

# SE 122ND AVENUE REZONE PROJECT

An Implementation Measure of the SE 122nd Avenue Study



Proposed Draft • June 2012

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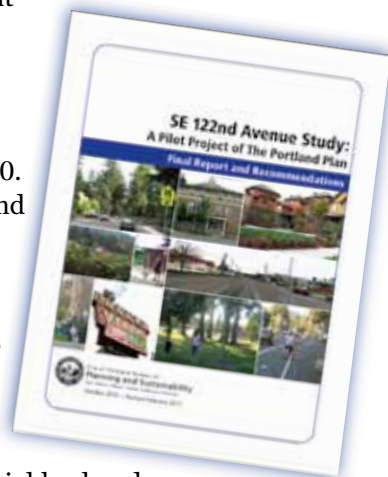
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# Introduction and Proposal

## Introduction

This report presents the results of a year-long effort by staff at the City of Portland's Bureau of Planning and Sustainability and a neighborhood-based advisory group to review the zoning patterns along the southern portion of SE 122nd Avenue. This report proposes zone changes to specific properties totaling 22 acres within the study area that would increase the availability of neighborhood serving commercial activity and employment opportunities to current and future residents.

The proposals contained within this report are intended to implement a portion of the SE 122nd Avenue Study: A Pilot Project of the Portland Plan, which was completed in 2010. This earlier study found the southern portion of 122nd Avenue, particularly south of Holgate Boulevard, to be underserved by such commercial activity necessary to support a complete neighborhood.



Other recommendations of the pilot study regarding home-based businesses and multi-dwelling residential development issues were also considered during this zoning review and are outlined in this report. Because these issues are applicable to neighborhoods across the city, not just 122nd Avenue, consideration of changes to city policy and regulation pertaining to home occupations and multifamily residential development will be undertaken through the city's Comprehensive Plan update now underway.

## Background

In July 2009, city staff from the Bureau of Planning and Sustainability engaged a broad coalition of outer southeast Portland community interests in a pilot study of the Portland Plan to consider opportunities to make the neighborhood around SE 122nd Avenue a more convenient, healthy, walkable and vibrant place to live. This pilot study was a direct response to a desire to maintain the momentum of progress initiated through the adoption of the East Portland Action Plan in February 2009.

The boundaries of the pilot study were roughly SE Division south to SE Foster, and four blocks on either side of SE 122nd Avenue. This study area is located within the Powellhurst-Gilbert Neighborhood, a large neighborhood with over 24,000 residents. It is an increasingly diverse neighborhood with many immigrant families and a relatively high poverty rate. It was annexed into the City of Portland between the 1980s and the early 1990's and urban zoning designations were applied as part of the City Council-adopted Outer SE Community Plan in March 1996. Since then residents have been asking the City to reevaluate the zoning in portions of outer SE Portland, including along the southern end of 122nd Avenue because they feel that there is too much multifamily zoning and not enough commercial zoning to provide for a balanced neighborhood.

The results of the SE 122nd Avenue pilot study were intended to inform the Portland Plan, consider health implications of planning and guide capital improvements. Specific recommendations from the pilot study included:

- Consider changes to zoning to support the desired retail environment, including the potential for a grocery store at the south end of the study area.
- Explore and develop a regulatory tool that allows small commercial uses and/or mixed use development in areas currently zoned R1 beyond what is currently allowed through the Accessory Home Occupation allowance described in Zoning Code Chapter 33.203.



- Explore alternative site development standards or consider alternatives to the R1 multi-dwelling residential zone to improve the interface between development and busy streets.
- Consider changes to (single-family residential) zoning in areas over 400 feet away from arterial streets to reduce development impacts, improve compatibility and preserve trees in neighborhood areas.
- Explore changes to minimum density and other development standards in R2 and R1 zones to improve compatibility and reduce impact of new development.
- Develop site development regulations for multi-dwelling residential development that require more usable open space, landscaping, and healthy eating, active living (HEAL) amenities, such as bike storage, connections to larger pedestrian/bicycle networks and gardening opportunities.
- Explore use of the design overlay zone or special development design standards appropriate for R1 and R2 zone multi-dwelling areas to improve residential design along and near SE 122nd Avenue.

Following adoption of the *SE 122nd Avenue Study: A Pilot Project of the Portland Plan Final Report and Recommendations*, City Council authorized BPS to identify specific properties that could be rezoned in advance of the larger Comprehensive Plan Update and develop actionable recommendations regarding the home business and multifamily design and location issues raised in the pilot study.

## Outreach and Public Involvement

The SE 122nd Avenue Rezone Project is an effort to implement recommendations from the pilot study. Accordingly, a project advisory group (PAG) was established in September of 2011 with members drawn from neighborhood and organization representatives active in the pilot study. An initial PAG membership list of 14 individuals was established including individuals, business owners and representatives of public health and community advocacy organizations. Roughly seven members remained active over the course of this project providing ideas and feedback at six advisory group meetings held in the evenings at Leander Court Apartments - 4620 SE 122nd Avenue.

The project team solicited additional input through two community walks and updates provided to the Midway Business Association, East Portland Action Plan and Powellhurst Gilbert Neighborhood Association. Over 60 residents attended an open house held at the Gilbert Park elementary school on February 23, 2012. A questionnaire seeking resident preferences was distributed at the open house and made available online. The results of this preference survey are included as Appendix A.

The project team also maintained a project website for the duration of the project (<http://www.portlandonline.com/bps/122ave/>) Project notification postcards were sent to over 5,400 residents and property owners within the study area; and individual property owner notification letters were sent to property owners whose specific property is being considered for rezoning as part of this legislative process.



*Sponsored community walk*

## Proposals

This report proposes zone changes to specific properties that could be adopted immediately. Additional recommendations are also offered regarding changes to the City's home occupation regulations, multifamily residential development standards and location requirements that could be incorporated into the broader Comprehensive Plan Update now underway. These proposals are described more fully below.

**Zoning** – Staff proposes to rezone 68 individual lots between Powell Boulevard and SE Foster Road to one of four separate commercial zoning classifications. This action will add approximately 22 acres of new commercial zoning to the south end of 122nd Avenue. Staff is also proposing a change in zoning from low density residential to open space to 4 properties included in the Leach Botanical Garden. These proposed zone changes could be adopted immediately.

