zoned for commercial use. The current commercial zones have been successful in accommodating development. However, they can be improved to better realize the goals and policies of the new Comprehensive Plan. These include goals for affordability, context sensitive design, and the desire for creating community services in key locations.

As part of the Mixed Use Zones Project, BPS staff proposed, and Planning and Sustainability Commission recommends, a new Commercial Mixed Use zoning framework coupled with changes to development and design standards to address *2035 Comprehensive Plan* objectives identified in Section III.

Key elements of the recommended changes are described below along with a brief analysis where appropriate. The relevant zoning code sections are listed and can be found in the *2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft*.

## **A. New Zoning Framework (33.130.010 – 33.130.210)**

The Mixed Use Zones Project would change the basic framework for commercial zones:

- The array of Commercial Mixed Use zones applied outside the Central City would be reduced.
- Five new mixed use zones would be added - three Commercial/Mixed Use zones that vary by the scale of development allowed (CM1, CM2, CM3), a medium-scale Commercial Employment (CE) zone focused primarily on commercial and employment uses located outside of centers, and a small scale Commercial Residential (CR) zone that allows limited commercial uses and is applied in limited locations in residential areas.
- New and revised development and design standards would be added.
- The maximum amount of housing and mixed use development on a site would be regulated differently.

This change in the framework creates a simpler array of Commercial Mixed Use base zones and results in zones that better implement the 2035 Comprehensive Plan’s *Urban Design Framework* and *Mixed Use Designations*. Each new Comprehensive Plan mixed use *designation* allows more than one zone, which allows for future zone changes if appropriate. The new zones feature statements about the characteristics of the zones and their appropriate contextual application to provide guidance for legislative projects and quasi-judicial zone change land use review situations.

A significant change with the recommended zoning approach is the way the size of housing and mixed use development is measured. Today, in commercial zones, the amount of *commercial* development possible on a site is limited by a maximum floor area ratio (FAR). However, the amount of *residential* development is currently limited only by the height and bulk limits allowed by

the zone. Hence, development with residential units may exceed the stated floor areas of the existing commercial zones.

Under the recommended mixed use code, the amount of development for all uses – commercial and residential - will be controlled by the maximum floor area ratio (FAR) allowed on site. The size and form of the building will also be shaped by the maximum height limit and other base zone development standards. The inclusion of floor area for residential uses in the allowed FAR provides greater control and certainty about development intensity. It also allows for use of a FAR bonus system that allows projects that provide public benefits focused on affordability to gain greater floor area and height.

The recommended floor area ratios are the result of significant feedback from the mixed use zones project advisory committee, the public, and the results of economic modeling and architectural analysis. Details of this approach are included in Section VI and information on analyses can be found in the Appendix documents.



*The Mixed Use Zones Project proposes development standards such as building “step-downs” to help the transition to lower-density zones.*

## **B. Development Bonuses - Incentives to provide public benefits (33.130.212)**

A goal of the Comprehensive Plan is to achieve community objectives through public and private investments, including through the development process. To support this, the new mixed use zones include opportunities for bonuses that provide additional amounts of development above zoning entitlements when the developments include key public and community benefits, focusing on affordability in housing and commercial spaces. The bonuses allow additional floor area, and in some cases additional height, in return for meeting affordability performance standards. Bonuses are recommended for provision of affordable housing and affordable commercial space. In addition, additional floor area may be gained through a transfer of floor area from historic resources in commercial mixed use zones. The amount of bonus varies by the type and priority of public benefit provided. Affordable housing is given the highest priority.

For each Commercial Mixed Use zone, there is an allowed maximum floor area ratio (FAR) and height limit without using the bonus. Projects using bonuses may earn up to the maximum allowed FAR and height limit with bonus. Affordable housing is eligible to earn 100% of the maximum bonus FAR allowed. Other bonuses are allowed to earn up to 50% of the maximum FAR each, but bonuses

can be combined up to the maximum as shown in Table IV-1: Summary of Commercial/Mixed Use Development Standards. The recommended bonus parameters are:

- Affordable Housing: Earn up to 100% of bonus floor area when 25% of floor area in excess of base floor area allowance is housing affordable to households earning less than 80% of the area Median Family Income (MFI).
- Affordable Commercial Space: Earn up to 50% of bonus floor area when commercial space is provided at below-market rents to qualifying businesses. Two square feet is earned for each square foot provided.
- Transfer of Floor Area. Allow up to 50% of bonus floor area when floor area is transferred from historic resources.

**Table IV-1: Summary of Key Commercial/Mixed Use Development Standards**

	CR	CM1	CM2	CM3	CE
Base Height Limit <sup>t</sup> (stories)	30' (2-3)	35' (3)	45' (4)	65' (6)	45' (4)
Base FAR	1:1	1.5:1	2.5:1	3:1	2.5:1
Maximum Height Limit with Bonus <sup>t</sup> (stories)	n/a	35' (3)	55' (5)*	75' (7)	45' (4)
Maximum FAR with Bonus	n/a	2.5:1	4:1	5:1	3:1
Maximum Building Coverage % Inner/East/West Pattern Area	85/75/75	85/75/75	100/85/85	100/85/85	85/75/75
Required Landscaping** % Inner/East/West Pattern Area	15/15/15	15/15/15	15/15/15	15/15/15	15/15/15

<sup>t</sup> Up to 5-feet of additional height is allowed when projects have ground floors with high ceilings (over 15').

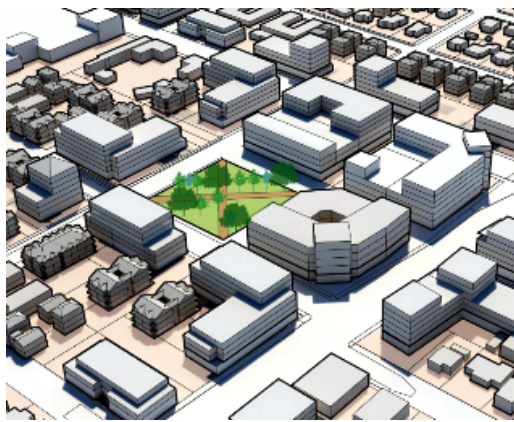
\* The 55' height limit is allowed only in areas with a Mixed Use – Urban Center Comprehensive Plan designation and in areas with the Mixed Use – Civic Corridor Comprehensive Plan designation where the Design overlay zone is applied.

\*\* In “Inner Neighborhood” pattern areas, required landscaping may be met by choosing among options.

The development bonus structure will be administered by the Bureau of Development Services (BDS), with significant participation from partner agencies including the Portland Housing Bureau (affordable housing) and Portland Development Commission (affordable commercial). The complete details of the parameters of the bonus program standards and administration are currently under development but will be finalized prior to the effective date of the regulations.

More information on the bonus proposal is included in Section V.

**C. Planned Development Bonus with public benefits (33.130.212; 33.270; 33.854)**



The Recommended Draft includes an additional height and floor area bonus available only on large sites (over 2 acres) when approved through a Planned Development review. Development projects in CM2, CM3, CX, and CE zones on sites over two acres in size may seek this bonus. The bonus allows significant increases in height and increases in floor area for projects that meet a set of prescribed public benefit requirements and are approved through a Type III land use review process. The Planned Development review would include a site design and transitions review component to be conducted by the Portland Design Commission.

The allowable FAR and height are shown in Table IV-2 below.

**Table IV-2: Planned Development Bonus**

	<b>CM2</b>	<b>CM3</b>	<b>CX</b>	<b>CE</b>
Base Height Limit <sup>t</sup> (stories)	45' (4)	65' (6)	75' (7)	45' (4)
Base FAR	2.5:1	3:1	4:1	2.5:1
Maximum Height Limit with Planned Development Bonus <sup>t</sup> (stories)	75' (7)	120' (10-12)	120' (10-12)	75' (7)
Maximum FAR with Planned Development Bonus	4:1	5:1	6:1	4:1

<sup>t</sup> Up to 5-feet of additional height is allowed when projects have ground floors with high ceilings (over 15').

A project seeking this bonus must meet the following public benefit requirements:

- 1) Meet the affordable housing bonus target (25% of bonus floor area at 80% MFI);
- 2) Provide 15 percent of site area as a publicly accessible plaza or park; and
- 3) Meet an energy efficiency building standard.

In addition to the site plan design review and meeting the bonus requirements above, subsequent to the review, all buildings on-site would be subject to the design overlay zone.

Development prototype modeling revealed that it may be difficult to achieve allowed or bonus floor area ratios on large sites due to parking requirements, circulation, and other features inherent in larger scale development. Additional height is needed to achieve the allowed floor areas. During neighborhood walks, community members expressed possible acceptance of larger buildings on large opportunity sites, provided that 1) the developments provide some benefit to the public and community, 2) the impacts of added height can be mitigated through thoughtful site design and transitions, and 3) any additional impacts (transportation, infrastructure, etc.) of the development can be addressed. The Planned Development Bonus with public benefits addresses these issues by allowing additional height and floor area when the development includes a prescribed set of public benefits, and is approved through a quasi-judicial land use review with a public hearing.

## D. Development Design Standards

New development and design standard are recommended to address Comprehensive Plan goals and policies as well as issues raised by community stakeholders. Detailed information about the development concepts are available in the *Mixed Use Zones Project - Code Concepts Report*. Specific information about recommended development standards is found in the Zoning Code and Commentary under separate cover. The following is a list of the key features being addressed.

### 1. Relate Building Height to Street Scale/Transit Function (33.130.210)



Apply commercial mixed use zones of different scales to address the scale and width of streets. Generally, zones that allow taller building street walls are most appropriate along wider streets and in places with frequent transit service.

### 2. Allow height increases to encourage desired development features (ground floor commercial, high ceilings, parking), and architectural variety in rooflines (33.130.210)

In addition to height exceptions for building projections (flag poles, chimneys, vents, etc.), allow up to 5-feet of additional height when projects have ground floors with high ceilings (over 15') to accommodate ground floor retail with high ceilings and mechanized stacked parking. Allow 42-inches of additional building height for parapets and roof railings to facilitate variety in rooflines, rooftop outdoor spaces, and screening for mechanical equipment.

### 3. Building Articulation/Massing (33.130.222)



Create standards that promote building form and massing that better fits into and enhances the character of centers and corridors. This includes requirements for façade articulation, and limits on overall building length.

#### **4. Height Transitions and Buffering (33.130.210)**



Apply setbacks, height transitions and buffering for mixed use zones adjacent to lower density residential zones to foster more gradual transitions. This will require buildings in the commercial/mixed-use zones to “step down” to the allowed heights of adjacent lower-scale residential zones and provide building setbacks.

#### **5. Full-Block Zoning Transitions (33.130.210; 33.130.215)**

Apply building height transitions and landscaping standards to mixed-use areas that are located off of corridors and have street frontage adjacent to residential zones. The standards encourage residential development as part of this interface.

#### **6. Ground Floor Windows (33.130.230; 33.415)**



Strengthen design-related standards that address the relationship of buildings to public street frontages by requiring more ground floor window coverage, especially in the core commercial areas of centers. Window coverage requirements on key streets are 40% of ground floor area generally; and 60% of ground floor area in areas with the new Centers Main Street overlay zone.

#### **7. Ground Floor Residential Development (33.130.230)**



Provide setback and design options for residential uses, while supporting cohesive commercial areas, ensuring appropriate urban density, and addressing the interface between ground-level residences and public streets. Allow landscaped setbacks or raised residential ground floors as alternatives to the required 40% ground-floor window coverage outside of the centers main street overlay zone area.

#### **8. Main Entrances (33.130.242; 33.415)**

Strengthen design-related standards that address the relationship of buildings to public street frontages by establishing requirements for a minimum frequency of front entrances.

#### **9. Street Setbacks and Parking Location (33.130.215; 33.415)**

Simplify maximum setback regulations and offer more flexibility for providing outdoor spaces and landscaping. In most cases, relax requirements that require 100 percent of street-facing

façades to be located within required maximum setbacks. Except for large-scale retail uses over 60,000 square feet, generally prevent parking areas from being located between buildings and streets to foster a pedestrian-friendly sidewalk environment.

**10. Outdoor Space (33.130.228)**



Require 36 to 48 square feet per unit of private or shared outdoor space for residents to be provided in conjunction with mixed use or residential development.

**11. Residential Window Setbacks (33.130.215)**

Ensure that residential windows have separation from interior property lines, providing access to light and air.

**12. Pattern Area Standards (33.130.215; 33.130.220; 33.130.225; 33.415)**

Create design-related standards specific to the three major neighborhood pattern areas (Inner, Eastern and Western neighborhoods), such as variations on building lot coverage, setbacks, landscaping, and required development intensity.

**13. Neighborhood Contact Requirements (33.130.050)**

Expand requirements for neighborhood notification of new development in mixed use zones and encourage dialogue between developers and the community.

**14. Exterior Display (33.130.245)**

Allow more flexibility for exterior display of merchandise.

**15. Shared Parking (33.130.100.B.9)**

Provide more flexibility for commercial and shared parking to manage parking demand.

**16. Green Options. (33.130.225)**



Landscaping has not traditionally been a required element of development in Portland’s most urban commercial zones, because the zones allow high degrees of lot coverage. The mixed use zones project responds to the Comprehensive Plan call for integrating green elements into the urban environment by requiring landscaping but allowing a flexible array of landscape options in the urban CM2 and CM3 zones while continuing to allow a high degree of lot coverage.

The recommended development and design standards are intended to better address contextual compatibility of development while achieving multiple Comprehensive Plan goals. The height limits, which decrease adjacent to residential zones, will create better transitions to these areas; setback standards allow for flexibility to create public/private spaces along key corridors; outdoor area requirements provide more amenity for residents in residential and mixed use building; building coverage and landscaping standards address the differences within Portland’s development pattern areas; and features such as neighborhood contact will help to inform the community about development and encourage dialog. See the Zoning Code commentary for more detailed analysis and rationale related to specific code amendments.

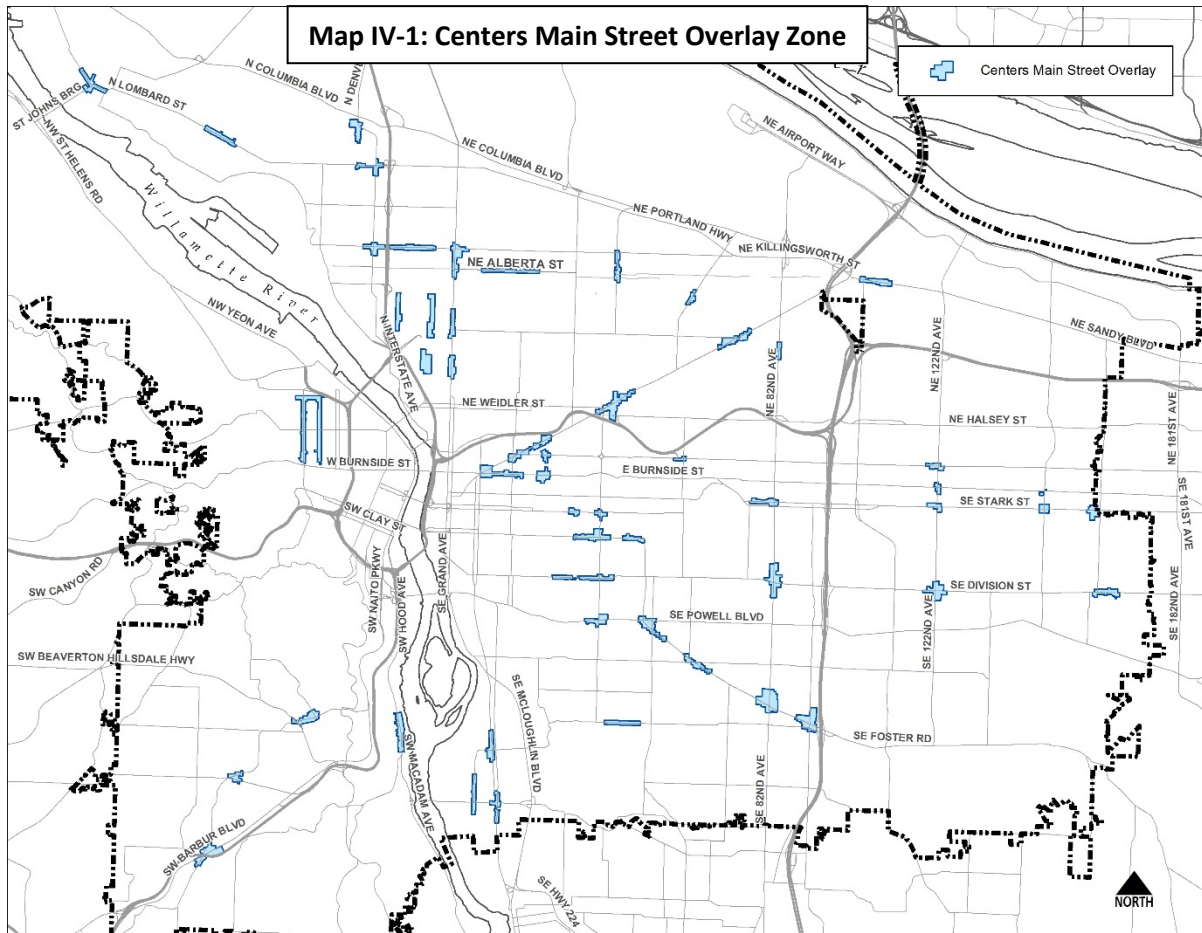
## **E. Other Tools to Enhance Places and Address Issues**

### **Centers Main Street Overlay Zone (33.415)**

A new overlay zone has been developed to enhance key places within centers. The overlay zone calls for active land uses, a more continuous commercial main street, minimum amounts of development, and limitations on auto-oriented development to help reinforce and support creation of these key places. Uses and development are regulated to create an urban pedestrian-oriented environment, support hubs of community activity, and foster development intensities that are supportive of transit. The overlay zone would be mapped along key main streets within neighborhood centers and town centers designated in the Comprehensive Plan.

Map IV-1: Centers Main Street Overlay Zone, shows application of the overlay citywide. Additional map details are in Section VII, and code details are in the *2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft*. This overlay zone is applied to areas that currently have a built-up commercial main street character, or where such a character is desired. Active ground floor uses are required in order to encourage a high degree of activity in these places, helping to meet Comprehensive Plan policies for centers.

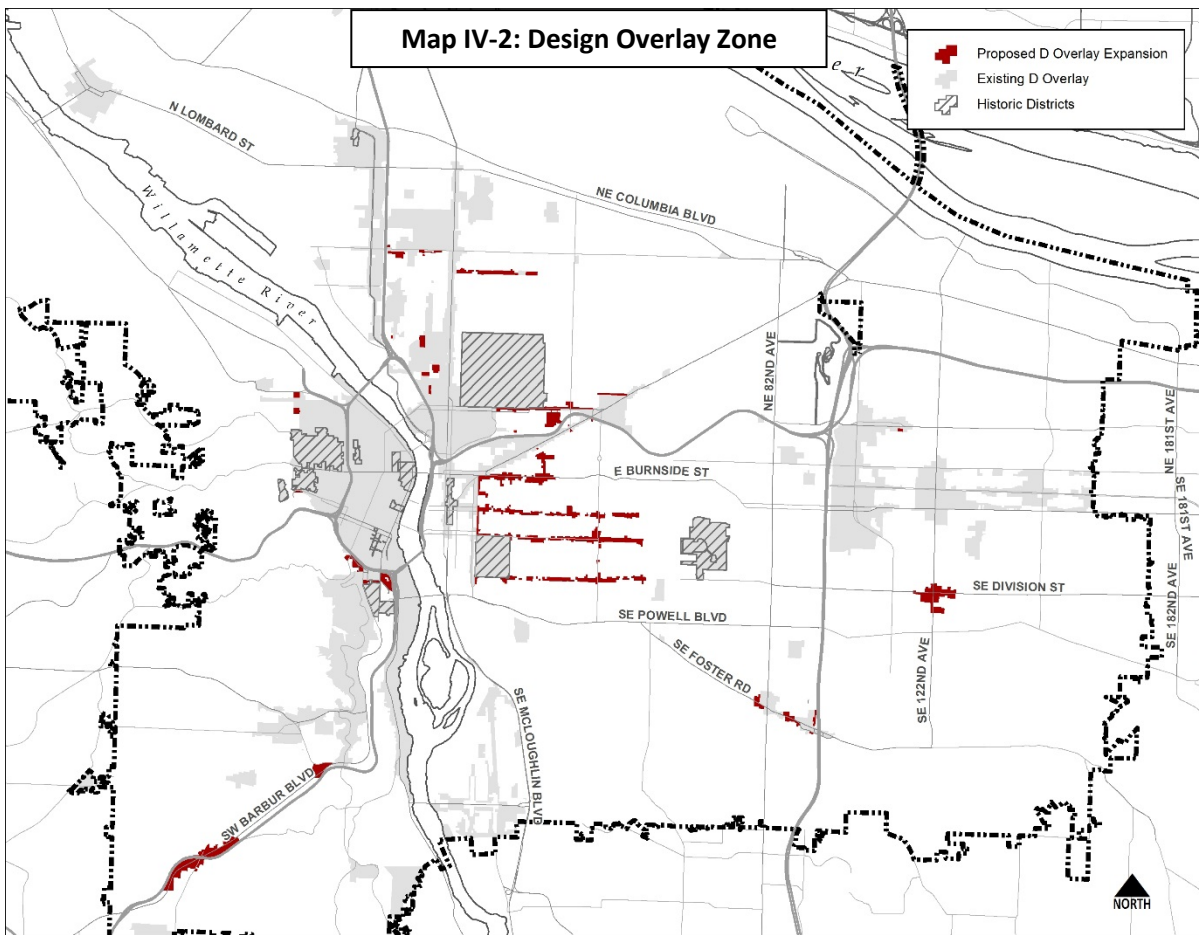




**Design Overlay Zone expansion (map change only - no changes to zoning code)**

In Portland, design review has traditionally been required for areas where a special design character is specified and for zones which allow intense or large scale development. The Mixed Use Zones proposal continues this approach by extending the design overlay zone to areas designated as “Mixed Use – Urban Center” on the Comprehensive Plan map. This designation includes Town Centers and the most urban Neighborhood Centers and Corridors surrounding the Central City. These areas are expected to see the greatest amount of development and change, and warrant additional design oversight.

The Design Overlay Zone is currently applied to most of the area designated as Mixed Use - Urban Center. The zone will be retained where it is currently applied, and will be extended to areas where it is currently not applied, including areas in inner Southeast Portland and other locations. Areas where the design overlay zone will be added are shown on Map IV-2: Design Overlay Zone. In addition, in keeping with current practice of applying the design overlay to zones that allow large scale or tall buildings, the design overlay zone will be applied to all sites zoned CM3, which replaces the CXd and EXd zones outside of central Portland.



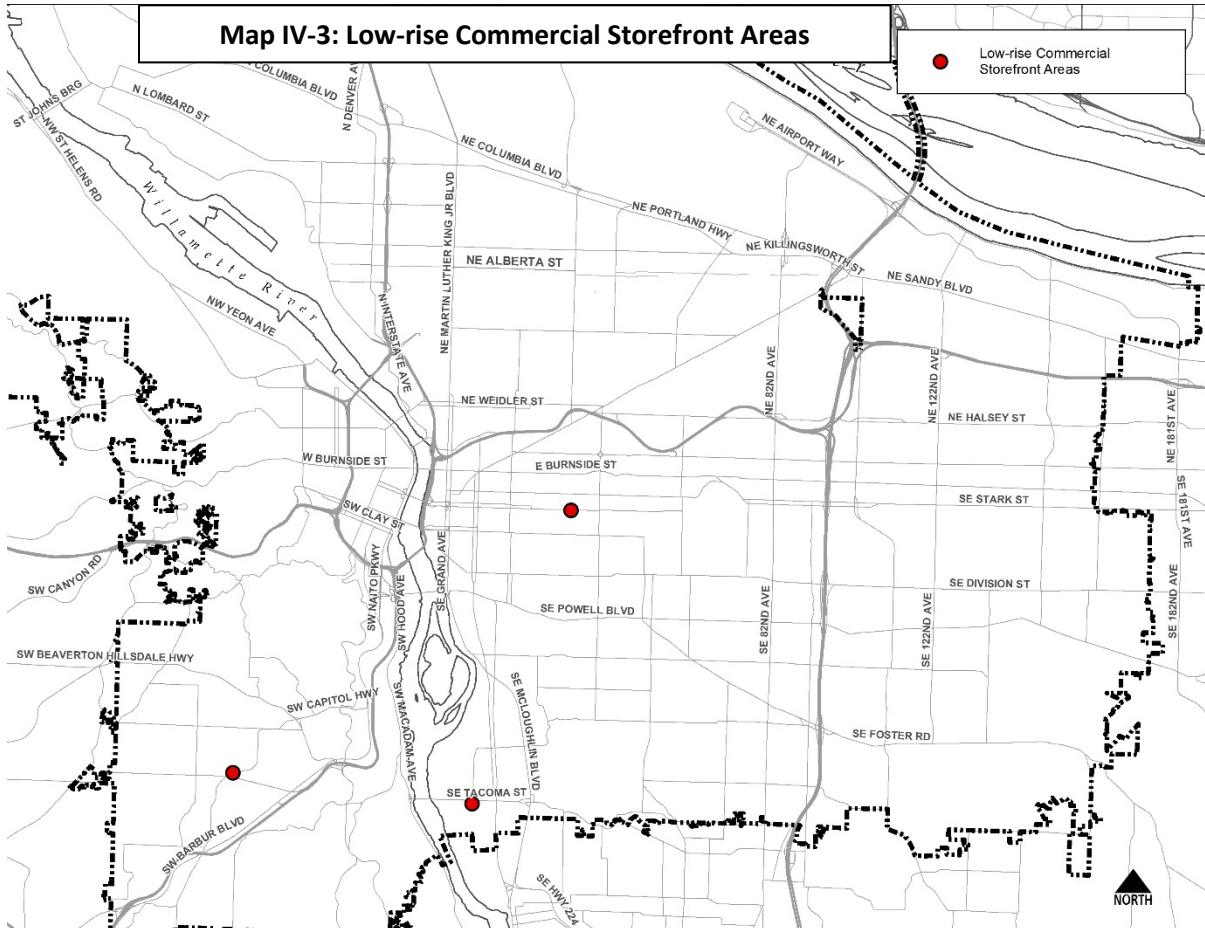
**Transfer of Floor Area for Historic Resources (33.130.205)**

The new approach to regulation of floor area described in the zoning framework provides an opportunity for transfer of floor area from historic resources as well as floor area bonuses for public benefits. This tool has been available in commercial zones to date, but because of the current approach to regulation of residential floor area, there is little incentive to use the transfer. Recalibration of the allowed FAR combined with allowances for a bonus floor area will allow better utilization of this existing tool.

**Low-rise Commercial Storefront Areas (33.415 and Zoning Map)**

The recommended draft includes new mapping and Zoning Code regulations intended to continue the scale and characteristics of a few older main street areas where low-rise (1 to 2 story) Streetcar Era storefront buildings are predominant. This responds to community interest in preserving the character of these areas, which are often the historic commercial cores of centers, while being applied strategically to retain ample capacity for growth in the majority of mixed use areas. Areas mapped for the new low-rise commercial storefront zoning approach are locations with contiguous concentrations of low-rise Streetcar Era storefront buildings extending for at least a 2-block or 400' length of corridor, and are located in neighborhoods centers, which are intended to have less of an emphasis on growth than larger centers. They are located on portions of the following streets: SE Belmont Street in Sunnyside; SE 13<sup>th</sup> Avenue in Sellwood; and SW Capitol Highway in Multnomah.

The PSC's *Recommended Draft* proposes to zone these areas to CM1 (limiting building height to 35-40 feet), with Centers Main Street overlay regulations that continue these areas' characteristics through allowances for 2.5 to 1 FAR, full lot coverage and no landscaping, and greater allowances for retail and other commercial and light industrial uses than usually allowed in the CM1 zone to reflect their roles as core commercial areas that are anchors to complete communities.



