

Implementation Amendments
*(Comprehensive Plan and Map, Zoning Map and Code,
and Design Guidelines)*

September 2006

**Adopted by Portland City Council
August 16, 2006
Ordinance No. 180372**



122nd Avenue Station Area Study

Implementation Amendments *(Comprehensive Plan and Map, Zoning Map and Code, and Design Guidelines)*

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Effective Date: September 30, 2006
(except where otherwise specified)



CITY OF PORTLAND, OREGON
BUREAU OF
Planning

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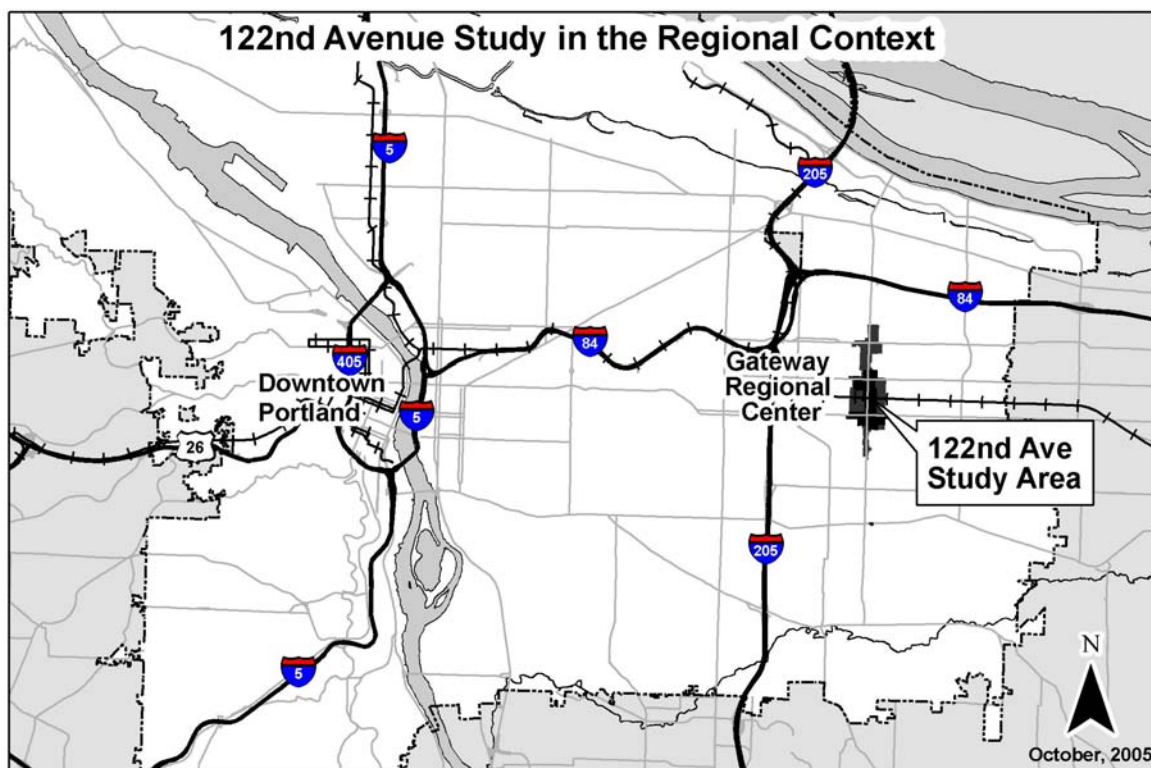
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Introduction

What is this Document?

The *122nd Avenue Station Area Study: Implementation Amendments* contains City Council adopted amendments to the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Zoning Code, and *Community Design Guidelines* for the area near the 122nd Avenue MAX light rail station. The amendments generally implement the land use and development design recommendations of the *122nd Avenue Station Area Study: Phase One Report and Recommendations* (Appendix 2). The phase one report recommended changes in land use and development policies and regulations to allow development flexibility for auto-oriented land uses and those that use exterior display and storage near the 122nd Avenue Transit Station, while maintaining aspirations for higher density, transit-supportive development in the long term.

The *122nd Avenue Station Area: Phase One Report and Recommendations* also contained recommendations for streetscape improvements and other transportation system improvements that require further impact and design analysis and development before action may be taken on them. This document does not address the transportation aspects of the 122nd Avenue Study. However, these issues may be considered by Portland City Council at a future date.



The 122nd Avenue study area location in the City of Portland.

Summary of the Study Planning Process

The 122nd Avenue Station Area Study, initiated in November 2004, was requested by Portland City Council, and stemmed from issues raised in testimony during review and adoption of the *Gateway Planning Regulations Project* (May 2004). The *Gateway Planning Regulations Project* separated the newly-created East Corridor Plan District (Portland Zoning Code Chapter 33.521) from the existing Gateway Plan District (Portland Zoning Code Chapter 33.526). The East Corridor Plan District applies regulations to address land use and development near the eastside MAX corridor between NE Glisan Street and SE Stark Street. During that planning process, a question was raised about the role and treatment of uses in the plan district area, such as auto dealers, that employ exterior display and storage as a part of development. These types of development have increasingly been limited or prohibited by code in transit-oriented areas such as MAX stations.

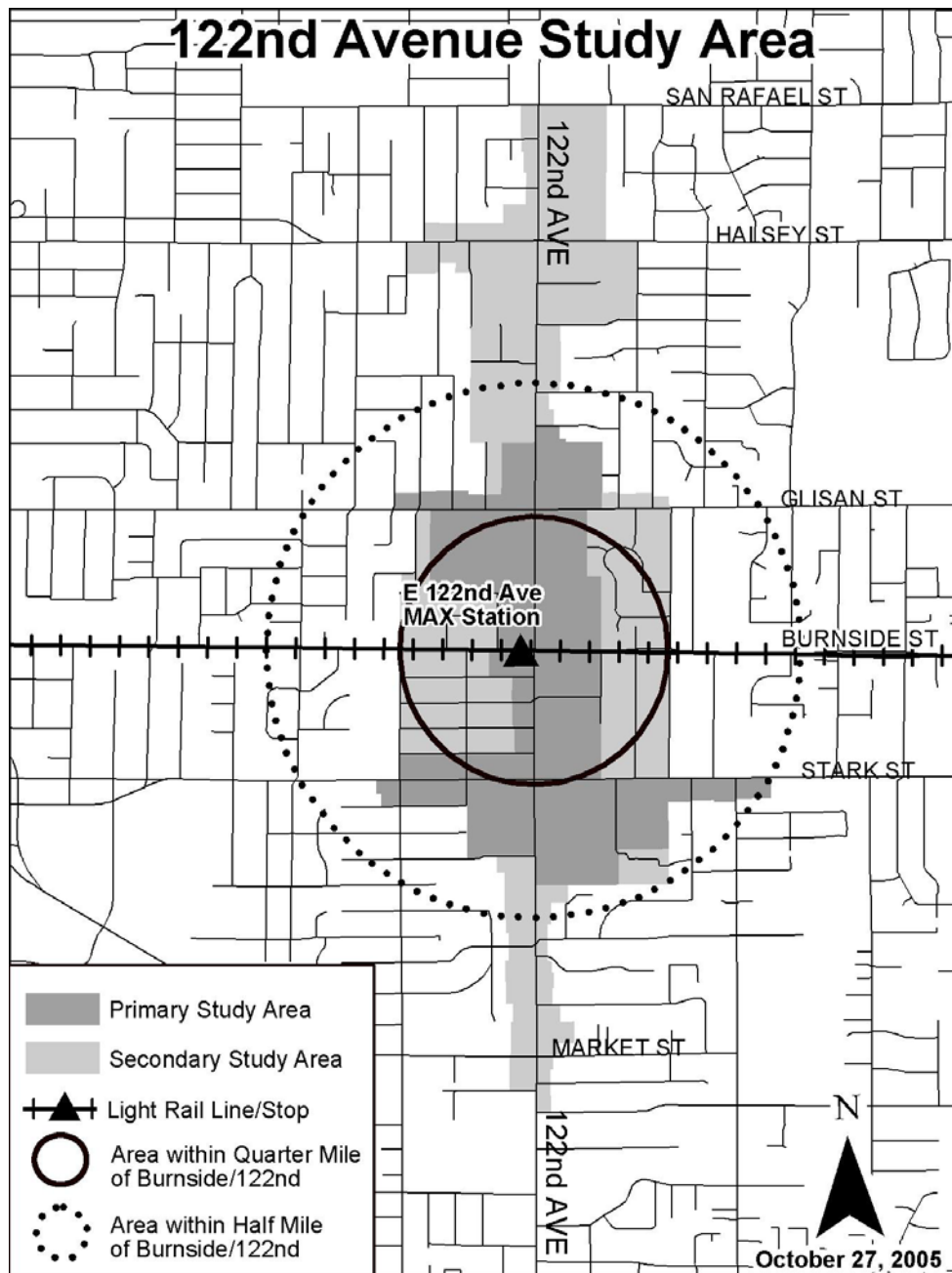
The Portland Bureau of Planning conducted a public process from November 2004 to July 2005 to evaluate conditions and consider alternatives in the 122nd Avenue station area. This process included monthly meetings from November 2004 to June 2005 of a study working group (SWG) composed of local neighborhood and business representatives, and public agencies. The public process also included three larger public meetings (February 2005, April 2005, and June 2005) where the public discussed options presented by staff and a consultant team funded through an Oregon Transportation and Growth Management (TGM) grant. The result of that effort was the June 2005 *122nd Avenue Station Area Study: Phase One Report and Recommendations* (Appendix 1). See Appendix 1 for further detail on the study public process.

To implement the *122nd Avenue Station Area Study: Phase One Report and Recommendations*, the Bureau of Planning developed draft Comprehensive Plan and Zoning Map and Code alternatives, and amendments to the *Community Design Guidelines*. These were shared with the working group, local neighborhood associations, and business stakeholders. The draft alternatives and amendments were refined into an implementation amendments proposal that was submitted to the Portland Planning Commission and Portland Design Commission for consideration in Autumn 2005.

The Planning Commission held a public hearing and took testimony on November 22, 2005. The Portland Design Commission held a public hearing and took testimony on January 5, 2006. Both commissions held further work sessions on the proposal, and made further amendments to the Bureau of Planning proposal based on testimony and other feedback. The Design Commission approved amendments to *Community Design Guidelines* on February 2, 2006. The Portland Planning Commission approved amendments to the Portland Comprehensive Plan, Comprehensive Plan Map, Zoning Map, and Zoning Code on February 14, 2006.

The Bureau of Planning proposed additional changes to the Portland Zoning Code Chapter 33.521, East Corridor Plan District, to clarify the intent and improve the applicability of the Planning Commission's recommended Zoning Code amendments. The Portland Planning Commission held a hearing on April 25, 2006, to consider these changes and to confirm the Planning Commission's February 14, 2006, recommendation for Map 521-4, Areas Where Exterior Display and Storage are Allowed. The Planning Commission approved the proposed changes, and confirmed their previous map recommendation. The final recommendations were forwarded to Portland City Council for consideration.

The Portland City Council considered the recommendations of the Planning Commission and Design Commission at a public hearing on June 15, 2006. Several issues were raised in testimony, and amendments to the recommendations were proposed. The City Council continued the public hearing to June 28, 2006, and August 2, 2006, to take additional testimony on the proposed amendments. The City Council considered and approved several amendments to the commissions' recommendations. These amendments are incorporated in the adopted map and code provisions shown in this document.



The 122nd Avenue station study area.

How this Document is Organized

This document contains the following sections:

- A. Summary of Phase One Recommendations** is a brief summary of the recommendations that were outcomes of phase one of the 122nd Avenue Station Area Study public process that began in Autumn 2004. The document, *122nd Avenue Station Area Study: Phase One Report and Recommendations*, is an appendix.
- B. Amendments to the Comprehensive Plan, Comprehensive Plan Map and Zoning Map** is a written and graphic (map) description of adopted changes.
- C. Amendments to Title 33, the Portland Zoning Code** contains adopted amendments to the Portland Zoning code that work in conjunction with Comprehensive Plan, Comprehensive Plan Map and Zoning Map amendments to implement desired changes.
- D. Amendments to the Community Design Guidelines** contains adopted amendments to the Portland Community Design Guidelines to specify the unique circumstances in the 122nd Avenue station area as an aid in design review.

The **Appendix** contains:

- 1. Ordinance 180372, which adopts the amendments; and
- 2. The *122nd Avenue Station Area Study: Phase One Report and Recommendations*. This report was completed in June 2005 and was the result of a six month public process to explore land use development and transportation issues in the 122nd Avenue station area.

A. Summary of Phase One Recommendations

122nd Avenue Station Area Study Phase One Report Summary

The *122nd Avenue Station Area Study Phase One Report and Recommendations* was the result of a six-month effort initiated by the City of Portland Bureau of Planning with a grant from the Oregon Transportation and Growth Management Program. This grant funded a consultant team led by SERA Architects that, in conjunction with the City project team, analyzed land use, transportation, and regulatory issues in the 122nd Avenue station area.

A public process was conducted to review existing conditions in the area, as well as various alternatives for future development, the public realm, and the interface between public and private spaces. The result was a set of phase one study recommendations that aim to strike a balance between the auto-oriented uses in the area and aspirations for a more transit-oriented and pedestrian-friendly future.

Study Area

The study is focused on the area around the MAX light rail station at 122nd and East Burnside Street, with a primary study area generally running from NE Glisan to SE Stark Streets, and the secondary study area going from approximately NE Halsey to SE Mill Streets and from 117th to 127th Avenues.

Background

Since the introduction of MAX light rail transit in the mid-1980s, public policies have promoted more intense development around the 122nd Avenue MAX station, focusing on development that benefits from being near the station and that helps encourage transit use. The regulations that implement this policy have made it difficult for established auto-oriented development in the area to improve or expand operations without significant changes to development forms. As a follow-up to the 2004 *Gateway Planning Regulations Project*, stakeholders asked the City of Portland to review land use policies along 122nd Avenue and to address the issues that transit-oriented development policies create for established and growing auto-oriented uses. The 122nd Avenue Station Area Study was undertaken to explore ways to meet the transit-oriented goals for the area while dealing with the reality and needs of its auto-oriented uses.