**Home Occupations** – A proposed concept is also presented regarding revisions to Portland City Code Section 33.203 Accessory Home Occupations regulations that would expand the amount of commercial activity that could take place from single-family residences located on major city traffic streets such as SE 122nd Avenue. Additional input is required from the Bureau of Development Services which implements home occupation regulations, as well as from community members across the city before a detailed proposal could be considered. No Planning and Sustainability Commission or City Council action is requested at this time.

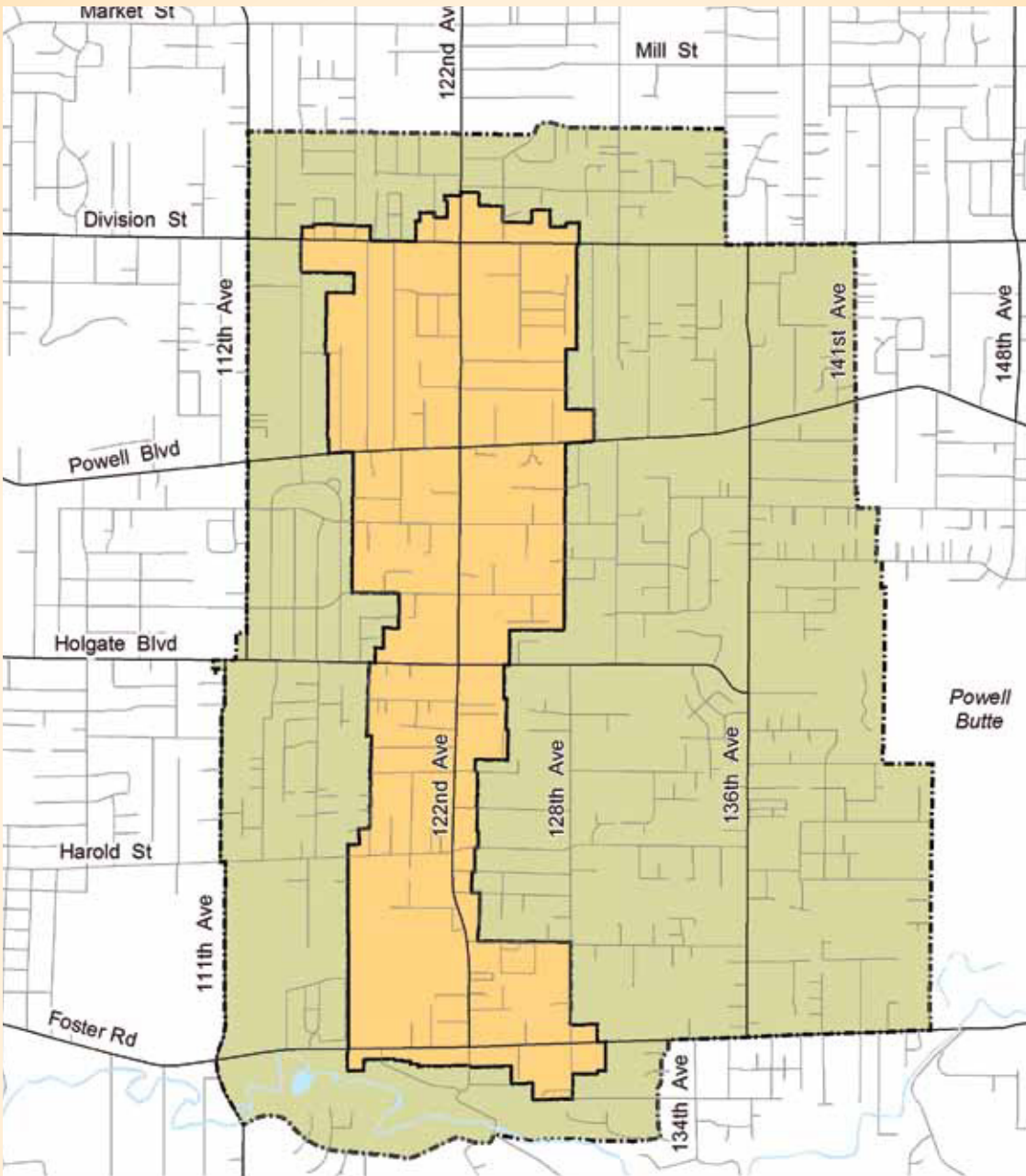
**Multifamily Residential Design and Location** – Additional information and community input regarding the design and placement of multifamily residential development within the study area was collected as part of this rezoning effort. This input reinforces the existing sentiment that the current application of multifamily zoning to existing single family residential neighborhoods in advance of adequate public infrastructure and without adequate regulatory tools to promote compatibility is not creating the quality neighborhoods to which East Portland aspires.

The issues surrounding residential densities, design and infrastructure are applicable citywide. While there is some urgency to addressing these issues in Outer SE Portland prior to the next development cycle, a package of land use policy and regulatory changes are best addressed through the City's Comprehensive Plan Update now underway. This report offers a brief history of design review in Portland and recommends that further consideration of design review and density occur as part of the Comprehensive Plan update in order to receive broader analysis and public input. No PSC or City Council action is requested at this time.

### Connections to Portland Plan

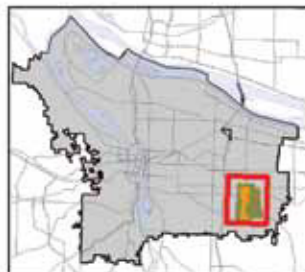
*The rezoning recommendations contained in this report support the Economic Prosperity and Affordability Strategy of the Portland Plan, which seeks to expand economic opportunities for Portlanders, and the Healthy Connected City Strategy which promotes complete and vibrant neighborhood centers and corridors. The recommendations for SE 122nd Avenue will contribute to these strategies by providing needed commercially zoned property in an underserved portion of East Portland. This, in turn, will support job growth and neighborhood-serving commercial uses, two components of a complete neighborhood. This project is also an investment of city resources in an underserved neighborhood. This is consistent with the Portland Plan's Equity Framework, one element of which directs the city to deliver equitable public services more evenly across its geographies.*

Figure 1: Study Area Map

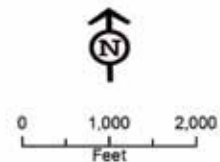


**SE 122nd Avenue Pilot Project Area**

- Study Area
- Area of Influence



Area Mapped



All data compiled from source materials at different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning & Sustainability.