**Transportation Demand Management (33.266.410)**

The management of travel demand and parking is an issue of growing importance throughout the City as growth and development brings increased density to mixed use centers and corridors and increases trips and the demand for existing on-street parking. Transportation demand management (TDM) encompasses a variety of strategies to encourage more efficient use of the existing transportation system and reduce reliance on the personal automobile. This is achieved by encouraging people through education, outreach, incentives, and pricing to choose other modes, share rides, travel outside peak times, and telecommute, among other methods. Effective transportation demand management also incorporates management of parking supply and demand.

As part of the Mixed Use Zones Project, the Portland Bureau of Transportation proposed to expand and standardize requirements for a performance-based TDM Plan for new development over certain impact thresholds. The recommendations include clear and objective performance-based TDM measures for larger multi-dwelling and residential mixed use buildings in the Commercial Mixed Use

zones. See Amendments to Zoning Code Chapter 33.266; for additional information about TDM see Section V.

## **F. Significant Changes in the Proposed Draft**

The *Proposed Draft* of the Mixed Use Zones project changed significantly from the *Discussion Draft* based on Project Advisory Committee feedback, public comments, feedback from the Portland Design Commission, Portland Historic Landmarks Commission, technical advisors from City of Portland bureaus and partner agencies, and internal Bureau of Planning and Sustainability review of the proposal. Major changes in the proposal were generally in response to 1) bonus and development incentive issues; 2) building scale issues; and 3) auto-accommodating development issues.

***Bonus and Development Incentive Issues.*** Comments were submitted requesting a greater emphasis on affordable housing goals in the bonus/incentive program, and the need for additional modeling and testing of the program to optimize outcomes. Additional economic analysis was conducted on the bonuses by EcoNW, a consulting firm, to optimize for a result that prioritized the incentive for affordable housing and includes an incentive for affordable commercial space. Initial results from the modeling indicated that utilization of the bonus is most feasible in areas with higher than average rents where additional floor area would be an incentive for providing a public benefit. Given current development market conditions (rent, construction cost, etc.), take up of bonuses may be limited, but this will vary over time. Furthermore, the bonus for plazas was identified as a greater incentive than other bonuses, yet may not provide clear public benefits. Floor area in exchange for green buildings was not seen as an incentive. The bonus program was modified to optimize on the public benefit of affordability.

***Building Scale Issues.*** Comments were submitted regarding the scale (height, bulk) of allowed development in commercial mixed use areas. The proposal sought to balance community concerns about scale with growth management and community development goals, and the realities of building construction and finance. In some cases, the proposed zones reduce the allowed scale of development compared to the existing zones through inclusion of residential uses in floor area calculations, limits on overall floor area, and through setback and height standards that shape building envelopes to a greater degree than current zones. Additional density and increased building scale can be achieved only by using bonus floor area and bonus height by providing public benefits which focus on affordability issues in this proposal. In response to comments, in some areas, such as the Low-rise Commercial Storefront areas, the proposal reduced overall scale by applying zones with lower height limits than proposed in the Discussion Draft.

***Auto-Accommodation Issues.*** Comments were submitted regarding the need to better accommodate autos and traditional auto-oriented developments in the Portland landscape. Specifically, comments addressed problems of large-scale retailers, including grocery stores, with proposed pedestrian- and transit-oriented building setback standards. Stakeholder comments stated the need to allow flexibility for deep building setbacks to provide convenient and accessible parking areas, and flexibility for drive through developments, for this type of retail. In general, the proposal sought to balance goals for pedestrian- and transit-orientation and urban design, with the need to accommodate large and auto-accommodating uses. Changes to better address these

concerns included allowing more flexibility to rebuild drive through uses and reducing the square footage threshold for alternative setbacks for large retail uses.

A summary of major concept/code changes follows.

**Bonuses and Development Incentives.** The proposal emphasizes bonuses that address affordability goals. Additional economic analysis showed that the bonus for publicly accessible plazas was likely to compete with the affordability provisions, and less affordable housing would be produced. Landscaping and green element requirements are now proposed for all zones in response to comments on the *Discussion Draft*. Given this, the high-performance green features bonus was modified to include only green buildings, dropping the landscape elements. Economic modeling of the bonus program found no incentive for green buildings. Also, for both plazas and green buildings, the benefits may be both private and public. For these reasons, the provisions for plazas and green buildings were dropped from the proposal.

**Parking Exception for Affordable Bonus Units.** Modeling revealed that additional required parking may limit utilization of the affordable housing bonus due to the high cost of providing structured or underground parking. To help address this issue, affordable housing units allowed in bonus floor area would not be counted in required parking calculations. In addition, modeling showed that the technology of “stacked” or mechanized parking may also be a cost effective and feasible solution to address required parking in some situations.

**Planned Development Bonus with Public Benefits.** The Large Site Master Plan Bonus has been recast as a Planned Development Bonus and new code sections are proposed to implement the review. The bonus still provides for increases in allowed height and floor area on sites over two acres in size when public benefits of affordable housing, a public plaza/open space and green building features are provided. Because of the scale of development proposed to be allowed (up to 75 feet in CM2 and CE; up to 120 feet in CM3), a Type III land use review with public comments is warranted. The design and layout of the site and location of buildings is critical to make transitions to adjoining lower-scale neighborhood areas; a public review of the planned development by the Portland Design Commission is proposed as the most appropriate body to review this type of quasi-judicial land use request. This is a change from the Discussion Draft in which a review by the Hearings Officer was proposed.

**Bonuses and Floor Area Transfers in Historic Districts.** The proposal restricted the use of bonuses and floor area transfers in Historic and Conservation districts. This limits the potential conflicts posed between existing historic character and larger buildings allowed through bonuses and transfers.

**CM1 Zone in Low-rise Commercial Areas.** Comments were submitted regarding the scale of allowed development in commercial mixed use areas, specifically about potential development in areas of special character, which often include many intact, low-rise streetcar-era commercial buildings. To address this issues, staff analyzed locations where low-rise (1 to 2 story) Streetcar Era storefront buildings are predominant, and proposed to apply the CM1 zone with a 35’ base height limit in a selected set of these older main street areas within the Centers Main Street overlay zone. See Low-rise Commercial Storefront Areas discussion on page 40 and Low-rise Commercial Storefront Analysis Summary (<http://www.portlandoregon.gov/bps/article/576442>).

**Green Options Landscaping in Inner Pattern Area.** In the *Discussion Draft*, 100% lot coverage was allowed and no landscaping was required in the CM2 and CM3 zones in the Inner Neighborhoods pattern areas (continuing the existing approach in the CS, EX and CX zones). Based on new *Comprehensive Plan* policies on integrating green elements into the urban environment and community feedback about the need for greening of urban spaces in inner pattern areas, staff proposed a landscape requirement in all mixed use zones outside the Central City and Gateway. The proposal continues to allow lot coverage up to 100% in the Inner Neighborhood CM2 and CM3 zones. Given this, staff proposed that the landscape requirement be met through flexible options that include 1) traditional in-ground landscape features; 2) an eco-roof; 3) reduced landscape percentage for planting large trees; 4) use of raised landscape areas; and 5) substitution of pervious pavers for a percentage of the required landscape area.

**Building Length and Façade Articulation.** Feedback from design professionals prompted further review of the Discussion Draft proposal on building length and façade articulation. The maximum building length standards in the Proposed Draft were changed to work in conjunction with façade articulation to prevent large facades without articulation, and to limit building length. The maximum building length in the Discussion Draft was 110 feet, which responded to some situations, but also created issues for other developments that require larger floor plates. The maximum length was increased to 200 feet, in keeping with Portland's traditional block sizes.

**Setbacks for Large Retailers.** Feedback from retail and shopping center representatives highlighted difficulties in meeting transit-oriented setback standards and parking location requirements for larger-scale retail uses, including large-format grocery-stores. To address this issue, the size threshold for triggering alternative setback standards for large retail uses was reduced from 100,000 square feet to 60,000 square feet to better accommodate a variety of large-scale retail uses.

**Parking Location Flexibility on Large Sites.** Parking location standards in 33.266 have been changed to provide greater flexibility in parking arrangements and locations on large sites in the CM zones. For large sites (over two acres), the standards of the CE zone will apply, providing greater flexibility to provide parking locations between a building and a street, and better address situations with multiple building on a site, typical with larger sites.

**Drive-Through Facilities.** In the Proposed Draft, drive-through facilities were allowed in the CE zone. New drive through facilities were prohibited in the CM1, CM2 and CM3 zones. In addition to changes allowed through the Non-Conforming Situations code (33.258), the proposal allowed additional flexibility to rebuild existing drive through facilities in the CM2 and CM3 zones to accommodate needs for modernization and upgrades. In the CM3 zone, the rebuilt drive through must be part of a development with a minimum floor area ratio of 1:1.

**Minimum Floor Area in Centers.** Sites in the Centers Main Street overlay zone were proposed to have a minimum floor area ratio of 0.5:1. This minimum was retained for overlay zone areas in the Inner pattern area where development is more urban. The minimum was reduced to 0.25:1 in Eastern and Western pattern areas in recognition of existing lower-density development patterns and the anticipated desire for more parking in these areas.

**Vehicle Areas in Centers.** Sites in the Centers Main Street overlay zone were limited in the Recommended Draft to having no more than 50% of the street frontage of a site dedicated to vehicle and exterior display areas. This standard was retained in Eastern and Western pattern areas,

but the vehicle area was reduced to 30% of frontage in Inner pattern areas in recognition of the more urban setting desired in this pattern area.

**Transportation Demand Management Thresholds.** In conjunction with the Portland Bureau of Transportation, further review and analysis of Transportation Demand Management goals and objectives led to a lower threshold for triggering the TDM program for mixed use developments. The threshold was reduced from 20 units to 10 units.

## **F. Significant Changes in the Recommended Draft**

The *Recommended Draft* of the Mixed Use Zones project changed significantly from the *Proposed Draft*, based largely on the public testimony received by the Portland Planning and Sustainability Commission (PSC) during the public hearings process and subsequent PSC discussion. A summary of the most significant Zoning Code and Zoning Map changes recommended by the PSC follows.

**Bonuses and Floor Area Transfers in Historic Districts.** The PSC received testimony from the Portland Historic Landmarks Commission and BDS on this topic and revised the distance from which floor area transfers can occur, extending the limit to two miles in support of testimony.

**Building Height Transitions and Step Backs.** The PSC considered the cost, design and housing capacity implications of the staff proposed street-frontage upper-level step backs when bonuses were used and when buildings on narrow streets exceeded 55 feet in height. The Commission elected to remove required step backs to better facilitate affordable housing and other types of development.

**Building Length and Façade Articulation.** The PSC supported the proposed building length standards, but amended the articulation standard to allow more flexibility for development. Projects can meet the standard through articulation that steps back or extends forward from a façade plane.

**Drive-Through Facilities and Quick Vehicle Servicing Uses.** The PSC received a significant amount of testimony from property interests regarding the need and desire for drive through facilities and Quick Vehicle Servicing uses. In their consideration of this topic, the PSC sought to address issues related to the large numbers of drive-through facilities located in East Portland, the negative impacts of fast food establishments and other drive through facilities on the area's residents, and barriers that Zoning Code allowances for drive throughs presented to achieving a healthier and more pedestrian-oriented urban environment in East Portland, particularly given the area's large proportions of lower-income residents and communities of color. In response, the PSC included in their recommendation a prohibition on drive-through facilities in all commercial/mixed use zones located east of 80<sup>th</sup> Avenue. For other areas of the city, the PSC supported staff's revised recommendation to broaden allowances to rebuild and remodel existing drive-thru and Quick Vehicle Servicing uses in all zones, by classifying existing uses as allowed. In areas west of 80<sup>th</sup> Avenue, which have relatively little zoning that allows new drive-through facilities, these allowances will allow reinvestment and upgrades for existing facilities that may have otherwise been precluded. The PSC also included a provision that will require drive-through facilities to serve customers arriving as pedestrians or by bicycle, when other business entrances are locked or not available.

**Transportation Demand Management Requirements.** The PSC created an exception to TDM requirements for projects that are not close to frequent service transit, in response to the greater costs such projects have due to parking requirements and their more limited transportation options. The commission also recommended changes to the approval criteria that apply to projects that choose to develop a custom plan, rather than utilize the pre-approved option in Title 17.

**CM1 Zoning Map in Low-rise Commercial Areas.** The PSC received a significant amount of testimony regarding the low-rise Commercial Storefront proposal and application of the CM1 zone in these areas. Much of the testimony was from property owners and related interests that disagreed with the reduced height and floor area associated with the CM1 zone compared to current zoning (CS) and the likely mixed use conversion zone, CM2. Based on factors including street width, presence of historic or large newer buildings, and level of community support, the PSC recommended applying the CM2 zone rather than CM1 in 10 of the 13 originally-identified Low-rise Commercial areas. The PSC recommended applying the CM1 zone to the identified Low-rise areas in Multnomah Village, on SE Belmont (Sunnyside) and a portion of the Sellwood area.

**CE Zoning Map in Centers and in Support of Policy 4.24.** The PSC received a significant amount of testimony requesting application of the CE zone to specific properties. Requests were received from large retailers and other owners or tenants that have or seek development that is more auto-oriented (drive throughs, fewer windows, large setbacks and parking areas), and zoning that will accommodate this type of development. PSC considered an array of options to apply the CE zone more broadly, but chose to apply additional CE in limited areas. PSC did not support application of the CE zone in Neighborhood Centers or Town Centers and also did not support more broad application of the CE zone outside of Centers to support Policy 4.24 (see Section II).

**New CR Zone.** The PSC received testimony from community members concerned about non-conforming commercial properties located in residential zones that were proposed to be zoned to CM1 to support their continued commercial use. Requests were received to include regulatory provisions to limit impacts on the surrounding residential areas and that support the intent of providing allowances for small commercial uses rather than redevelopment into purely multi-family housing. In response, the PSC recommended creating an additional new zone, Commercial Residential (CR). The CR zone is applied primarily to small retail uses on properties located in the midst of residential areas and includes limitations on operating hours, size of commercial uses, and limits on residential density when commercial uses are not present on site.

**Affordable Commercial Bonus.** The PSC recommended additional language to strengthen the policy intent of the affordable commercial bonus – to emphasize assistance to local minority-owned businesses, and women-owned businesses. The commission also suggested an advisory committee be formed to continue to develop the details of this potential program.



# Section V: Implementation Tools

The primary tools to implement the Mixed Use Zones Project are amendments to the Portland Zoning Code and Zoning Map. Amendments to the Portland Zoning Code (Title 33) are outlined in Section VI and included in *the 2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft*. Amendments to the Zoning Map are outlined in Section VII, and shown on the Portland Map App: [www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp).

Additional tools for implementation of the project, anticipated subsequent amendment to the Zoning Code, and expected amendments to other city Titles are described in this section.

## Development Incentives/Bonuses

A key goal of the Comprehensive Plan is to achieve many community objectives through public and private investments, including through the development process. To aid in realizing these goals, the new mixed use zones include opportunities for performance bonuses: additional amounts of development above basic zoning entitlements, when the developments include key public benefits. These bonuses allow additional floor area, and in some cases additional height, in return for meeting design and other performance standards. Bonuses are recommended for provision of affordable housing and affordable commercial space. In addition, floor area transfers from historic resources can be added to receiving sites, up to a portion of the bonus floor area allowed. The amount (or weight) of the bonus varies by the type and priority of public benefit provided. Affordable housing is given the highest priority.

### Additional Details of the Bonuses - Administration

Proposals using the bonuses would be reviewed and approved by the Bureau of Development services, with significant administrative participation from bureau partner agencies including the Portland Housing Bureau (affordable housing) and the Portland Development Commission (affordable commercial). The partner agencies will, prior to the effective date of the zoning regulations, create affordability bonus programs with administrative procedures to review projects seeking to gain additional development through bonus use.

### Implications of the New Inclusionary Zoning Legislation – Senate Bill 1533

Oregon legislators passed legislation allowing jurisdictions to require affordability in new multifamily structures of over 20 units. The legislation allows for the affordable housing requirement, but also calls for jurisdictions to provide development incentives for affordable housing. Staff from the Bureau of Planning and Sustainability and Bureau of Housing are jointly working on implementation approaches that build on the affordable housing bonus provisions in the Mixed Use Zones Project.

Conceptually, an applicant seeking a bonus would contact the appropriate partner agency to learn about program parameters, enroll in the affordability program, submit plans and other documents to indicate how they meet the performance targets of the bonus, and execute needed covenants, restrictions or other program documents to ensure that the project conforms with program requirements. Upon completion of these components, the agency will issue a certificate of compliance indicating that the development meets the requirements of the incentive program, and certification of the amount of additional floor area to which the development is entitled. The

certification documentation would be submitted to Bureau of Development Services by the applicant along with building plans for review and approval.

The details of the exact parameters of the bonus program standards and administration are being further developed. BPS expects to continue work on the bonuses with partner agencies to develop the administrative procedures during the code review process over the next several months.

In most cases there will be a need for ongoing administration to monitor projects that use bonuses, to ensure ongoing compliance. The details of the administration will also be worked out over the coming months as the code continues through the legislative process and provisions of the Inclusionary Housing Program are developed.

A more detailed description of bonuses and a list of items needing further work follows.

### **Affordable Housing Bonus**

**Description/Intent:** Housing affordability is an increasing concern in Portland. Much of Portland's new housing to accommodate growth is expected in centers and corridors. However, new housing is often not affordable to a large segment of Portlanders. This bonus works toward addressing that issue through an incentive to construct and set-aside a portion of units at affordable levels. Inclusionary zoning was recently approved in Oregon, but has not yet been implemented. Voluntary incentives like this have been used in other situations. With recent passage of inclusionary zoning legislation, the administrative and other aspects of this incentive program will likely be modified, and potentially applied to a broader program.

This bonus will allow additional floor area and in some cases additional height for developments when a proposal includes a required amount of floor area for residential units that are targeted to be affordable.

**What is Required and Allowed:** A development proposal seeking this bonus could earn up to 100% of the total bonus. To earn bonus area, projects are required to construct 25 percent of all floor area in excess of base zone regulations as housing that is affordable to households at an income target established by Portland Housing Bureau and set forth in an administrative rule. The affordability target is 80% of median family income (MFI), however this target is subject to change based on development of the administrative rule. The term of affordability is expected to be 60 years.

**Proposed Partner Agency:** Portland Housing Bureau (PHB)

**Administration:** PHB will establish a program to evaluate projects, issue a certificate of compliance to an applicant that has enrolled in the program, record a use agreement, and track units to ensure affordability.

#### **Next Steps:**

Coordinate with the Portland Housing Bureau to develop affordable housing incentive program administration details including intake system, approval thresholds and ongoing monitoring requirements.

- Explore the Portland response and approach to SB 1533 – make adjustments to the mixed use zones proposal as appropriate to adapt to the new legislation.
- Determine in-lieu fee and set threshold/parameters for use of in-lieu fee (number of units).
- Establish requirements for program approval including required documentation.
- Develop parameters for projects that utilize other affordable housing development incentives such as the MULTE tax abatement program.
- Establish parameters for unit count and proportionality requirements in buildings that are consistent with the floor area bonus parameters.
- Develop details of a program that would apply to ownership units as well as rental units.
- Determine PHB role in creating a database of prospective qualifying tenants.

### **Affordable Commercial Bonus**

**Description/Intent:** Affordable commercial space was identified in the new Comprehensive Plan as an important part of centers and corridors. As new development occurs, the opportunity for small businesses to locate in older buildings with more affordable rents could decrease. Because of the costs associated with new mixed use construction and the opportunity to attract tenants, rents levels in newer building are often higher than in existing buildings within those markets. As a commercial area revitalizes, rent in older buildings can rise too. This makes the spaces unaffordable to business startups, and many pre-existing local businesses. In neighborhoods with a history of minority-owned businesses, this can lead to displacement of businesses that are important landmarks for communities of color.

This bonus is intended to address this by offering a floor area bonus when a project builds commercial space that will be leased at affordable, below market rates, to qualified local businesses. The emphasis of the program would be to preserve and increase opportunities for local minority-owned and women-owned businesses in areas experiencing rapid development and change.

**What is Required and Allowed:** A development proposal seeking this bonus could earn up to 50% of the total bonus floor area. Projects would earn two square feet of additional/bonus floor area for each square foot of commercial space that is made available to this program at “affordable” rates. Commercial space priced at a rate of 25% below market is being targeted. However, specific rates, affordability targets, and qualifying business types will be further studied and described in an administrative rule to be administered by PDC. The term of affordability is expected to be 20 years.

**Proposed Partner Agency:** Portland Development Commission (PDC)

**Administration:** The Portland Development Commission would establish a program to evaluate development projects, issue a certificate of compliance to an applicant that has enrolled in the program, determine business eligibility for the enrolled space, and institute a mechanism to track and ensure affordability and other compliance requirements over time. In developing the program, PDC would seek the involvement of representatives of the Portland Planning and Sustainability Commission (PSC), Venture Portland, the Equitable Contracting & Purchasing Commission, Oregon Association of Minority Entrepreneurs (OAME), the Urban League, and other affected communities - including representatives of minority-owned businesses, and women-owned businesses.

An advisory committee would be created. Members of the advisory commission will be selected to reflect the racial, ethnic, and economic diversity of experience and backgrounds important for successful implementation of this policy. Committee members should each have a strong interest in addressing economic and racial inequality and local economic development, and have significant demonstrated expertise in the following fields:

- A. Local business or economic development
- B. Promotion of civil rights or racial equality; and
- C. Job training experience with minority and women workers or contracting experience with minority and women owned businesses.

PDC will publicize committee membership, meeting agendas, meeting notes, applications, and policy statements.

**Next Steps:**

Coordinate with the Portland Development Commission to develop affordable commercial space incentive program administration details including intake system, approval thresholds and ongoing monitoring requirements.

- Develop criteria for eligible users of the bonus space.
- Develop program details including: types of qualifying businesses; income or other qualifying requirements of applicants; and penalties for non-compliance or fraud.
- Establish documentation requirements for program approval.
- Develop parameters for projects that utilize other financial resources.
- Determine PDC role in creating a database of prospective qualifying tenants.
- Determine rules to address the situations when businesses become successful in rent-discounted locations.

## **Related City Codes for Subsequent Amendments**

Because of base zone changes, subsequent amendments to the Zoning Code will be necessary to address varied code references and other situations that require policy decisions. These amendments are not included in this report but will be presented in a subsequent code amendment package after review and adoption by Portland City Council.

The recommended base zones will operate within a larger regulatory zoning structure that will continue to influence how development occurs. Minor references to Commercial Zones as well as code references with more significant policy and planning implications driven by base zone changes are located throughout the zoning code and will require minor amendments. However, more substantive issues requiring reconciliation are in *Plan Districts*, *Overlay Zones* and *Additional Use and Development Regulations*. In most cases, allowances for height and uses provided in these plan districts and overlay zones are expected to be maintained as prescribed in the current code. However, some plan districts and overlay zones will require additional policy discussion to determine how provisions of the plan district can be reconciled with the new base zone FAR and

bonus structure and other development standards. These policy decisions are expected to occur after there is greater certainty about the base zone regulatory framework.

A preliminary list of the potentially affected code sections is listed below. See the Appendix for additional details.

**Table VII-1: Title 33 Code Chapters Requiring Future Amendments**

Chapter	Title	Issues to Address
33.10	Organization of Title 33	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.110	Single-Dwelling Zones	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.120	Multi-Dwelling Zones	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.140	Employment and Industrial Zones	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.218	Community Design Standards	Major amendments: <ul style="list-style-type: none"> <li>DOZA project to assess/revise Community Design Standards</li> </ul>
33.224	Drive Through Facilities	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.229	Elderly and Disabled	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.237	Food Production and Distribution	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.239	Group Living	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.243	Helicopter and Landing Facilities	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.251	Manufactured Homes & Dwelling Parks	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.254	Mining & Waste-Related Uses	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.258	Nonconforming Situations	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.262	Off-Site Impacts	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.266	Parking and Loading	Major amendments: <ul style="list-style-type: none"> <li>proposal included with mixed use zones package</li> </ul>
33.274	Radio Frequency Transmission Facilities	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.278	Permit-Ready Houses	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.281	Schools and School Sites	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.284	Self-Service Storage	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>

33.285	Short Term Housing and Mass Shelters	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.293	Superblocks	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.296	Temporary Activities	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.299	Wind Turbines	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.400	Aircraft Landing Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.405	Alternative Design Density Overlay Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.410	Buffer Zone	Major amendments: <ul style="list-style-type: none"> <li>Proposal to remove in mixed use zones amendments</li> </ul>
33.420	Design Overlay Zone	Major amendments: <ul style="list-style-type: none"> <li>DOZA project to assess/revise Design Overlay</li> </ul>
33.430	Environmental Zones	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.440	Greenway Overlay Zones	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.445	Historic Resource Overlay Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.450	Light Rail Transit Station Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.455	Main Street Node Overlay Zone	Major amendments: <ul style="list-style-type: none"> <li>Proposal to remove in mixed use zones amendments</li> </ul>
33.460	Main Street Corridor Overlay Zone	Major amendments: <ul style="list-style-type: none"> <li>Proposal to remove in mixed use zones amendments</li> </ul>
33.470	Portland Int'l Airport Noise Impact Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.480	Scenic Resource Zone	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.521	East Corridor	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> </ul>
33.526	Gateway	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.532	Hayden Island	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> </ul>
33.534	Hillsdale	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.536	Hollywood	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> <li>reconcile PD bonus options with new bonus structure</li> </ul>

33.537	Johnson Creek	Minor amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> </ul>
33.538	Kenton	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> </ul>
33.550	Macadam	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> </ul>
33.555	Marquam Hill	Minor amendments: reconcile text with new zones
33.561	North Interstate	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> <li>reconcile with development design standards</li> </ul>
33.562	Northwest	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> <li>reconcile PD bonus options with new bonus structure</li> </ul>
33.583	St Johns	Major amendments: <ul style="list-style-type: none"> <li>reconcile text with new zones</li> <li>reconcile PD FAR with new bonus structure</li> <li>reconcile PD bonus options with new bonus structure</li> </ul>
33.613	Commercial Zones	Minor amendments: reconcile text with new zones
33.630	Tree Preservation	Minor amendments: reconcile text with new zones
33.631	Flood Hazard Areas	Minor amendments: reconcile text with new zones
33.638	Planned Development	Minor amendments: reconcile text with new zones
33.654	Rights of Way	Minor amendments: reconcile text with new zones
33.662	Land Divisions in C, E and I Zones	Minor amendments: reconcile text with new zones
33.665	Planned Development Review	Minor amendments: reconcile text with new zones
33.700	Administration and Enforcement	Minor amendments: reconcile text with new zones
33.850	Statewide Planning Goal Exceptions	Minor amendments: Re-number to 33.870
33.851	South Waterfront Greenway Review	Minor amendments: Re-number to 33.872
33.853	Tree Review	Minor amendments: Re-number to 33.855
33.855	Zoning Map Amendments	Minor amendments: Re-number to 33.890

## **Other City Titles for Amendment**

Other city codes may require technical or more substantive amendments to align them with new zones and standards of the Mixed Use Zones Project. These include but are not limited to:

- Title 11, Trees: Edits to clarify or establish which commercial/mixed use zones in the new framework must meet tree preservation requirements.
- Title 17, Public Improvements: Edits to clarify or establish when development in the commercial/mixed use zones must conform to adopted street plans or meet street or pedestrian/bicycle connectivity standards.
- Title 18, Noise Control: Edits to reconcile text with new zones.
- Title 32, Signs and Related Regulations: Edits to reconcile text with new zones.

## **Expanded Transportation Demand Management (TDM) Requirements**

TDM encompasses a variety of strategies to encourage more efficient use of the existing transportation system and reduce reliance on the personal automobile. This is achieved by encouraging people through education, outreach, incentives, and pricing to choose other modes, share rides, travel outside peak times, and telecommute, among other methods. Effective transportation demand management also incorporates management of parking supply and demand.