Study Mission

The general mission of the 122nd Avenue Station Area Study is to:

Foster the creation of a positive and distinctive place at the 122nd Avenue transit station, and to coordinate public and private investments along the 122nd Avenue main street and in the station area in order to:

- Build on the area's light rail assets;
- Improve the area's appearance and function;
- Serve adjacent residents and nearby neighborhoods; and
- Support businesses that serve both local and regional customers.

The following goals and objectives were developed as part of phase one of the 122nd Avenue Station Area Study.

Study Goals and Objectives

Foster a stronger “Sense of Place”

- Create focal points of activity (nodes) that support concentrations of active businesses and residences
- Integrate neighborhood-serving businesses within areas that include established businesses that serve a larger market area
- Support light rail transit (MAX) investments with more intense development near the station area
- Create safe, defensible spaces
- Foster “greening” of the area through landscaping in key areas and sustainable stormwater management practices

Enhance the Pedestrian Environment

- Create streets and pedestrian connections that are convenient, direct, comfortable, appealing and safe
- Improve the appearance of 122nd Avenue and other key streets with trees and other features
- Minimize the visibility of surface parking and vehicle storage areas; cluster parking where possible to serve multiple uses
- Organize parking access points to reduce conflicts with pedestrians and traffic

Manage Traffic and Transportation

- Balance transportation modes and optimize the system
- Provide traffic calming and improve safety through street design
- Limit cut-through traffic in neighborhoods

Improve Access to and within the Area

- Ensure access to the area through connections to the broader system (traffic, transit, bike, pedestrian)
- Plan for new streets where appropriate
- Improve existing and add new pedestrian crossings across 122nd Avenue
- Improve and add pedestrian connections east and west to link with 122nd Avenue and other key streets

Catalyze Future Investment

- Build on synergies: link land uses and activities
- Foster a strong business environment to serve local and broader markets
- Emphasize high-quality design and durable construction materials in new development.
- Plan for foreseeable economic and development horizons, but do not preclude potential for new ideas or market changes

The concept for the 122nd Avenue station area blends the established auto-oriented uses in the area with aspirations for a more transit-oriented and pedestrian-friendly future. It accomplishes this objective by focusing pedestrian-friendly development and community-serving land uses at key intersections and other locations in the area. These intersections (122nd with Glisan, Burnside, and Stark) are well served by transit and are the key community entry points to this section of the 122nd Avenue main street. In key locations between transit intersections, the concept provides for more flexibility to accommodate land uses, such as auto dealers, that feature exterior display and storage as part of their site development. Well-designed and landscaped exterior display areas are expected to provide an attractive environment for customers, as well as enhance the area's character for pedestrians, bicyclists, and motorists.

Development Framework

[illegible]

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122nd Avenue Station Area Study Implementation Amendments
Adopted Report
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Connectivity Plan

The recommended connectivity plan shows the locations for future streets and connections in the station area. It is designed to provide, over time, more convenient and direct connections to the 122nd Avenue transit station and nearby commercial activities from adjoining neighborhoods. The plan also provides a pattern for future development that is supportive of the more frequent connections needed for a walkable, transit-oriented area.

Streetscape

The recommendations for streetscape enhancements are designed to improve the appearance of the 122nd Avenue station area while providing improved pedestrian safety and accessibility. The recommended approach balances the needs for turn movements and access with a desire for improved appearance, and allows for implementation over time.

Sidewalks and Building Setbacks

The recommendations for sidewalks and building setbacks are designed to foster an environment that is pleasing to and convenient for pedestrians, transit users, and motorists. They also respond to the different environments created at intersection “nodes” and the areas in between. Sidewalks along 122nd and arterial streets in the Ventura Park Pedestrian District are designed to mitigate the impacts of heavy traffic volumes on pedestrians by providing a generous buffer between pedestrians and traffic. Further, street tree and landscaping treatments are set to provide an aesthetic “greening” effect while better managing stormwater. Maximum building setbacks between the nodes are recommended to be increased for residential buildings to provide greater buffering from the street, as well as for retail businesses that may utilize exterior display areas.



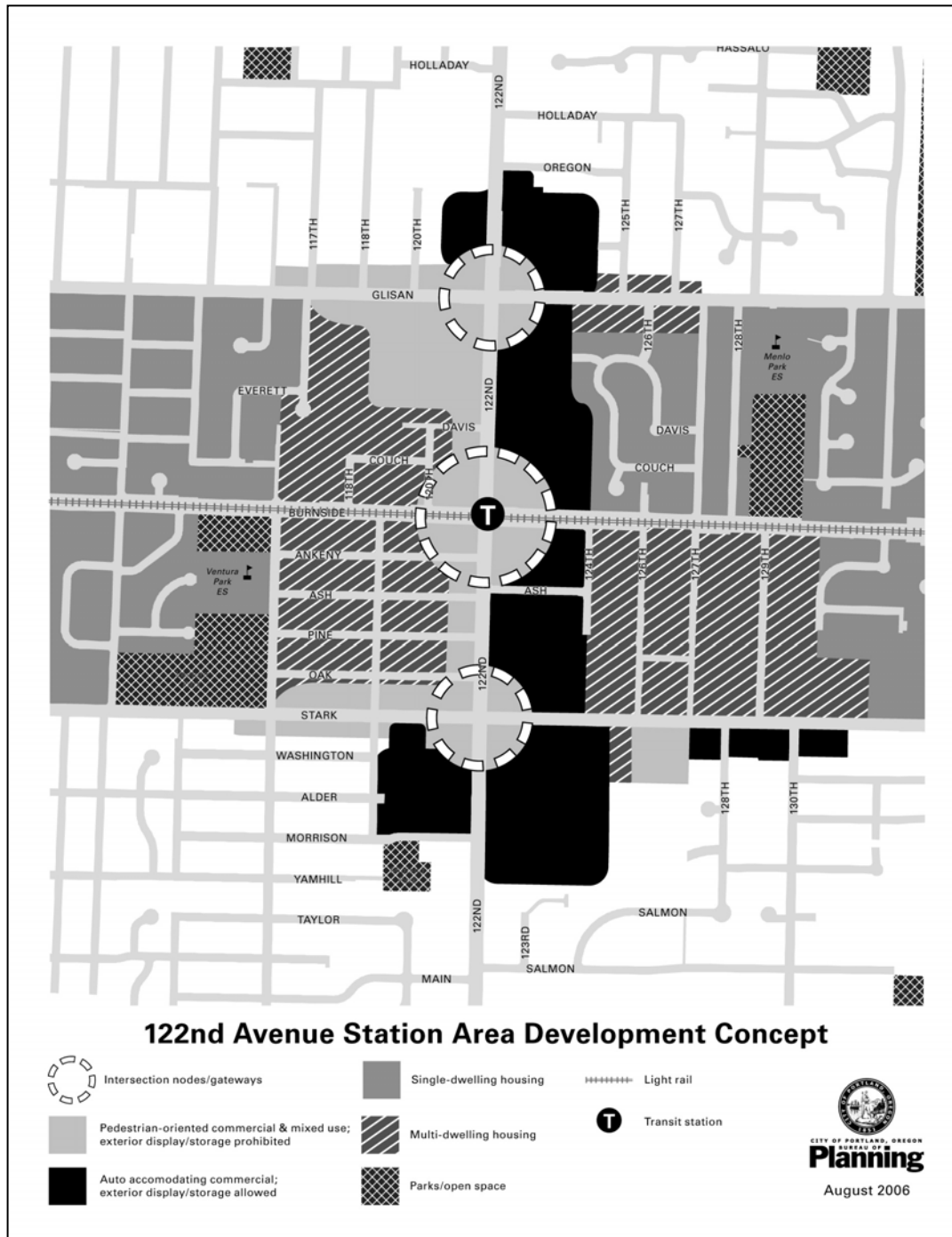
Existing conditions (left) on 122nd Avenue and a concept of future development and streetscape enhancements (right). In the future, the 122nd Avenue streetscape may be enhanced with wider sidewalks, street trees, pedestrian refuges and curb extensions. The built environment features some buildings near the street, such as those at the nodes and those without exterior display. Residential uses and uses with exterior display may choose to employ larger setbacks. Exterior display areas “between the nodes” are well landscaped and contribute to the pedestrian experience.

Site Design

The recommendations for site design at the intersection “nodes” encourage an intensely developed mix of retail, office, housing, and mixed-use development that is pedestrian-oriented but accessible by automobiles. In between nodes, site design recommendations call for more flexibility for businesses that feature exterior display, with limitations on the size and location of display areas, and site development plans that may allow for future redevelopment opportunity. In both areas, enhanced design guidelines and/or standards are recommended to encourage a high level of building quality, landscaping, and other features that help ensure compatibility with other uses in the station area.

122nd Avenue Station Area Development Concept

The development concept for the 122nd Avenue Station Area calls for encouraging pedestrian-oriented, community retail and mixed-use development at transit intersection nodes (Glisan, Burnside, Stark), and along major portions along the west side of 122nd Avenue. The concept calls for providing increased flexibility for auto-accommodating uses and regional retail with allowances for exterior display and storage of merchandise on the east side of 122nd Avenue between major intersections.



B. Amendments to the Comprehensive Plan and Map, and Zoning Map

The Portland Comprehensive Plan and the *Outer Southeast Community Plan* (OSECP) set the policy framework for the study area. The OSECP contains Subarea Policy V: MAX LRT (light rail transit) Corridor. The policy is stated below, along with objectives. As a result of the *122nd Avenue Station Area Study*, it was determined that uses with exterior display and storage may be allowed in identified areas near the transit station, and that site configurations with exterior display and storage are appropriate in key locations until such time that market forces dictate more substantial change. To acknowledge this, Subarea Policy V, Objective 1, is amended as shown below.

Outer Southeast Community Plan Subarea Policy V: MAX LRT Corridor

Ensure that private development reinforces and is reinforced by the public light rail investment by encouraging development of intense commercial and dense residential uses near the MAX light rail stations.

Objectives:

1. *Encourage the long term redevelopment and intensification of large underused or auto-oriented sites along 122nd Avenue to a mixture of commercial and residential uses.*
2. *Improve the pedestrian orientation of buildings and streets around light rail stations.*
3. *Increase housing densities within one-quarter mile of a transit stop to at least medium-density multifamily, as the appropriate opportunity arises, and apply transit-supportive zones to commercially-zoned land.*
4. *Increase housing densities within one-half mile of the light rail stations to at least the higher density single family designations as the appropriate opportunity arises.*
5. *Establish through connections at approximately 400-foot intervals from east to west and north to south directions as the opportunity exists.*
6. *Provide sidewalks and separate them from traffic by street trees and parked cars wherever possible.*

Comprehensive Plan Map and Zoning Map

The Portland Comprehensive Plan Map guides land use and development patterns. It specifies, by site, where various land uses can be located in the future. The Comprehensive Plan Map designations protect community livability and provide certainty for those wishing to develop or redevelop their land. The designations are tied to policy statements in the Comprehensive Plan.

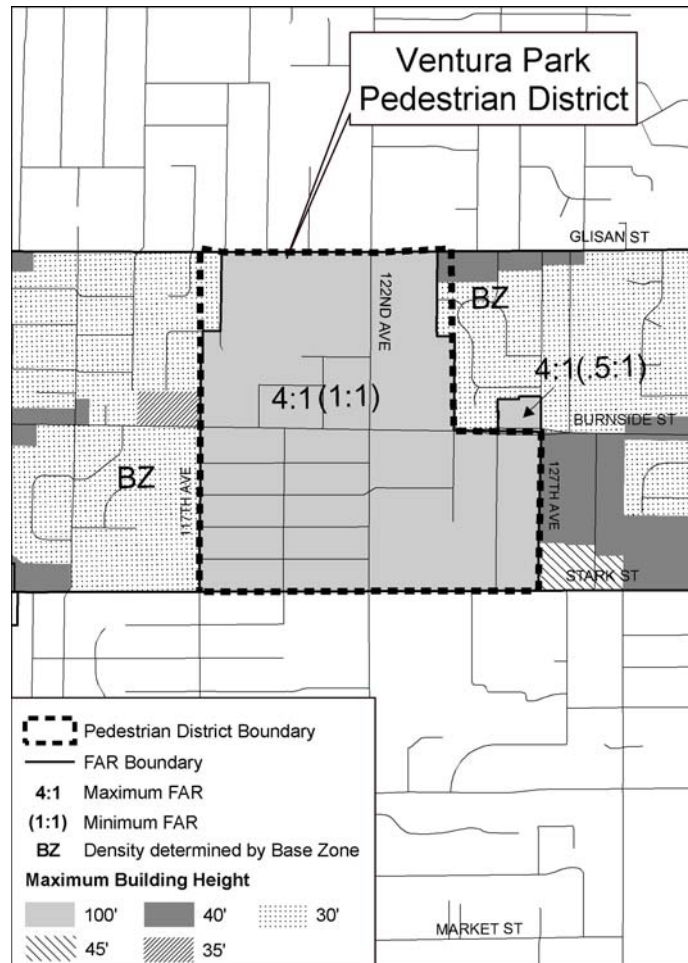
Each Comprehensive Plan Map designation corresponds with one or more “zones,” which are defined in Title 33: Planning and Zoning Code. Zoning is a tool that helps implement the Comprehensive Plan map. The Zoning Code contains regulations that specify the permitted development type, scale, and density on a given site. Zones include provisions that regulate the use of land and some aspects of design. Like the Comprehensive Plan Map, there is also a Zoning Map that specifies which zone is applied to every site within the city. The Comprehensive Plan Map is “superior” to the Zoning Map, meaning the Zoning Map should not allow development that is more intensive or different than that allowed by Comprehensive Plan map designations.

In addition to the “base” Comprehensive Plan map and zoning designations, sites may have further regulations through the application of “overlay” zones or plan districts. These regulations supersede the “base” designations, and may be more or less restrictive than the base designation. Overlay zones apply to specific circumstances rather than specific areas of the city and may deal with issues like design review, buffers, and environmentally sensitive areas. A plan district is created and applied in only one area of the city to address unique characteristics and development issues. The 122nd Avenue station area uses overlay zones as well as a plan district as implementation tools.

