ORDINANCE No.

Adopt the West Portland Town Center Plan Goals and Policies, Visions, Action Charts, Land Use Concept and Circulation Growth Concept Diagrams, and Coordinated Growth Strategy for Zoning and Infrastructure; amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33, and Citywide Design Guidelines. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

General Findings

- 1. The Portland City Council adopted the *Southwest Community Plan* on July 13, 2000, as a policy statement to guide public and private decision-making in the Southwest Community Plan area. The plan included the concept of a West Portland town center, regarding which City Council recommended that a separate land use plan be developed in the future to determine the appropriateness of a town center designation for the area. Previous to the *Southwest Community Plan*, the West Portland area was shown as a conceptual town center in the Metro 2040 Growth Concept, adopted by Metro Council in 1995, but this designation was not recognized in City of Portland policy.
- 2. The Portland City Council adopted the 2035 Comprehensive Plan on June 15, 2016, which became effective on May 24, 2018. The 2035 Comprehensive Plan designated the West Portland Town Center as a town center and included boundaries for the town center on the Comprehensive Plan Map. 2035 Comprehensive Plan policies provide guidance on the role of town centers, including the West Portland Town Center, as places with a wide range of housing options and that serve the needs of surrounding neighborhoods with concentrations of employment and commercial and community services, and that function as multimodal transportation hubs for the surrounding area.
- 3. Recognizing the need to guide growth in the West Portland Town Center to address policy objectives for town centers and equitable community development, the Bureau of Planning and Sustainability, in collaboration with other City bureaus and public agencies, initiated the *West Portland Town Center Plan* project in 2019. The goal of the project was to create a policy and regulatory framework for the West Portland Town Center to guide development, public improvements, and community benefit approaches in the town center, with a focus on addressing the needs and priorities of communities of color and others historically excluded from economic opportunities and who are at risk of displacement from rising housing costs.

- 4. The West Portland Town Center Plan was informed by a number of City, regional and community-based planning efforts that addressed growth issues and a potential light rail alignment in the Southwest Corridor, including the Barbur Concept Plan (2013), the Southwest Corridor Equitable Housing Strategy (2018), Southwest Portland Community-Based Solutions (2018), the Southwest Equitable Development Strategy (2019), and Southwest in Motion (2019).
- 5. The West Portland Town Center Plan's vision, priorities, and implementation actions were shaped by an inclusive public engagement strategy to ensure the project's community engagement included the area's diverse communities. The project's diverse Community Advisory Group and grants to community-based organizations that engaged immigrants, refugees, low-income renters and others helped center racial and social equity in all aspects of the project. Between February 2019 and March 2021, more than 600 residents many of whom were people of color, immigrants, and others historically excluded from economic opportunity were engaged in creating the West Portland Town Center Plan's vision and priorities.
- 6. Guided by community input and past plans and studies, the Bureau of Planning and Sustainability in collaboration with other City bureaus, developed the *Discussion Draft West Portland Town Center Plan*, which was released for public review on October 21, 2020.
- 7. The *Proposed Draft West Portland Town Center Plan* was released on August 9, 2021, for review by the public and the Portland Planning and Sustainability Commission (PSC). The PSC conducted an extensive review and plan revision process, including public hearings on September 14 and September 28, 2021; and work sessions on November 9 and November 30, 2021, and January 11, February 8, March 8, April 12, and June 14, 2022. The PSC voted on June 14, 2022, to forward to City Council their *Recommended Draft West Portland Town Center Plan*.
- 8. On August 10, 2021, notice of the *Proposed West Portland Town Center Plan* was mailed to the Department of Land Conservation and Development in compliance with the post- acknowledgement review process required by OAR 660-18-0020.
- 9. On August 10, 2021, a notice of the September 14, 2021, Planning and Sustainability public hearing on the *Proposed Draft West Portland Town Center Plan* was sent to the project's mailing list, individuals and organizations who requested such notice, the regional transit agency, Metro, Multnomah County, the Oregon Department of Transportation, all recognized organizations within the subject area, all recognized organizations, counties and municipalities within 1000 feet of the subject area, affected bureaus, special service districts, school districts, and other interested parties.
- 10. On August 11 and 12, 2021, 1,058 1,184 notices of the *Proposed Draft West Portland Town Center Plan* and Planning and Sustainability Commission hearing

were sent to all property owners potentially affected by proposed zoning map and code changes, as required by ORS 227.186. Property owners received a separate notice for each property potentially affected by the proposal.