As part of the Mixed Use Zones Project, PBOT expanded and standardized requirements for an approved, performance-based TDM Plan, for new development over certain impact thresholds. Several specific changes were proposed:

- New clear and objective TDM measures for larger mixed use apartment buildings;
- Better integration of TDM and parking management; and
- Revitalized TDM program monitoring.

Implementation of these concepts include changes to the Zoning Code (in Chapter 33.266), and to Title 17. In Chapter 33.266, the recommendation includes renaming that chapter to Parking and Transportation Demand Management, in recognition of this shift. Title 17 changes address minimum requirements for TDM plans, fees, and enforcement.

Approval of the non-discretionary “standard” TDM plan would be an administrative action handled during a building permit, and not a land use review. Non-standard TDM plans could be requested through a land use review (see Recommended Zoning Code Chapter 33.852).

## **On Street Parking Management – Centers and Corridors Parking Project**

The management of parking is an issue of growing importance throughout the City as growth and development brings increased density to mixed use centers and corridors and increases the demand for existing on-street parking. The Portland Bureau of Transportation (PBOT) has developed new on-street parking management tools for high-growth centers and corridors outside of the Central City. This parking management “tool kit” describes the suite of policies and programs available to manage on-street parking.

To inform this work, in 2015 PBOT studied parking demand in five case study areas that best represent the type and intensity of development Portland is seeing and can expect in the future. The



findings, toolkit, and other information are available online:  
<http://www.portlandoregon.gov/transportation/63980>

Goals of the PBOT parking toolkit project are:

- More efficient use of parking and management of curbside space.
- Greater ease in implementation and operation of parking management tools as areas change.
- Meet growth management and economic development goals.
- Meet goals of the City's Comprehensive Plan, including encouraging walking, cycling, transit and carpool trips over drive-alone trips.

### **Residential Permit Parking Areas**

Working with the project Stakeholder Advisory Committee, PBOT staff developed recommendations for a new residential parking permit program. The new program would enable neighborhoods to elect to create a residential parking permit area in residentially-zoned areas surrounding high density mixed use corridors. This is different than the current permit program, which focuses specifically on commuter parking near the Central City. The concept is intended to reduce the parking impact on residential neighborhoods generated from new development in nearby mixed-use areas, encourage better utilization of existing off-street parking, encourage managers of low-parking buildings to market to car-free tenants, encourage developers to build an amount of parking consistent with the demand created by new development.

Key aspects of this program would include:

- New permit districts would be created by a local vote.
- The number of permits issued would be tied to the actual supply of on-street parking, eliminating the oversubscription problems seen in NW Portland and the Central Eastside.
- Residents of permit areas will have priority access to permits. Employees and residents of nearby mixed use areas would also have access to permits.
- Short-term parking for visitors to nearby commercial areas would be allowed, but permit holders would be able to park beyond the posted time limits (e.g., 2 hour *except by permit*)
- The permit fee structure will include Transportation Demand Management measures intended to reduce the overall demand for on-street parking.

The project Stakeholder Advisory Committee endorsed the permit concept at their December 2015 meeting. PBOT staff will bring the proposal to City Council in late 2016 or early 2017.

### **Transportation System Improvements**

The Transportation System Plan (TSP) identifies more than \$1 billion dollars in transportation infrastructure projects on streets or in areas with mixed use zoning. As the City and region secures funding for transportation improvements, that money is spent on projects identified in the TSP. Funding is not guaranteed for these identified projects. Fees collected from development helps pay for some of these improvements. A small sample of these projects are listed below. For a full list of recommended transportation investments, see the TSP:  
<http://www.portlandoregon.gov/transportation/63710>

**Table VII-3: Sample TSP Projects**

Street or Area	Project	Description	Cost
Barbur Blvd	SW Corridor High Capacity Transit	Capital construction of High Capacity Transit project between Portland and Tualatin via Tigard.	\$1b+
Powell-Division	Powell-Division High Capacity Transit	Project Development through ROW acquisition/early construction for High Capacity Transit project between Portland and Gresham.	\$75m
Gateway	99th Ave Streetscape improvements	Construct streetscape improvements including wider sidewalks, lighting, street trees, center turn lane, bike lanes and new signals.	\$26m
Capital Highway	Capital Hwy Corridor improvements	Improve SW Capital Hwy from Multnomah Blvd. to SW Taylors Ferry Rd to include sidewalks, crossings, and bicycle access.	\$12m
Lents	Lents Town center Improvements	Implement Lents Town Center Business District Transportation Plan.	\$11.5m
NE Broadway	NE Broadway Corridor Improvements, Phase 1	Design and implement a protected bikeway and improve pedestrian/bicycle crossings.	\$8.9m
West Portland Town Center	West Portland Town Center Pedestrian Improvements	Improve sidewalks, lighting, crossings, bus shelters and benches on Barbur, Capital Hwy, and surrounding neighborhood streets.	\$7m
122 <sup>nd</sup> Ave	122 <sup>nd</sup> Ave Corridor improvements	Design and Implement multimodal improvements to sidewalks to sidewalks, crossings, transit stops, striping and signals to enhance ped/bike safety, access to transit, and transit operations.	\$8m
82 <sup>nd</sup> Ave	82 <sup>nd</sup> Ave Corridor improvements	Design and Implement multimodal improvements to sidewalks to sidewalks, crossings, transit stops, striping and signals to enhance ped/bike safety, access to transit, and transit operations.	\$5m

### Transit Service - TriMet Letter of Intent

The Region 2040 Growth Concept calls for housing and employment growth to be focused into more active, mixed use, pedestrian-friendly activity centers that are connected by high-frequency or high-capacity transit corridors. One of the key ingredients to success for these activity centers is providing a multi-modal transportation system that ensures transportation choices and the continued mobility of people and goods throughout the region.

Under Oregon law, there are legal mechanisms to ensure that Transportation System Plans and Land Use Plans are coordinated. Transportation System Plans, however, traditionally focus on capital investment plans, *not ongoing transit operations*. The City and TriMet are seeking an additional mechanism to more clearly express and acknowledge that land use, capital investments, and ongoing operations are bound together. For purposes of the Mixed Use Zoning Project, this helps build confidence that transit operations will continue and will improve over time and reduces the need to own and use a personal vehicle. This will build on current TriMet Service Enhancement planning already underway (see <http://future.trimet.org> for more information).

The City of Portland and TriMet have signed a letter of intent to work in partnership to identify the transit service and supporting land use, community development and transportation policies, programs and projects needed to support planned growth, consistent with the region’s 2040 adopted vision and plans.

More specifically, through this letter of intent, the City and TriMet are committing to a joint work plan. This work plan will inform the development and adoption of a service agreement or Memorandum of Understanding (MOU) showing how the City and TriMet will continue to coordinate on transit service in the City. The Parties intend to complete this by the end of 2016 to coincide with the City's completion of the new Comprehensive Plan.

This agreement would strengthen coordination of three mutually-reinforcing responsibilities:

- Adoption of transit-supportive land use plans (City, Bureau of Planning and Sustainability)
- Investments that provide transit-supportive infrastructure, such as sidewalks and safe crossings, and programs, such as transit signal priority, and transportation and parking demand management (City, Bureau of Transportation, Portland Development Commission)
- Transit operations, vehicles and infrastructure (TriMet)

A copy of the initial letter of agreement is included in the appendix.

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# Section VI: Zoning Code Amendments

The primary implementing mechanism for the Mixed Use Zones Project concepts and proposals described in this report is revision of the Portland Zoning Code (Title 33). Recommended Amendments to the Zoning Code needed to implement the concept are included under separate cover, in the *2035 Comprehensive Plan Early Implementation — Zoning Code Amendments Recommended Draft*. Page numbers where code changes related to the Mixed Use Zones Project can be found are referenced below.

The following chapters of the Zoning Code regulate development in the Commercial Mixed Use zones citywide, and also address specific elements of development and situations.

33.130 Commercial Mixed Use Zone.....	page 93
33.270 Planned Development .....	page 323
33.266 Parking and Loading and Transportation Demand Management .....	page 287
33.415 Centers Main Street Overlay Zone .....	page 333
33.854 Planned Development Review .....	page 479

Many of the changes to Chapter 33.130 and 33.415 replicate or render redundant other sections of the Zoning Code, primarily found in Plan Districts and Overlay Zones. As a result, revisions are needed to several chapters of the code, including the following.

33.455 Main Street Node overlay zone – repeal chapter .....	page 349
33.460 Main Street Corridor overlay zone – repeal chapter .....	page 351
33.520 Division Street Plan District .....	page 371
33.545 Lombard Street Plan District .....	page 391
33.575 Sandy Boulevard Plan District .....	page 411

In addition, other Chapters require amendments because they contain substantive changes to either the standards or the procedural requirements of the code. Recommended amendments to the following chapters are the result of these types of changes:

33.224 Drive-Through Facilities .....	page 279
33.430 Environmental Zones .....	page 345
33.508 Cascade Station/PIC Plan District .....	page 357
33.700 Administration and Enforcement .....	page 429
33.730 Quasi Judicial Procedures .....	page 433
33.825 Design Review .....	page 465
33.852 Transportation Impact Review .....	page 852
33.855 Zoning Map Amendments .....	page 499
33.910 Definitions .....	page 505
33.930 Measurements .....	page 513

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# Section VII: Zoning Map Amendments

Zoning Map amendments are being recommended in centers and along corridors citywide, as well as in other selected areas, to implement the 2035 Comprehensive Plan and the Mixed Use Zones Project. The zoning map amendments are applied to areas outside the Central City where the current Commercial and mixed-use Employment zones are now applied.

The Recommended Zoning Map amendments have several elements.

1. Recommended Base Zoning Map. This map is not included in this document, but is available on the Portland Map App: [www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp).
2. Centers Main Street Overlay Zones (m) maps – shown on pages 72-101 of this report. These maps show details of where the recommended Centers Main Street Overlay Zone (33.415) will be applied.
3. Design Overlay Zone (d) – shown on page 102 of this report. This map shows the areas where the Design Overlay Zone (33.420) is recommended for expansion.
4. Buffer Overlay Zone (33.410) – map shown on page 103 of this report.
5. Main Street Corridor Overlay Zone (33.460) – map not shown. This overlay zone is being repealed and replaced by plan districts (see 2035 Comprehensive Plan Early Implementation – Zoning Code Amendments Recommended Draft, Zoning Code Chapters: 33.520; 33.545; and 33.575.
6. Main Street Node Overlay Zone (33.455) – map not shown. This overlay zone is being repealed and replaced by plan districts (see 2035 Comprehensive Plan Early Implementation – Zoning Code Amendments Recommended Draft, Zoning Code Chapters: 33.520; 33.545; and 33.575.

## Process of Development of the Recommended Zoning Maps

### 1. Recommended Commercial Mixed Use Base Zones

The foundations of the Recommended Zoning Map are the existing Zoning Map and new 2035 Comprehensive Plan map. The Recommended Zoning Map was developed based on this foundation in a four-step process.

**Step 1 – Conversion-Based Zoning Map.** A first iteration of a Zoning Map was generated by city staff by applying a conversion to new zones based on existing zones. Table VI-1: Zone Conversion Table (below) from the *Mixed Use Zones Project Code Concepts Report* indicates the most appropriate Commercial Mixed Use zone to be applied to a parcel based on the existing Zoning Map and new 2035 Comprehensive Plan map designation. A Conversion-table based map was generated based on this approach as a starting point for further refinement. The Conversion-Based Zoning Map that results from application of this conversion table is shown on page 321.

**Table VI-1: Zone Conversion Table**

Comp Plan Designation	Current Zone						
	CN1/2	CO1/2	CM	CS	CG	EX	CX
Mixed Use Dispersed	CM1	CM1	CM1	CM1	CM1 <sup>#</sup> CE <sup>#</sup>	CM1	n/a
Mixed Use Neighborhood	CM1	CM1 <sup>+</sup> CM2 <sup>+</sup>	CM2	CM2	CM2 <sup>#</sup> CE <sup>#</sup>	CM2	n/a
Mixed Use Civic Corridor	CM1	CM1 <sup>+</sup> CM2 <sup>+</sup>	CM2	CM2	CM2 <sup>#</sup> CE <sup>#</sup>	CM3	CM3
Mixed Use Urban Center	CM1	CM1 <sup>+</sup> CM2 <sup>+</sup>	CM2	CM2	CM2 <sup>#</sup> CE <sup>#</sup>	CM3	CM3

+ CM1 recommended for CO1 zones; CM2 recommended for CO2 zones

# CM zones recommended for Centers; CE zones recommended for Corridors.

**Step 2 – Discussion Draft Zoning Map.** The second iteration of the zoning map – the [Discussion Draft Zoning Map](#) – was developed by city staff by reviewing the conversion-based zoning map and making strategic adjustments that address specific situations and criteria. The adjustments were made to the zoning map in some areas to address the following situations:

- Better reflect the Urban Design Framework, based on the site’s location, amenities and availability of services.
- Match the surrounding zoning, in order to create a more uniform pattern.
- Attain development at a scale appropriate to surrounding development, informed by community input and Comprehensive Plan policies.
- Reflect a more pedestrian-oriented development pattern.
- Better reflect the original employment-based intent of the existing zoning.
- Retain current zoning until infrastructure is in place to support higher intensity of development.
- Retain current residential zone to acknowledge existing residences.
- Retain the current residential zone so that conditions attached to a Conditional Use or Nonconforming Use Review continue to be in effect.
- Retain the current industrial zone to acknowledge existing industry.
- Recognize a nonconforming situation or split zoned site.

**Step 3 –Proposed Draft Zoning Map.** City staff’s *Proposed Draft Zoning Map* was the next step in development of the zoning map. Comments received on the *Discussion Draft* zoning map and code were reviewed by city staff; further adjustments and changes were made to the *Discussion Draft* zoning map and zoning code based on these comments, and further internal review of issues. Adjustments were made to the *Proposed Draft Zoning Map* in some areas to address the following situations:

- Respond to development scale issues, and areas of special character, based on public feedback on the Discussion Draft and public testimony on the Recommended Comprehensive Plan. This resulted in identification of Low-rise Commercial Storefront areas located in core areas of several neighborhood centers. In addition, other areas of the zoning map were reviewed to reconcile zoning with availability of transit, proximity



to low-density residential areas, proximity to industrial areas, and other issues. Zoning in these areas generally changed from CM2 to CM1 in response to these issues.

- Respond to issues raised by the Retail Task Force regarding 1) the need to accommodate large format retailers with parking arrangements suitable for these developments; 2) drive-through facilities in parts of Portland that are not developed in a transit-oriented manner and are not well-served by transit; and 3) the need for more flexibility to accommodate retrofitting and make improvements to uses and development (such as Quick Vehicle Servicing uses and Drive-Through facilities) that would have become non-conforming in the Discussion Draft. This resulted in changes to base zoning in areas primarily located in eastern and western parts of Portland and liberalization of regulations regarding upgrades to existing auto-accommodating uses. Zoning generally changed from CM1 and CM2 to CE in response to these issues on selected sites. Adjustments were also made to the Centers Main Street Overlay Zone maps.
- Respond to operational issues, such as truck movement and storage, associated with employment-oriented uses, and the presence of large existing or anticipated office developments. This resulted in changes to the base zoning for sites that have ongoing employment type uses, particularly where nonconforming situations combined with market forces may hasten a change in development patterns. Zoning generally changed from CM3 to EG1 or EG2 in response to these issues on selected sites. These changes are shown on maps on the pages following the Mixed Use Zones Project Recommended Zoning Map.

**Step 4 – Recommended Draft Zoning Map.** The Planning and Sustainability Commission is forwarding the *Recommended Draft Zoning Map* to Portland City Council for consideration. The *Recommended Draft Zoning Map* is the result of changes made by the Planning and Sustainability Commission to the *Proposed Zoning Map* based on public testimony and subsequent Commission discussion and deliberations. Major zoning map changes that were made by Planning and Sustainability Commission include the following:

- Apply the CM2 base to most of the proposed Low-rise Commercial Storefront areas in response to public testimony and other factors. The CM1 zone had been proposed to implement the Low-rise Commercial Storefront concept in these areas, but the Commission received a significant amount of public testimony in opposition to this approach. In most areas, the CM2 zone was applied; the CM1 zone was retained in three areas: Multnomah Village, SE Belmont Street, and SE 13<sup>th</sup> Avenue in Sellwood (see Section IV).
- Apply the CM2 base zone to strategically-located nodes on corridors with frequent transit service. These nodes include areas at: N Alberta at N Williams; NE 30<sup>th</sup> at NE Killingsworth; and NE 33<sup>rd</sup> at NE Killingsworth.
- Apply the CM3 base zone to strategically-located nodes near the Central City and on key corridors. This includes areas around: SW Broadway between SW 4<sup>th</sup> and SW 6<sup>th</sup>; and NE MLK Jr. Blvd at NE Killingsworth.
- Apply the CM1 and CM2 base zones to selected sites in Northwest Portland to support neighborhood plan policies and in response to neighborhood testimony.

- Apply the Commercial Residential (CR) base zone to many properties that are currently nonconforming commercial uses in Residential zones. The new CR zone was developed during the PSC deliberation process and is described in Section I of this document.
- Apply the CE base zone to selected sites outside of Centers in response to public testimony.
- Modify the Centers Main Street Overlay Zone boundary (“m” overlay – see #2 below) in the following centers: Cully Neighborhood Center; Roseway Neighborhood Center; Kenton-Lombard Neighborhood Center; West Portland Town Center; Midway Town Center; and Killingsworth-Interstatre Town Center.

A summary of the number of property and acreage changes from existing zoning to new zones is shown graphically in Figures VII-1 and VII-2.

**The recommended Zoning Map amendments may be viewed on the Portland MapApp:**  
[www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp)

## **2. Centers Main Street Overlay Zone**

Detailed maps showing application of the Centers Main Street Overlay Zone (33.415) are shown in this document and on the Portland MapApp: [www.portlandmaps.com/bps/mapapp](http://www.portlandmaps.com/bps/mapapp). The mapping for the Centers Main Street Overlay areas focused on the core commercial corridors of designated centers that have existing or planned concentrations of retail and commercial uses, or correspond to plan district areas with requirements for active ground floor uses. Corridor segments within the overlay were generally mapped to be no longer than a half mile in order to be strategic about application of the overlay and to correspond to a walkable distance. This overlay zone also encompasses limited areas of “Low-rise Commercial Storefront” areas that are recommended to be zoned CM1. Additional development regulations in the overlay zone (Chapter 33.415) address retail size, floor area allowances, lot coverage, and landscaping regulations in the CM1 zone.

## **3. Design Overlay Zone Map**

The areas subject to expansion of the Design Overlay Zone (33.420) are shown on the map in this section. Expansion of the Design Overlay zone is recommended for sites that have a Mixed Use - Urban Center Comprehensive Plan designation.

## **4. Buffer Overlay Zone**

The Buffer Overlay Zone (33.410) is being removed from areas shown on the map in this Section. The Buffer Overlay Zone contains setbacks and other regulations to address compatibility between commercial and residential zones. The new Commercial Mixed Use base zones incorporate similar regulations which obviate the need for the overlay zone.

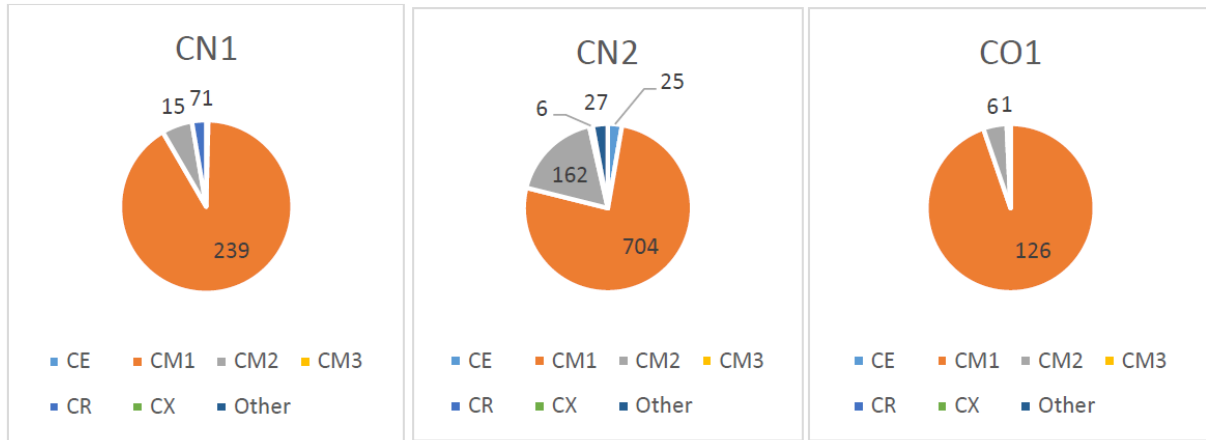
## **5. Main Street Node and Main Street Corridor Overlay Zones**

The areas subject to the Main Street Node (33.455) and Main Street Corridor (33.460) overlay zones are being replaced with plan districts as shown in Section VI of this report. These overlay zone designations will be removed from the zoning maps, but these overlay maps are not shown in this report.

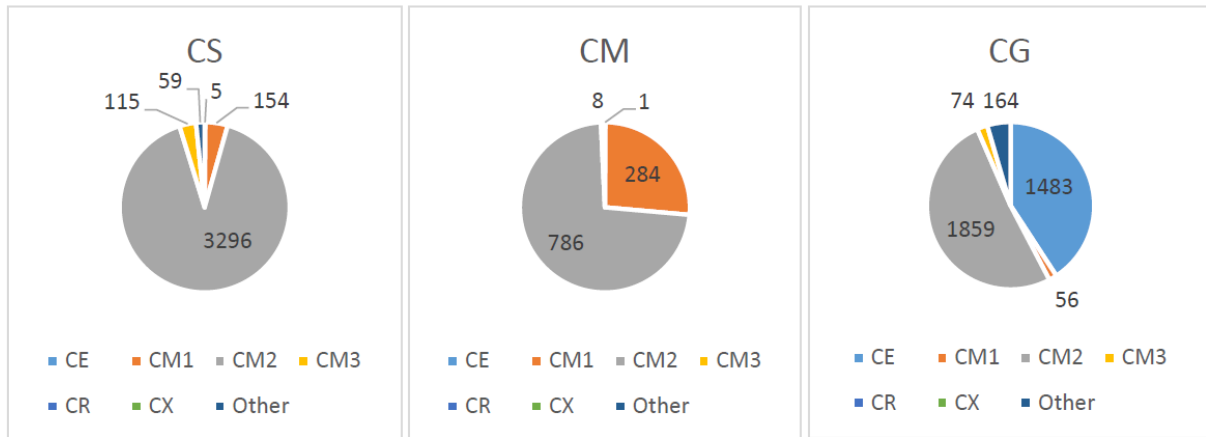
**Figure VII-1: Commercial/Mixed Use Rezoning Summary**

Number of properties assigned to each new zone, by old zone. Other = non Commercial/Mixed Use (EG1, EG2, R1, etc.)

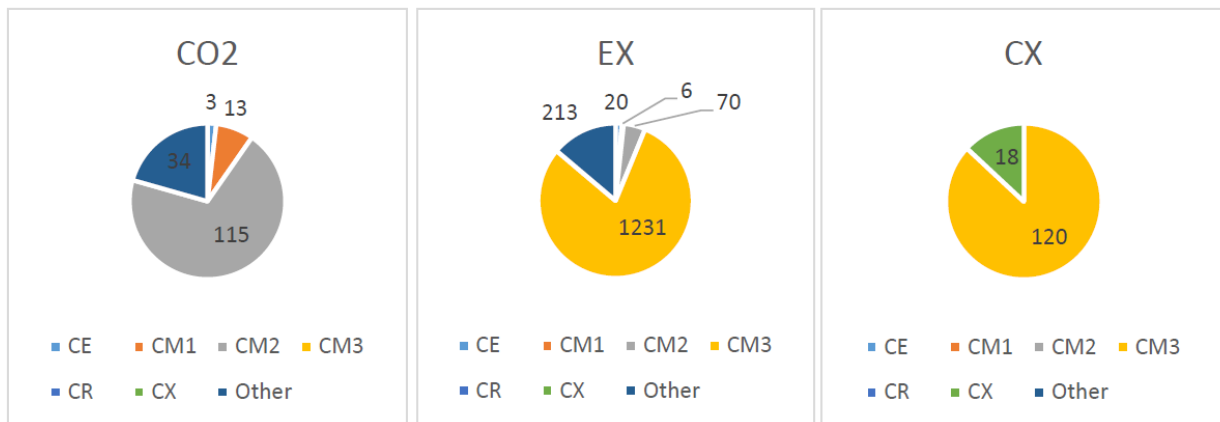
**Small Scale Commercial Zones**



**Medium Scale Commercial Zones**



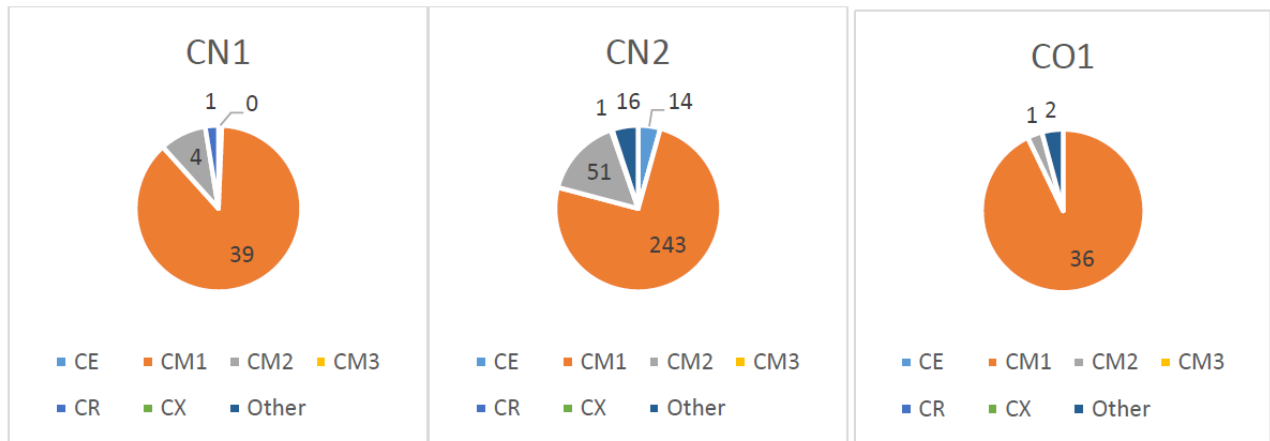
**Medium and Large Scale Commercial Zones**



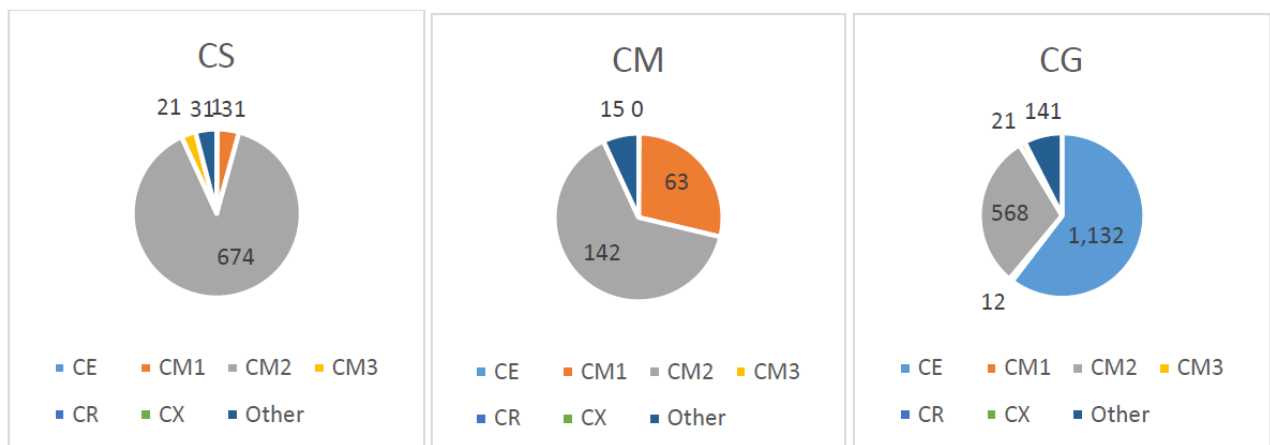
## Figure VII-2: Commercial/Mixed Use Rezoning Summary

Number of acres assigned to each new zone, by old zone. Other = non Commercial/Mixed Use (EG1, EG2, R1, etc.)