In addition to base zoning, the study area is subject to the East Corridor Plan District (Portland Zoning Code Chapter 33.521), which has development standards that apply to sites in the entire plan district, and special regulations that apply within designated pedestrian districts around light rail stations. The 122nd Avenue transit station area -- generally defined as the area bounded by NE Glisan on the north, SE Stark on the south, 117th Avenue on the west, and 127th Avenue on the east -- is also designated as the Ventura Park Pedestrian District (see map).

The 122nd Avenue area also has specific maximum heights and floor area ratios (FAR) that apply to the area. No changes were made to the maximum height (100 feet maximum) or maximum FAR (4:1, with an additional 2:1 allowed for projects with 80% residential floor area) currently allowed in the area.

Properties are subject to the plan district regulations, and the regulations of the new subdistrict created for the 122nd Avenue area (see code amendments, Section C).



The map above shows the Ventura Park Pedestrian District boundary, and allowed maximum floor area ratios and maximum building height limits.

The design overlay zone is currently applied to multidwelling residential zones in the area. The adopted changes apply the design overlay zone to commercial zones to enhance design and compatibility for all development in the station area. Specific design guidelines are discussed in Section D of this document. A Type II design review procedure applies.

Changes to the Comprehensive Plan Map and Zoning Map

The adopted Comprehensive Plan Map and Zoning Map designations for the area are shown on page 15. Changes to the previous Comprehensive Plan and Zoning Map are shown on page 17.

The following is a summary of changes to the Comprehensive Plan Map and Zoning Map.

CS (Storefront Commercial) to CXd (Central Commercial): This change applies to several large and/or auto-oriented sites within the station area. The total area affected is approximately 48 acres. The Central Commercial (CX) zone is intended to provide for commercial development in Portland's most urban and intense areas. The CX zone was selected because: (1) currently allowed FAR (4:1 with 2:1 bonus) and height limits (100 feet) in the East Corridor Plan District exceed those allowed by the CX base zone (4:1; 75 feet); (2) the ground floor window requirements of the East Corridor Plan District are similar to those in the CX zone; (3) the CX zone provides additional flexibility on large sites because there is no required minimum building coverage; and (4) the CX zone, altered through plan district regulation to accommodate lower intensity uses with exterior display and storage, allows for the future intensification and development previously envisioned for the station area. The design overlay zone is applied to foster higher-quality building and site design, and improve compatibility.

CM (Mixed Commercial/Residential) to CXd (Central Commercial): This change applies to several lots in the station area. The total area affected is approximately 3.2 acres. The design overlay zone is applied to foster higher-quality building and site design, and improve compatibility.

RHd (High-density Residential) to CSd (Storefront Commercial): This change applies to a few small sites within the station area and Ventura Park Pedestrian District. The total area affected is approximately one acre. The CS zone was selected because: (1) two of the three affected properties are currently developed and used as commercial; (2) the lots affected are relatively small (less than one acre in size); and (3) lot patterns suggest that the lot currently developed with a residence could be consolidated with other parcels for future redevelopment. Residential uses are allowed in this zone; no nonconforming uses are created. The design overlay zone is retained to foster higher-quality building and site design and to improve compatibility.

CS (Storefront Commercial) to CSd: The CS zone is retained on selected small parcels (roughly one acre or less) in the station area to allow commercial, mixed-use, or residential development. The design overlay zone is applied to foster higher-quality building and site design and to improve compatibility.

CO1 (Office Commercial) to CSd (Storefront Commercial): This change applies to a few lots on Glisan Street outside the station area and Ventura Park Pedestrian District. The total area affected is less than one acre. This zone was selected to foster neighborhood-serving retail use near the intersection node and to resolve nonconforming use situations. The design overlay zone is applied to foster higher-quality building and site design and to improve compatibility.

CS (Storefront Commercial) to CGd (General Commercial): This change applies to a site on the south side of Stark Street outside the station area, plan district, and Ventura Park Pedestrian District. The total area affected is approximately three acres. This zone was selected to provide flexibility for existing development and resolve nonconforming development issues on a site currently developed with exterior display and storage. The design overlay zone is applied to foster higher-quality building and site design and to improve compatibility.

R3a (Low-density Multidwelling) to R1d (Medium-density Multidwelling): This change applies to a few sites on 122nd Avenue outside the station area and Ventura Park Pedestrian District. The Comprehensive Plan is to be amended to R1d, but the R3a zoning is retained. The Comprehensive Plan is changed to balance housing potential in the study area lost by residential to commercial zone changes (see above), and to provide for future density and development types appropriate near a main street with commercial services. If the zone is changed in the future by quasi-judicial action, application of the design overlay zone is applied to provide higher design quality and compatibility.

Adopted: August 16, 2006
Effective: September 30, 2006

Adopted Comprehensive Plan and Zoning Map

LEGEND

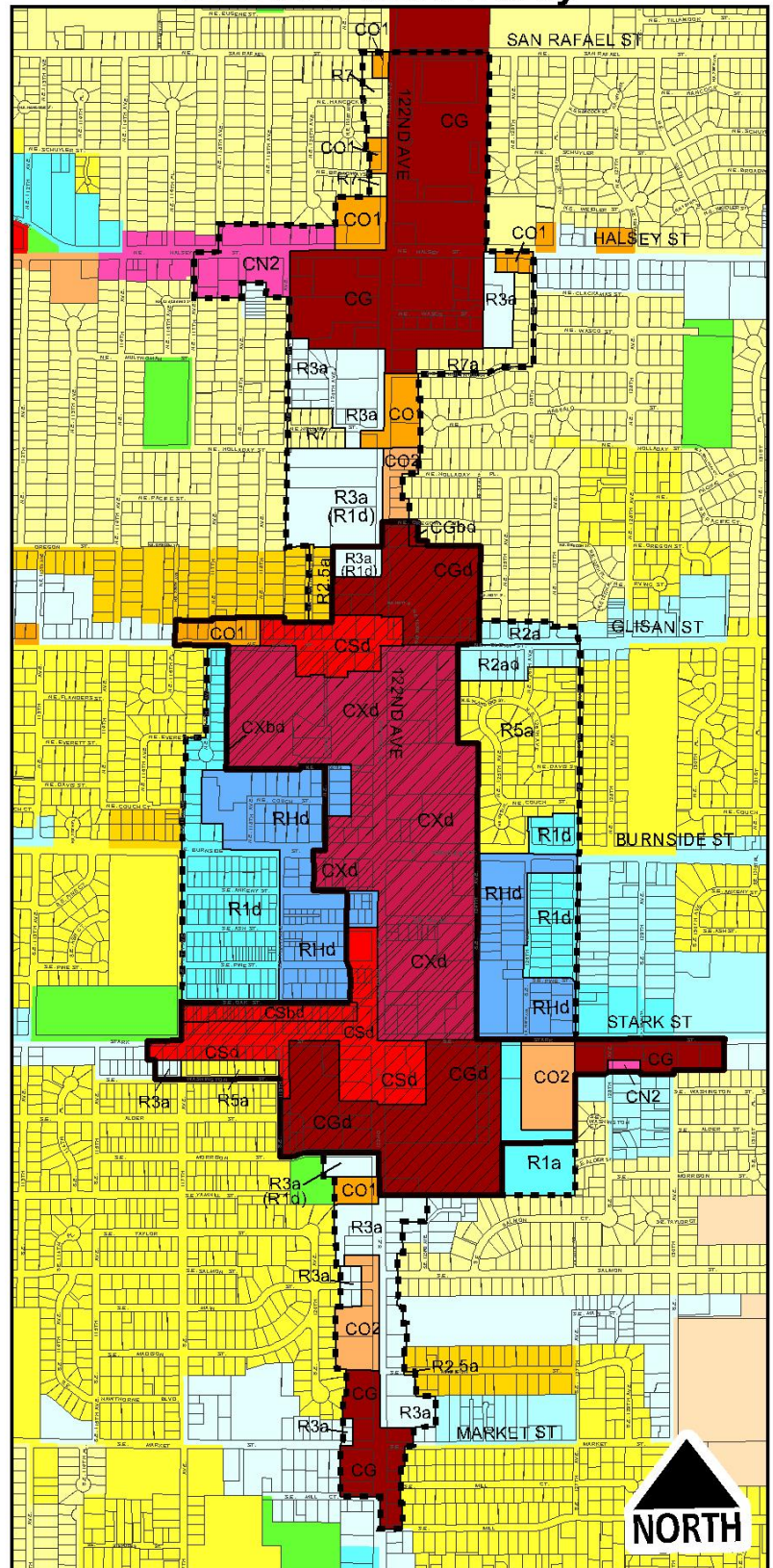
- Primary Study Area
- Secondary Study Area
- R5** Zone Designation
- (R1)** Comprehensive Plan where different from zoning
- Additional Area of Design Overlay zone
- Open Space - OS
- Residential 7,000 - R7
- Residential 5,000 - R5
- Residential 2,500 - R2.5
- Residential MD 3,000 - R3
- Low Density MD 2,000 - R2
- Medium Density MD 1,000 - R1
- High Density Residential - RH
- Central Residential - RX
- Institutional Residential - IR
- Neighborhood Commercial 2 - CN2 [NC]
- Office Commercial 1 - CO1 [OC]
- Office Commercial 2 - CO2 [OC]
- Storefront Commercial - CS [UC]
- Mixed Commercial - CM [UC]
- General Commercial - CG
- Central Commercial - CX

Note: Comprehensive Plan map designations generally correspond to one Zoning map designation, and share the same abbreviations. In cases where Comprehensive Plan map designations correspond to more than one Zoning designation, the Comprehensive Plan map abbreviation is shown in brackets [##].

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City of Portland, Bureau of Planning

122nd Avenue Study



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August, 2006

Areas of Change to Previous Comprehensive Plan and Zoning Map

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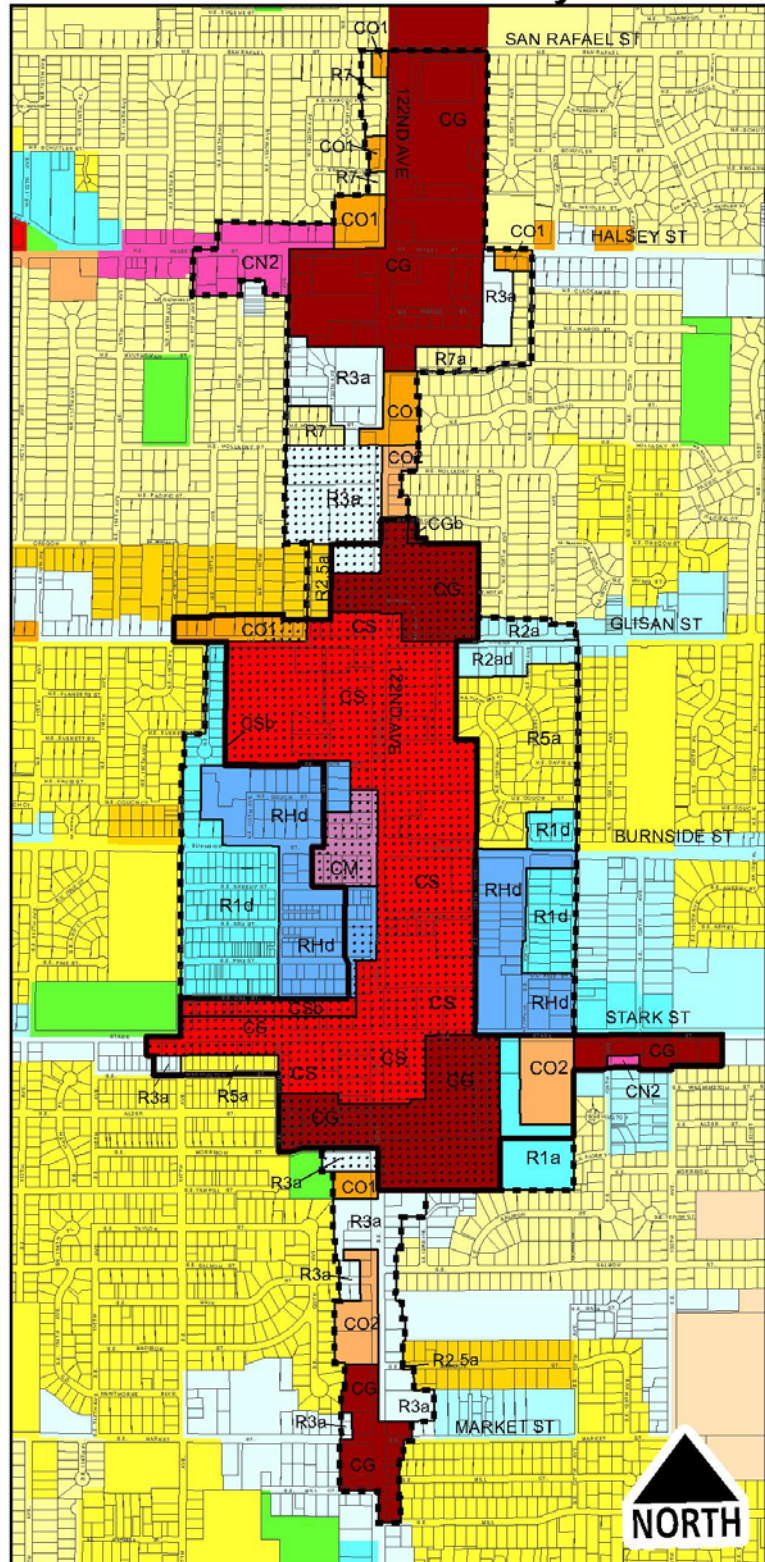
- Primary Study Area
- Secondary Study Area
- R5** Zone Designation
- (R1)** Comprehensive Plan where different from zoning
- Areas of change to Comprehensive Plan/Zoning
- Open Space - OS
- Residential 7,000 - R7
- Residential 5,000 - R5
- Residential 2,500 - R2.5
- Residential MD 3,000 - R3
- Low Density MD 2,000 - R2
- Medium Density MD 1,000 - R1
- High Density Residential - RH
- Central Residential - RX
- Institutional Residential - IR
- Neighborhood Commercial 2 - CN2 [NC]
- Office Commercial 1 - CO1 [OC]
- Office Commercial 2 - CO2 [OC]
- Storefront Commercial - CS [UC]
- Mixed Commercial - CM [UC]
- General Commercial - CG
- Central Commercial - CX

Note: Comprehensive Plan map designations generally correspond to one Zoning map designation, and share the same abbreviations. In cases where Comprehensive Plan map designations correspond to more than one Zoning designation, the Comprehensive Plan map abbreviation is shown in brackets [##].