August 13, 2010

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## Existing Conditions

This chapter describes the neighborhood under consideration and identifies some key events and policies that have impacted land use patterns in the study area since it was annexed to the City of Portland.

### Study Area

The 2009 SE 122nd Avenue Pilot Study area boundary was drawn to include commercial and multi-dwelling zoned properties adjacent to SE 122nd Avenue between roughly SE Division Street on the north and SE Foster Road at its southern end. A broader influence area that extends west to SE 111th Avenue and east to roughly SE 145th Avenue was identified in order to study the broader demographics and market influences affecting the study area. See Figure 1: Study Area Map on page 4.

### Annexation

The study area for this report was part of unincorporated Multnomah County until it was annexed by the City of Portland over a time period starting in the early 1980s and continuing through the mid 1990s. Before annexation, much of the study area was a low-density, semi-rural area without urban services such as improved streets, centralized sewer systems, stormwater management facilities, and developed parks. Over the past 20 years, the area has experienced an approximate 50 percent increase in population and development, without a corresponding upgrade to the infrastructure.

### Regional and Community Planning in the 1990s

The City of Portland developed the Outer Southeast Community Plan from 1992 to 1996 which included the annexed area along SE 122nd Avenue. The Plan updated land use regulations in the study area to conform to City and regional policies. The Metro Region 2040 Growth Concept (1995) established a regional growth management approach that encourages a compact and transit supportive urban form. The concept calls for the creation of regional centers, town centers, transit station communities, and main streets that will accommodate commercial and mixed-use development. It also directs that areas within a quarter mile of frequent transit routes to be regulated in a manner that supports transit and growth management goals. As a result, much of the frontage along SE 122nd Avenue was zoned for multi-dwelling residential uses to conform to the City and regional goals.

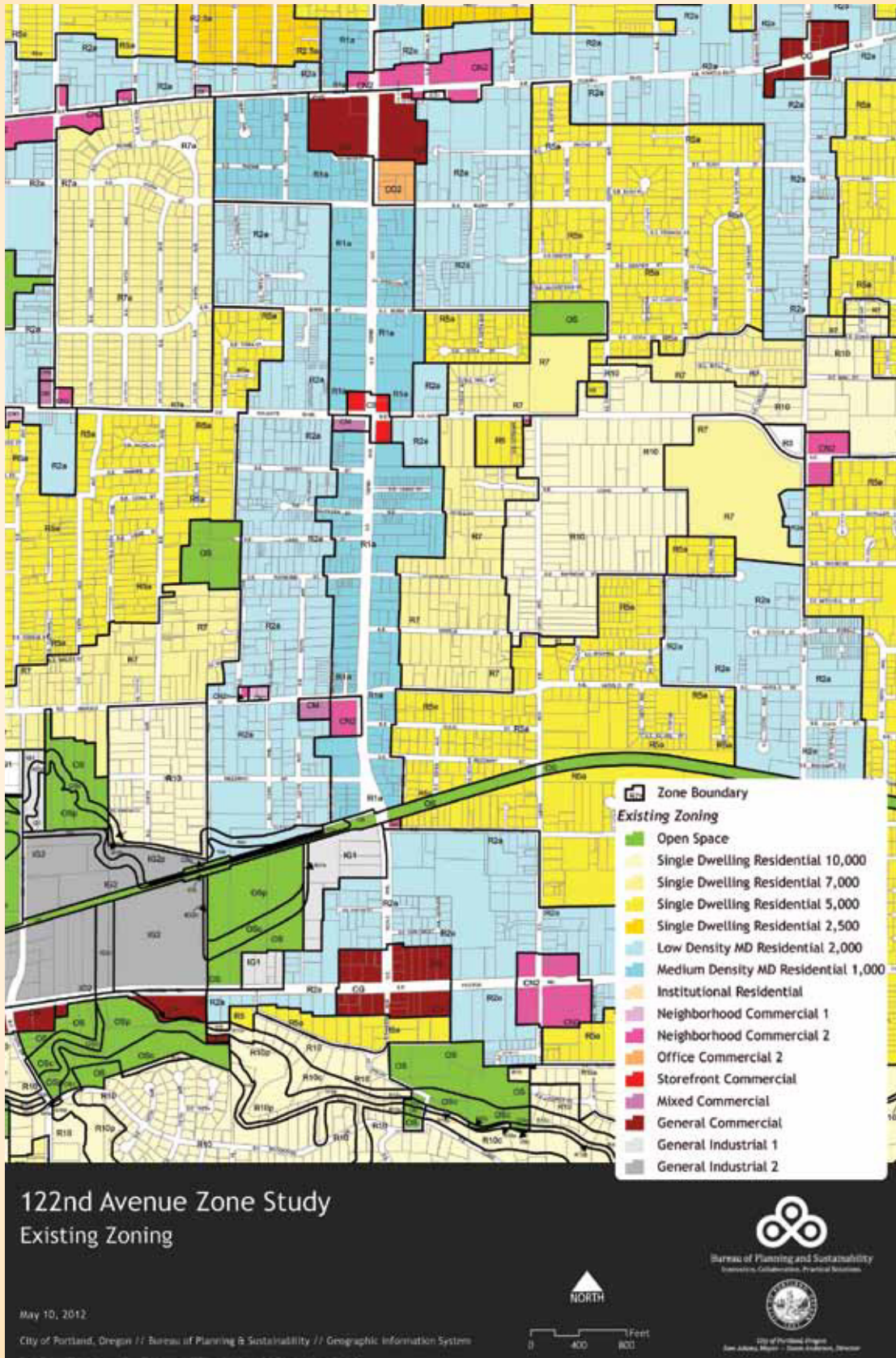


*Traffic on SE 122nd Avenue*



*Many side streets lack curbs and sidewalks.*

Figure 2: Existing Zoning Map





## Today

Since the late 1990s the study area has experienced the construction of many new residential buildings allowed by the zoning put in place through the Outer Southeast Community Plan. Currently 77 percent of the land in the study area is zoned for residential uses compared to 67 percent in East Portland and even less citywide. New development is often located along streets that lack full street improvements or stormwater management facilities. See Figure 2: Existing Zoning Map on page 6.