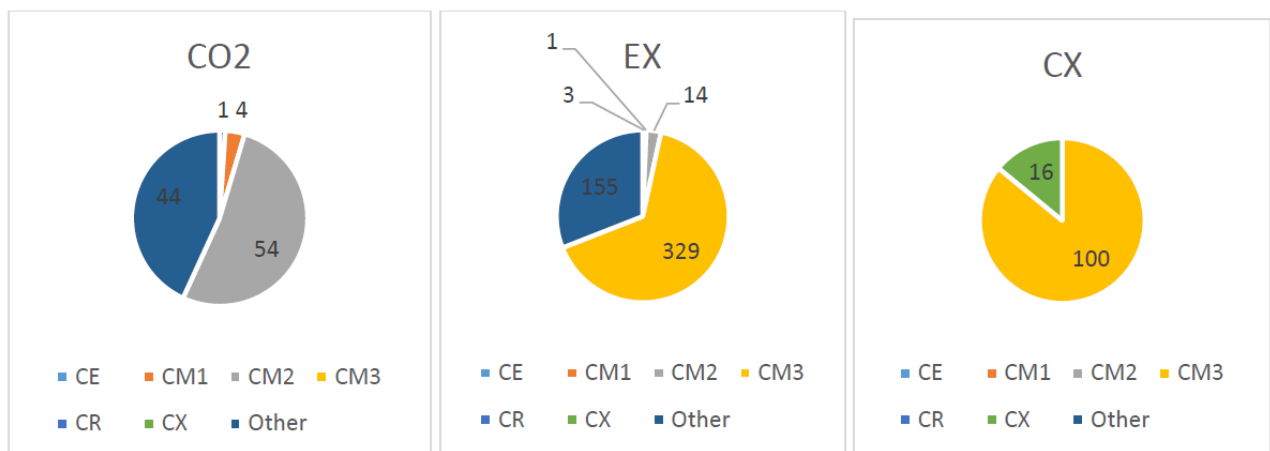
### Small Scale Commercial Zones



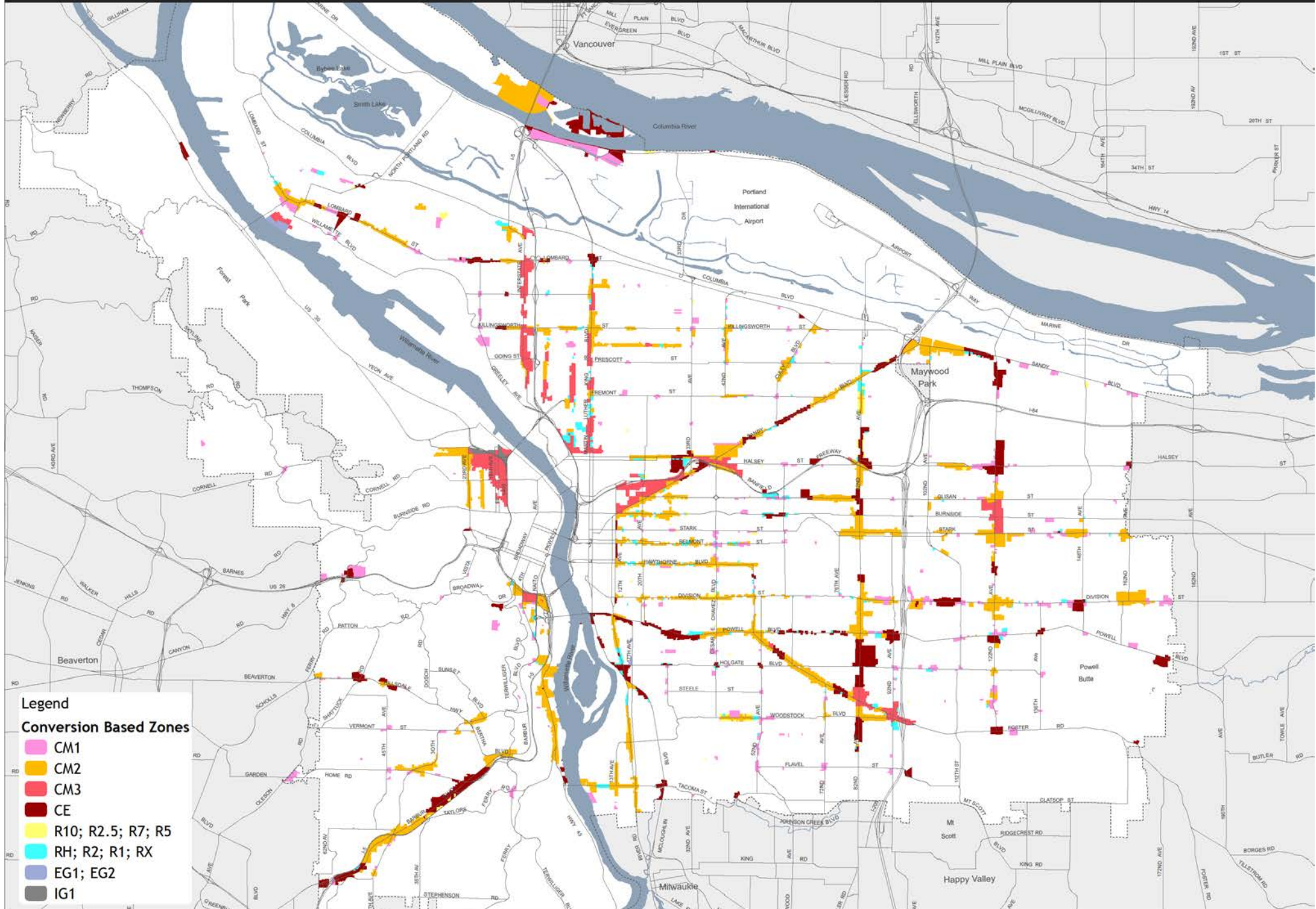
### Medium Scale Commercial Zones



### Medium and Large Scale Commercial Zones



# Mixed Use Zones Project - Conversion-Based Zoning Map



**Legend**

**Conversion Based Zones**

- CM1
- CM2
- CM3
- CE
- R10; R2.5; R7; R5
- RH; R2; R1; RX
- EG1; EG2
- IG1

March 11, 2016

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The information on this map was derived from City of Portland GIS Database. Care was taken in the creation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for error, omission or positional accuracy.



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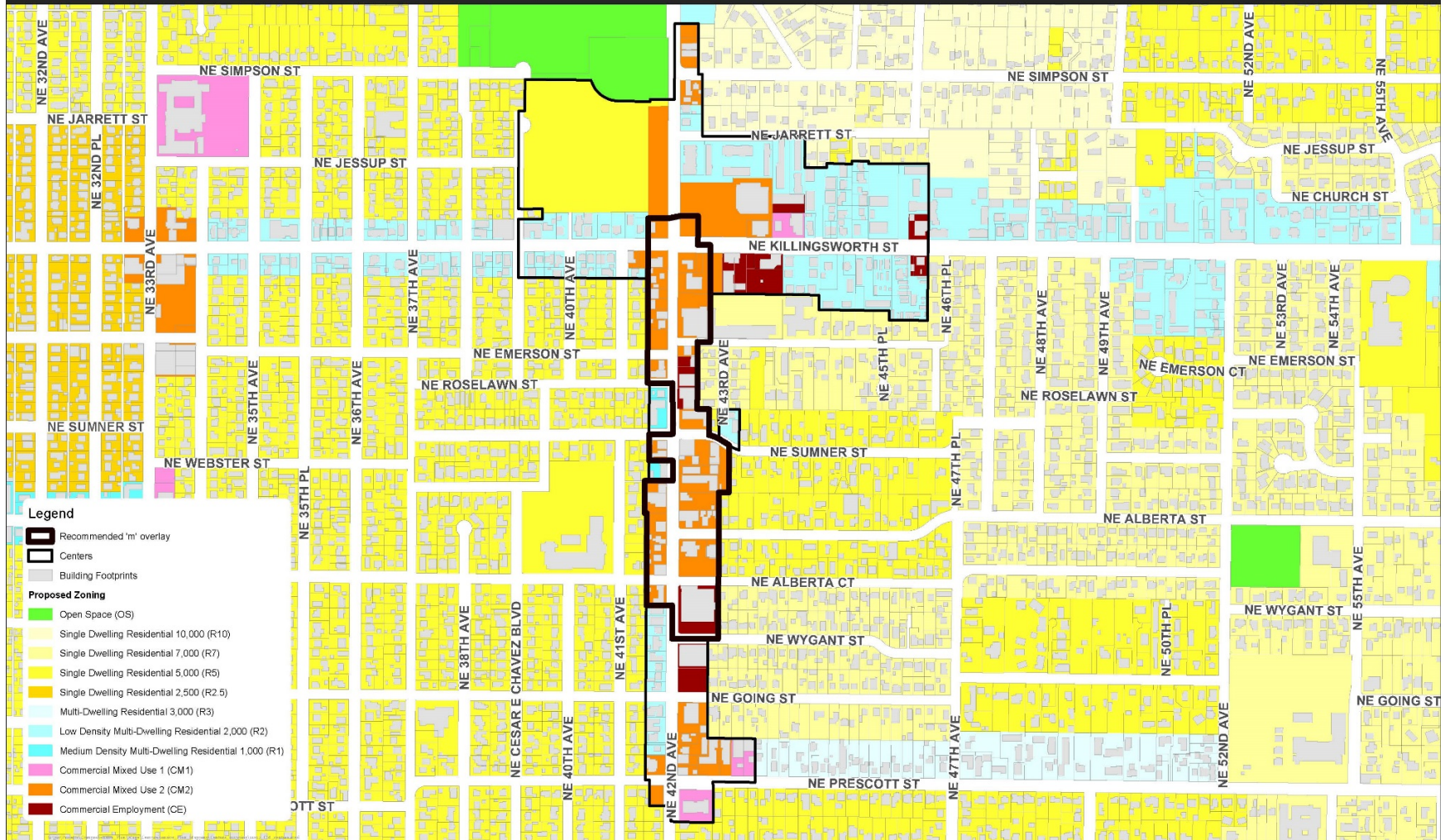
City of Portland, Oregon  
 Charlie Helms, Mayor • Susan Anderson, Director



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# Recommended Centers Main Street Overlay

Neighborhood Center: 42nd/Killingsworth



August 17, 2016

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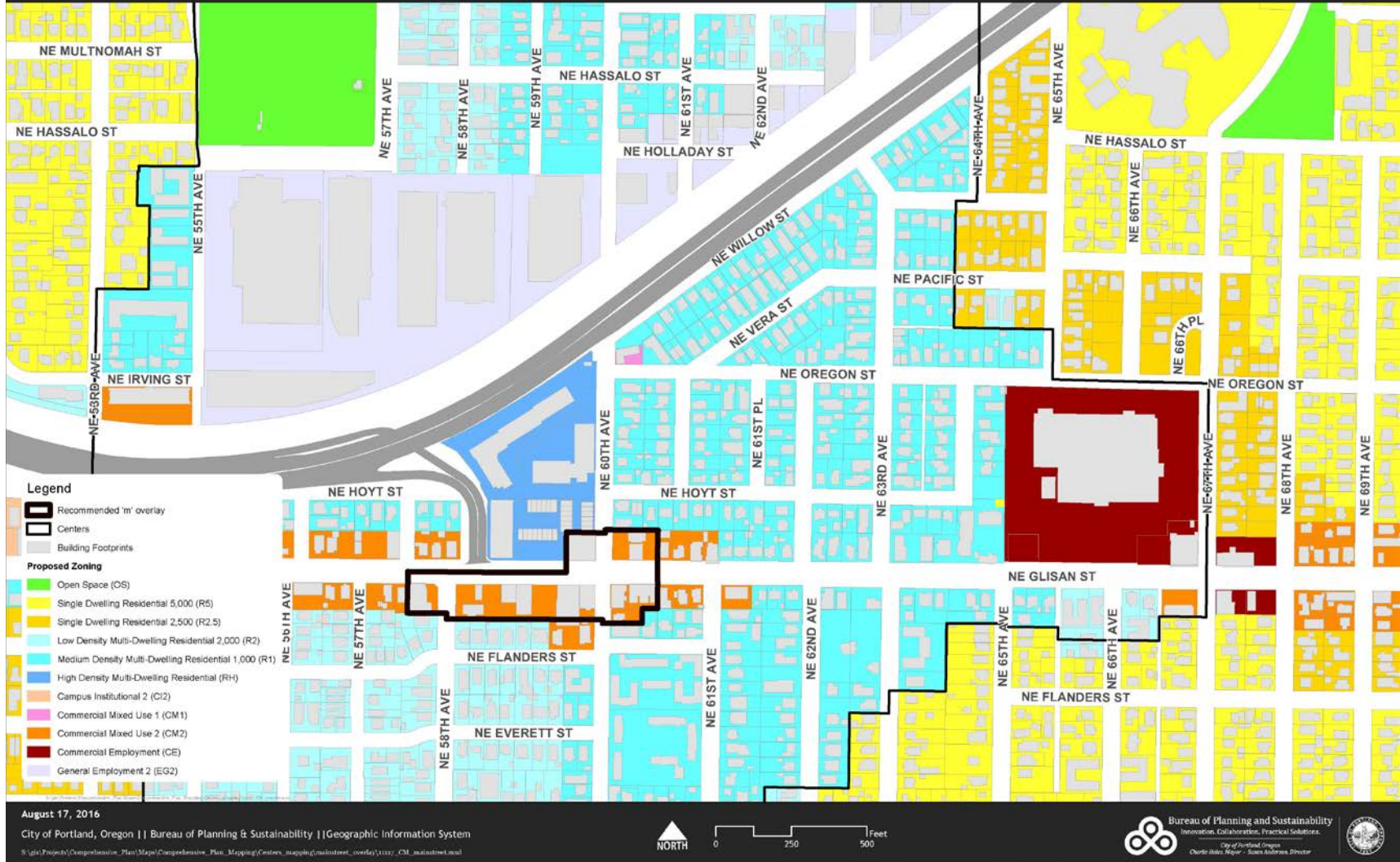


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# Recommended Centers Main Street Overlay

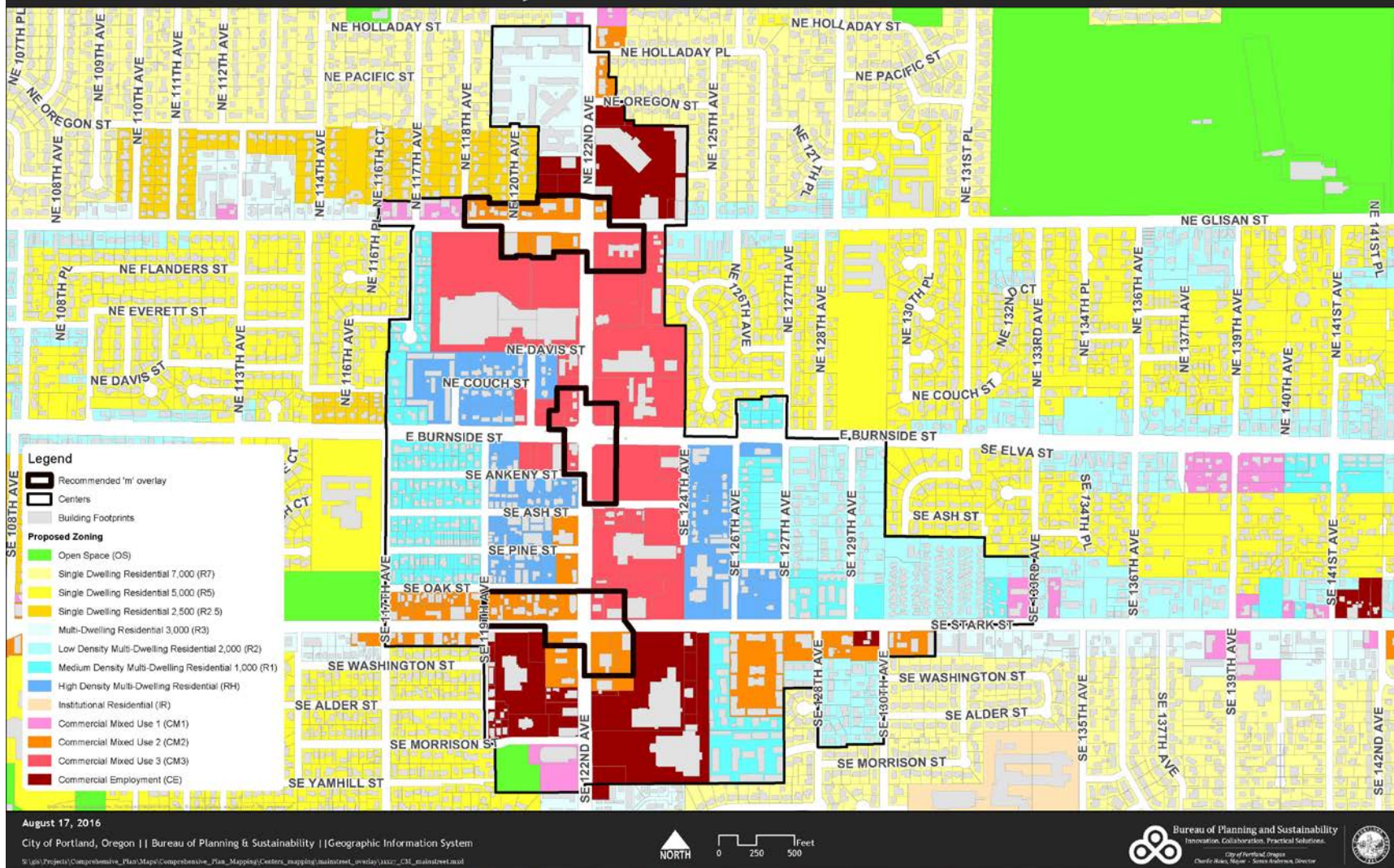
## Neighborhood Center: NE 60th / North Tabor





# Recommended Centers Main Street Overlay

Neighborhood Center: 122nd/Hazelwood



August 17, 2016

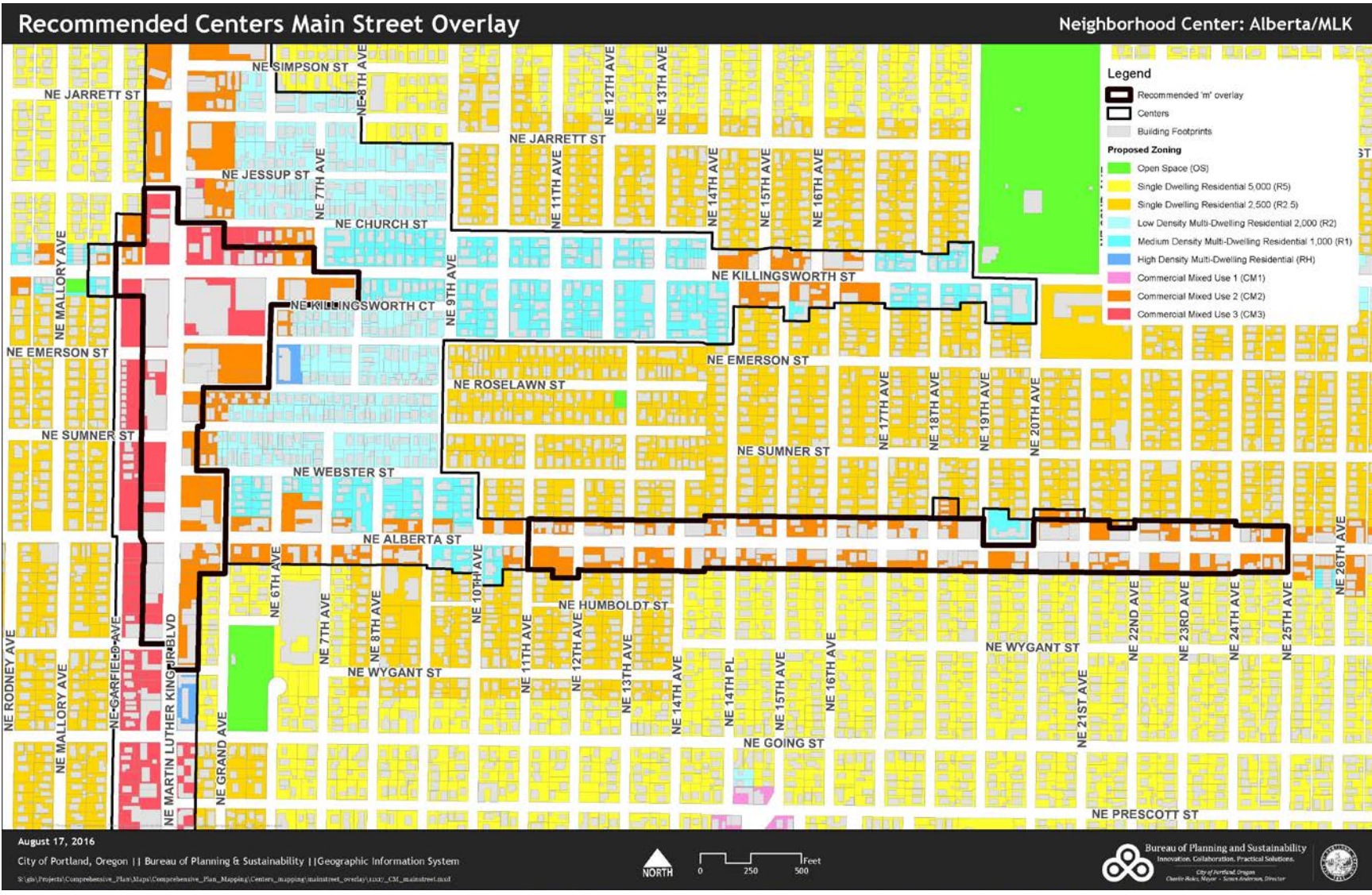
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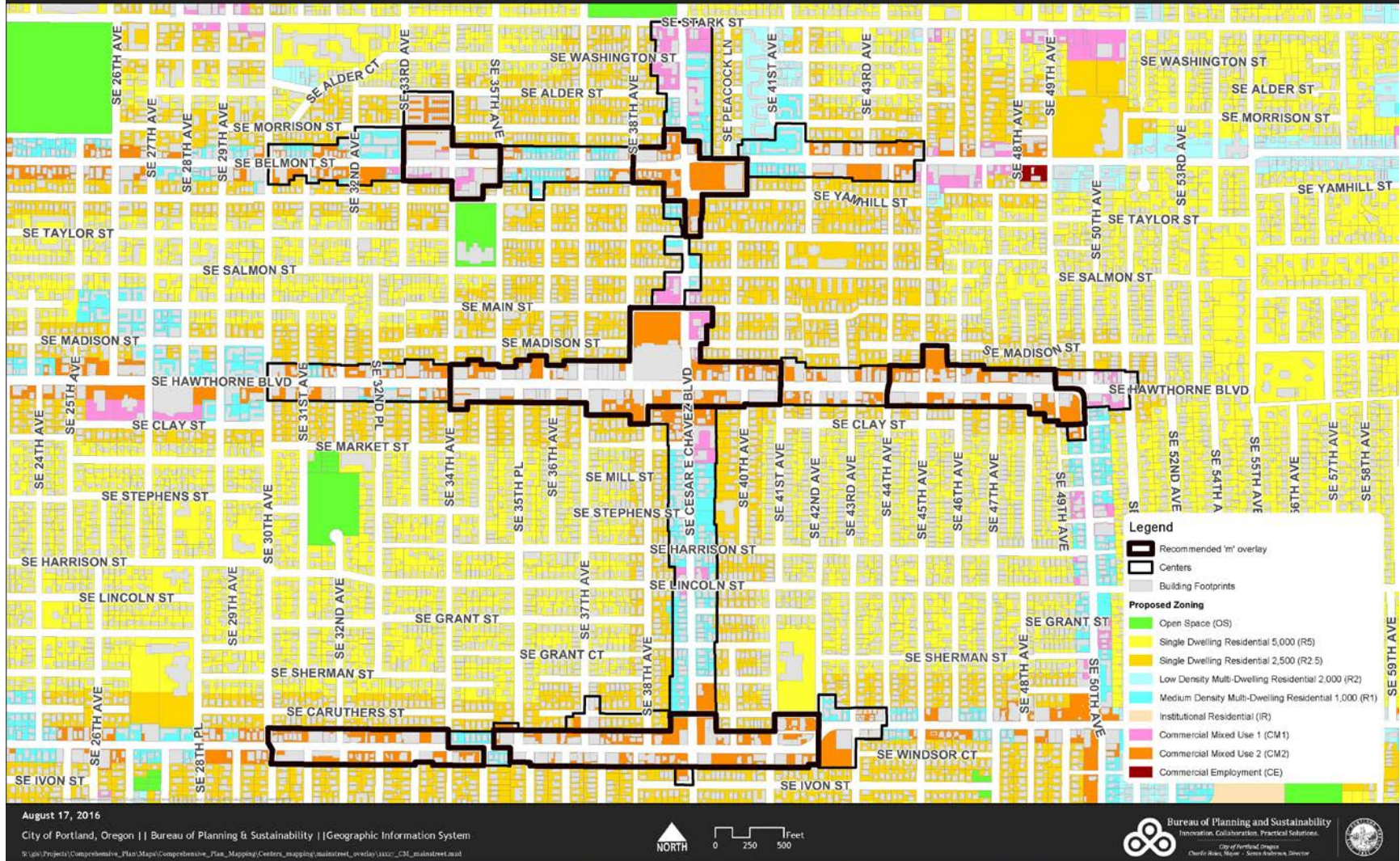
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Chief Plans Manager / Senior Adjunct Director