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122nd Avenue Study



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C. Amendments to: Title 33, the Portland Zoning Code, and Title 16, Chapter 60, Motor Vehicle Fuels

This section contains amendments to the Portland Zoning Code (Title 33) to implement concepts developed in the 122nd Avenue Station Area Study. It also includes amendments to Title 16, Chapter 60, Motor Vehicle Fuels, which are designed to work in conjunction with the Zoning Code.

How changes are shown in this section

Language to be added to the Code is underlined; language to be deleted is shown in ~~strikethrough~~.

The left-hand page provides commentary for the adopted code language.

In order to limit the size of this document and eliminate excessive printing, only those sections of the Code that are being amended are included in this document. This document is not intended to replace the entire code. The current Zoning Code sections may be accessed at the Bureau of Planning website (<http://www.portlandonline.com/shared/cfm/image.cfm?id=53365>).

CHAPTER 33.521 EAST CORRIDOR PLAN DISTRICT

The amendments are designed to allow flexibility for uses with exterior display and storage on specific sites in the 122nd Avenue MAX station areas. To do this while maintaining other regulations currently in place on other properties, a special subdistrict is created for the 122nd Avenue area. The list of sections is updated to reflect the addition of 33.251.300, Additional Standards in the 122nd Avenue Subdistrict, and Map 521-4, Areas Where Exterior Display and Storage are Allowed.

**CHAPTER 33.521
EAST CORRIDOR PLAN DISTRICT**

(Added by: Ord. No. 178423, effective 6/18/04. Amended by: Ord. No. 179092, effective 4/1/05.)

Sections:

General

- 33.521.010 Purpose
- 33.521.020 Where These Regulations Apply

Use Regulations

- 33.521.100 Purpose
- 33.521.110 Prohibited Uses
- 33.521.120 Housing Regulations

Development Standards

- 33.521.200 Purpose
- 33.521.210 Building Height
- 33.521.220 Floor Area Ratios
- 33.521.230 Connectivity
- 33.521.240 Pedestrian Standards
- 33.521.250 Entrances
- 33.521.260 Building Design
- 33.521.270 Exterior Display and Storage
- 33.521.280 Drive-Through Facilities
- 33.521.290 Parking
- 33.521.300 Additional Standards in the 122nd Avenue Subdistrict

Map 521-1 East Corridor Plan District

Map 521-2 Maximum Building Heights

Map 521-3 Floor Area Ratios

Map 521-4 Areas Where Exterior Display and Storage are Allowed

33.521.110 Prohibited Uses

The amendments to the Comprehensive Plan and Zoning Map changed the base zones in the station area. Specifically, the CX base zone allows Self-Service Storage, which is not an allowed use in the current CS zones. The amendments to this section are designed to retain the current prohibitions already in place in the East Corridor Plan District. Vehicle Repair that is not associated with retail auto sales and Self-Service Storage are not primary uses desired in a transit station area.

33.521.110.A

The amendment is a clarification of when Vehicle Repair is allowed.

33.521.200 Purpose

The purpose of the plan district remains to foster an intense mix of uses. Through application of design standards and guidelines, well-designed development with exterior display areas may function as outdoor showrooms for merchandise and may not adversely affect the pedestrian environment. However, other development, such as drive-through developments create vehicle pedestrian conflicts that should not be permitted in the pedestrian district.

33.521.110 Prohibited Uses

The following uses are prohibited in Pedestrian Districts and on the portion of a site within 100 feet of a light rail alignment:

- A.** Vehicle Repair that is not ~~accessory to an auto dealership~~ on the same site as auto sales in the Retail Sales And Service category;
- B.** Quick Vehicle Servicing; ~~and~~
- C.** Commercial Parking-; and
- D.** Self-Service Storage.

33.521.200 Purpose

Development regulations in the East Corridor plan district ensure that development maximizes the public's investment in transit and fosters intense mixed-use development with a high level of pedestrian amenities in Pedestrian Districts near light rail stations. The development regulations do this by:

- Enhancing the pedestrian experience throughout the plan district, but focusing more active, intense pedestrian activities around the light rail stations;
- Increasing the development potential around the light rail stations;
- Creating a street pattern that is oriented to pedestrians with the most urban streets around the light rail stations;
- Limiting development that may adversely affects the pedestrian environment such as exterior display and storage and drive-throughs along the light rail alignment and in Pedestrian Districts; and
- Encouraging the design of exterior display areas, where allowed, that are attractive and safe for pedestrians.

33.521.260.C.1.a Building Design

The amendment mirrors language found elsewhere in the code and is made for code consistency. No net change in standards is proposed.

33.521.260.C.1.c Building Design

Because of the large lot configurations in the area, the development of new streets over time, and the allowance for exterior display and storage, it is possible that on sites with multiple street frontages, developments will not be able to meet this building wall/setback requirement. This amendment is intended to provide flexibility for site development, while orienting buildings to corners, with a priority on transit streets.

The amendment revises code section 33.521.260 to require that on sites with more than two street frontages, that the building walls meet the specified setbacks on a maximum of two frontages. It prioritizes the building placement near transit streets when the site has multiple frontages. When the site has more than one street of the same transit classification, the applicant may choose which street to meet the requirement on. This change is intended to provide flexibility to allow for parking and exterior display and storage areas by allowing sites with more than two street frontages to have greater building setbacks on certain sides of buildings.

33.521.260 Building Design

- A. Purpose.** These provisions promote a safe and interesting pedestrian environment by connecting ground floor uses to adjacent sidewalk areas, encouraging surveillance opportunities by restricting fortress-like façades at street level, and by encouraging the continuity of retail and service uses. They do this by bringing buildings up to the sidewalk and requiring a minimum amount of ground floor windows.
- B. Applicability.** All sites in the RH, R1, and C zones where any of the floor area on the site is in nonresidential uses must meet the standards of Subsection C., below.
- C. Standards.**
1. Street enclosure. In Pedestrian Districts and at intersections where City Walkways or transit streets cross another City Walkway or transit street:
 - a. ~~Exterior walls of primary structures facing the street must be within 12 feet of the right-of-way~~ The street-facing façade of primary structures must be within 12 feet of the street lot line.
 - b. Street-facing exterior façades must be at least 40 feet long and 16 feet high.
 - c. Sites with three or more street frontages must meet standard a. and b. above, on the two intersecting street frontages with the highest transit classifications. Where streets have the same transit classification, the applicant may choose on which two intersecting streets to meet the standard.
 2. Ground floor windows. All street-facing elevations of development must meet the Ground Floor Windows Standards of Paragraph 33.130.230.B.2., regardless of the distance to the adjacent street. Developments that are more than 80 percent residential are exempt from this requirement.

33.521.300 Additional Standards in the 122nd Avenue Subdistrict

This new section is designed to allow, under certain conditions, exterior display and storage in the 122nd Avenue transit station area and Ventura Park Pedestrian District, where it is currently prohibited.

Vehicle sales have been an established use on many sites in the area since prior to annexation of the area to Portland. Since the introduction of MAX light rail transit in the mid-1980s, public policies have promoted more intense development around the 122nd Avenue MAX station, focusing on development that benefits from being near the station and that helps encourage transit use. The regulations that implement this policy prohibit exterior display and exterior storage in the Ventura Park Pedestrian District. This has made it difficult for established auto-oriented development in the area to improve or expand operations without significant changes to development forms. As a follow-up to the 2004 Gateway Planning Regulations Project, stakeholders asked the City of Portland to review land use policies along 122nd Avenue and to address the issues that transit-oriented development policies create for established and growing auto-oriented uses. The 122nd Avenue Station Area Study was undertaken to explore ways to meet the transit-oriented goals for the area while dealing with the reality and needs of its auto-oriented uses.

33.521.300.A

This section specifies the areas where the regulations apply and references Map 521-1 (located on page 47 of this document).

33.521.300.B.1

The purpose statement outlines that exterior display and storage is permitted in the station area, under special design circumstances. The intent is to allow exterior display and storage in key areas and when designed in a way that fosters a pleasant pedestrian environment. The purpose statement also indicates that pedestrian-oriented development should be fostered around light rail and transit intersections but that flexibility should be provided for established uses.

33.521.300 Additional Standards in the 122nd Avenue Subdistrict

A. Where these regulations apply. The regulations of this section apply to sites in the 122nd Avenue subdistrict, shown on Map 521-1.

B. Exterior Display and Storage.

1. Purpose. The regulations of this section encourage Retail Sales And Service uses with exterior display and storage to create an enhanced pedestrian environment and promote compatibility of design between these uses and transit-oriented developments in the area. The regulations accomplish this by:
 - Allowing, in key locations, exterior display and storage areas that enhance the attractiveness and safety of pedestrian environment through landscaping, and well designed buildings and display areas; and
 - Fostering pedestrian-oriented development around the light rail transit station and at key transit intersections, while providing flexibility in other locations and for existing development.

33.521.300.B (cont'd)

33.521.300.B.2

This paragraph specifies the location and conditions under which exterior display and storage are allowed. Map 521-4 (page 49 of this document) shows the locations within the plan district where exterior display and exterior storage are allowed. New exterior display and storage continues to be prohibited at locations near key transit intersections (intersection "nodes") and other areas in the plan district, which are mapped on Map 521-4. Exterior storage is considered a low-intensity use of land which is not appropriate to dominate a transit station area, and is limited to 20% of the site area. The paragraph also indicates that when development cannot meet the specified standards, modifications may be requested through a design review process rather than through adjustments.

33.521.300.B.3.a

This references the setback and landscaping standards in table 521-1. Landscaping is an important aesthetic component of sites that have exterior display and exterior storage. These standards outline the minimum required landscaping that is required when sites feature exterior display or exterior storage areas.

33.521.300.B.3.b

This regulation applies to sites where exterior display or storage are allowed, and have a floor area ratio less than 1:1. Sites that have a floor area ratio less than 1:1 are required to provide additional landscaping to provide improved aesthetics, reduce heat island effects, and provide opportunity for on-site stormwater by reducing impervious surface area.

Adopted Code Amendments

2. Where exterior display and storage are allowed. Exterior display and exterior storage that is accessory to a Retail Sales And Service use on the site is allowed in the areas shown on Map 521-4. Exterior display and storage in other areas is prohibited. The standards of this subsection must be met, and no more than 20 percent of the site area may be used for exterior storage. Modifications of these standards may be requested through Design Review; adjustments are prohibited.
3. Setbacks and landscaping
 - a. The minimum setback and landscaping standards for exterior display areas and exterior storage are stated in Table 521-1.
 - b. On sites with exterior display and storage as allowed by B.2, if the floor area on the site is less than 1:1, 15 percent of the site area must be landscaped. Landscaping must comply with at least the L1 standard. Required landscaping for exterior display, exterior storage, and parking areas may be counted in meeting this requirement.

33.521.300.B.3 (cont'd)

Table 521-1

This table defines the minimum landscaped areas for different portions of sites that have exterior display and storage.

Exterior Display: Between a Building and Street. Exterior display is allowed in the maximum building setback (24 feet). There is no setback requirement between this display area and a street lot line. To improve the aesthetics and provide greening in the area, fifteen percent of this display area must be landscaped to the L1 standard. A five foot setback landscaped to the L1 standard is also required on nonstreet lot lines.

Exterior Display: All Other Situations. Exterior display is allowed on other portions of the site. Overall, 15 percent of the Exterior Display area must be landscaped to the L1 standard. The area is required to be landscaped in order to improve aesthetics of the public realm, mitigate heat island effects of large paved areas, and improve aesthetics of the site. In addition, specific perimeter landscaped areas are required. Landscaping in the specified perimeter areas can be counted toward meeting the 15 percent minimum.

Exterior Storage. Exterior storage is allowed on portions of the site. Overall, 15 percent of the Exterior Storage area must be landscaped to the L1 standard. The area is required to be landscaped in order to improve aesthetics of the public realm, mitigate heat island effects of large paved areas, and improve aesthetics of the site. In addition, specific perimeter landscaped areas are required. Landscaping in the specified perimeter areas can be counted toward meeting the 15 percent minimum.

Parking and vehicle areas must be landscaped as required by other sections of the Zoning Code and do not count toward meeting the required percentages shown in this table.

Table 521-1 Minimum Setbacks and Landscaping for Exterior Display and Storage		
	Landscaped Setback	Minimum Landscaped Area
Exterior Display <u>If between building and street and B.4.a is met</u>	<u>0 ft from street lot lines</u> <u>5 ft of L1 from nonstreet lot lines</u>	<u>15% of exterior display area landscaped to L1 standard. Landscaping in setbacks counts toward meeting this standard.</u>
<u>All other situations</u>	<u>5 ft of L1 from street lot lines [1]</u> <u>5 ft of L3 from nonstreet lot lines</u>	<u>15% of exterior display area landscaped to L1 standard. Landscaping in setbacks counts toward meeting this standard.</u>
Exterior Storage	<u>20 ft of L2 from transit streets [2]</u> <u>10 ft of L2 from other street lot lines [2]</u> <u>10 ft of L3 from nonstreet lot lines</u>	<u>15% of exterior storage area landscaped to L1 standard. Landscaping in setbacks counts toward meeting this standard.</u>

Notes:

[1] Exterior display areas separated from the street by areas used for parking or exterior storage do not have to meet this standard.

[2] Exterior storage areas separated from the street by areas used for parking or exterior display do not have to meet this standard.