- 11. On September 28, 2021, the Portland Design Commission held a joint public hearing with the PSC on the *Proposed Draft West Portland Town Center Plan*. The Design Commission discussed design-related components of the plan during work sessions on December 9, 2021, and January 27 and March 3, 2022. The Design Commission voted on March 3, 2022, to recommend that City Council adopt the design-related provisions of the *Proposed Draft West Portland Town Center Plan*.
- 12. On September 7, 2022, BPS published the Planning and Sustainability Commission's *Recommended Draft West Portland Town Center Plan*. The plan contains the following elements:
 - Volume 1, Plan and Actions. This document includes the community visions, action charts, the Land Use Growth Concept and Circulation Growth Concept diagrams, and the Coordinated Growth Strategy for Zoning and Infrastructure. These elements will serve as non-binding City policy and will be adopted by a separate resolution.
 - Volume 2, Zoning Code and Map Amendments, Design Overlay Character Statement, and Comprehensive Plan Policy and Map Amendments: Central City Plan District. This document includes amendments to Title 33, Planning and Zoning, that implement the land use policies of the plan. It also contains amendments to the Comprehensive Plan, Comprehensive Plan Map, and the Zoning Map for the West Portland Town Center, as well as a West Portland Town Center Character Statement that will be part of the Citywide Design Guidelines.
- 13. A public notice of the October 12, 2022, Portland City Council public hearing on the *Recommended Draft West Portland Town Center Plan* was sent on September 22, 2022, to the project's mailing list, those who testified to the Planning and Sustainability Commission, individuals and organizations who requested such notice and other interested parties.
- 14. The West Portland Town Center Plan Findings of Fact Report, attached as Exhibit A, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.

NOW, THEREFORE, the Council directs:

a. Amend the 2035 Comprehensive Plan to add the goals and policies of the West Portland Town Center Plan, as shown in Section 7 of Exhibit C (West Portland

- Town Center Plan Volume 2 <u>As Amended, dated October 27, 2022</u>), by adding a reference to Figure 1-3 of the 2035 Comprehensive Plan.
- b. Amend the Comprehensive Plan Map as shown on the map entitled "Proposed Comprehensive Plan Map" in Section 8 of Exhibit C (*West Portland Town Center Plan Volume 2 As Amended*).
- c. Amend the official Zoning Map to apply base zones and apply overlay zones, including application of the Design overlay zone and removal of the Centers Main Street overlay zone, as shown on the map entitled "Proposed Zoning Map" in Section 8 of Exhibit C (West Portland Town Center Plan Volume 2 <u>As Amended</u>).
- d. Amend Title 33, Planning and Zoning, as shown in Section 5 of Exhibit C (West Portland Town Center Plan Volume 2 <u>As Amended</u>).
- e. Amend the Citywide Design Guidelines to the add the West Portland Town Center Character Statement, as shown on pages 4 and 5 and 6 in Section 6 of Exhibit C (West Portland Town Center Plan Volume 2 <u>As Amended</u>), and amend the Table of Contents and add the "A Guide to the Document" page as non-binding explanatory material, as shown on page 3 and 4 in Section 6 of Exhibit C (West Portland Town Center Plan Volume 2 <u>As Amended</u>).
- f. Adopt the Community Visions as shown pages 26 and 69 of Exhibit B (*West Portland Town Center Plan Volume 1 <u>As Amended, dated October 27, 2022</u>), as Non-Binding City Policy to provide legislative intent for the <i>West Portland Town Center Plan* goals and policies.
- g. Adopt the Land Use Growth Concept and the Circulation Growth Concept diagrams as shown on pages 37 and 59 of Exhibit B (*West Portland Town Center Plan Volume 1 As Amended*), as Non-Binding City Policy, as guidance to help City bureaus and public and private partners prioritize investments to support the West Portland Town Center's growth and shape its urban form and connectivity. City bureaus and other implementors may vary from these concepts without City Council action.
- h. Adopt the Coordinated Growth Strategy for Zoning and Infrastructure section on pages 98-103 of Exhibit B (*West Portland Town Center Plan Volume 1 <u>As Amended</u>), as Non-Binding City Policy, as general guidance on the sequencing of future zoning changes and infrastructure improvements in the West Portland Town Center.*
- i. Adopt the Action Charts contained in Exhibit B, Volume 1 As Amended of the West Portland Town Center Plan, as Non-Binding City Policy, with the understanding that:
 - 1. The actions associated with the West Portland Town Center Plan action charts are adopted by City Council as a starting place from which to

- develop projects and programs that will help implement the goals and policies of the plan;
- 2. All actions are adopted with the understanding that they may need to be adjusted or replaced with more feasible alternatives, and that adjustment or replacement of the actions does not require further City Council action. Identification of lead and partner implementers for an action is an expression of interest and support with the understanding that circumstances may change over time and may affect implementers' ability to take action; and
- 3. The City Council authorizes the City bureaus identified in the West Portland Town Center Plan action charts as implementers to engage in activities aimed at implementing the projects and programs called for in the action charts.
- j. Adopt Exhibit A (West Portland Town Center Plan Findings of Fact Report, as amended, dated November 2022), the Introduction Section of Exhibit B (West Portland Town Center Plan Volume 1 <u>As Amended</u>), and Exhibit D (Volume 3 Appendices) as further findings.
- k. Adopt the commentary in Exhibit C (West Portland Town Center Plan Volume 2 <u>As Amended</u>) as legislative intent and further findings.
- 1. Direct the Bureau of Transportation to consider items from the Transportation System Plan Project List Changes on pages 112 123 of Exhibit B (*West Portland Town Center Plan Volume 1 As Amended*) with the next update to the *Transportation System Plan*.