## Demographics

Demographic trends also have affected development in the study area:

- **Race and ethnicity** – The study area has been experiencing a significant increase in racial and ethnic diversity with a change from 12 percent non-white in 1990 to 31 percent in 2009.
- **Racial and ethnic diversity in study area schools** – In the area schools that serve the study area 58 percent of the students are white; 21 percent of the students are of Hispanic ethnicity. There are 74 languages spoken in the David Douglas School District.
- **Educational attainment** – In 2009, only 12 percent of the population in the study area had a bachelor or post graduate degree compared to 36 percent of the total population of Portland.
- **Families with children** – Over the last twenty years the number of families with children in the study area has increased at a much faster pace than in Portland as a whole. The percentage growth of families in the study area was 10 times what Portland as a whole experienced from 1990-2000.
- **Household size** – Household size in the study area has been increasing (2.68 in 2009), while household size in Portland has been stable or decreasing since 1990 (2.28 in 2009).
- **Household income** – The study area’s median household income is less than that of Portland overall, and is forecast to stay below the citywide median.



*A neighborhood park facility*

Many of the new residents drawn to East Portland are families with school-age children. Lower housing prices and an increase in multifamily residential housing allowed under higher density zoning have contributed to increasing numbers of families who have been priced out of inner-Portland neighborhoods moving to East Portland. This population trend has caused enrollment in East Portland’s public schools to increase steadily to the point where all of the David Douglas schools are at or above their design capacity. It has also led to East Portland schools serving an increasing number of low-income students and students for whom English is not their first language. The percentage of students qualifying for the federal free and reduced lunch program has increased from 40 percent in the mid 1990s to almost 80 percent today. Twenty-five percent of the student population in David Douglas considers English their second language.



*Gilbert Heights School*

## Business and Market Conditions

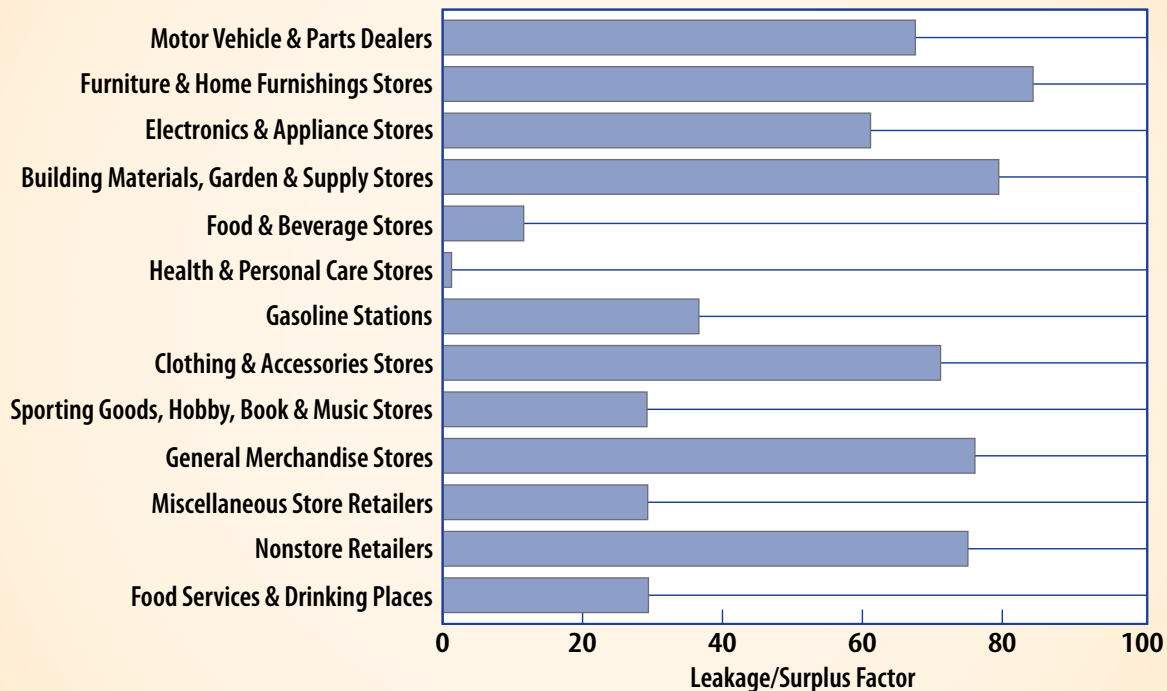
There are currently 83 acres of commercially zoned property within the study area. The majority of this acreage (136 businesses) is located at the north end of the study area at the SE Division Street and Powell Boulevard intersections. Only 32 businesses were identified at the south end of the study area between SE Holgate Boulevard and SE Foster Rd.

### Gap Analysis: Study Area

In both 2010 and 2012, *Retail Gap Analyses* were performed within the study area boundaries to quantify how well the existing retail stores in the area meet the consumer demand of the surrounding residents. In general, the gap analysis identifies specific industry sectors that are either over or under-represented within the identified market area. Excessive leakage represents an opportunity for future business development within the corridor. In some cases, a surplus indicates a specialty cluster of businesses on the corridor that draws customers from a larger trade area.

The results of the analysis from 2012 are presented in Figure 3 below. More detailed information is provided in Appendix B. These results indicate that there is more potential purchasing power within the study area than there are businesses to serve this demand. There is an undersupply of shopping opportunities within the study area in all thirteen industry subsectors.