33.521.300.B.4.a: Walls of primary structures

33.521.260.C.1.a, requires the street facing facade of primary structures in pedestrian districts to be within 12 feet of the street lot line. In order to provide additional flexibility, street facing facades for sites with exterior display may be set back 24 feet from the street lot line. Exterior display of merchandise is allowed in the 24-foot setback area between a building and the sidewalk, provided that a special display area with a high level of pedestrian amenity is created. Landscaping and other pedestrian amenities are also allowed.

33.521.300.B.4.b: Main Entrances

This regulation requires the entrances of buildings to be located close to the street in cases where the larger 24-foot setback is employed.

33.521.300.B.4.c: Exterior Display between a building and a street.

This allowance is to be used in conjunction with design review, with the intent to allow limited well-designed display opportunities in front of buildings.

Typically, exterior display is not allowed in this location on site. The accompanying illustration shows how such a display area is envisioned. The intent is to allow high-quality design of exterior display areas that are conceived as a component of the adjacent building.



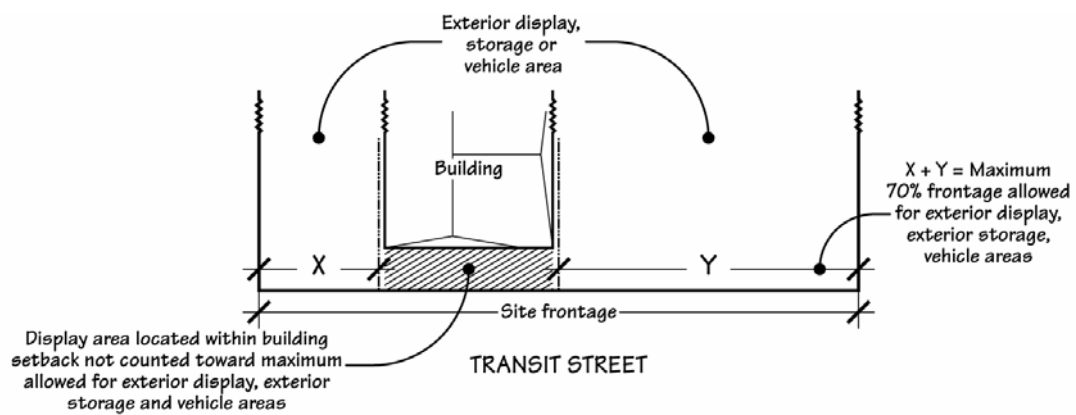
33.521.300.B.4.d: Site frontage.

This regulation limits vehicle area, exterior display area, and exterior storage area to no more than 70 percent of a site's frontage on a transit street. The intent of this regulation is to limit the amount of exterior development used for these purposes and improve urban form and the pedestrian realm by requiring a significant amount of a site's street frontage to be abutted by a building that is close to the street. The regulation is similar in its urban form intent to the regulations of 33.266.130.C.3.b, which, in pedestrian districts or on transit streets, limits the amount of frontage that may be used for vehicle areas.

Adopted Code Amendments

4. Additional development standards for sites with exterior display or storage.
- a. Walls of primary structures. This standard applies only in areas that allow exterior display and storage shown on Map 521-4. The street-facing façades of primary structures must be within 24 feet of the street lot line.
 - b. Main Entrances. The main entrance must meet the standards of Section 33.521.250, Entrances, except the entrance must be within 25 feet of the street it faces.
 - c. Exterior display between a building and a street. Exterior display areas may be between a primary structure that meets B.4.a, above, and a street if the following are met:
 - (1) The exterior display area must be accessible to pedestrians from the sidewalk for inspection of merchandise;
 - (2) The exterior display area must be hard surfaced with unit paving blocks or bricks; and
 - (3) Temporary signage and temporary advertising materials are prohibited in the display area.
 - d. Site frontage. No more than 70 percent of a site frontage on a transit street may be used for vehicle areas, exterior storage areas, or exterior display areas. Display areas located between a building and street as allowed by B.4.c do not count toward the 70 percent maximum. See Figure 521-2.

Figure 521-2
Transit Street Site Frontage for Exterior Display, Exterior Storage, and Vehicle Areas



33.521.300.B.4.e

This section allows a 0.4:1 minimum floor area ratio for sites that have an existing or proposed auto sales use, when the site is located in an area that allows exterior display and exterior storage as per Map 521-4.

The overall goal of the plan district is to create a more densely developed and urban environment with sites that achieve floor area ratios of 1:1 or greater. However, for development and uses that employ exterior display and storage, this ratio may not be achievable, particularly in the near term.

The provision recognizes the existing concentration of auto sales in the area. It also recognizes that, on sites with auto sales, a high proportion of the site area is used for exterior display and storage. The regulation applies to auto dealerships in specified areas, and sets a minimum floor area of 0.4:1, rather than the 1:1 required of other uses.

New development with an auto sales use—on sites where there is not such a use now—will have to meet the 0.4:1 minimum floor area ratio. However, sites that currently have auto sales uses, and that have less than 0.4:1 of floor area, may add additional floor area without having to meet the 0.4:1 ratio. The Zoning Code considers such situations to be "nonconforming," and addresses them in Chapter 33.258, Nonconforming Situations. When a use is allowed, but the site does not meet specific development standards such as minimum floor area, the site is considered to have nonconforming *development*. As specified in Section 33.258.070 of the Zoning Code, changes may be made that bring the site closer to conformance are allowed. There is no requirement that would apply to these auto-dealer sites that would require full compliance. The language of Section 33.258.070 is below, with emphasis added.

33.258.070 Nonconforming Development

- C. Changes.** Changes may be made to the site that are in conformance with the development standards of the base zone, overlay zone, plan district or other development standards that apply to the site. Changes that bring the site closer to conformance are allowed. Proposed changes that are not in conformance or do not move closer to conformance, are subject to the adjustment process unless prohibited.

As an example: Consider a 20,000 sq ft site with an existing auto dealer. There is a 4,000 sq ft building, so the current floor area ratio (FAR) is 0.2:1. If the owner wants to add 2,000 sq ft of floor area to the site, resulting in an FAR of 0.3:1, this would be allowed because it is coming closer to meeting the minimum FAR standard. The owner would not be required to come into full compliance with the minimum FAR standard.

(commentary continued on page 36)

Adopted Code Amendments

- e. Minimum floor area for sites with auto sales. For auto sales uses where exterior display and exterior storage are allowed on all or part of the site by Paragraph B.2, the minimum required FAR is 0.4:1. Changes to existing auto sales uses with an FAR of less than 0.4:1 are allowed as specified in Chapter 33.258 (Nonconforming Situations).

33.521.300.B.4.e (continued from page 34)

On the same site, if the owner wanted to demolish 2,000 sq ft of floor area (either part of a building or one of several buildings on the site) and, as part of the same permit, build 3,000 sq ft of new floor area, that also would be allowed. Under this scenario, the owner would not be required to meet the minimum FAR standard, but would be required to bring the site closer to meeting the minimum FAR standards.

The intent of these regulations for new development is to have buildings that are close to the street, allow future intensification and development of non-built area, and provide opportunity for landscaping. For existing development, the intent is to allow sites to come closer into conformance with the minimum floor area standards, with buildings near the street and on-site landscaping.

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33.521.300.B.5

This section addresses development with existing nonconforming exterior display and exterior storage areas in areas where it is prohibited (Map 521-4). The intent is to allow existing development with exterior display or storage in prohibited areas to reconfigure the location of buildings and exterior display and exterior storage areas when the overall area of nonconforming exterior display and exterior storage is not increased.

33.521.300.B.5.a

This paragraph allows changes to existing nonconforming exterior display and storage areas where they are prohibited. The intent of the regulation is to allow flexibility to reconfigure or rearrange exterior display and storage when the prohibited area is not increased, and when it is developed to meet standards for allowed exterior display and storage areas.

33.521.300.B.5.b

This paragraph indicates that changes to existing nonconforming developments are allowed only when they bring sites closer into conformance with this section.

Adopted Code Amendments

5. Nonconforming exterior display and exterior storage. Alterations to exterior display and exterior storage areas that are nonconforming because they are located where exterior display and exterior storage is prohibited are allowed as follows:
 - a. The area that is nonconforming may be moved to another location on the site where exterior display and storage is prohibited if:
 - (1) The square footage of nonconforming exterior display or storage is not increased;
 - (2) The standards of Table 521-1 are met for the area that is moved; and
 - (3) The change does not take the site out of conformance, or further out of conformance with B.4.d, site frontage.
 - b. If the exterior display and exterior storage areas are not being moved, changes may be made that bring the areas closer into conformance with this Section;

33.521.300.C

This paragraph allows a maximum setback of 20 feet for development that is 100% in residential use. This allows greater flexibility for residential uses and helps to mitigate the impacts of traffic volumes in the area through the opportunity for increased landscaping, etc.

33.521.300.D

This paragraph allows Retail Sales And Service Uses in the RH zone under certain circumstances. This provision is only applied to a small group of lots that are adjacent to or near 122nd Avenue. The intent of the regulation is to allow greater flexibility and streamline processes to facilitate residential mixed-use development along 122nd Avenue. The percentage of floor area allowed for nonresidential use is limited to ensure a portion of the development provides needed housing units.

33.521.300.E

In the CX zone, the size of Vehicle Repair uses is limited to 10,000 square feet of floor area. The size of Vehicle Repair is limited to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. Vehicle Repair is a use that is often on the same site as auto sales. Vehicle Repair uses associated with auto sales in the 122nd Avenue area often exceed the 10,000 square foot size limit but are generally 30,000 square feet or less in size. The 30,000 square foot size limit is intended to allow for Vehicle Repair uses that are typically associated with auto sales and auto dealerships in this area, but limit the size of the use so that they do not dominate the area or commercial sites, and to limit their potential impacts on residential and commercial uses.

C. Residential development standards. When all the floor area on a site is in Residential uses the maximum setback from a street lot line is 20 feet.

D. Retail Sales And Service and Office uses in the RH zone.

1. Purpose. This regulation provide opportunity for mixed use development in the RH zone by allowing a limited amount of commercial use while ensuring that development in residential zones is predominately residential in character.
2. Retail Sales And Service and Office uses are allowed in the RH zone if they meet the following regulations:
 - a. The uses are allowed in new multi-dwelling developments only. Conversion of existing structures is prohibited; and
 - b. The uses are limited to 20 percent of the net building area of the development. More than 20 percent of the net building area used for Retail Sales And Service or Office is not allowed.

E. Vehicle Repair in the CX zone.

1. Purpose. Vehicle Repair uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses.
2. The size limitation of 33.130.100.B.5 does not apply to Vehicle Repair uses when auto sales in the Retail Sales And Service category are on the same site. No more than 30,000 square feet of floor area in Vehicle Repair uses is allowed on a site.

33.521.300.F

Note: This provision is effective July 1, 2007

This subsection creates an allowance for fuel stations in the CX zone in the 122nd Avenue subdistrict. These uses are typically classified as Quick Vehicle Servicing Uses and Drive Through Facilities, which are prohibited by 33.521 in pedestrian districts and within 100 feet of light rail. However, if developed in conjunction with other uses, these types of auto-oriented uses may result in the consolidation of auto trips and may allow sites may be used more efficiently. This provision recognizes this and creates an allowance specifically for fuel stations when specific site development and design criteria are met. The development and design standards are intended to encourage site and building designs that provide additional amenities in this pedestrian district, such as enhanced landscaping, that are not typically associated with this use or development type.

In addition, amendments are included in Title 16, Chapter 16.60, which further direct that any facility approved under Subsection 33.521.300.F must sell a minimum blend of B20 biodiesel fuel at one or more fuel pumps. The intent of this related regulation is to only allow such a facility when the benefits of the facilities described above are supplemented by sales of alternative fuels, which help reduce reliance on oil for motor vehicle fuels.

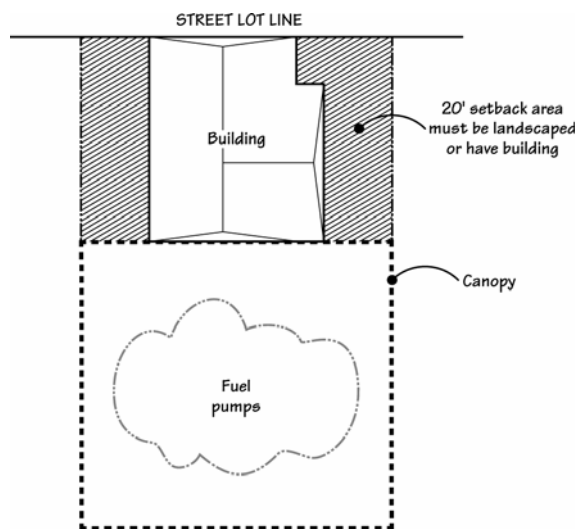
The desire of City Council was to condition that developments granted under this provision provide a higher level of biodiesel (B20 fuel) in the product mix.

In order to coordinate timing of the Zoning Code (Title 33) and biodiesel (Title 16) allowances and provisions with other citywide biodiesel amendments in Title 16, both provisions are subject to an **effective date of July 1, 2007**.

F. Motor vehicle fuel sales in the CX zone.

1. Purpose. Auto-oriented uses are usually incompatible with an area that is intended to be oriented towards transit and pedestrian travel. However, if developed in conjunction with other uses it may result in the consolidation of auto trips and may allow sites to be used more efficiently. Some of the negative impacts of such development may be mitigated by providing additional landscaping, both as a buffer and to soften the entire site, and ensuring that other elements of design improve the pedestrian environment.
2. Motor vehicle fuel sales, including drive-through facilities associated with motor vehicle fuel sales, are allowed in the CX zone if the following are met. Drive-through facilities serving or associated with other uses are prohibited:
 - a. The site must be at least 150,000 square feet in area, and have another primary use on the site. The other primary use must be a Retail Sales And Service, and have at least 50,000 square feet of floor area.
 - b. Up to twelve fueling positions are allowed on a site. Fueling positions are the maximum number of vehicles that can be fueled simultaneously. Therefore, 12 fueling positions would allow 12 cars to fuel at one time.
 - c. The fuel pumps and any associated awning, canopy, or cover must be at least 20 feet from street lot lines. Any portion of the 20 foot setback area that is not occupied by buildings that are enclosed on all sides must be landscaped to at least the L2 standard. See Figure 521-3. Adjustments to this subparagraph are prohibited, but modifications may be requested through design review.