Section 2. Effect

The directives of this ordinance will take effect on March 31, 2023.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.



October 25, 2022

MEMORANDUM

TO: Mayor Wheeler and City Council members

FROM: Bill Cunningham, Joan Frederiksen, BPS Project Staff

COPY: Donnie Oliveira, Director; Patricia Diefenderfer, Chief Planner

SUBJECT: West Portland Town Center Plan Amendments for Consideration on October 27, 2022

On October 27 at 3:30 p.m. time certain, Council will continue their deliberations on the West Portland Town Center Plan Recommended Draft and will discuss and vote on amendments. The session is expected to include the following:

I. Staff presentation providing responses to Commissioners' questions and overview of minor amendments requested by City Commissioners

II. Discussion and vote on amendments

The following pages of this memorandum serve as a guide to the draft amendments requested as of today. The only amendments requested are of a minor or technical nature, identified by staff. They clarify or correcting text in the proposed West Portland Zoning Code amendments or in the Citywide Design Guidelines document. A list of the requested amendments is attached, along with the actual amendments language.

Staff will return to City Council in November, on a date to be determined, with the amended Recommended Draft and ordinance, incorporating outcomes from the amendment votes, along with revised findings.

West Portland Town Center Plan – Amendments Guide

October 27, 3:30 pm time certain

WPTC Plan Amendments Table

#	Amendment	Description	Page	Vote
1	33.595.130 Minor change to Required Ground Floor Active Use regulation	Minor amendment to clarify that this requirement for non- residential ground floor active uses only applies in the commercial/mixed use zones.	3	
2	33.595.230.C.3. Code reference correction	Reference to the Daycare or Community Service FAR bonus corrected to 33.595.220.B.2.	4	
3	Guidelines Add Table of Contents appendix references	Amend the Table of Contents (Page 4) to indicate location of document's Character Statements in the Citywide Design Guidelines Appendix section.	5	
4	Citywide Design Guidelines Amend explanatory text on the "A Guide to the Document" page	Amend the "A Guide to the Document" page regarding the Character Statement pages to revise the following explanatory text: "Quotes - Reminder of the community voices which helped shape this document and highlights one of their main concerns."	7	

Full Amendment Text

Note regarding replacement code or text: amended text is highlighted in yellow to provide clarity regarding the changes, but this shading will not be included in the final version of the code amendments.

Proposed Amendments to Recommended Draft Zoning Code Chapter 33.595

1. 33.595.130

Minor change to Required Ground Floor Active Use regulation

Sponsored by: Commissioner Rubio

Explanation: This minor amendment clarifies that this requirement for non-residential ground floor active uses only applies in the commercial/mixed use zones. There are a small number of multi-dwelling zone sites on the mapped commercial corridors where this regulation will apply, for which this regulation will not be practical and which were not intended to be subject to this regulation.

Replacement Code:

33.595.130 Required Ground Floor Active Use

- **A.** Where this regulation applies. This regulation applies in commercial/mixed use zones.
- **B.** Required ground floor active use. On sites that abut a commercial corridor shown on Map 595-3, and on sites that abut any street in the Barbur Transit Center shown on Map 595-3, 25 percent of any ground level floor area located within 100 feet of the lot line that abuts the corridor or street shown on Map 595-3 must be in one of the following active uses. Only uses allowed in the base zone may be chosen:
 - 1. Retail Sales and Service;
 - 2. Office;
 - 3. Industrial Service;
 - 4. Manufacturing and Production;
 - 5. Community Service;
 - 6. Daycare;
 - 7. Religious Institutions;
 - Schools;
 - Colleges. If a College use is provided to meet this regulation, the floor area must be in one or more of the following functions: lobby; library; food service; theatre; meeting area; or
 - Medical Centers. If a Medical Center use is provided to meet this regulation, the floor area must be in one or more of the following functions: lobby; waiting room; food service; out-patient clinic.

2. 33.595.230.C.3. Bonus Height

Code reference correction

Sponsored by: Commissioner Rubio

Explanation: This technical amendment corrects an incorrect code reference. Reference to the Daycare or Community Service FAR bonus should be 33.595.220.B.2. This cross reference is currently incorrectly stated as 33.595.210.B.2.