**Figure 3: Leakage/Surplus Factor by Industry Subsector in the Study Area**



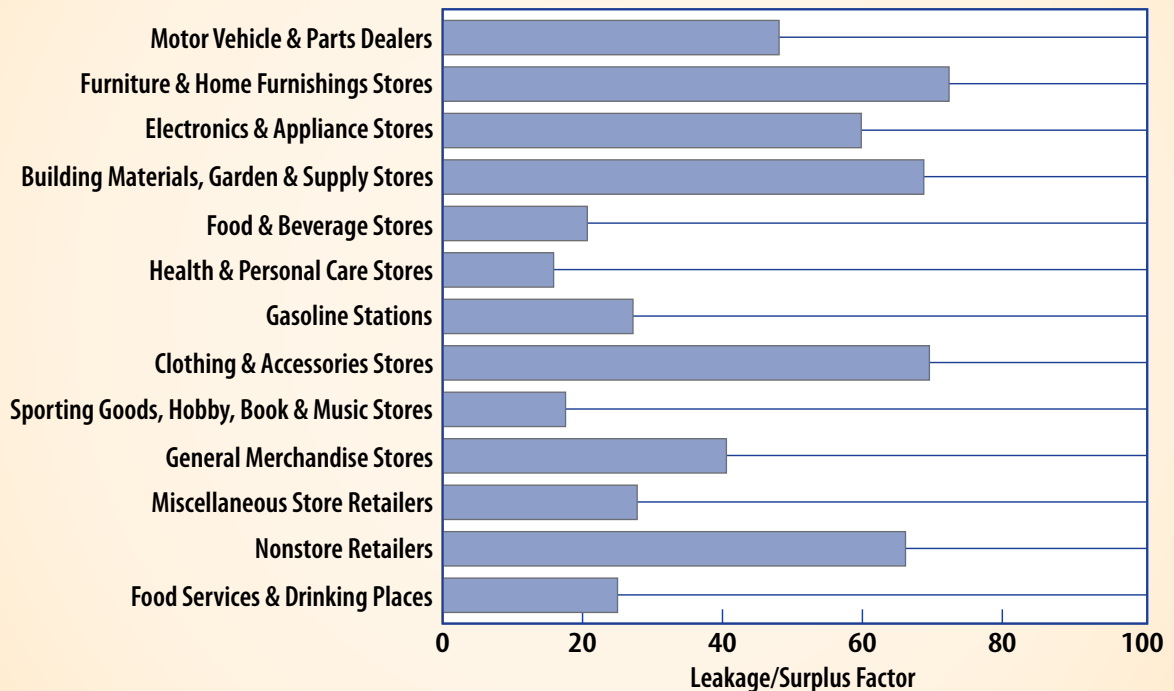


## Gap Analysis: 5-Minute Drive Time

A second retail gap analysis was performed in 2012 to assess commercial leakage/surplus in the area defined by a 5 minute drive time for a resident living in the southern end of the study area. Setting the analysis boundaries using a 5 minute drive time defines a neighborhood serving market area that is easily accessible to nearby residents meeting daily needs. A smaller neighborhood serving market area helps identify the potential demand for convenience goods, products that residents purchase more frequently including groceries, toiletries and health products as well as entertainment services such as restaurants and cafes. While neighborhood residents are likely to shop within the regional marketplace for goods such as furniture and electronics, trends in consumer behavior indicate that once provided with accessible retail and service options, residents prefer to shop for convenience goods within a closer proximity to their home.

The result of this updated analysis, shown in Figure 4 yields the same result. Commercial leakage is present in all thirteen commercial subcategories.

**Figure 4: Leakage/Surplus Factor by Industry Subsector within a 5 Minute Drive Time of the Study Area**



# Proposed Zone Changes

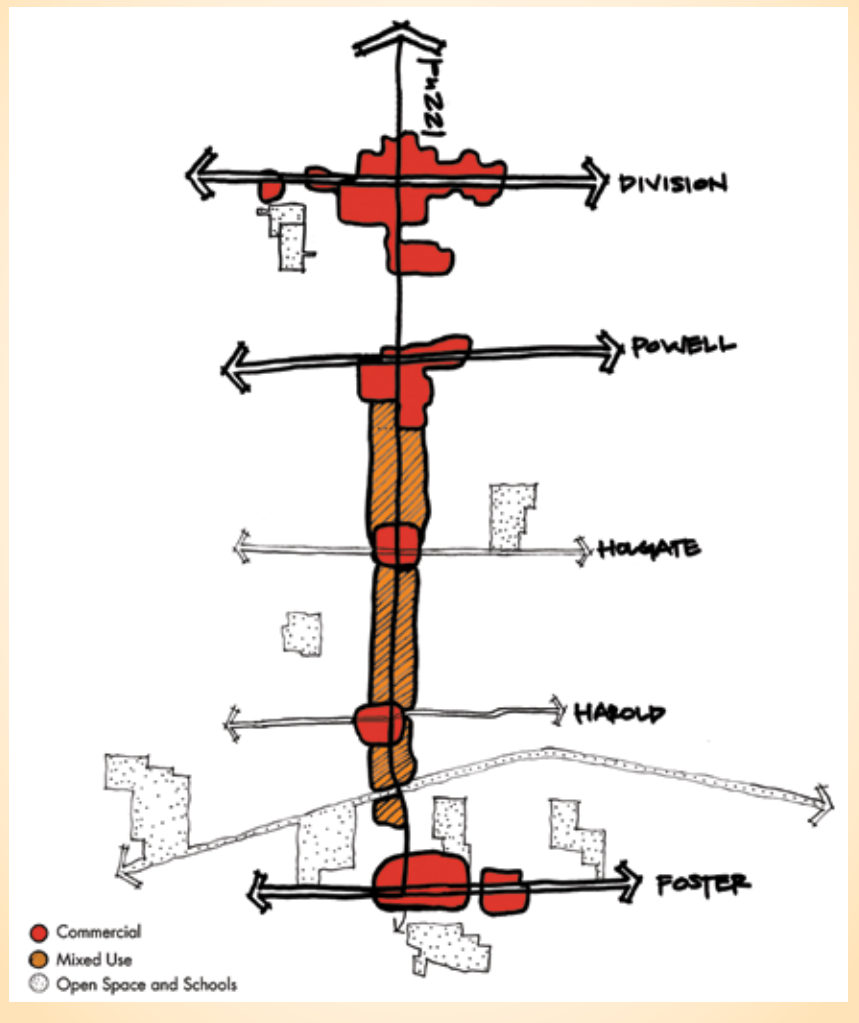
This chapter presents a brief rationale for the current review of commercial zoning along SE 122nd Avenue, the methodology used in identifying specific properties proposed for a change in zoning and the zone district classifications proposed. It concludes with the staff’s proposal and a discussion of additional zone changes that are advocated by the Project Advisory Group but not included in the staff proposal.

## A Case for Rezoning

The geographic distribution of commercially zoned property within the study area, the presence of significant commercial leakage, and the neighborhood input expressed through both the pilot study and the current project support adding new commercial zoned property at the south end of 122nd Avenue. As described earlier in this report, one of the central recommendations of the pilot study was to create additional opportunities for neighborhood-serving commercial activity at the south end of SE 122nd Avenue. A conceptual diagram of this rezoning was included in the pilot study Final Report and Recommendations and is included here as Figure 5.

With this background, staff and the project advisory group developed a series of review criteria against which potential rezonings were evaluated. These review criteria formed the basis on which properties were considered for commercial zoning in order to best meet community goals.