Figure 521-3



- d. The fuel pumps, stacking lanes, and any associated awning, canopy, or cover must be at least 200 feet from the intersection of two transit streets. Adjustments to this standard are prohibited.

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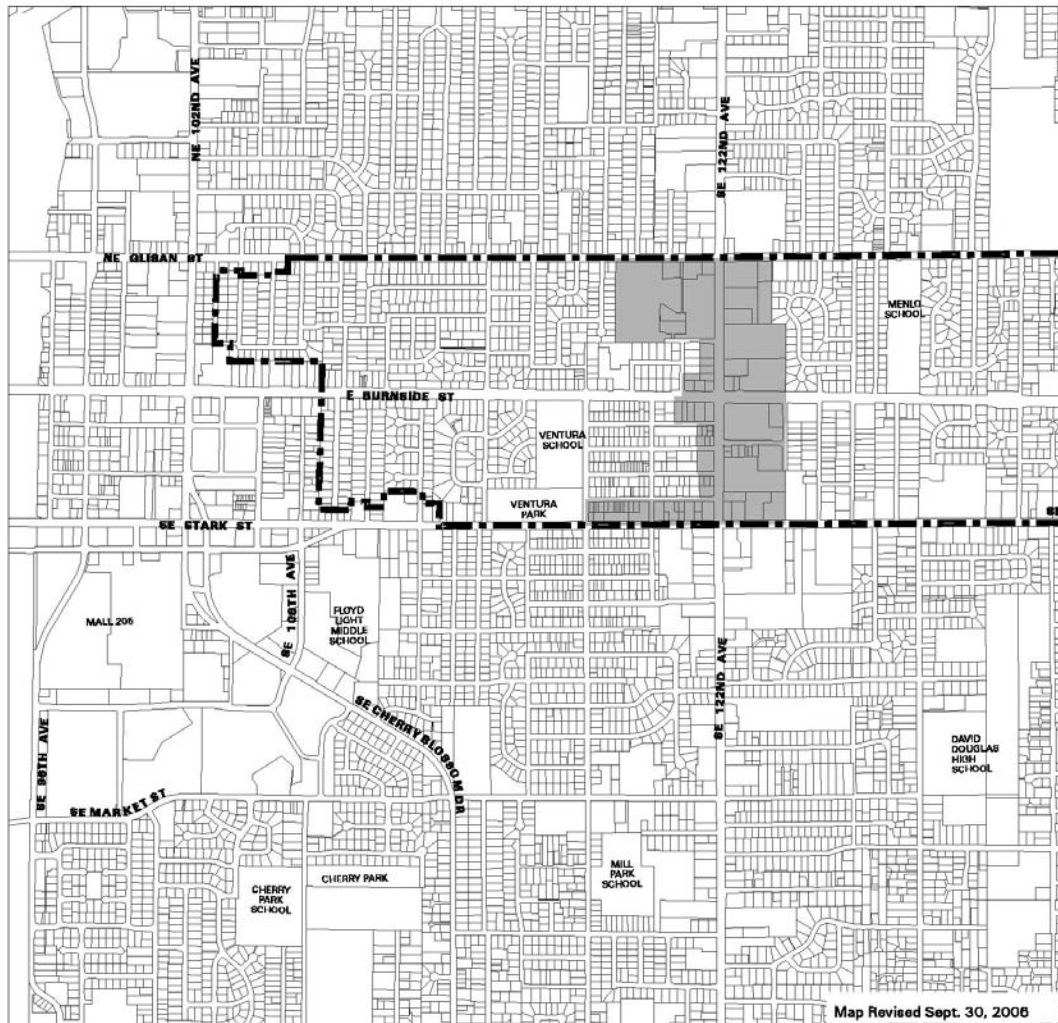
Adopted Code Amendments

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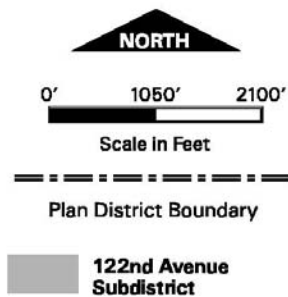
- e. Development on the site that does not comply with the development standards listed below must be brought into conformance:
 - (1) Landscaped setbacks for surface parking and exterior development areas;
 - (2) Interior parking lot landscaping; and
 - (3) Landscaping in existing building setbacks;
- f. The proposed development must be approved through discretionary design review; the Community Design Standards may not be used.

**MAP 521-1 EAST CORRIDOR PLAN DISTRICT
122nd Avenue Subdistrict**

This map shows the area of the 122nd Avenue Subdistrict.



Map Revised Sept. 30, 2008



Map 521-1

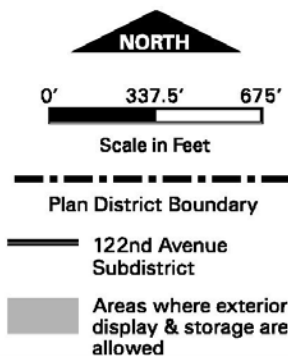
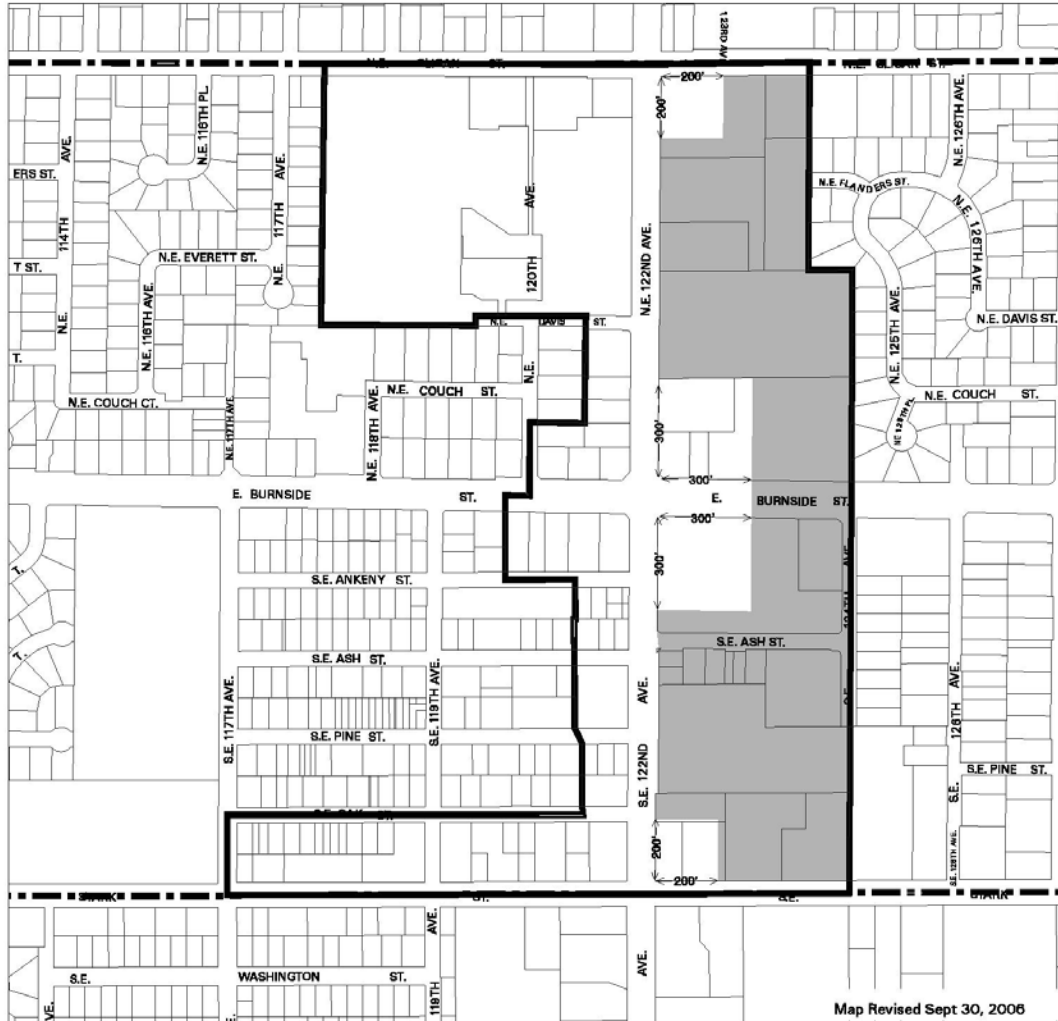
East Corridor Plan District

Map 1 of 2

Bureau of Planning • City of Portland, Oregon

Map 521-4 Areas Where Exterior Display and Storage are Allowed

This map shows the area of the 122nd Avenue Subdistrict where exterior display and storage are allowed.



Map 521-4

East Corridor Plan District

Areas Where Exterior Display & Storage are Allowed

Bureau of Planning • City of Portland, Oregon

33.420.060.I

33.521.300.F of the East Corridor Plan District allows motor vehicle fuel sales in the CX zone when specific development and design criteria are met. This regulation clarifies that the Community Design Standards (33.218) may not be used for design approval of facilities allowed by 33.521.300.F.

Adopted Code Amendments

33.420.060 When Community Design Standards May Not Be Used

The Community Design Standards may not be used as an alternative to design review as follows:

- A. through F.** [No change.]
- G.** If the proposal uses Section 33.405.050, Bonus Density for Design Review; ~~and~~
- H.** In the EX zone within the St. Johns plan district, structures more than 45 feet in height; and
- I.** For motor vehicle fuel sales in the 122nd Avenue subdistrict of the East Corridor plan district.

Title 16, Chapter 60

Note: This provision is effective July 1, 2007

16.60.025

33.521.300.F of the East Corridor Plan District allows motor vehicle fuel sales in the CX zone when specific development and design criteria are met. Title 16, Chapter 16.60, directs that any facility approved under Subsection 33.521.300.F must sell a minimum blend of B20 biodiesel fuel at one or more fuel pumps. The intent of this related regulation is to only allow such a facility when the benefits of the facilities described above are supplemented by sales of specific alternative fuels, which help reduce reliance on oil for motor vehicle fuels.

Title 16, Chapter 60

16.60.025 Additional Regulation in the 122nd Avenue Subdistrict.

Effective July 1, 2007, in the 122nd Avenue subdistrict of the East Corridor plan district, all fuel vendors established under the provisions of Subsection 33.521.300.F of Title 33, Planning and Zoning, must sell a minimum blend of 20% Biodiesel (B20 fuel) at one or more pumps.

D. Amendments to the Community Design Guidelines

The *122nd Avenue Station Area Study* extends the Design Overlay Zone (“d”) to properties zoned Storefront Commercial (CS), General Commercial (CG), and Central Commercial (CX) in the 122nd Avenue subdistrict of the East Corridor plan district. The Design Overlay Zone has previously been applied to properties in the RH zone (high density multidwelling), and the R1 zone (medium density multidwelling) in the study area. See the map on page 57 for properties affected by the design overlay zone.

The *Community Design Guidelines* serve as approval criteria for discretionary design review in the plan district. Eligible projects in the plan district have the option of meeting the nondiscretionary, clear and objective community design standards (Chapter 33.218 of the Zoning Code).

“Desired Characteristics and Traditions” statements, located in the shaded box on pages 60-61 of this document, highlight the urban and architectural patterns worthy of integration into new development. The “Desired Characteristics and Traditions” statements of this section provide guidance on how Guideline P1 of the community design guidelines should be considered in the 122nd Avenue Station Area.

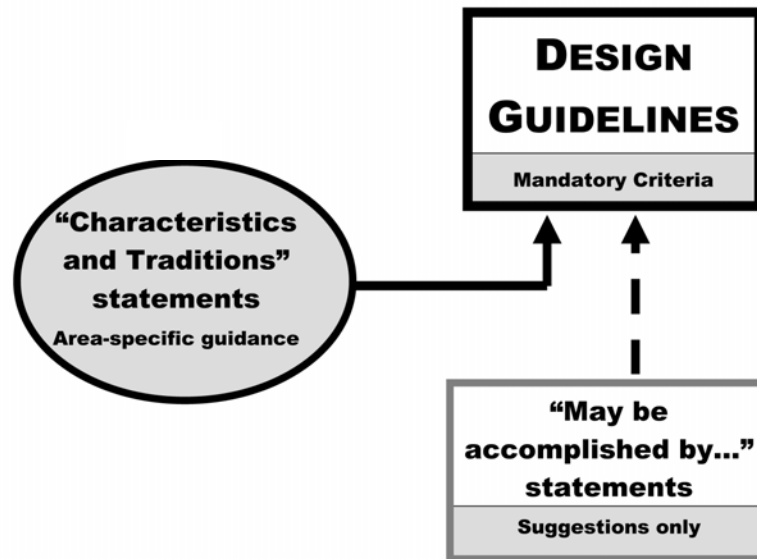
Guideline P1, Plan Area Character, reads:

Enhance the sense of place and identity by incorporating site and building design features that respond to the area’s desired characteristics and traditions.

The “Desired Characteristics and Traditions” statements will be used by design review staff and review bodies to determine if a proposal meets the intent of Guideline P1. They may also be used to inform references to “desired character” in the Zoning Code (included in criteria for adjustment requests, for example).

Many area plans lack clear and explicit references to desired characteristics and traditions, making interpretation of Guideline P1 difficult. Nearby existing development is often used to identify community character, but existing development does not always correspond to the vision for an area. This section is intended to resolve this issue. Note that the “Desired Characteristics and Traditions” statements are in narrative form, as opposed to succinct statements, to distinguish them from the actual *Community Design Guidelines*. The statements will be included in an appendix to the *Community Design Guidelines* document.

The diagram below illustrates the role of the “Desired Characteristics and Traditions” statements in relation to the *Community Design Guidelines*, emphasizing their role in providing area-specific guidance, and clarifying the nonbinding role of the accompanying “may be accomplished by” statements described later in this section.