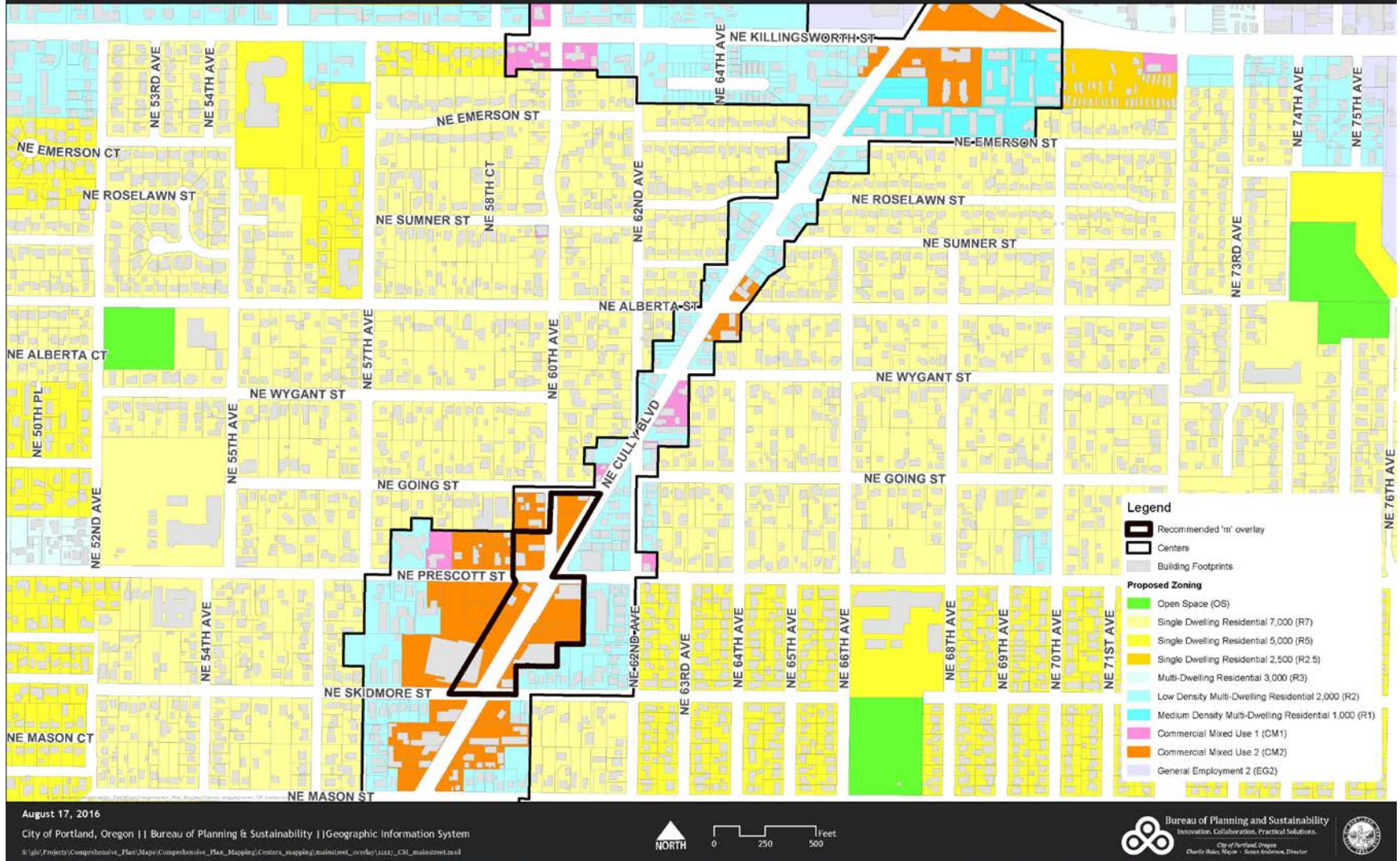
# Recommended Centers Main Street Overlay

Town Center: Belmont/Hawthorne/Division



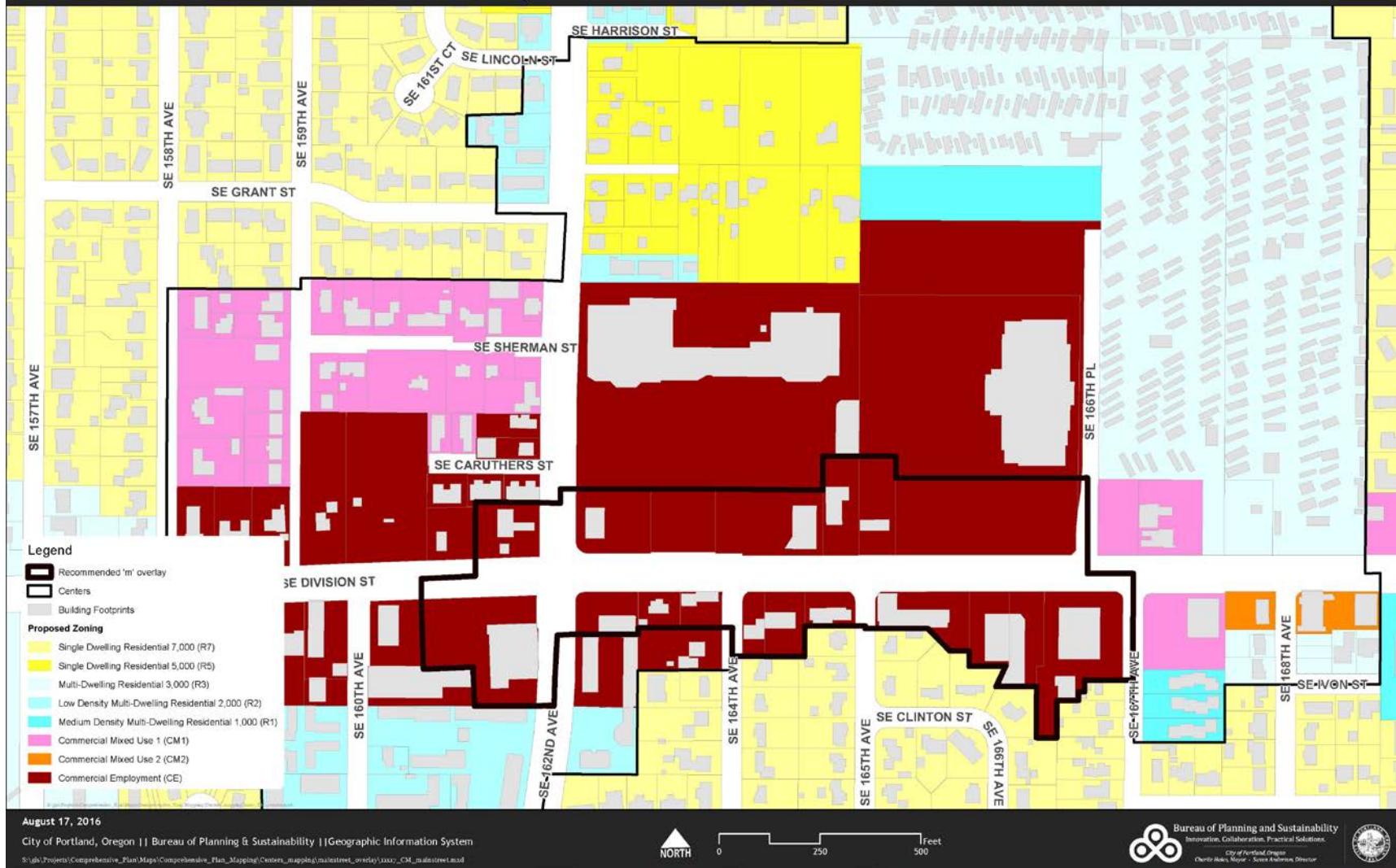
# Recommended Centers Main Street Overlay

Neighborhood Center: Cully



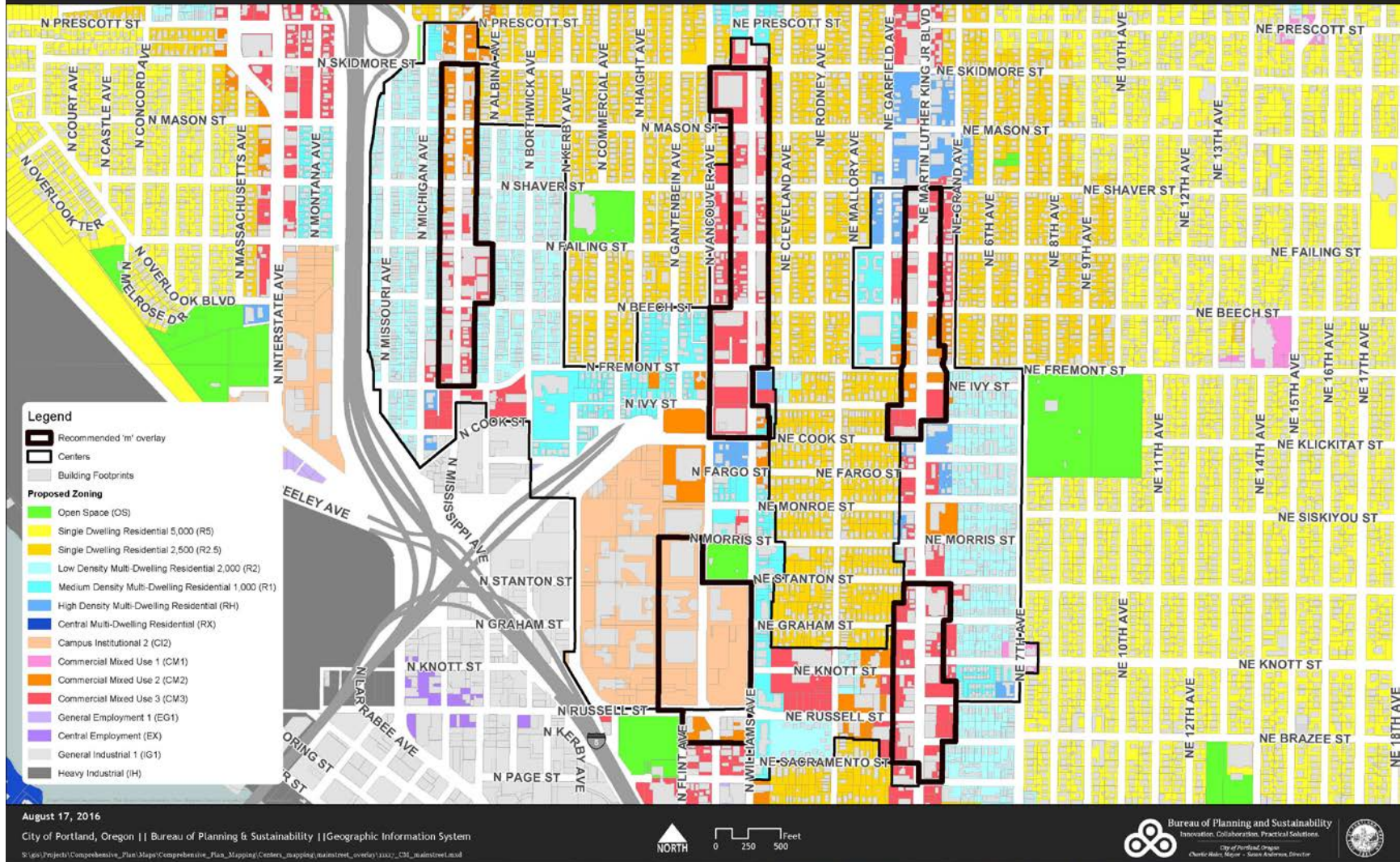
# Recommended Centers Main Street Overlay

Neighborhood Center: Division/162nd



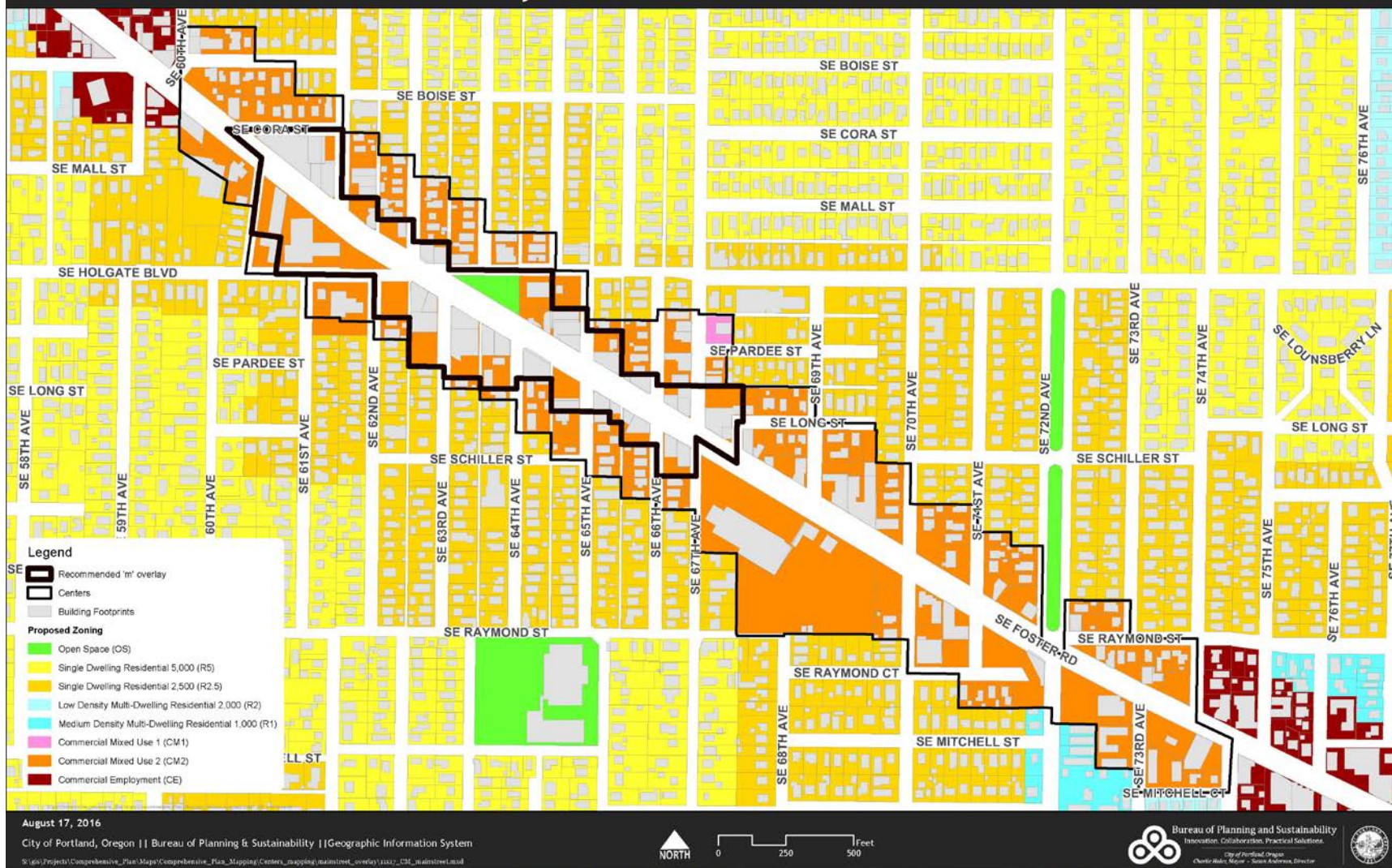
# Recommended Centers Main Street Overlay

## Neighborhood Center: Fremont/Williams



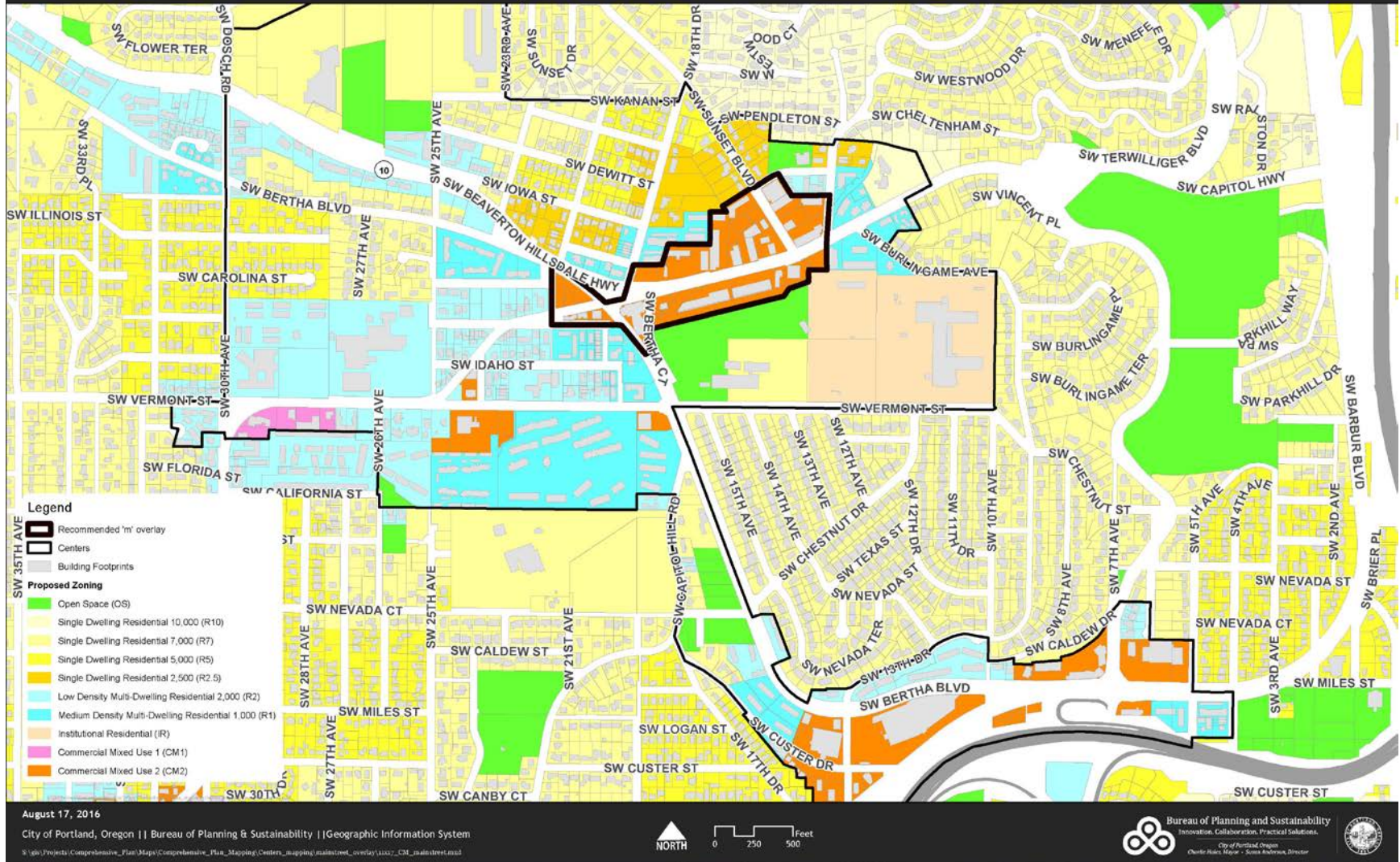
# Recommended Centers Main Street Overlay

# Neighborhood Center: Heart of Foster



# Recommended Centers Main Street Overlay

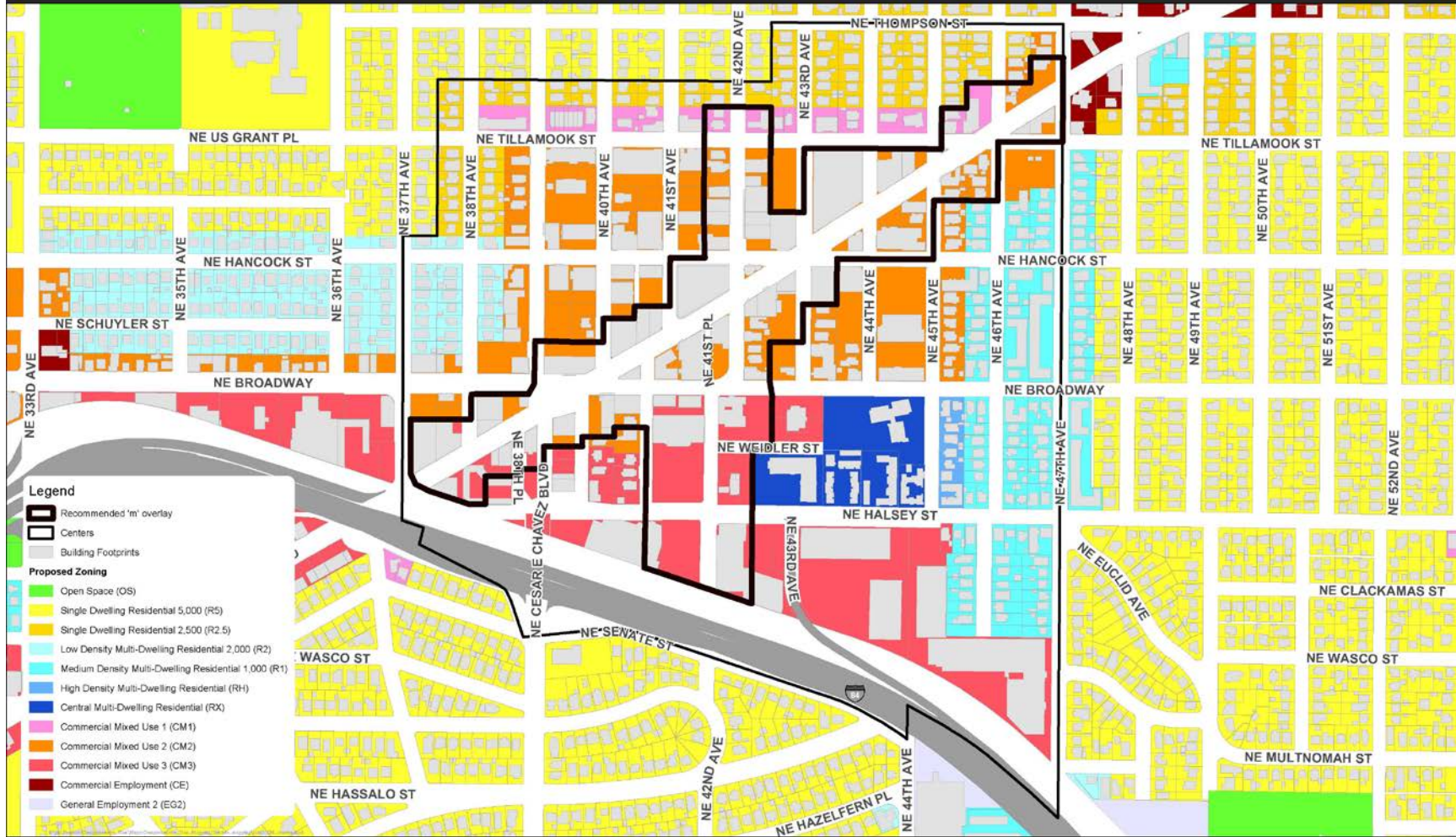
Town Center: Hillsdale





# Recommended Centers Main Street Overlay

Town Center: Hollywood



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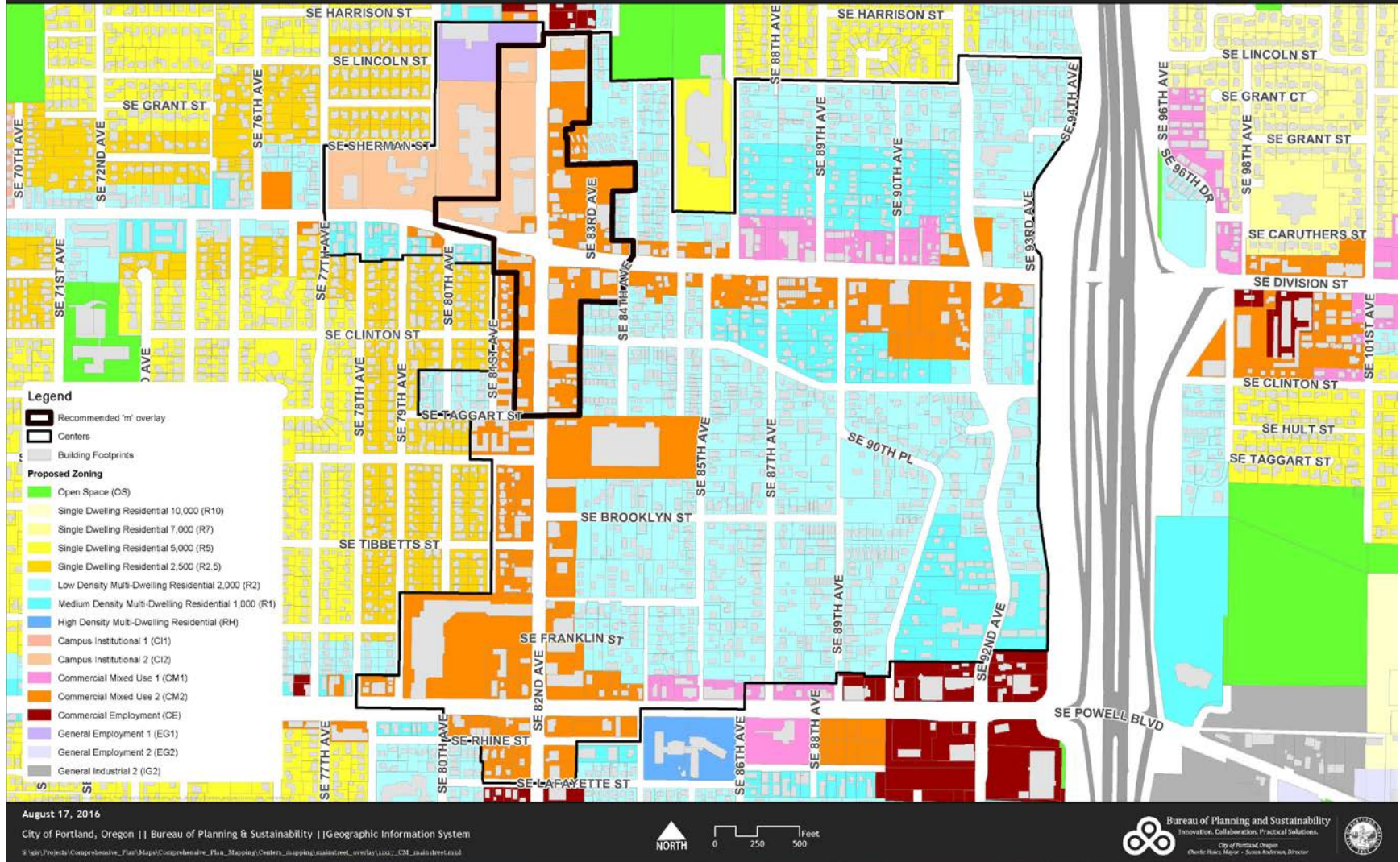


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Christi Davis, Mayor | Jason A. Peterson, Director



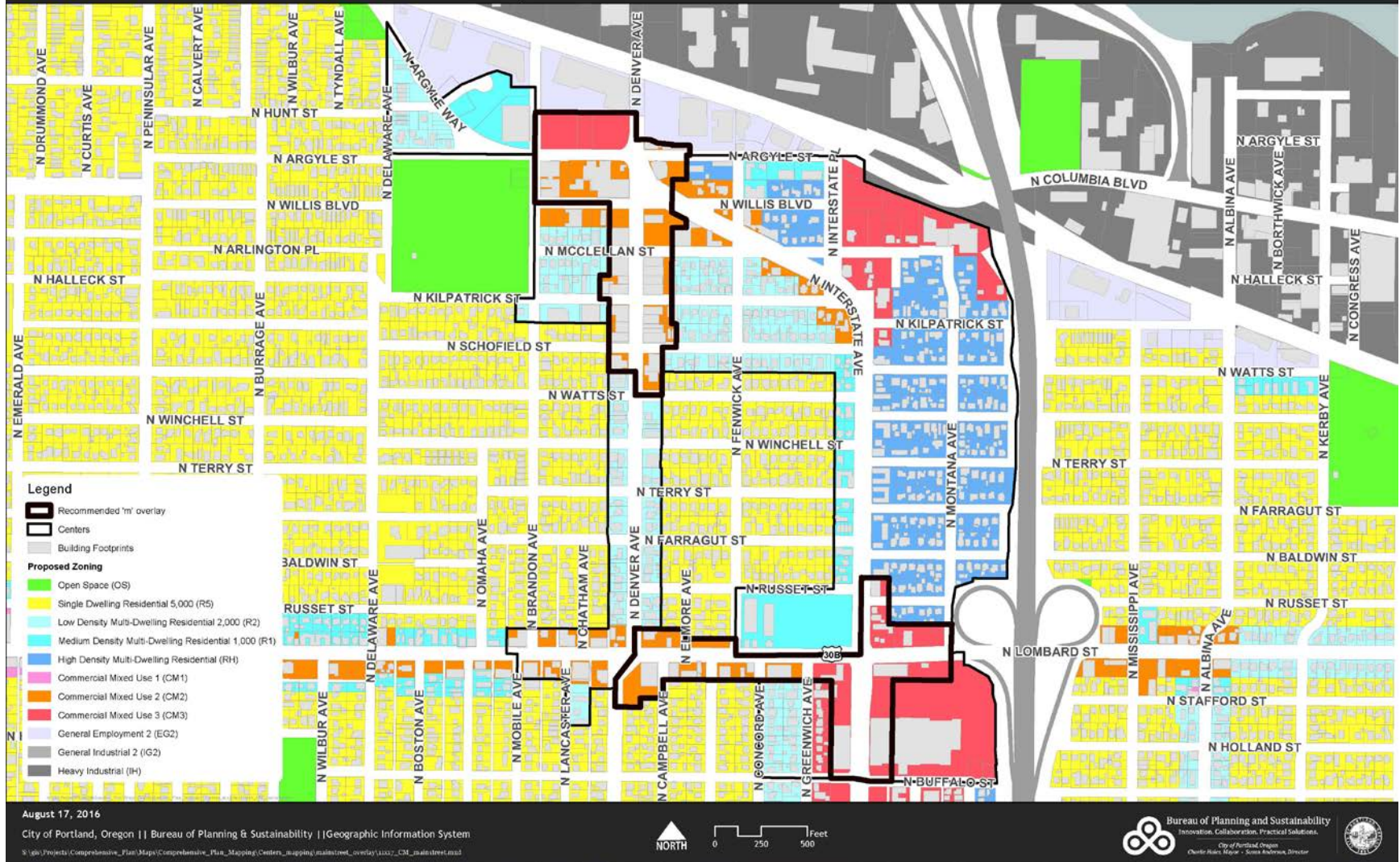
# Recommended Centers Main Street Overlay