**Figure 5: Commercial Land Use Pattern Preferred Approach Diagram**



## Review Criteria and Discussion

### Implement Pilot Study and PAG Recommendations

Recommendations from both of these sources indicate a desire for additional neighborhood-oriented commercial zoning at the south end of SE 122nd Avenue. Initially staff focused their efforts on properties south of the Holgate and SE 122nd Avenue intersection. Additional detail was added through discussions with the Project Advisory Group where, among other considerations, the Project Advisory Group indicated that additional mixed-use commercial activity should be permitted mid-block.

### Complete Contiguous Commercial Nodes

Staff's initial strategy was to expand existing commercial nodes located at intersections where such additional commercial zoning would provide an opportunity for lot consolidation and resulting parcel sizes that could support redevelopment to modern zoning standards. These include on-site parking lots, landscaping, setbacks from neighboring residential properties and building footprints that accommodate commercial activities. Other advantages that accrue to adjacent commercial activity include shared parking, a more recognizable commercial identity and ability for customers to visit more than one establishment per trip. Mid-block properties located between Raymond and Harold Streets were subsequently added for consideration after the Project Advisory Group sought additional commercial acreage. Here the physical dimensions of the additional lots considered and number of lots available in this block provide the potential for this area to create an identifiable commercial node.

### Consider Adjacent Street Conditions and Impact on Local Traffic

The Powell, Holgate, Harold and Foster intersections each benefit from their location on two major city streets and the corresponding traffic exposure that this brings. The presence of stoplights at these intersections facilitates traffic into and out of any subsequent commercial development further adding to the advantage of these locations. Pedestrian crossing improvements scheduled by the Bureau of Transportation at SE Raymond will add to pedestrian safety for any commercial activity that occurs at this intersection.

### Minimize Impacts on Adjoining Residential Uses

Staff limited, but did not entirely avoid, the number of properties proposed for commercial zoning that do not have direct access to SE 122nd Avenue or a major east/west arterial street. This will lessen the amount of increased traffic on adjoining local streets that serve predominantly residential neighborhoods. Staff also minimized situations where a residential front yard will face a new commercial property. Along SE 122nd Avenue, staff limited the proposed application of commercial zoning to properties that are currently developed with multifamily residential projects or to isolated parcels otherwise surrounded by multifamily residential development. Some exceptions to this criterion were made where properties were included to square-off a proposed commercial district.

### Minimize Non-Conforming Uses

Seven properties have been included in the proposed rezoning program to recognize existing (legal) non-conforming uses that exist within the rezoning program area. Most of these properties are located near the intersection of Powell Boulevard and 122nd Avenue and were added in response to public input. Such recognition would not necessarily add commercial inventory to the existing supply but it would provide additional certainty to these existing businesses and provide greater ability for them to expand, modify or transfer their operations in response to personal or market desires.

## Properties identified for rezoning

Utilizing the criteria above, staff is proposing that 68 lots be rezoned for future mixed-use or commercial development including:

- 2.62 acres of existing non-conforming uses rezoned to commercial.
- 19.16 acres of new commercial property rezoned from residential.

If the staff proposal is adopted, there would be an additional 6.33 acres of new commercial zoning added to the 17.35 existing acres currently located at the intersection of SE 122nd Avenue and Powell Boulevard. There would be 16 acres of new commercially zoned property along the southern portion of SE 122nd Avenue between Holgate and Foster Road added to the existing 12.7 acres of commercial zoning in this underserved area. See the table below and the zoning map on the next page.

### Proposed Zone Changes as of May 10, 2012

Number of Taxlots	Change from/to	Square Feet	Acres
3	CM to CS	23,390	0.54
*1	CM to R2	1,520	0.03
17	R1 to CM	221,099	5.08
19	R1 to CN1	238,500	5.48
7	R1 to CN2	156,754	3.60
4	R1 to CS	52,777	1.21
*1	R1 to R2	9,077	0.21
5	R2 to CM	39,662	0.91
11	R2 to CN2	217,089	4.98
6	R10 to OS	80,092	1.84
1	R2 to CS	18,450	0.42
<b>74 actual number of lots</b>		<b>1,058,408</b>	<b>24.00</b>

\*12S2E15AA 600 is split between zone change types

## Choice of Commercial Zoning Categories

As specific properties were identified to be rezoned, a decision was made regarding which available zoning designation was the most appropriate. There are eight commercial zoning categories available within the City’s Development Code, each intended to create a particular type of commercial development or serve a particular type of neighborhood need. More detail on each district is provided in Appendix C.

Staff largely applied the following guidelines in choosing which available zoning classification to propose for the properties under consideration:

- Match the existing zone classification where the new property adjoins an existing commercial property.
- Apply the smaller scale CN1 neighborhood commercial zone to the new Raymond Street node to discourage additional automotive uses in this area while supporting small scale, neighborhood-serving uses.
- Apply the CM Mixed Commercial to mid-block locations between Raymond and Harold Streets in order to respond to PAG members call for additional commercial zoning while retaining mid-block residential development along the southern portion of SE 122nd Avenue.

Geographically, the rezoning proposals fall into roughly four locations (including proposed open space rezonings in support of the Leach Botanical Garden) presented below with additional detail and commentary.