The Desired Characteristics and Traditions statements are interpreted in the context of the Development Pattern statement (page 58-59) that precedes them.

As the descriptions in this chapter are not exhaustive, developers should refer to the background document, *The 122nd Avenue Station Area Study: Phase 1 Report* (June 2005), and consult with community members for more information.

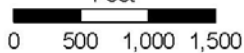
This is a detailed street map of a neighborhood in Portland, Oregon. The map is centered around 122nd Avenue, which runs vertically through the middle. To the left of 122nd Avenue, the streets from top to bottom are: Oregon St, Glisan St, Burnside St, Stark St, and Alder St. To the right of 122nd Avenue, the streets from top to bottom are: Glisan St, Burnside St, Stark St, Alder St, and Morrison St. A large, irregularly shaped area is highlighted in gray, representing the subject property. This area is bounded by 122nd Avenue to the west, Glisan St to the north, Stark St to the south, and a dashed line to the east. The map includes numerous smaller streets, lot numbers, and a scale bar at the bottom.

Legend

-  Primary Study Area
 Secondary Study Area
 Existing Design Overlay Zone
 Adopted Design Overlay Zone



Feet



CITY OF PORTLAND, OREGON
BUREAU OF
Planning

August, 2006

122nd Avenue Station Area Development Patterns

Background

The built environment of the 122nd Avenue Station Area is the result of development over time. The area transitioned from a rural character to a suburban character after World War II. As a result, much of the area was developed in an auto-oriented manner. Residential uses surrounding 122nd Avenue were developed in a low-density pattern of single-dwelling detached houses. In keeping with the low-density character, much of the local street network was not fully improved, and lacked sidewalks, curbs, and in some cases, paving. The commercial areas along 122nd Avenue, Glisan and Stark streets developed in the late 1950s to 1990s in a suburban manner, with large shopping center developments at key intersections and smaller commercial infill on small lots in surrounding areas. Many of the sites on these streets were also developed as detached houses, some of which have been converted to commercial uses over time. In the late 1960s, areas along 122nd Avenue were established as locations for auto retailing, with dealer showrooms, service facilities and sizable outdoor display and storage areas.

In the mid-1980s, MAX light rail transit was established in the Burnside Street corridor in East Portland, with a station located at 122nd Avenue. Since this time, city and regional policy has been to support and foster development that takes advantage of the area's transit service. This has resulted in regulations that allow and require residential development at higher density, and commercial uses that provide for a convenient and pleasing pedestrian access.

Commercial Development Pattern

The 122nd Avenue area features an array of commercial uses on a variety of sites that range from small (10,000 square feet or less) to very large (over five acres). In addition to grocery stores, variety/department stores, specialty retailers and personal and professional services, the area is established as a location for the sales of automobiles. As the area continues to develop in a more urban fashion, auto sales facilities featuring exterior display and exterior storage areas will continue to be a presence in the area. A key objective in the 122nd Avenue area is to encourage a more urban development pattern that allows for future intensification, and increased pedestrian safety and amenity on sites that feature exterior display or storage of merchandise. Another key objective is to enhance the design of buildings and sites so that compatibility with other adjacent residential and commercial uses is increased, and that development has a sense of quality and permanence.

Form and Architecture:

Commercial development in the 122nd Avenue Station Area is a combination of coarse and fine grains. Sites on the east side of 122nd Avenue and at major intersections are generally large and irregular, and the block pattern is one of superblocks. Development along Glisan Street, Burnside Street, and Stark Street, and much of the west side of 122nd Avenue, is much finer-grained, with small lots and block size dimensions ranging from 200 feet to roughly 600 feet in length. Much of the commercial development is setback from the street and features parking areas.

Buildings are generally post World War II era, and predominately one story. The area includes numerous auto retailers that feature exterior display areas, in addition to showroom

areas; many feature large storefront windows at the ground level. The area also includes some larger development: a three story office building, a six-story mixed-use building, and a five-story residential building which is located in the Mixed Commercial/Residential (CM) zone.

Residential Development Pattern

Residential development in the 122nd Avenue Station area is a mix of older, generally small, single-dwelling detached houses on small and large lots, and newer attached single-dwelling and multi-dwelling residential development on large and small lots. As the area transitions to a more intense development pattern, much of the established character of small-scale detached housing will be eclipsed. However, residential areas follow patterns of development that have suburban qualities: they are generously landscaped, often have gabled and hipped-roof forms, and feature parking areas. A key objective is to foster residential development with landscaping, a characteristic of much of the existing residential development in the area.

Form and Architecture:

Residential areas in the 122nd Avenue station area have a finer-grained pattern than the nearby commercial areas. Lots range from over an acre to under 2500 square feet. Streets are generally organized in a grid pattern, with streets at intervals of 200 feet to 600 feet.

The 122nd Avenue station area contains a wide variety of building types and architectural styles from different eras of development. Many single-dwelling houses in this area date to the early 1950s, and have low rooflines and dedicate significant area to landscaping. Newer development in the area generally consists of attached single-dwelling houses in the R1 zone, and larger-scale, multi-dwelling buildings in the RH and commercial zones. These buildings range in styles but typically feature somewhat less landscaping than less intense developments.

122nd Avenue Station Area

Desired Characteristics and Traditions

A. All Development

New development in the 122nd Avenue Station Area should strengthen the corridor's character as an active, mixed-use community focused on the light rail station at 122nd and Burnside. New buildings should complement adjacent existing structures and uses, foster a safe and attractive pedestrian environment, and be supportive of transit facilities. Buildings should exhibit a strong street orientation; effectively screen parking, necessary service areas (such as loading areas, garbage and recycling facilities), and storage areas adjacent to the sidewalk; and use sound construction practices and high-quality building materials. In addition, the incorporation of well-planted landscaped areas featuring trees, shrubs, and ground cover offers opportunities for area screening, managing stormwater, and for reducing the "heat island effect." Landscaping can forge links with the area's forested past through retention and use of native tree species, including Douglas Fir trees.

B. Mixed-use Development

Mixed-use developments should carefully consider the placement of different uses on-site and within the building. Locating active retail sales and service-types of uses at the street frontage contributes to an active pedestrian environment. Retail or office uses near the street also provide indirect surveillance of the sidewalk, important to increasing pedestrian safety. Due to the high traffic volumes and vehicle speeds on the area's arterial streets (122nd, Glisan and Stark), residential uses that are on-site should be located in quieter portions of the development, or above the ground-level of the building.

C. Development with Exterior Display and/or Exterior Storage Areas

Development that includes exterior display and/or exterior storage areas should have site designs that reduce the impacts of these areas on the pedestrian environment and allow for future intensification of development on site. These areas should be developed as follows: 1) buildings should be located near the street; 2) exterior display should be located to the side or rear of the building, or may be located in front of a building within the maximum building setback as described below; 3) exterior storage should be located behind buildings and buffered from view from lot lines; and 4) the sites should be well-landscaped.

Development on a site should be located such that open areas used for exterior display, exterior storage, or parking may be further developed in the future. This may be accomplished by locating exterior display, exterior storage, parking, or other open area to the rear or sides of buildings, and by excluding buildings on portions of the site where future streets or connections are planned.

Where incorporated, exterior display areas should be appropriately located, and allow pedestrian interaction, and act as an extension of the building and interior display area. In some cases, limited exterior display areas may be permitted between buildings and the sidewalk. These areas will be developed as a coordinated part of the building's overall design, be designed to enhance the pedestrian environment, be physically and visually separated from the sidewalk through materials and elevation changes, and include features supportive of their display functions.

Landscaping should be designed to improve aesthetics of the public realm, mitigate heat island effects of large paved areas, and improve aesthetics of the site through retention and use of native tree species, including Douglas Fir trees. Lighting for exterior development should be designed to minimize light intrusion onto adjoining properties and reduce ambient lighting intensities adjacent to residential zones and residential development.

D. Residential Development

New residential development should contribute to 122nd Avenue Station Area's character as an active, vibrant corridor offering of a diverse mix of housing types, styles, densities, and affordability options.

New residential buildings built along the area's arterials (122nd, Glisan, or Stark) should be buffered from the high vehicle volumes and speeds. Where street-facing ground-level units are proposed, possible strategies could include (but are not limited to) elevating them above sidewalk grade and/or setting them back behind a landscaped setback. Generally, it is preferable to locate common spaces (lobbies, mailrooms, gathering areas, fitness rooms, etc.) at street-facing ground-level locations within the building, developing stronger connections to the sidewalk.

E. Transitions

New development in the 122nd Avenue corridor should create effective transitions to existing buildings and uses. Large-scale commercial developments should be integrated into the surrounding urban pattern and mix of uses. For example, this may be accomplished by locating spaces suitable for small-scale active uses (such as banks, services, restaurants, cafes, florists) at the street frontage. New commercial buildings within the edges of commercially-zoned areas facing residentially-zoned areas should respond to the character of the residential zone. New higher-density residential development adjacent to lower-density areas should step down building massing and heights and/or develop increased setbacks to help ease the scale transition to the lower-density neighborhoods.

F. Intersection Nodes

Major intersections of 122nd Avenue and Glisan Street, Burnside Street and Stark Street should serve as nodes for pedestrian oriented development: the focal point for the most pedestrian-oriented development in the station area. Buildings should feature a strong corner orientation to reinforce activity between corners. Alternatively, the corner may be reinforced by focusing doorways that open on to a space at the corner that functions as an outdoor foyer. Buildings in these locations should offer an added sense of prominence at these entries to the station area. New development at the intersection nodes should, in addition to orienting to the corner, take advantage of the location adjacent to transit by minimizing surface parking and/or locating parking to the rear of sites away from transit streets.

Amendments to the Portland Personality Guidelines

Background

The following section includes amendments to the *Community Design Guidelines* that highlight urban and architectural features or characteristics that should be taken into consideration when new development is proposed. The amendments do not change the existing guidelines, but add examples of how to satisfy Guideline P1 (Plan Area Character) for properties in the 122nd Avenue Station Area. These additional statements are suggestions and do not constitute binding criteria, as do the guidelines.

Amendments to the “Portland Personality Guidelines” section of the *Community Design Guidelines* are shown below as underlined text, including the “may be accomplished by” statements A - E which are new. A reference is added to the background statements and desired characteristics and tradition statements outlined in the previous section.

The Portland Personality Guidelines recognize the unique characteristics and urban design goals of different parts of the city, and encourage new development that enhances these characteristics and supports these goals. There are special guidelines for the three areas with adopted community plans. Other guidelines address historic and conservation districts, district and town center plans, and gateways.

Amendments to the Community Design Guidelines:

Changes are underlined.

PLAN AREA CHARACTER

Background

Plan Areas outside of the Central City which have areas within the design overlay include the Albina, Outer Southeast, and Southwest Community Plan areas, the Hollywood and Sandy Plan Area, the Northwest District Plan Area, the Gateway Regional Center, the St. Johns/Lombard Plan Area, and the 122nd Avenue Station Area. Each of these areas has distinct historic, cultural, and geographic characteristics that should be taken into consideration when developing in the area. New development blends into established areas by reflecting the architectural features and site design of the surrounding buildings and responding to views, topography, and nearby amenities such as parks, schools, and community centers.

Guideline P1:

Enhance the sense of place and identity by incorporating site and building design features that respond to the area's desired characteristics and traditions.

See the 122nd Avenue Station Area Desired Characteristics and Traditions for application of Guideline P1.

This guideline may be accomplished in the 122nd Avenue Station Area of the Outer Southeast Community Plan area by:

- A.** Incorporating desired architectural and site design features, and using high-quality materials to create a sense of quality and permanence in new development and additions to existing development.
- B.** Incorporating quality, durable materials in exterior display areas along street frontages, and differentiating exterior display areas from exterior storage and vehicle areas. Changes in elevation may be used to differentiate display areas in front of buildings and add interest.
- C.** Incorporating well-landscaped areas on sites that are in residential use, or in developments that use exterior display, exterior storage, parking, or vehicle areas.
- D.** Using species native to the area in landscaping themes and by preserving large Douglas Fir trees.
- E.** Enhancing exterior display areas with integrated landscape plantings and trees.
- F.** Incorporating stormwater management features in required landscape areas.
- G.** Considering the siting, design, and details of residential buildings: develop effective transitions and relationships between structures through window location and consideration of interface between adjacent development and proposed interior uses.
- H.** Improving connectivity in the area: locate buildings, public and/or private rights-of-way, and connections in a manner that reflects the adopted street plan for the area.

122nd Avenue Design Features

The following photographs and illustrations provide examples of how particular desired site and building design features may be accomplished in the 122nd Avenue Station Area. The accompanying text describes the features being highlighted. Note that the examples are illustrative of features, but are not necessarily examples of developments that would be approved through design review. All examples are from Portland, unless otherwise noted.

Landscaping of Parking, Display and Storage Areas adjacent to streets

The two photographs below show examples of perimeter landscaping adjacent to exterior display areas and parking. The example on the left features a large landscaped setback with large trees at frequent spacing. The example on the right features a dense planting scheme and a mix of ground covers, shrubs, and trees. This type of landscaping, in conjunction with a wider sidewalk featuring street trees, forms a green edge and sense of safety and enclosure for pedestrians.



122nd Avenue south of Halsey



North Ivanhoe at St. John

Using landscaped and vegetated areas for on-site stormwater management is an efficient way to manage stormwater. It can often cost less to infiltrate stormwater into the ground rather than construct a piped system. The two photographs below show examples of how stormwater management functions may be incorporated into small on site landscaped areas near sidewalks and parking areas.



NE Sandy Blvd. and NE 16th Avenue



SE Portland

On-Site Landscaping

The photographs below show examples of on-site landscaping that includes trees and also manages stormwater effectively. Simple techniques, such as a vegetated swale, can be incorporated into a site's landscaping to manage stormwater. Trees are beneficial for both aesthetics and stormwater management, and also reduce the "heat island effect" of large paved areas.