Neighborhood Center: Jade District



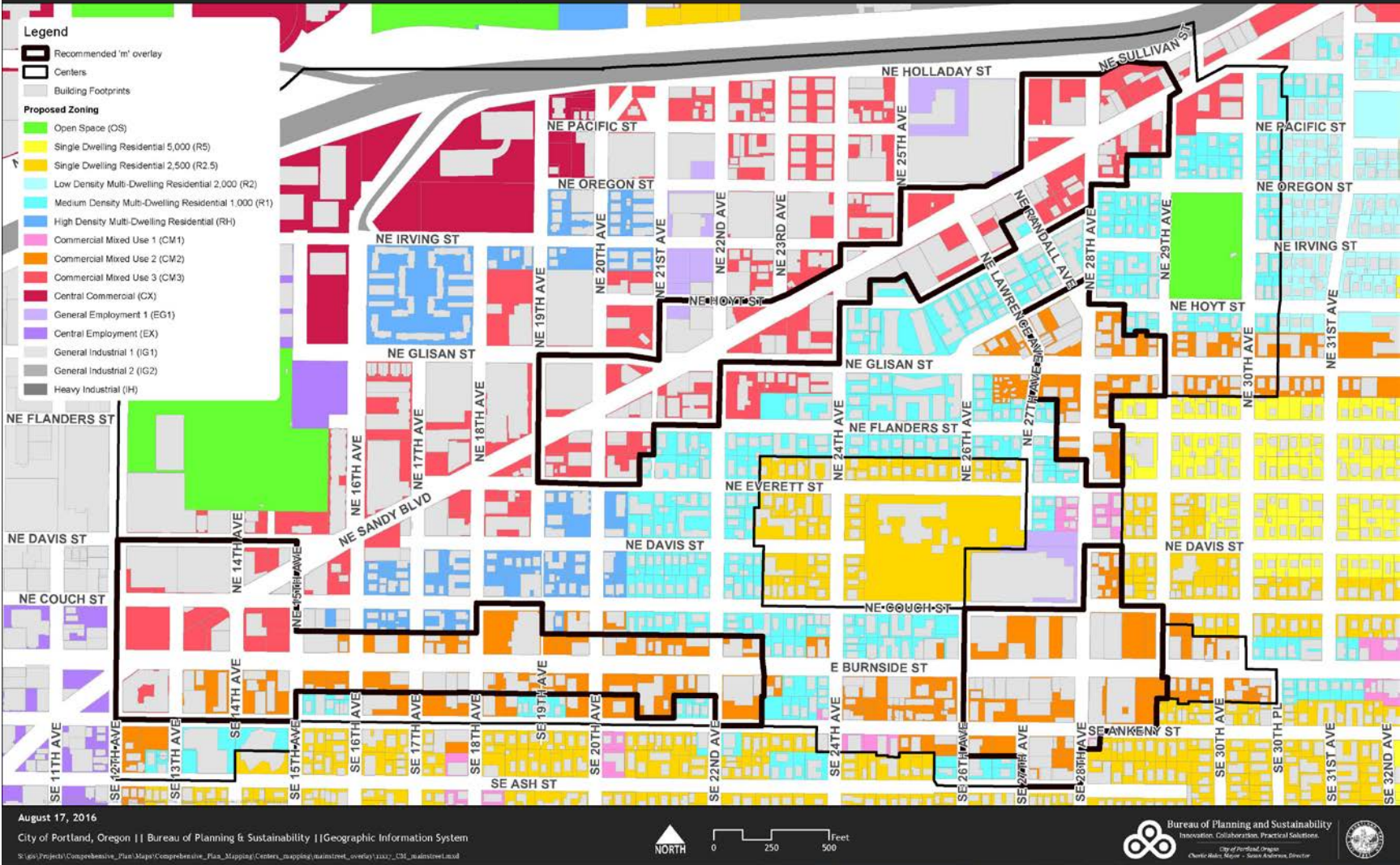
# Recommended Centers Main Street Overlay

Neighborhood Center: Kenton Lombard



# Recommended Centers Main Street Overlay

Neighborhood Center: Kerns



# Recommended Centers Main Street Overlay

Town Center: Killingsworth/Interstate



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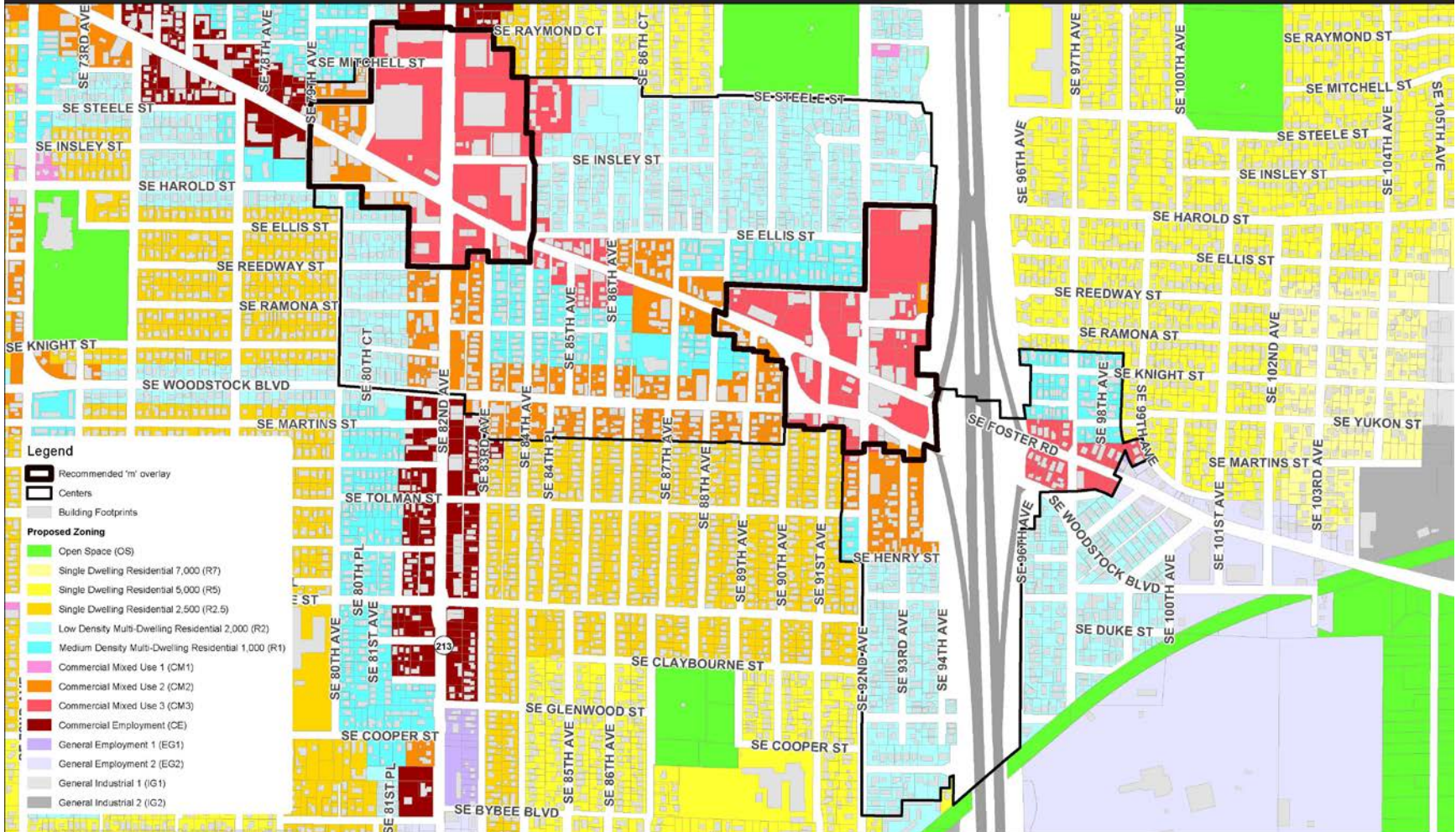


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# Recommended Centers Main Street Overlay

Town Center: Lents



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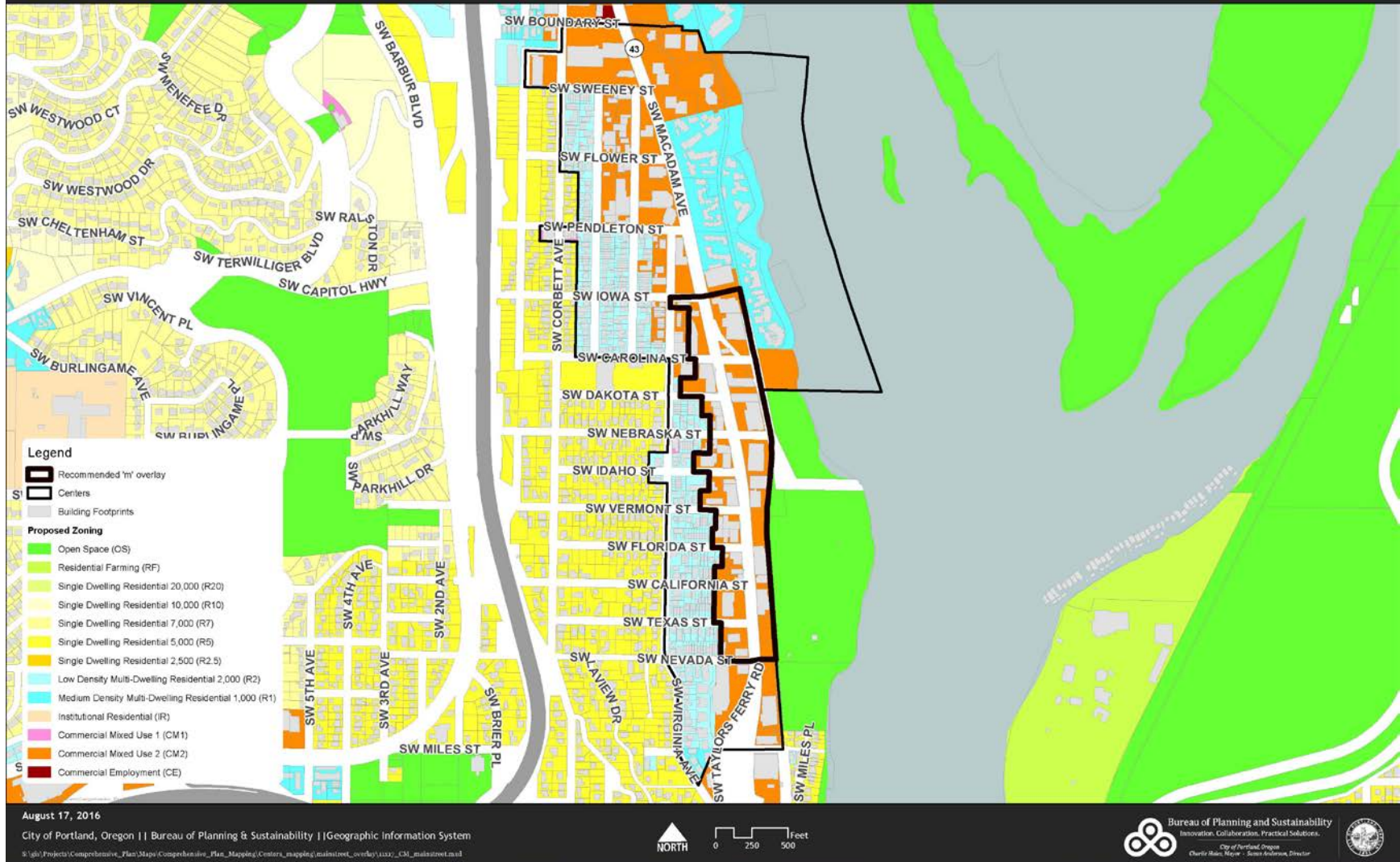


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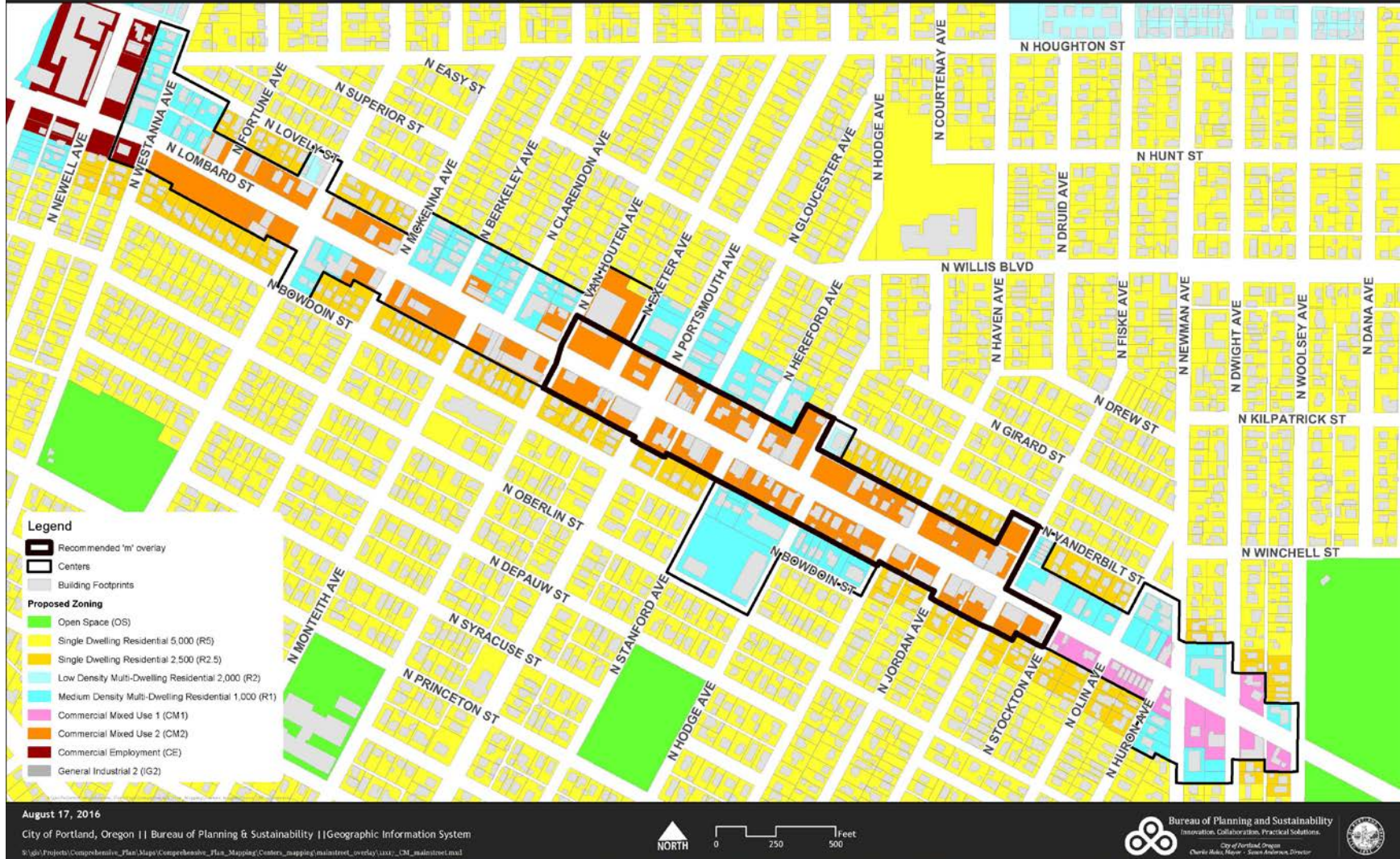
# Recommended Centers Main Street Overlay

Neighborhood Center: Macadam



# Recommended Centers Main Street Overlay

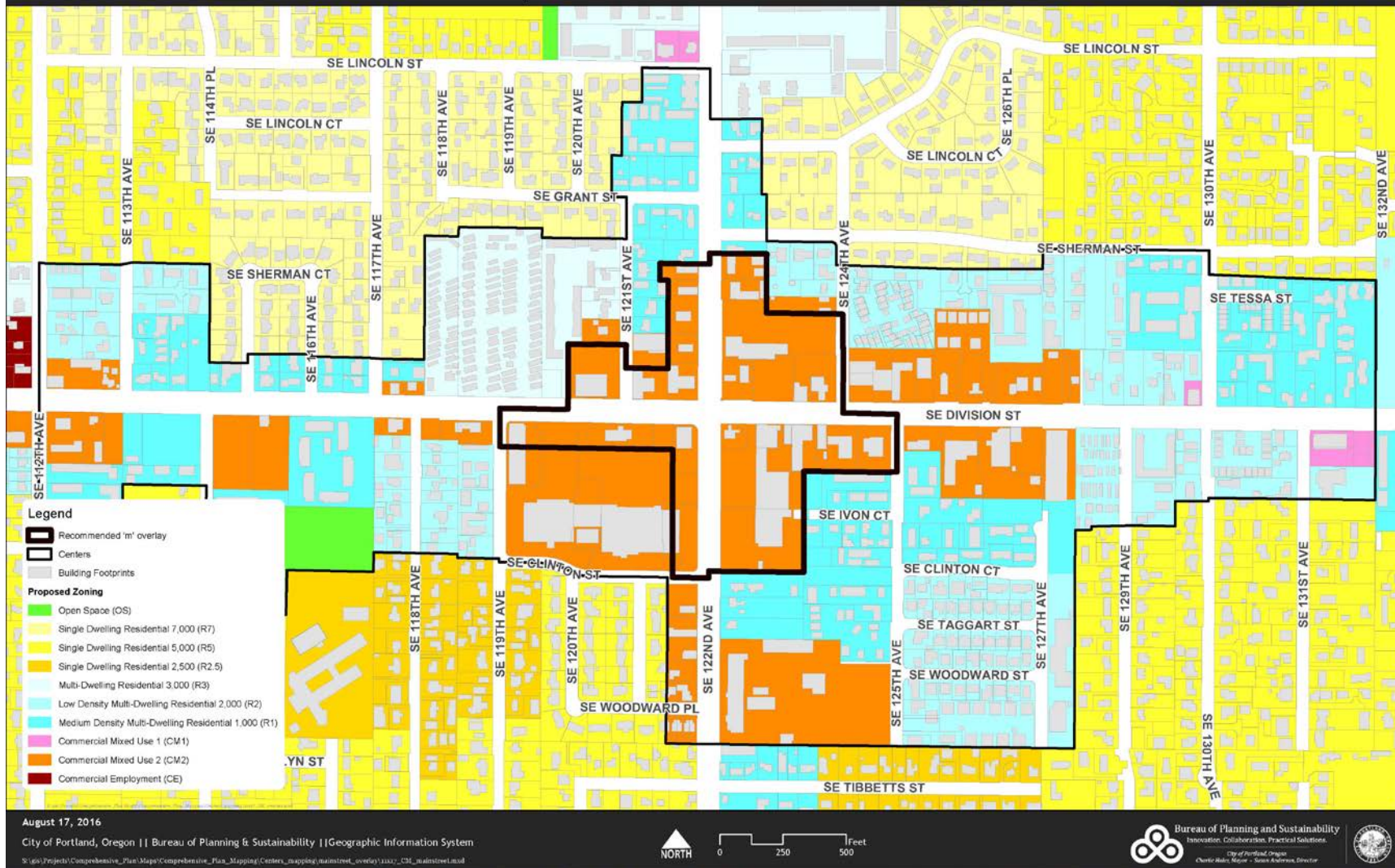
# Neighborhood Center: Mid-Lombard





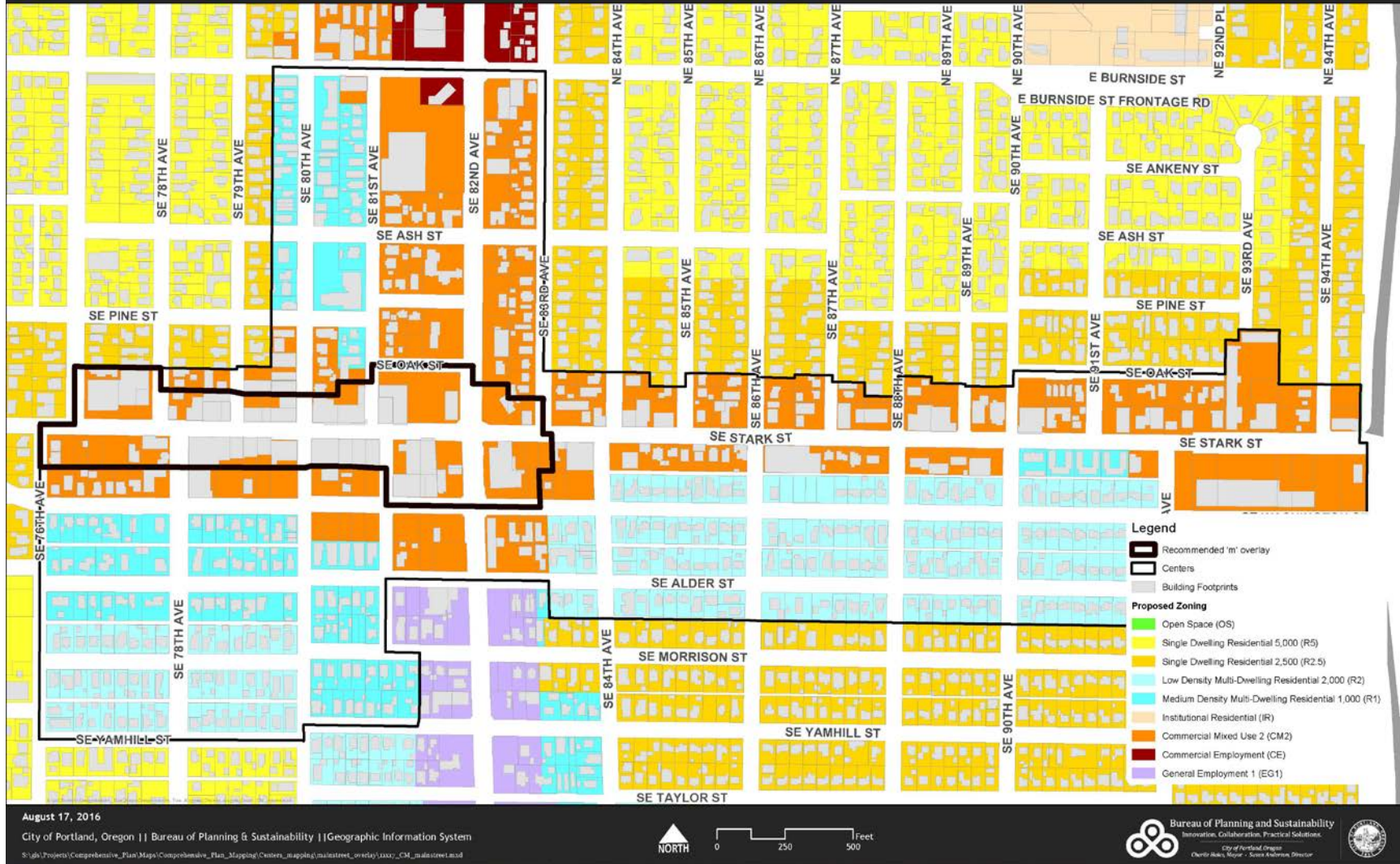
# Recommended Centers Main Street Overlay

Town Center: Midway



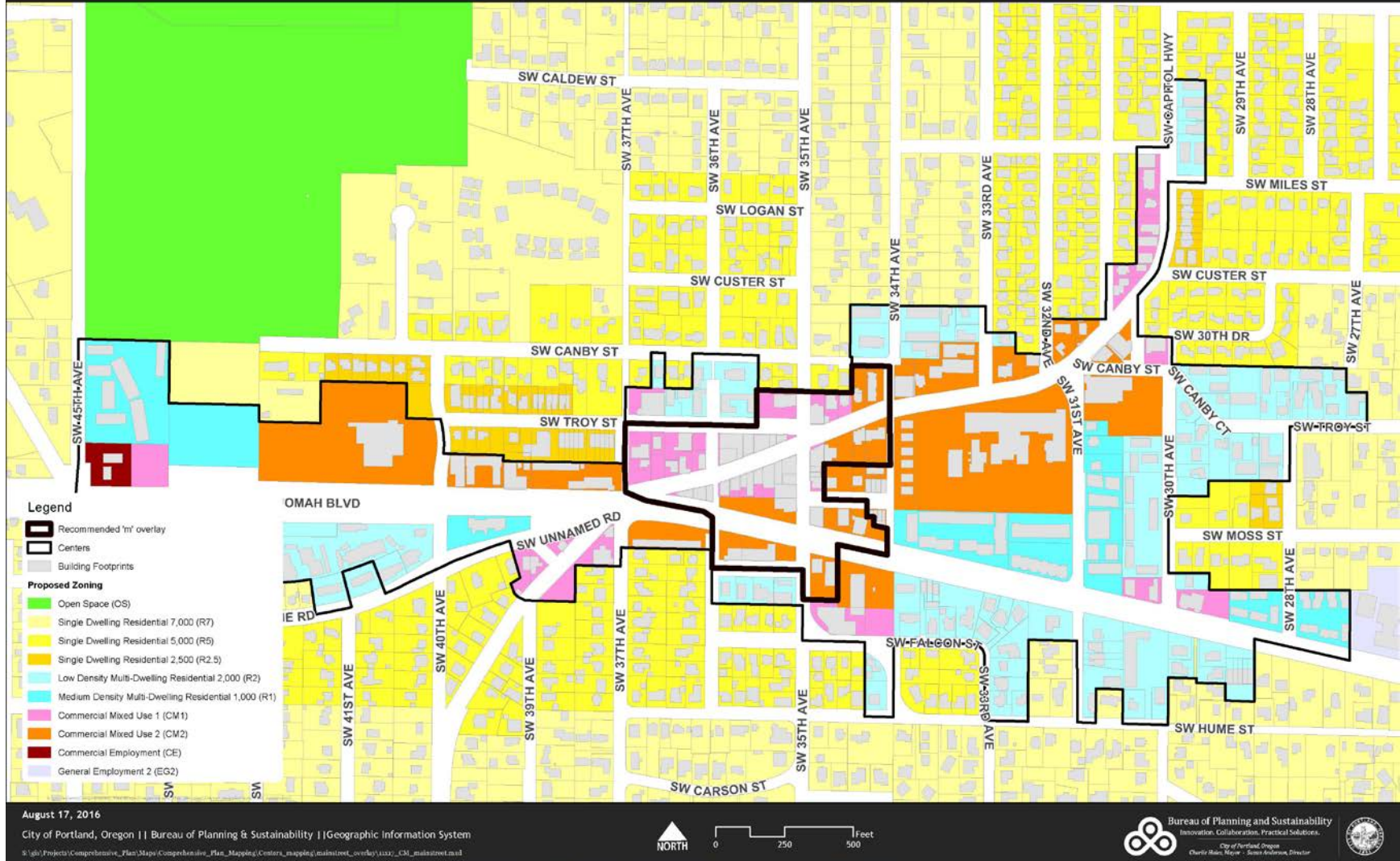
# Recommended Centers Main Street Overlay