## Zone Definitions













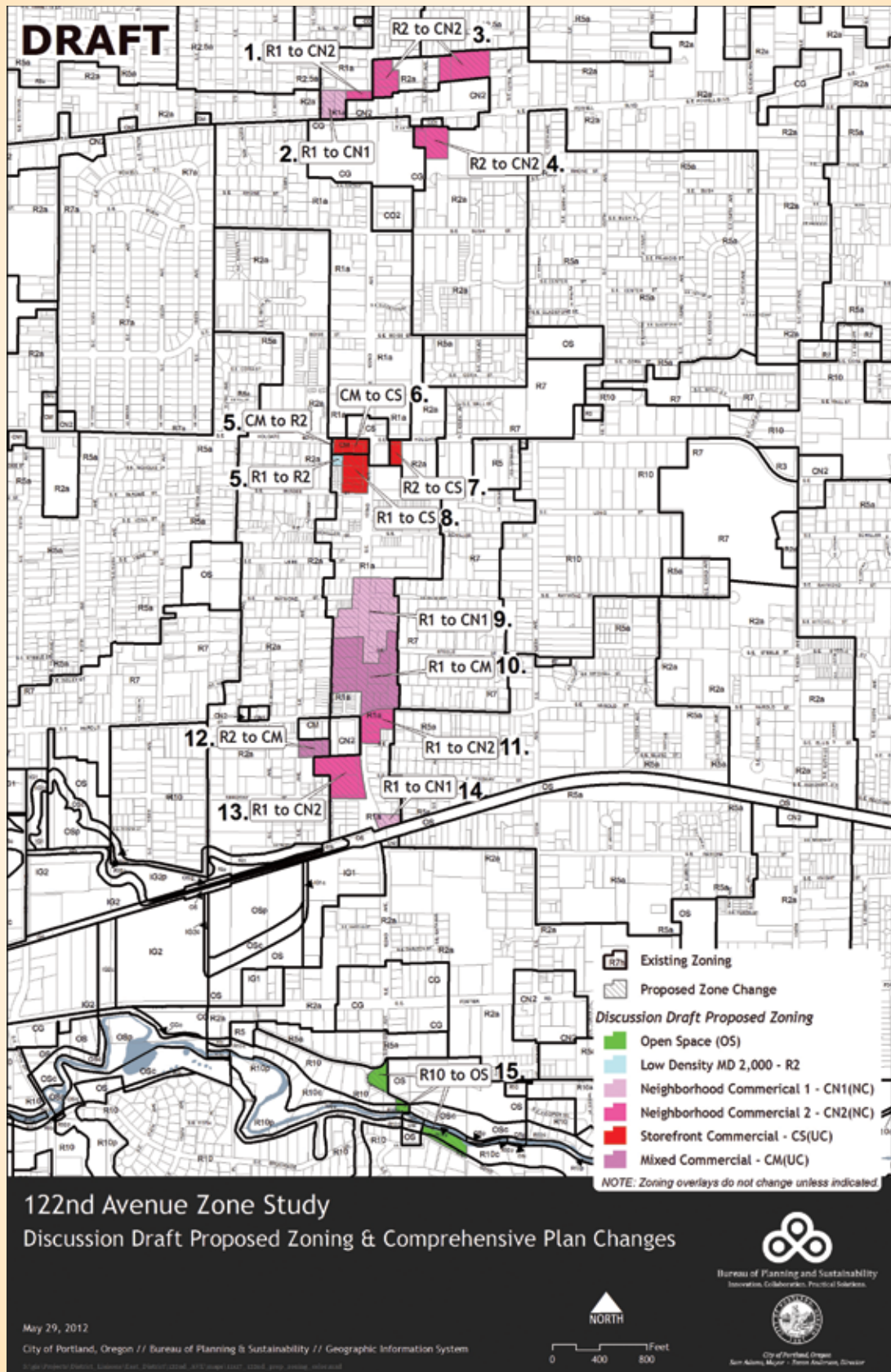
 <b>CN1</b> Neighborhood Commercial 1	 <b>R1</b> Residential 1,000 sq. ft. lots
 <b>CN2</b> Neighborhood Commercial 2	 <b>R2</b> Residential 2,000 sq. ft. lots
 <b>CS</b> Storefront Commercial	 <b>R3</b> Residential 3,000 sq. ft. lots
 <b>CM</b> Mixed Commercial	 <b>R5</b> Residential 5,000 sq. ft. lots
 <b>EXd</b> Central Employment with design overlay	 <b>R7</b> Residential 7,000 sq. ft. lots
 <b>EG1</b> General Employment 1	 <b>OS</b> Open Space



Figure 6: Proposed Zoning and Comprehensive Plan Changes Map



## Proposals for Map 1: Powell Boulevard and SE 122nd Avenue Intersection

Both Powell Boulevard and SE 122nd Avenue are considered Major City Traffic Streets in the Transportation Element of the City's Comprehensive Plan. Both the southwest and southeast quadrants of the intersection are currently zoned CG General Commercial and developed with auto oriented multi-tenant shopping centers. The northeast quadrant zoned CN2 Neighborhood Commercial is occupied by a Walgreens Drug Store and a variety of local retail and office activity. The northwest quadrant, also zoned CN2, is currently occupied by a small multi-tenant commercial center.

Staff initially considered this intersection to be north of and outside the commercially underserved southern section of 122nd Avenue which was to be the focus of this rezoning effort. It was added to the review in response to open house public input identifying the presence of numerous non-conforming uses and PAG deliberations regarding the status of two largely undeveloped properties located at the northeast quadrant of the intersection.

The staff proposal expands the existing CN2 zoning to the two split zoned properties located north of Powell Boulevard, east of 122nd Avenue and to six other existing non-conforming uses. A less intensive, CN1 zone is proposed for three properties located at the northwest quadrant of the intersection as the intersection's commercial land uses transition to a more residential neighborhood.



*Non-conforming uses would have their zoning designations changed from residential to commercial to match their current use.*



*These vacant lots, located in the northeast quadrant of Powell and SE 122nd Avenue would have their zoning designations changed from residential to commercial..*





**Map 1**

**1: Proposed change from R1 to CN2**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>✓ Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Existing multifamily development</li> <li>▪ Adds to depth of commercial zone to the south</li> </ul>

**2: Proposed change from R1 to CN1**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>✓ Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>✓ Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Less intense CN1 zone applied</li> <li>▪ 3408 SE 120th Avenue added to square off Powell Blvd. development site</li> <li>▪ Resolves one non-conforming property</li> </ul>

**3: Proposed change from R2 to CN2**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>✓ Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>✓ Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resolves two split zoned parcels</li> <li>▪ Potential 4.8 acre development site in NE Powell quadrant</li> <li>▪ Resolves non-conforming uses on SE 122nd Avenue</li> </ul>

**4: Proposed change from R2 to CN2**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>✓ Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Resolves two non-conforming uses</li> <li>▪ Existing awkward circulation pattern</li> </ul>

An individual property breakdown can be found in Appendix D: Property Summary



## Proposal for Map 2: Holgate Boulevard and SE 122nd Avenue Intersection

Holgate Boulevard is classified as a Neighborhood Collector Street according to the Transportation Element of the City’s Comprehensive Plan. CS Storefront Commercial zoning is currently applied to three relatively small parcels of developed land at three corners of this intersection: a convenience store, a small moving operation and a bar. CM Mixed Commercial zoning is applied at the remaining southwest corner currently used as a plant nursery.