NE 40th Avenue near Tillamook



PCC SE Campus Parking Area

Display Area Design

The photograph at left below shows an example of a scored concrete paving technique, ornamental structure, and landscaping that could be utilized in an exterior display area. The example at right shows how integrated display features such as a decorative pedestal and decorative fence create interest and a sense of protection for the pedestrian.



North Ivanhoe at Charleston



SE Ankeny at MLK Jr. Blvd.

Display Area Design

The photographs and diagrams below show examples of how exterior display areas in front of a building may be accomplished and how landscaping may be integrated into these areas. The examples also show how generous display windows in buildings can enhance the pedestrian environment and create interest.



Oakland, CA



Naito Parkway at Market



Concept Illustration

The photos below show additional examples of how an exterior display area may be provided in front of a building. The example on the left features a type of arcade. The example on the right features an awning or canopy in front of the building.



Oakland, CA



Wilsonville, OR

Pedestrian Realm

The photos below show additional examples of how generous display windows in buildings can add interest and enhance the pedestrian environment for uses that may feature exterior display areas.



Victoria, B.C.



122nd Avenue north of Burnside

As shown in the photos below, commercial and mixed-use developments without exterior display and storage should be built near the sidewalk and should include pedestrian-oriented features such as awnings, seating areas, and generous ground floor windows.



SE Washington at 103^d Avenue



SE Washington at 103^d Avenue



Gresham, OR



NE Broadway at 11th Avenue

Main Entry

The photos below show examples of well-defined pedestrian entries. The image at top left shows how a building that is not located at a corner may orient an entrance to provide access from the sidewalk and parking areas. This example would also work effectively in a corner location. The photo at top right shows a pedestrian-oriented entry into an auto dealership in a new building designed for multiple uses. In the lower examples, signage and architectural elements help define the entry.



NE Glisan east of 122nd Avenue



East Burnside at Grand



NE Broadway at 13th Avenue



NE Multnomah at Grand

Medium-Density Residential Development

The photographs below all show use of durable materials such as wood or cement-fiber siding, decorative trim, and on-site landscaping that are appropriate for development in the residential zones. The example at top left shows how surface parking areas may be hidden from street view. The example at bottom left shows generous landscaped areas with building details that add character to the development. The example on bottom right shows use of quality materials such as wood, concrete, and glass in a more modern style structure.



SE 127th Avenue north of Stark



7704-7716 SE Raymond St



211-293 SE 160th Avenue



SW 3^d and Meade

High-Density Residential

The photographs below show building mass, the use of durable materials such as metal, brick, and wood, and on-site parking solutions (tuck-under and podium) that are appropriate for development in the RH zone. The diagram at bottom right shows transition from higher density to lower intensity and smaller buildings.



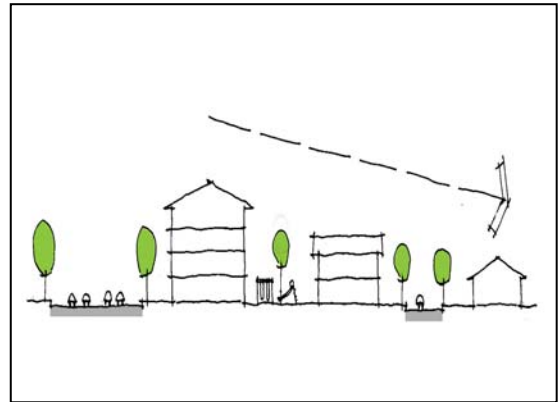
East Burnside at 122nd Avenue



NE 99th Avenue south of Pacific



SE 102nd Avenue at Ankeny



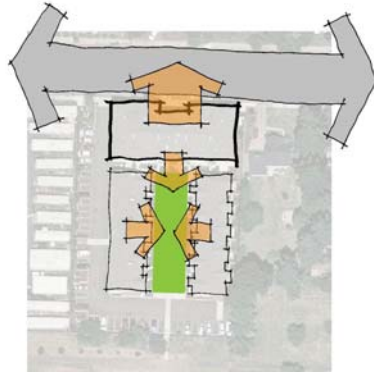
Transition from larger to smaller buildings

On-site Open Areas

Landscaping and open/green space is an important feature in residential development. The photo and diagram below shows an approach to on-site open space. The buildings form a courtyard protecting the open space from traffic, which creates a safe open space for residents that is buffered from street noise.



SE Stark at 109th Avenue

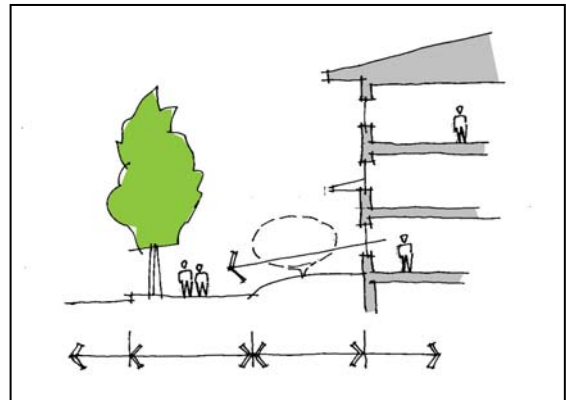


Residential Development on Busy Streets

Livability is a key factor in multi-dwelling and mixed-use developments. The photograph and diagram below show an example of how ground floor residential units may achieve a greater sense of privacy by elevating units above sidewalk grade, using landscaping, and by increasing the front yard building setback.

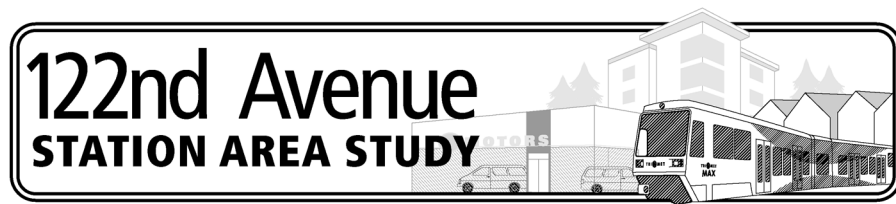


SE Hawthorne at 18th Avenue



Appendix

- 1. Ordinance 180372**
- 2. 122nd Avenue Station Area Study:
Phase One Report and Recommendation
Under Separate Cover**



Appendix 1

SUBSTITUTE

ORDINANCE No. 180372

Adopt and implement the 122nd Avenue Station Area Study Implementation Amendments
(Ordinance; Amend Titles 33 and 16, Comprehensive Plan)

The City of Portland Ordains:

Section 1. The Council finds:

1. Portland's *Comprehensive Plan* was adopted on October 16, 1980, acknowledged for compliance with Statewide Planning Goals on May 3, 1981, and again on January 25, 2000, and updated as a result of periodic review in June 1988, January 1991, March 1991, September 1992, and May 1995.
2. The Outer Southeast Community Plan was adopted on January 31, 1996, and amended on May 19, 2004.
3. Oregon Revised Statutes (ORS) 197.628 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up-to-date and in compliance with Statewide Planning Goals and State laws. Portland is also required to coordinate its review and update of the *Comprehensive Plan* and land use regulations with State plans and programs.
4. Portland *Comprehensive Plan* Goal 10, Plan Review and Administration, states that the *Comprehensive Plan* will undergo periodic review to ensure that it remains an up-to-date and workable framework for land use development.
5. Portland *Comprehensive Plan* Policy 10.2, Comprehensive Plan Map Review, establishes a community and neighborhood planning process for the review and update of the Portland Comprehensive Plan Map.
6. Portland *Comprehensive Plan* Goal 3, Neighborhoods, calls for preserving and reinforcing the stability, diversity, residential quality, and economic vitality of the City's neighborhoods, while allowing for increased density.
7. Specific area plans and studies are advisory documents for directing and managing change over time. The adopted 122nd Avenue Station Area Study Implementation Amendments will serve as an official guide to decision-making, public deliberation, and investments.
8. Information used for the formulation of the amendments was based on land use, public infrastructure, economic and transportation analyses, and public comments from workshops, open houses, and other meetings, presentations and events.

9. The Bureau of Planning developed the proposed amendments with participation from interested neighborhood and business associations, property owners, business persons and citizens and with cooperation from other bureaus and agencies.
10. Public involvement and outreach activities included regular consultation with a study working group, and three public meetings held between February 2005 and July 2005. Staff also attended neighborhood and business association meetings to discuss issues addressed in the study.
11. The neighborhood and business associations in the study area named a representative to the project's working group. In addition, the working group included representatives of property and business owners in the study area, and representatives of TriMet and Metro. These representatives informed staff on neighborhood and business issues and other matters related to the project and provided feedback on study issues.
12. The *122nd Avenue Station Area Study Implementation Amendments* implement or are consistent with the Statewide Planning Goals, the Oregon Transportation Planning Rule, the Region 2040 Plan, the Metro Urban Growth Management Functional Plan, and the Portland Comprehensive Plan, as explained in the *Findings Report* attached as Exhibit B and incorporated as part of this ordinance. These rules, policies, plans, provide a basis for integrating new residential, commercial and employment activities into the study area.
13. On October 5, 2005 notice of the proposed action was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020.
14. Written notice of the November 22, 2005 Portland Planning Commission and December 1, 2005 Portland Design Commission public hearings was mailed to 614 interested parties on October 21, 2005.
15. On October 24, 2005 a notice as required by ORS 227.186 was sent to all property owners potentially affected by changes to the base zone or allowed uses of property (73 total). Additional notices were mailed to property owners affected by additional proposed Design overlay zone and Comprehensive Plan Map changes (R3 to R1d) on December 9, 2005.
16. Notice of a rescheduled Design Commission public hearing was mailed to 617 interested parties on December 9, 2005.
17. On November 22, 2005, the Portland Planning Commission held a public hearing on the *122nd Avenue Station Area Study Proposed Implementation Amendments*. The Portland Planning Commission also held a public hearing for testimony on additional areas proposed for the Design overlay zone and changes to the Comprehensive Plan Map (R3 to R1d) on January 10, 2006. On February 14, 2006 the Planning Commission recommended that City Council adopt the *Proposed Implementation Amendments* as amended by the Planning Commission.

18. On January 5, 2006, the Portland Design Commission held a public hearing on the *122nd Avenue Station Area Study Proposed Implementation Amendments*. On February 2, 2006 the Design Commission recommended that City Council adopt the *Proposed Implementation Amendments* as amended by the Design Commission.
19. The Planning Commission held a second hearing on the *122nd Avenue Station Area Study Proposed Implementation Amendments* on April 25, 2006 to consider further revisions to the Portland Zoning Code. Written notice of this follow-up Planning Commission hearing was mailed to 670 interested parties on April 7, 2006.
20. Portland City Council held a public hearing on June 15, 2006. Written notice of the June 15, 2006 a Portland City Council public hearing was mailed on May 22, 2006. The hearing was continued to June 28, 2006 and August 2, 2006 to consider amendments. Public testimony was taken at all hearings.
21. On July 12, 2006 a notice as required by ORS 227.186 was sent to property owners potentially affected by changes to the base zone or allowed uses of property (CM to CXd). On August 2, 2006, the Portland City Council held a hearing to consider the proposed changes and take public testimony on this matter.
22. The Portland Bureau of Planning mailed notice and held a public meeting on July 20, 2006 to discuss specific proposed amendments for a fuel station in the 122nd Avenue subdistrict of the East Corridor Plan District.
23. The City of Portland wishes to reduce reliance on oil and encourages the use of alternative fuels to help reduce oil dependence and improve air quality.
24. The 122nd Avenue Subdistrict will continue to evolve into a transit and pedestrian oriented mixed use area which will reduce reliance on motor vehicle travel and oil.
25. New fuel stations approved in the 122nd Avenue Subdistrict should include features such as mixed or multiple uses to reduce vehicle miles traveled and alternative fuel products such as B20 biodiesel to further reduce dependency on oil.
26. It is in the public interest that the recommendations contained in the *122nd Avenue Station Area Study Implementation Amendments* be adopted to direct change in the study area. These recommendations are consistent with Statewide Planning Goals, Metro's Functional Plan and the City's Comprehensive Plan for the reasons stated in the findings in Exhibit B.

NOW, THEREFORE, the Council directs:

- a. The *122nd Avenue Station Area Study Implementation Amendments*, dated May 2006 and contained in the attached Exhibit A, as amended by City Council, are hereby adopted.

- b. Portland's *Comprehensive Plan* is amended as described in Exhibit A, the *122nd Avenue Station Area Study Implementation Amendments*, and as amended by City Council.
- c. The *Outer Southeast Community Plan* is amended as described in Exhibit A, the *122nd Avenue Station Area Study Implementation Amendments*.
- d. The Portland Comprehensive Plan Map and the Zoning Map of the City of Portland are amended, as shown in Exhibit A, and as amended by City Council.
- e. The *Community Design Guidelines* are amended as shown in Exhibit A. The Desired Characteristics and Traditions statements included in Exhibit A will be used by design review bodies as extensions of Community Design Guideline P1, Plan Area Character, in the 122nd Avenue area as shown in Exhibit A, the *122nd Avenue Station Area Study Implementation Amendments*.
- f. Title 33, Planning and Zoning of the Code of the City of Portland, Oregon, is amended as shown in Exhibit A, and as amended by City Council.
- g. The commentary in Exhibit A is adopted as legislative intent and as further findings.
- h. Amended Exhibit B, *Findings Report*, dated August 2, 2006, which contains findings on applicable statewide planning goals, the Metro functional plan, and Portland Comprehensive Plan, is adopted as findings of fact.
- i. Portland City Code Title 16, Chapter 16.60 Motor Vehicle Fuels, is amended as shown in Attachment 1 of the memorandum to City Council dated July 31, 2006,
- j. The amendment to add Subsection 33.521.300.G, Motor Vehicle Fuel Sales in the CX Zone to Title 33, Planning And Zoning, will be effective on July 1, 2007. This amendment is in the memorandum to City Council dated July 31, 2006.

Section 2. This Ordinance shall be in full force and effect 45 days after Council adoption.

Passed by the Council, **AUG 16 2006**

Mayor Tom Potter
Barry Manning
Date: August 1, 2006

GARY BLACKMER
Auditor of the City of Portland

By 
Deputy



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