Neighborhood Center: Montavilla



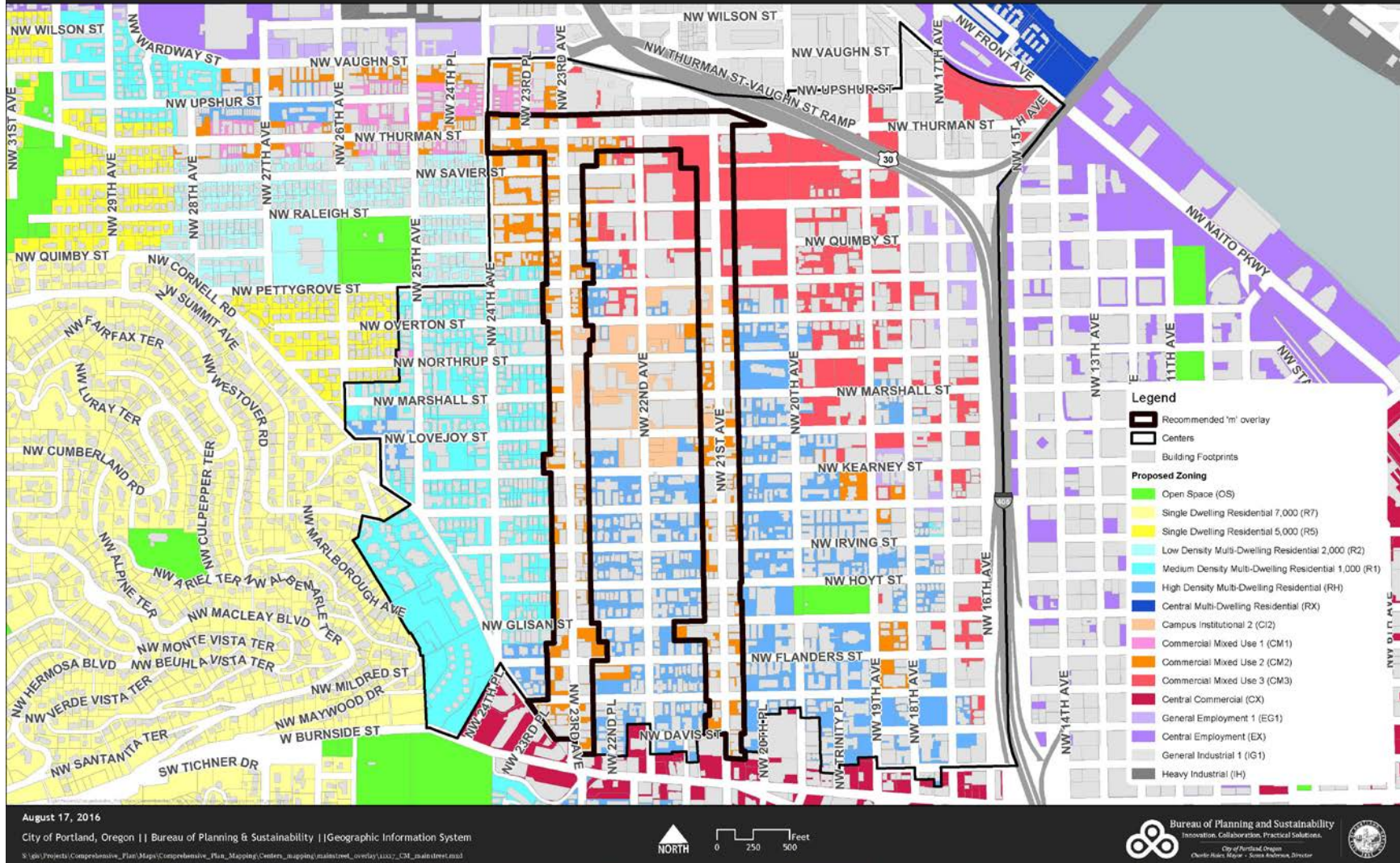
# Recommended Centers Main Street Overlay

Neighborhood Center: Multnomah Village



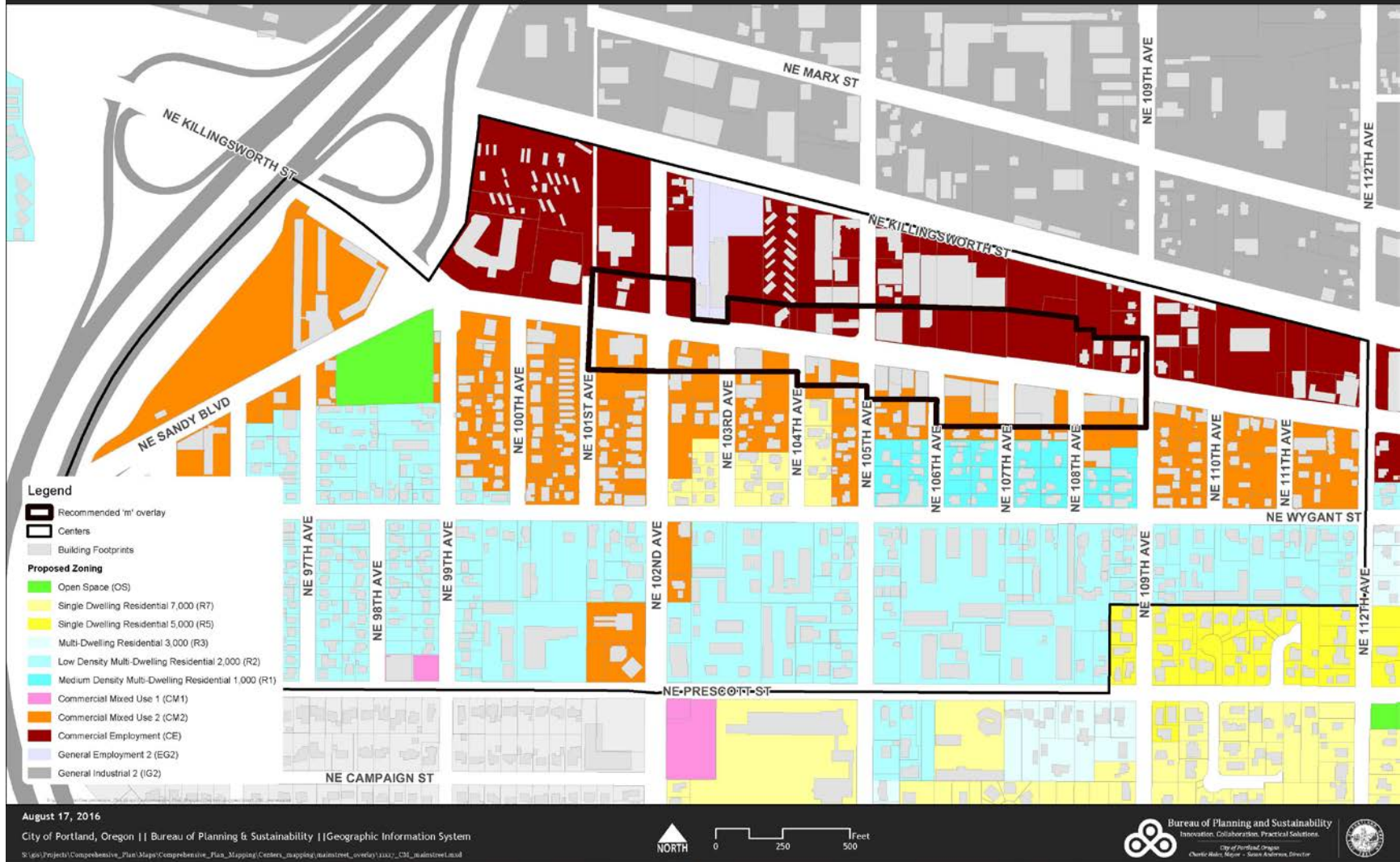
# Recommended Centers Main Street Overlay

Town Center: Northwest District



# Recommended Centers Main Street Overlay

Neighborhood Center: Parkrose



- Legend**
- Recommended 'm' overlay
  - Centers
  - Building Footprints
  - Proposed Zoning**
  - Open Space (OS)
  - Single Dwelling Residential 7,000 (R7)
  - Single Dwelling Residential 5,000 (R5)
  - Multi-Dwelling Residential 3,000 (R3)
  - Low Density Multi-Dwelling Residential 2,000 (R2)
  - Medium Density Multi-Dwelling Residential 1,000 (R1)
  - Commercial Mixed Use 1 (CM1)
  - Commercial Mixed Use 2 (CM2)
  - Commercial Employment (CE)
  - General Employment 2 (EG2)
  - General Industrial 2 (G2)

August 17, 2016

City of Portland, Oregon | Bureau of Planning & Sustainability | Geographic Information System

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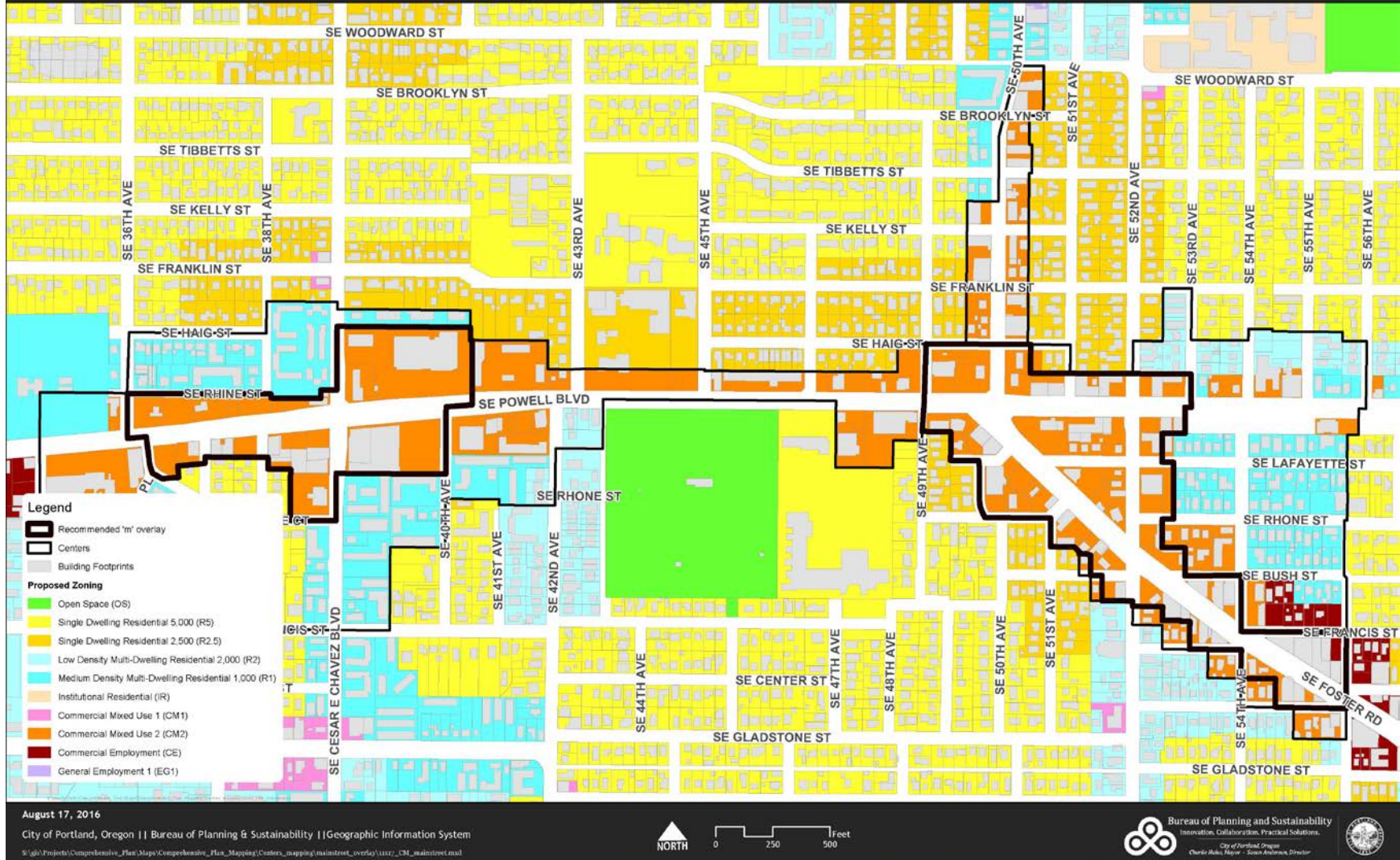


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 City of Portland, Oregon  
 Chief Planning Officer - Senior Advisor, Director



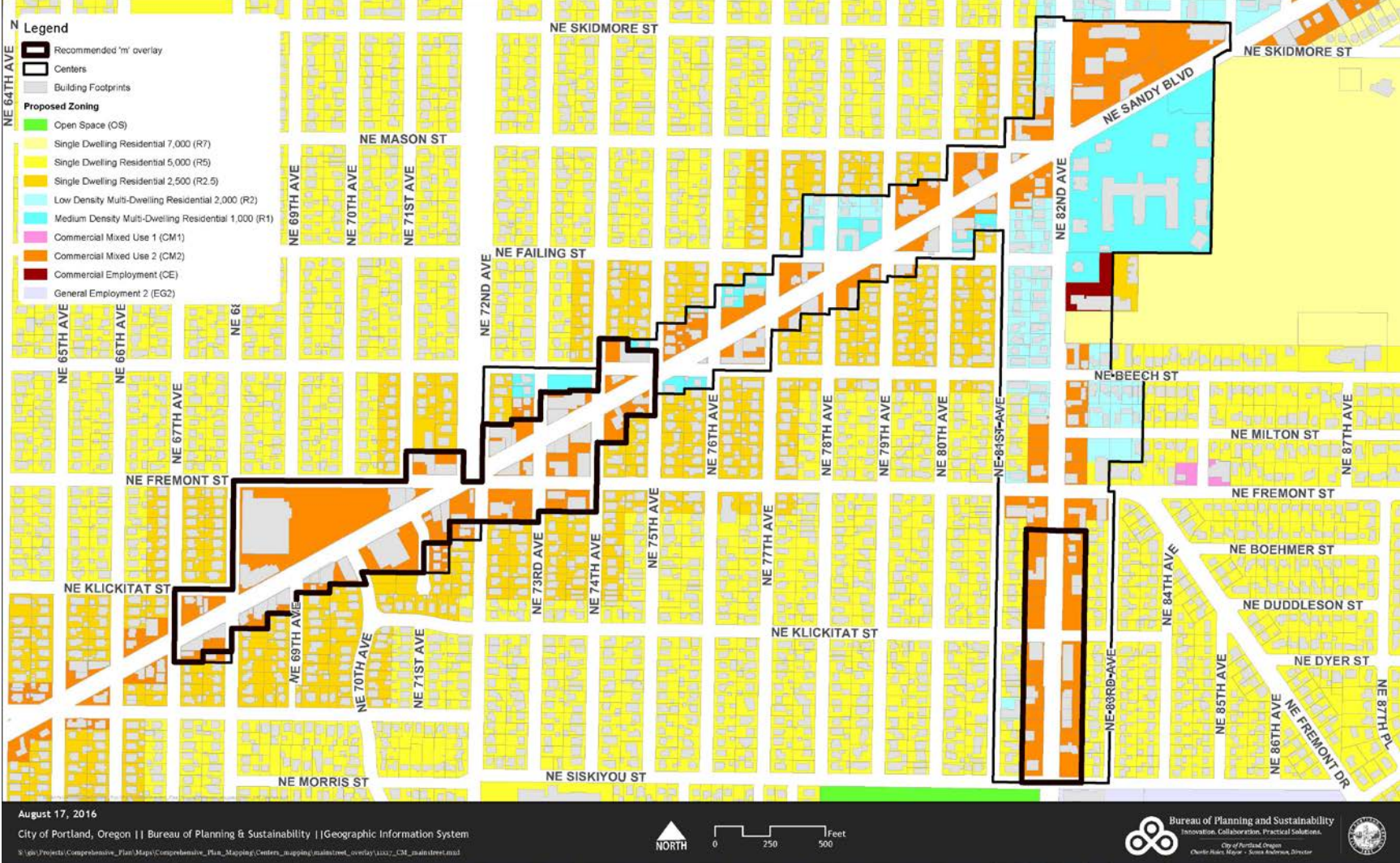
# Recommended Centers Main Street Overlay

## Neighborhood Center: Powell/Creston



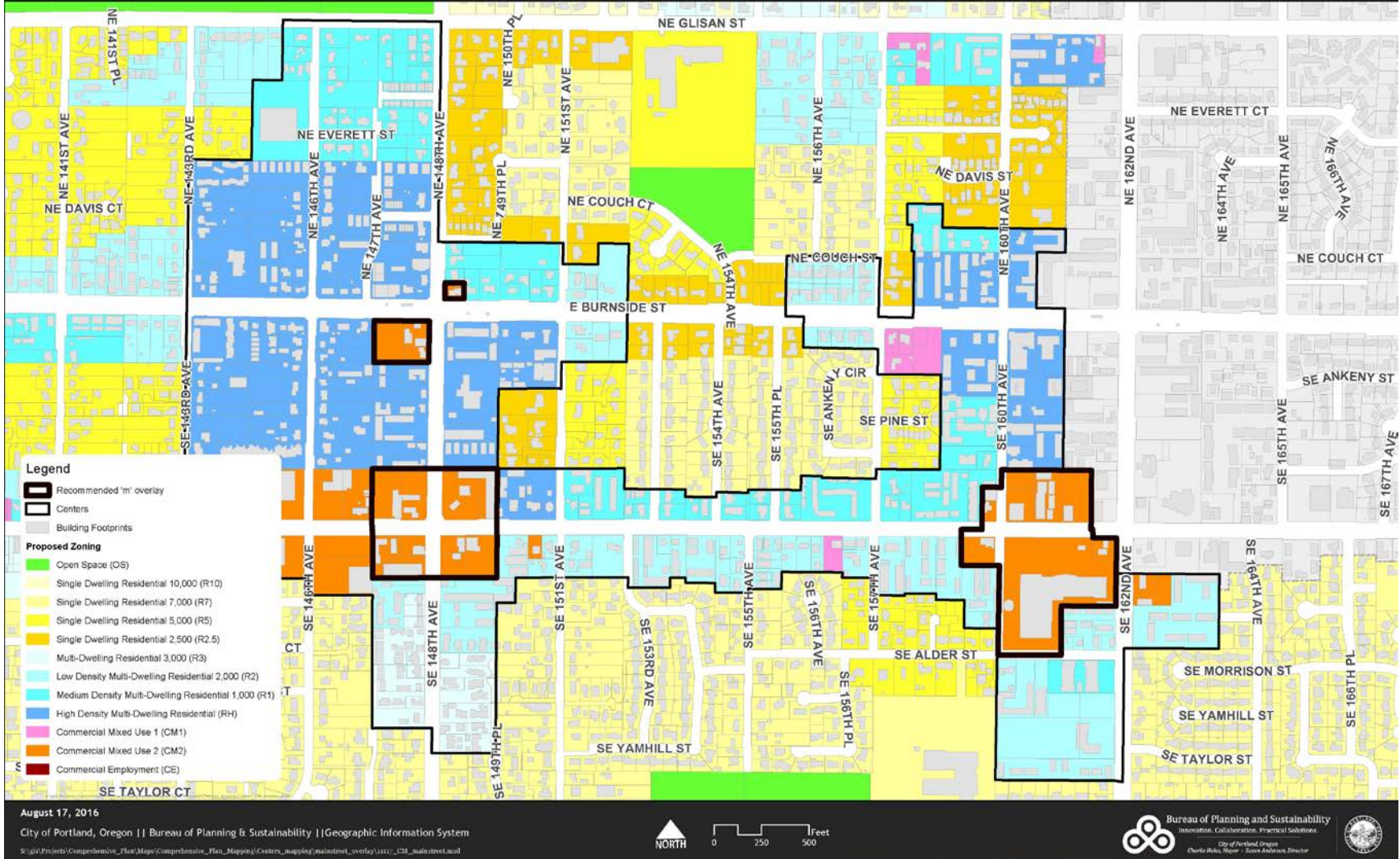
# Recommended Centers Main Street Overlay

Neighborhood Center: Roseway



# Recommended Centers Main Street Overlay

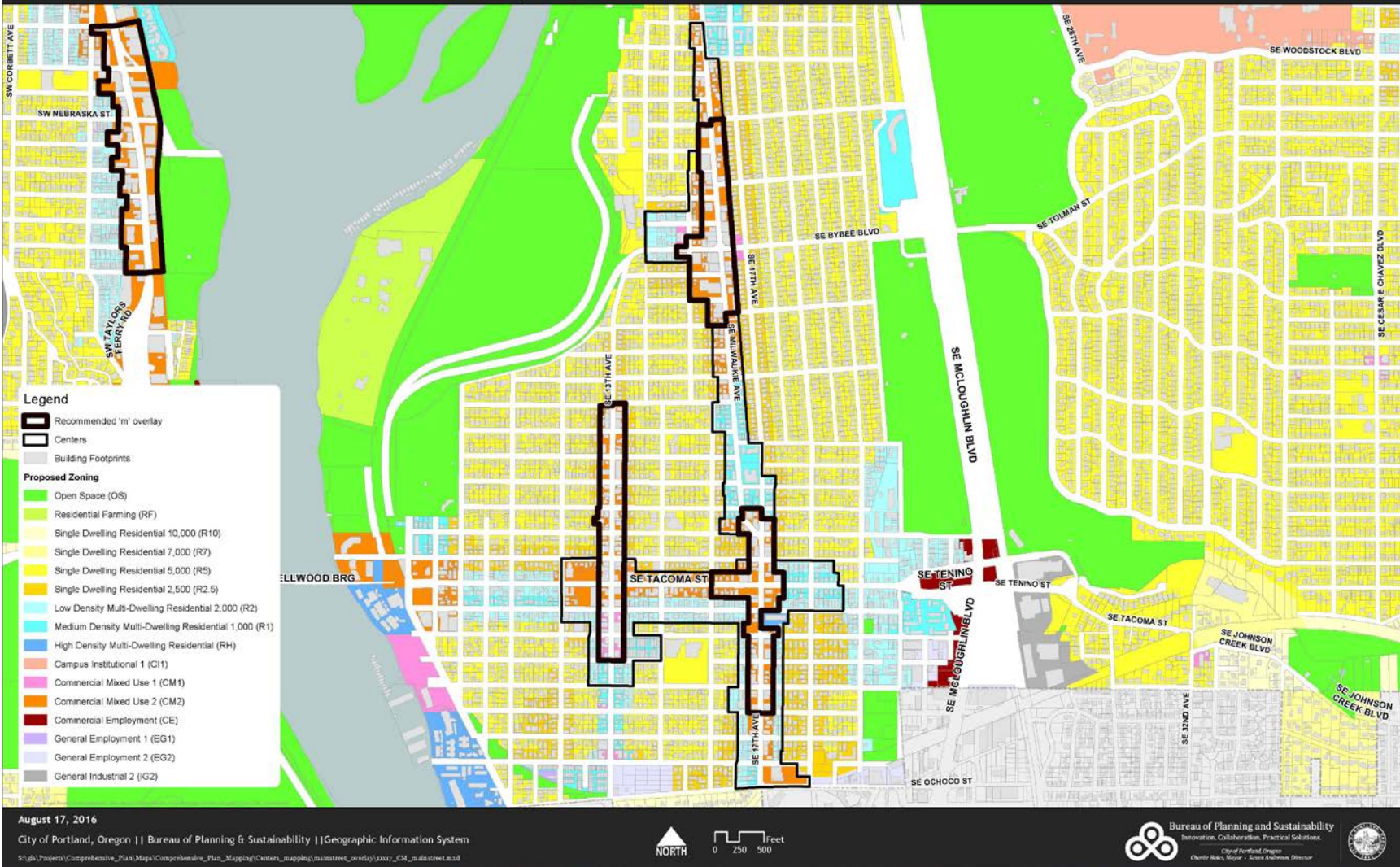
Neighborhood Center: Rosewood/Glenfair





# Recommended Centers Main Street Overlay

## Neighborhood Center: Sellwood/Moreland



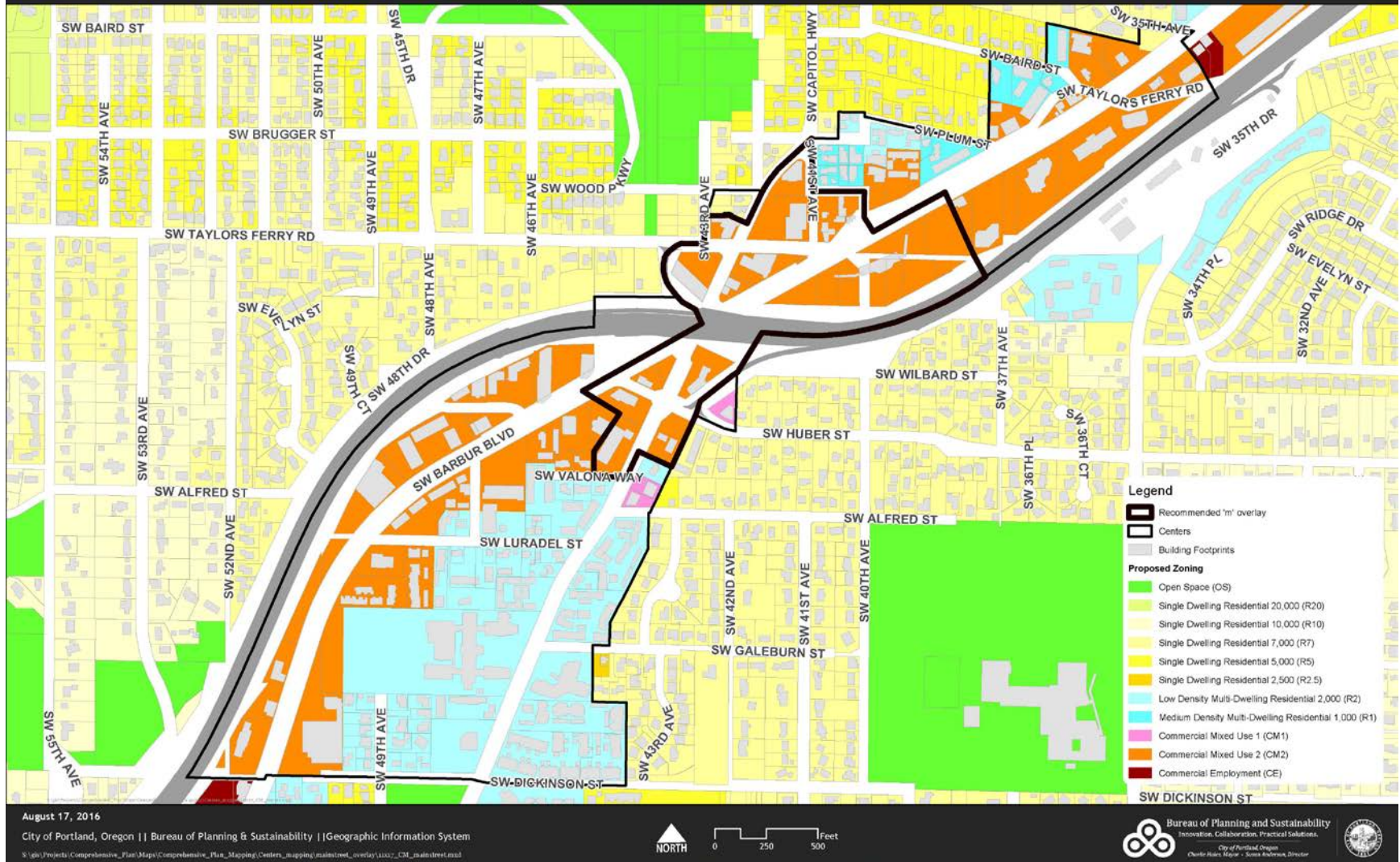
# Recommended Centers Main Street Overlay