Replacement Code:

33.595.230 Bonus Height

A.-B.[No change to Recommended Draft]

- C. Bonus height. An increment of 10 feet of additional building height above the base height limits of the base zone is allowed in all commercial/mixed use zones in the plan district for each of the following. Base height is shown in Table 130-2 and Table 595-3. The 10-foot height increments allowed by this standard can be combined to provide multiple increments of 10 feet of additional height. The maximum overall height with bonus is shown in Table 595-3. When a height bonus option listed below is used to increase the base height, the step-down height limits do not increase. Adjustments are prohibited.
 - 1.-2. [No change to Recommended Draft]
 - 3. Proposals utilizing the FAR bonus for Daycare or Community Services uses described in 33.595.220.B.2. If the proposal includes residential uses, the proposal must comply with the inclusionary housing standards of 33.245.040 and 33.245.050 in order to qualify for this height bonus.
 - 4.-5. [No change to Recommended Draft]

Proposed Amendments to Portland Citywide Design Guidelines Document

3. Citywide Design Guidelines

Add Table of Contents appendix references

Sponsored by: Commissioner Rubio

Explanation: Amend the Portland Citywide Design Guidelines, Table of Contents (Page 4) to indicate the location of document's design district Character Statements. The WPTC Plan is adding a character statement for West Portland, but the document's Table of Contents includes no reference to the contents of the appendix section, which includes the Character Statements for each design district. This amendment does not change any design guideline and will not change any design review requirements, but is being added to assist users of the document.

Revised Citywide Design Guidelines Table of Contents Page (see next page)

Note: This page is not currently included in the West Portland Town Center Plan and will need to be added to Volume 2, Section 6 (West Portland Town Center Character Statement). New Table of Contents text is underlined and shown in a yellow box.

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4 PORTLAND CITYWIDE DESIGN GUIDELINES

4. Citywide Design Guidelines

Amend explanatory text on the proposed "A Guide to the Document" page related to design district Character Statements

Sponsored by: Commissioner Rubio

Explanation: In Volume 2 of the Recommended Draft, on page 3 of Section 6 (West Portland Town Center Character Statement), amend the "A Guide to the Document" page explanatory text to revise an explanation regarding community quotes as follows: "Quotes - Reminder of the community voices which helped shape this document—and highlights one of their main concerns." This minor edit is being made because community quotes used in the Character Statements are not only about concerns. This amendment does not change any design guideline and will not change any design review requirements, but is an edit to explanatory text.

Revised "A Guide to the Document" page (see next page)

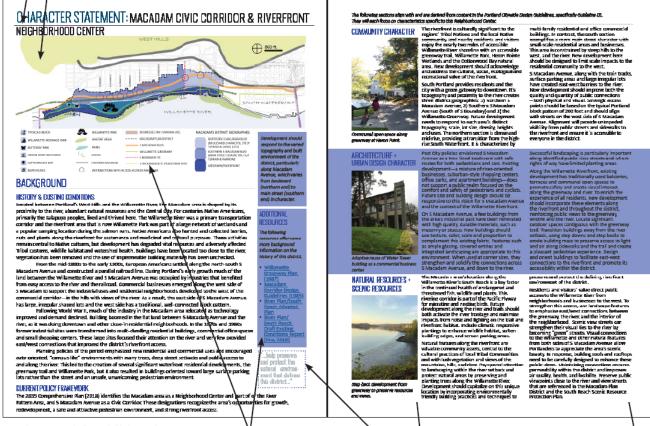
Note: The text to be removed is shown as crossed out text, highlighted in yellow, under the heading "Quotes" on the following page, included on Page 3 of Section 6 (West Portland Town Center Character Statement) in West Portland Town Center Plan Volume 2. The crossed out text and yellow highlighting will not be included in the final version of the plan.

A GUIDE TO THE DOCUMENT

Each character statement addresses an area's history and future desired character and has the same structural components.

THE CHARACTER STATEMENT PAGES:

- **Title** serves to inform on statement area location and designation
- **Diagrammatic Map** serves to complement the text by diagramming an area's current and future defining features (i.e. connections, landmarks, natural resources, etc.)



Background & Additional Resources

Provide a summary of the area's history and future policies to inform the character sections. Resources in the grey box are intended provide applicants easier access to information, prompt more research (and outreach) during the project's development and to better understand how current conditions were created in hopes to begin to address past harms and harness the area's most valued assets for all residents.

Quotes -

Reminder of the community voices which helped shape this document and highlights one of their main concerns.

Photos -

Supports each character section by illustrating existing context and design approaches.

Character Sections

Highlight an area's distinct and unique qualities, including community concerns or issues. They provide ways to address them to meet Guideline 01. These approaches function as an extension of the Guidelines and are not intended to be used as a checklist of recommended solutions. Other approaches not listed may also be used.

PORTLAND CITYWIDE DESIGN GUIDELINES