Town Center: St. Johns



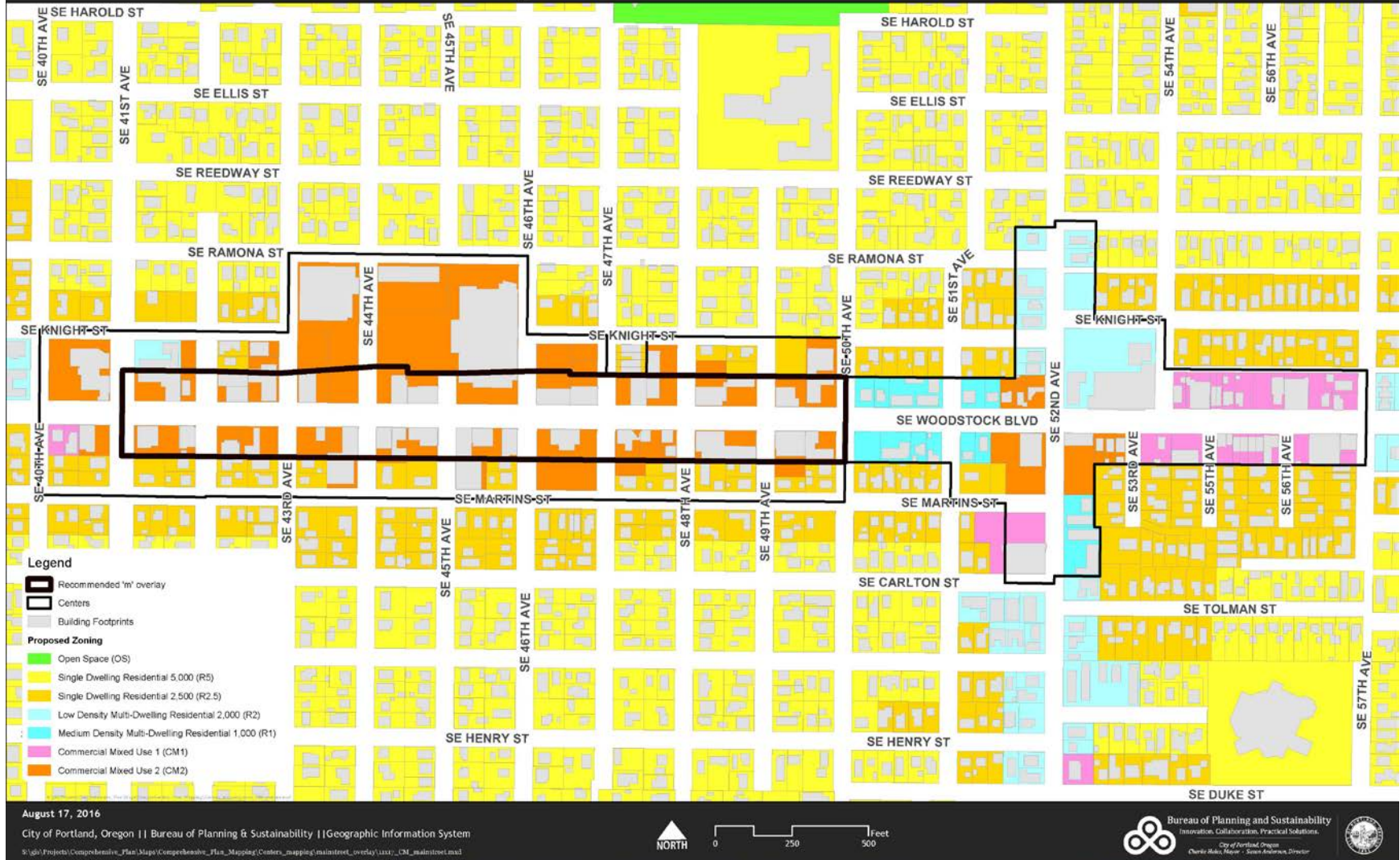
# Recommended Centers Main Street Overlay

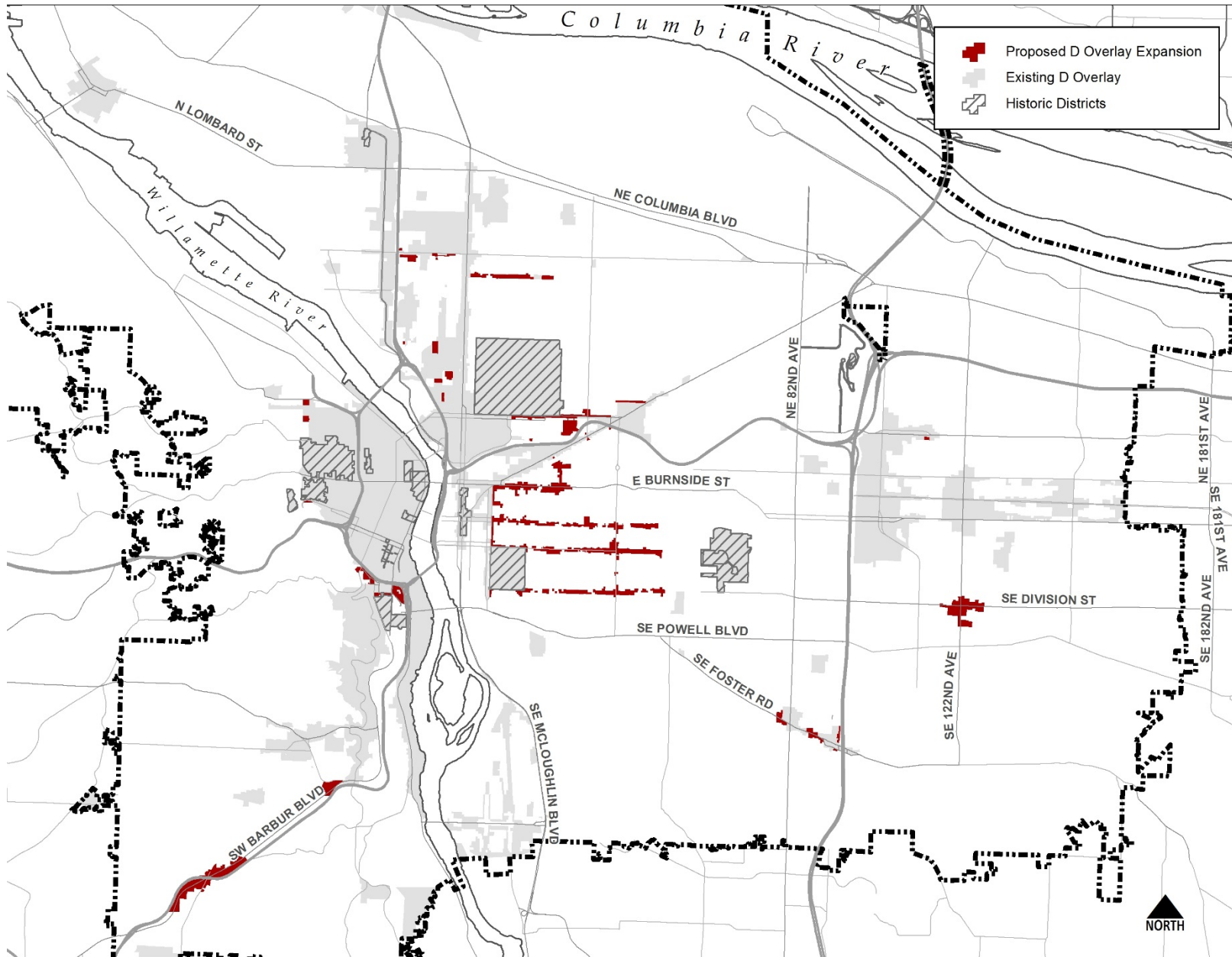
Town Center: West Portland

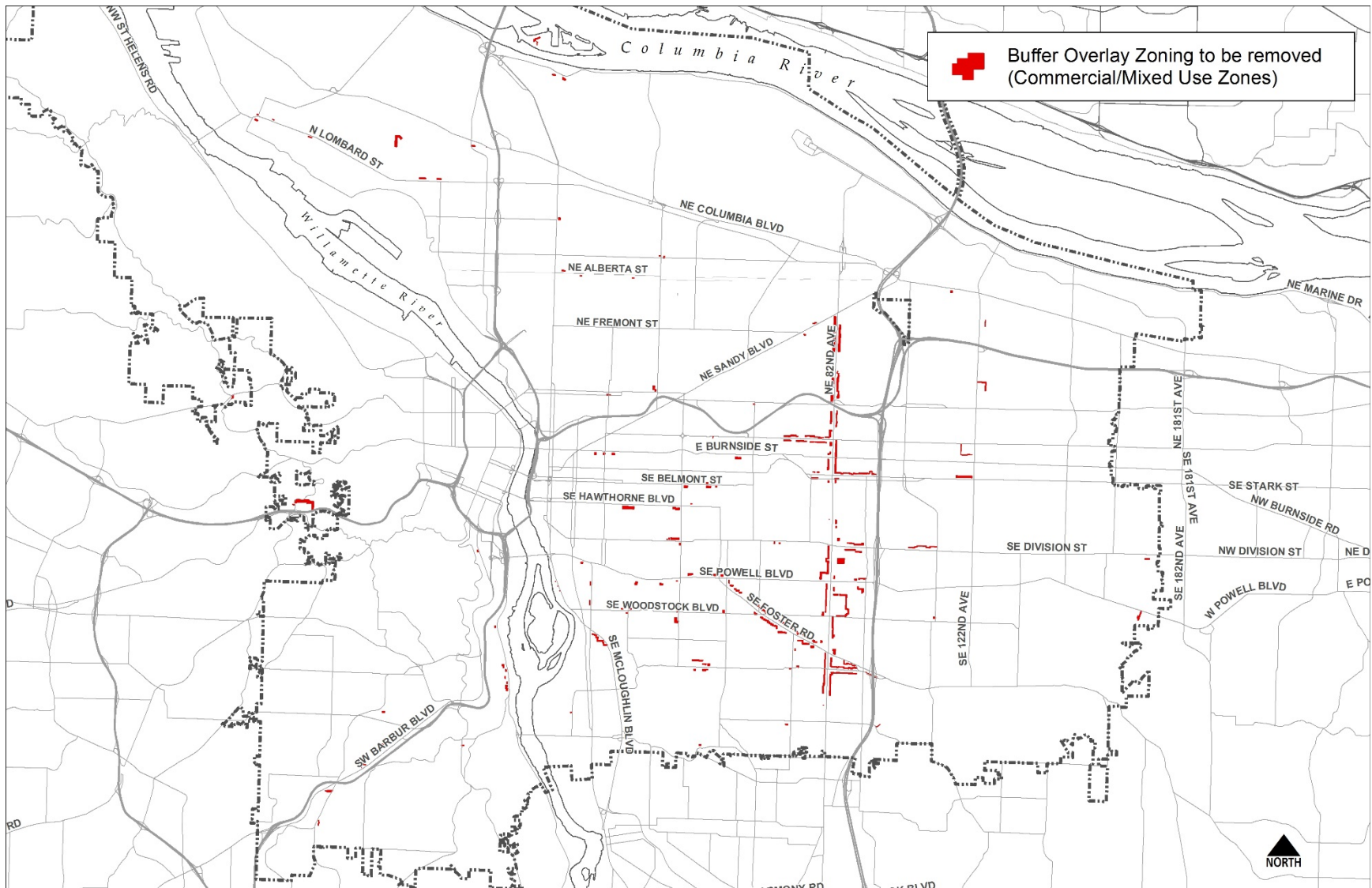


# Recommended Centers Main Street Overlay

## Neighborhood Center: Woodstock







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# Section VIII: Appendices

Appendix A: City of Portland/TriMet Letter of Intent

Appendix B: Preliminary List of Subsequent Amendments

Appendix C: [Mixed Use Zones Project – Assessment Report](#) (under separate cover)

Appendix D: [Mixed Use Zones Project – Code Concepts Report](#) (under separate cover)

Appendix E: Mixed Use Zones Project - Evaluation of Development Incentives (under separate cover)



# Letter of Intent



The City of Portland and TriMet have a shared intention to work in partnership to identify the transit service and supporting land use, community development and transportation policies, programs and projects needed to support planned growth, consistent with the region’s 2040 adopted vision and plans.

The City of Portland is updating its Comprehensive Plan and Transportation System Plan (TSP), which will prioritize transit-oriented centers and corridors to accommodate expected population and employment growth while minimizing traffic growth. TriMet is also developing its Service Enhancement Plans to work with communities to create long-term visions for the future development of the transit system. These three planning efforts can lead to high-quality transit to areas identified for growing residential and employment land uses.

In order to help achieve the climate, health, environmental, housing, economic, and equity goals and objectives of regional and City plans, the City and TriMet are committing to a joint work plan to address areas where coordination is necessary for success, such as where City facilities are used by TriMet vehicles or where City plans call for intensified transit service to meet job and housing demands.

This work plan will inform the development and adoption of a service agreement or Memorandum of Understanding (MOU) showing how the City and TriMet will coordinate on transit service in the City. The Parties intend to complete this by the end of 2016 to coincide with the City’s completion of Periodic Review.

This service agreement or MOU would strengthen coordination of three mutually-reinforcing responsibilities:

- Adoption of transit-supportive land use plans (City, Bureau of Planning and Sustainability)
- Investments that provide transit-supportive infrastructure, such as sidewalks and safe crossings, and programs, such as transit signal priority, and transportation and parking demand management (City, Bureau of Transportation, Portland Development Commission)
- Transit operations, vehicles and infrastructure (TriMet)

Additional background and details on proposed and supporting activities are provided in Attachment A.

  
 \_\_\_\_\_  
 Mayor Charlie Hales, Commissioner in Charge  
 Portland Bureau of Planning & Sustainability

Date: 8-26-15

  
 \_\_\_\_\_  
 Steve Novick, Commissioner in Charge  
 Portland Bureau of Transportation

Date: 8-26-15

  
 \_\_\_\_\_  
 Neil McFarlane, General Manager  
 TriMet

Date: 9/1/2015

## **Attachment A.**

### **Background**

A fundamental guiding policy behind this effort is the Region 2040 Growth Concept, which calls for housing and employment growth to be focused into more active, mixed use, pedestrian-friendly activity centers that are connected by high-frequency or high-capacity transit corridors. One of the key ingredients to success for these activity centers is providing a multi-modal transportation system that ensures transportation choices and the continued mobility of people and goods throughout the region.

Frequent, high quality transit service is essential to supporting strong job centers and healthy neighborhoods. The existing transit system has facilitated the growth of regional and neighborhood centers, in keeping with the regional vision. This has helped create vibrant downtowns and neighborhoods where employees, residents and visitors can meet many of their needs with transit, on foot, or by bike, thereby reducing congestion, cutting greenhouse gas emissions, and allowing more economic activity and population and employment growth in these areas at a lower cost than expanding state and local roadways.

Transit is an essential ladder of opportunity to help people reach economic security. Expanding high quality, frequent transit will improve low-cost access to daily needs, jobs, and education for all, especially those who have limited or no access to a private vehicle. In order to ensure greater fairness, an equity lens is, and will be, used to improve safe, reliable access to quality transit service in a way that is inclusive of all Portlanders. For this to be successful, the City and TriMet will need to engage with a variety of other partners to ensure that improving transit is part of a broader strategy to maintain and expand affordable housing and increase economic opportunity in a way that is inclusive and recognizes the risk of racial disparities.

The City of Portland desires to deliver on the 2040 vision and has expectations to capture a significant share of the region's projected population growth and to efficiently serve that growth long into the future without a major increase in highway or road capacity. The extent of existing infrastructure makes the City well poised to address its growth potential by increasing transportation capacity with a balanced, multimodal system based on transit, bicycles, and pedestrians. The transit portion of this system will be a seamless balance of bus, light rail, streetcars, ADA paratransit and related services.

Under Oregon law, there are legal mechanisms to ensure that Transportation System Plans and Land Use Plans are coordinated. Transportation System Plans, however, traditionally focus on capital investment plans, not ongoing transit operations. The City and TriMet are seeking a mechanism to more clearly express and acknowledge that land use, capital investments, and ongoing operations are bound together.

### **Proposed Activities**

The City of Portland and TriMet have a long history of partnership on the planning, funding, construction and operations of this integrated transit network. The City has been a major supporter and financial contributor to TriMet transit system expansions. TriMet has consistently invested in operating high-frequency service along Portland's main streets and through its centers. In addition, TriMet has supported the City's pursuit of developing the Streetcar system and has taken on a larger share of its operations.

It is in this spirit of continuing partnership that we now embark on this workplan to formalize understanding of our mutual commitments so that both parties have a promise of stability for future planning where transit service, land use plans and uses, infrastructure are all mutually dependent for success.

Transit and higher density zoning alone are not sufficient to produce the levels of development and transit use to meet regional goals. Without safe pedestrian and bicycle access to transit, high-quality transit

stops, fast and reliable transit operations, parking management, affordable transit-oriented development and effective demand management, the City, TriMet and the region are unlikely to meet their goals.

TriMet's future investment and improving and expanding the frequent transit network will be prioritized based on considerations that include the level of local access investments, transit-supportive policies and regulations, and priority treatments. TriMet and the City will work together to update corridors with transit-supportive investments to help support both frequent transit service and transit-oriented development that supports affordability and access to opportunity for all Portlanders.

With this understanding, the City and TriMet envision the following types of activities will be part of the workplan:

- Transit-supportive land use commitments by the City, reflective of Comprehensive Plan and Regional Growth Vision;
- Policy and program commitments by the City that support the use of transit, including parking and travel demand management (TDM);
- Operational and capital investments by the City and other partners that support the performance of transit in terms of safety, efficiency, reliability and accessibility, including:
  - Sidewalks, crossings and other treatments to make accessing transit safer and more desirable;
  - Transit signal priority, right of way and other system management treatments to improve speed and reliability;
- Service commitments by TriMet that support the City's plans, tied to designated land uses and prioritized in alignment with TriMet's Board-adopted Service Guidelines Policy, which emphasizes five priority considerations to provide the framework for service planning decision-making: Equity, Demand, Productivity, Connections and Growth.

These activities recognize the specialized roles played by the various parties involved in the work plan:

- Bureau of Planning & Sustainability – Land Use Planning and Policy
- Bureau of Transportation – Transportation Infrastructure, Operations, Programs, Planning and Policy
- TriMet – Transit Service, Infrastructure, Planning and Policy

In order to prepare residents and businesses to take advantage of opportunities for increased prosperity, the parties will work with PDC and the Housing Bureau develop a strategy to mitigate displacement and gentrification and to achieve equitable access to opportunity (e.g. workforce development and procurement practices that encourage the participation of disadvantaged business enterprises).

Achieving equitable outcomes will require concerted attention to demographic and other data and inclusive public participation. TriMet and the City will assess the capacity of the community to participate in the work plan and recommend specific implementing actions.

### **Supporting Activities**

TriMet and City agencies, including BPS, PBOT, Housing, and PDC, will implement the Powell-Division Action Plan, which will address displacement and housing issues, and will use the process to inform future high capacity transit corridor planning and implementation actions.

In order to inform the work in the areas above, TriMet is collaborating with the City on its "Growing Transit Communities" project funded by the Transportation and Growth Management (TGM) grant program administered by ODOT and DLCD. Over the next 12 months, this planning process will develop transit-supportive investment plans for 2 to 5 transit corridors. Tools for prioritizing

investments will be developed and applied in each corridor. The suite of tools will be developed with the intention of being replicable for use in other corridors and by other jurisdictions.

One place where this type of partnership approach is already being applied is prioritizing service improvements on SE 122<sup>nd</sup> Avenue to improve connections for nearby residents to concentrations of jobs (such as in the Columbia Corridor) and other activity centers:

- The City is providing transit-supportive land use designations and including necessary sidewalk and crossing safety improvements in its proposed Comprehensive Plan and TSP.
- TriMet is developing service improvement plans through its Service Enhancement Plan process and is implementing improvements on an annual basis as budget allows.

The City and TriMet have also collaborated and sought additional funding from the TGM grant program to develop an Enhanced Transit Corridors study, which would identify corridors where projected growth may require new and innovative service models be deployed to meet demand, combined with enhanced safety, access and operational treatments, travel and parking demand management, to help ensure the benefits of the new service model are fully realized.

More generally, moving forward, the City and TriMet will seek to jointly develop plans, projects and funding requests for federal, state and regional opportunities to advance the objectives described herein.

As a regional agency, TriMet has the responsibility to balance investments across all of the jurisdictions it serves in line with regional and agency policy. Nothing in this proposed workplan is designed to limit TriMet's ability to fulfill that responsibility. This working arrangement and agreements also can consciously serve as a template for other partnerships between TriMet and other jurisdictions it serves in the region.

## Appendix B: Draft Preliminary List of Subsequent Code Amendments

<b>DRAFT - Preliminary List of Subsequent Code Amendments</b>			
<b>section</b>	<b>title</b>	<b>Issues</b>	<b>Reconciliation</b>
33.288	Special Street Setbacks	Setbacks must be landscaped to at least the L1 standard (no reference to allowances for pedestrian surfaces).	Consider deleting or modifying landscaped setback requirement, given 33.130 and M overlay requirements for a portion of transit street setback to be improved for pedestrian use.
33.410	Buffer zone	Applies to and references the C zones	Delete C zone provisions, given new 33.130 provisions that are similar.
33.480	Scenic Resources Zones	20' minimum street setback (C zones) – applies to a CM1 property in Garden Home.	Consider modifying to relate to the 10' maximum setback.
33.521	East Corridor	<ul style="list-style-type: none"> <li>• Building height (up to 100' in CM3)</li> <li>• FAR (4:1 in CM3 and some CM2, additional 2:1 FAR for residential development in one area).</li> <li>• Two-tier step down transitions.</li> <li>• Ground floor windows requirement references CX windows standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially adjust base FARs and possibly building heights to align with 33.130 base/bonus approaches.</li> <li>• Consider deleting plan district step down transitions (since step downs included in 33.130).</li> <li>• Modify ground-floor windows requirement, reflecting 33.130 changes and application of M overlay.</li> </ul>
33.526	Gateway	<ul style="list-style-type: none"> <li>• Building height (up to 75' in CM2)</li> <li>• FAR (3:1 in CM2, with additional 2:1 FAR for residential development).</li> <li>• Two-tier step down transitions.</li> <li>• Ground floor windows requirement references CX windows standard.</li> <li>• Includes provisions for EX and IR zones, which may be eliminated in Gateway.</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially adjust CM2 base FARs and possibly building heights to align with 33.130 base/bonus approaches.</li> <li>• Consider deleting plan district step down transitions (since step downs included in 33.130).</li> <li>• Modify ground-floor windows requirement, reflecting 33.130 changes (no separate CX requirements).</li> <li>• Amend references to EX and IR zones.</li> </ul>
33.532	Hayden Island	<ul style="list-style-type: none"> <li>• Building height (base height of 50'/80' in some</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially adjust base building heights and</li> </ul>

<b>DRAFT - Preliminary List of Subsequent Code Amendments</b>			
<b>section</b>	<b>title</b>	<b>Issues</b>	<b>Reconciliation</b>
		<ul style="list-style-type: none"> <li>CE zoned areas)</li> <li>FAR bonuses (FAR for residential development can be up to 3.75:1 in some CE zoned areas)</li> <li>Step-down transitions to residential zones.</li> </ul>	<ul style="list-style-type: none"> <li>residential bonus FARs to align with 33.130 base/bonus approaches.</li> <li>Consider deleting plan district step down transitions (since step downs included in 33.130).</li> </ul>
33.536	Hollywood	<ul style="list-style-type: none"> <li>Building height (up to 120' in some locations for buildings that include residential)</li> <li>FAR (floor area in residential or parking uses is not limited in some areas)</li> <li>Bonuses included for residential development and open space</li> <li>Two-tier step down transitions.</li> <li>Drive-through facilities allowed to be rebuilt as part of urban-scale development (Subdistrict B).</li> <li>15% landscape requirement for residential buildings in CS zone.</li> <li>Enhanced pedestrian street standards</li> </ul>	<ul style="list-style-type: none"> <li>Potentially adjust base FARs and possibly base heights to align with 33.130 base/bonus approaches.</li> <li>Consider if residential and open space bonuses should be deleted/modified, given 33.130 emphasis on affordable housing bonus and the plaza bonus.</li> <li>Consider deleting plan district step down transitions (since included in 33.130).</li> <li>Consider modifying urban drive-through allowance to align with similar 33.130 regulation.</li> <li>Consider deleting landscape requirement, given new 33.130 landscape requirements.</li> <li>Consider deleting enhanced pedestrian street standards (addressed by m-overlay).</li> </ul>
33.538	Kenton	<ul style="list-style-type: none"> <li>Building height (65' allowed in a CM2 location)</li> <li>FAR (6:1 allowed in a CM2 location)</li> <li>Active building use area Map 538-5</li> </ul>	<ul style="list-style-type: none"> <li>Potentially adjust base FARs and possibly base heights to align with 33.130 base/bonus approaches, or rezone to CM3</li> <li>Consider deleting active building use area requirement (addressed by m-overlay).</li> </ul>
33.550	Macadam	<ul style="list-style-type: none"> <li>FAR limited to 2:1 (all zones, including CM2 and CE)</li> </ul>	<ul style="list-style-type: none"> <li>Need to determine if 33.130 bonuses will be allowed or not in the plan district.</li> </ul>

<b>DRAFT - Preliminary List of Subsequent Code Amendments</b>			
<b>section</b>	<b>title</b>	<b>Issues</b>	<b>Reconciliation</b>
33.561	North Interstate	<ul style="list-style-type: none"> <li>• Building height (up to 100' in some CM3 areas, and up to 125' in some locations through discretionary design review)</li> <li>• FAR (4:1 in some CM3 areas.</li> <li>• Height step downs abutting and across streets from RF-1 zones</li> <li>• Active building use required</li> <li>• Ground floor windows requirement references CX windows standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially adjust base FARs and possibly base heights to align with 33.130 base/bonus approaches.</li> <li>• Consider deleting plan district step down transitions (since included in 33.130).</li> <li>• Consider modifying active building use requirement to align with similar m-overlay regulations.</li> <li>• Modify ground-floor windows requirement, reflecting 33.130 changes (no separate CX requirements).</li> </ul>
33.562	Northwest	<ul style="list-style-type: none"> <li>• Base building height (up to 75' in CM3 and future EG1)</li> <li>• Base FAR (up to 4:1 in some CM3 and future EG1 areas)</li> <li>• Bonus height and FAR (up to 120' bonus height in some locations, and various bonus FAR provisions, including for affordable housing)</li> <li>• Ground floor active use requirements</li> <li>• Use of accessory parking for commercial parking</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially adjust base FARs, base heights, and bonuses to align with 33.130 base/bonus approaches.</li> <li>• Consider whether or not EX plan district height and FAR allowances should continue for areas being rezoned to EG1.</li> <li>• Consider deleting ground floor active use requirements (addressed by m-overlay).</li> <li>• Consider whether changes are needed to allowances for accessory parking to be used as commercial parking, given new base zone regulations.</li> </ul>
33.567	Powell Boulevard	New residential uses prohibited in commercial zones.	Need to determine if affordable housing bonus, in the form in-lieu-of fees, can be used in the plan district
33.583	St Johns	<ul style="list-style-type: none"> <li>• Drive-through facilities allowed to be rebuilt as part of urban-scale development.</li> <li>• Exterior activities in EX (CM3) zone.</li> </ul>	<ul style="list-style-type: none"> <li>• Consider modifying urban drive-through allowance to align with similar 33.130 regulation.</li> <li>• Consider deleting allowances for specific exterior activities</li> </ul>



<b>DRAFT - Preliminary List of Subsequent Code Amendments</b>			
<b>section</b>	<b>title</b>	<b>Issues</b>	<b>Reconciliation</b>
		<ul style="list-style-type: none"> <li>Bonus height and FAR for housing in a location with CN2/CM2 zoning (up to 55' height, and additional .25 FAR for non-residential component)</li> </ul>	<p>in the EX/CM3 zones now that they are allowed in the base zone.</p> <ul style="list-style-type: none"> <li>Consider modifying CN2/CM2 bonuses to align with 33.130 base/bonus approaches.</li> </ul>