Potential commercial expansion to the north is constrained by two large multifamily residential developments. The presence of this housing, as well as new multifamily residential development further to the south leads staff to propose expanding the CS zoning to one parcel at the southeast quadrant and four parcels at the southwest quadrant as well as amending the Mixed Commercial designation at the southwest corner. The expansion of the CS zoning in conjunction with the existing multifamily development in the vicinity of this intersection combine to give this node significant potential to develop as an identifiable center of activity along South 122nd Avenue.

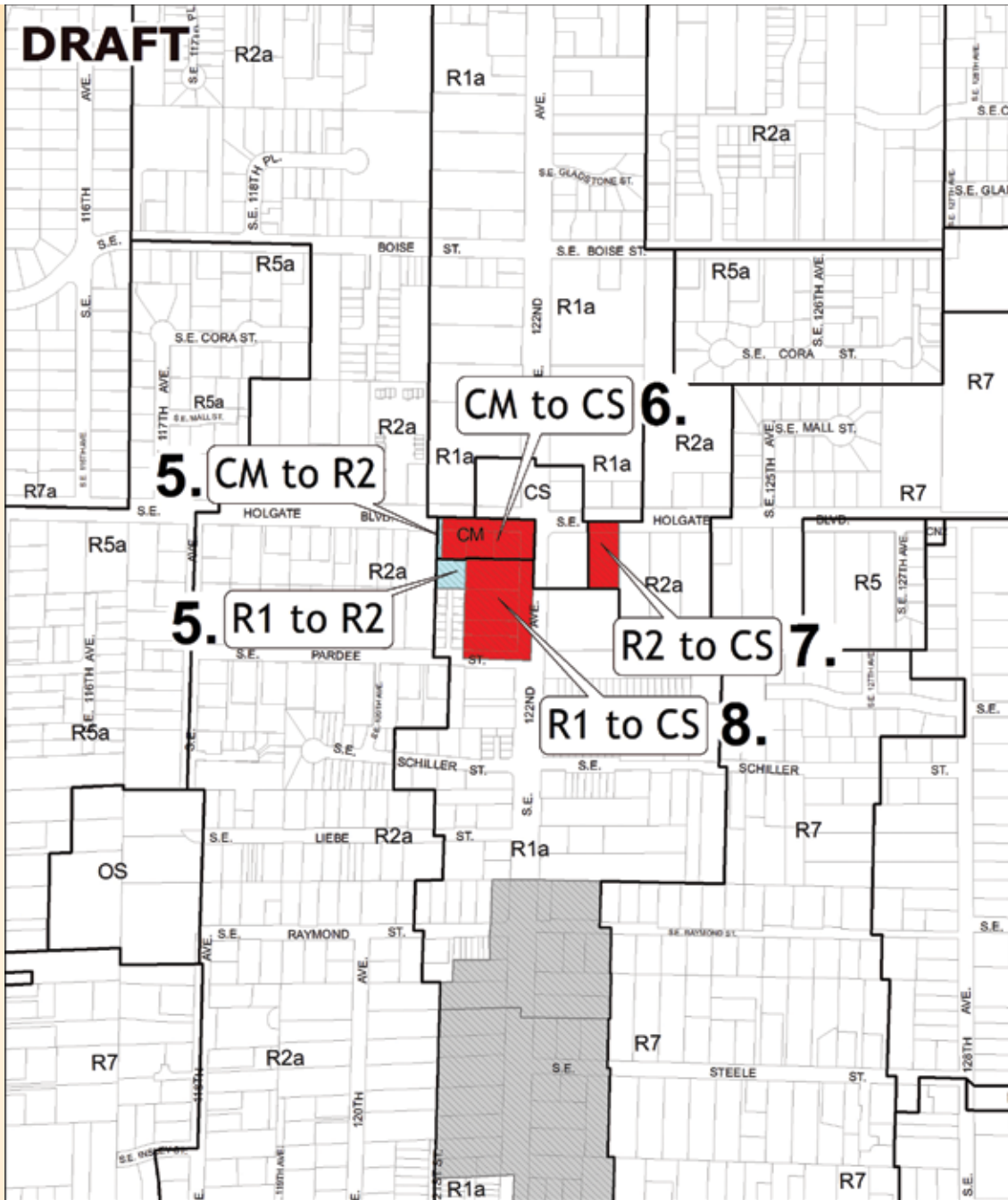
As a corrective measure, staff’s proposal eliminates the existing split zoning applied to a residential development to the west of the intersection by rezoning an R1 zoned remnant to match the larger zoned R2 portion of this lot.



*Leander Court, an attractive multifamily housing complex near SE 122nd and Holgate.*



*The rezone proposal would change these lots on the southwest corner of SE 122nd Avenue and Holgate to CS Storefront Commercial.*



122nd Avenue Zone Study - Map 2  
Discussion Draft Proposed Zoning & Comprehensive Plan Changes

Existing Zoning		Discussion Draft Proposed Zoning	
	Discussion Draft Proposed Zoning-1		Open Space
	Proposed Zone Change		Low Density MD 2,000 - R2
			Neighborhood Commercial 1 - CN1(NC)
			Neighborhood Commercial 2 - CN2(NC)
			Storefront Commercial - CS(UC)
			Mixed Commercial - CM(UC)

NOTE: Zoning overlays do not change unless indicated.



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Map 2

**5: Proposed change from CM and R1a to R2a**

Criteria	Comments
Neighborhood Serving Use	<ul style="list-style-type: none"> <li>Resolves split zoned property</li> <li>Assigns commercially zoned portion of existing property to same residential zone classification as majority of developed parcel.</li> </ul>
Complete Commercial Node	
Adjacent Street Conditions	
✓ Minimizes Impact on Residential	
Minimizes Non-conforming Uses	

**6: Proposed change from CM to CS**

Criteria	Comments
✓ Neighborhood Serving Use	<ul style="list-style-type: none"> <li>Matches CS zone on remaining 3 corners of intersection</li> <li>Removes residential requirement</li> <li>Full stoplight at intersection</li> </ul>
✓ Complete Commercial Node	
✓ Adjacent Street Conditions	
✓ Minimizes Impact on Residential	
Minimizes Non-conforming Uses	

**7: Proposed change from R2 to CS**

Criteria	Comments
✓ Neighborhood Serving Use	<ul style="list-style-type: none"> <li>Potential to add depth to existing convenience store parcel adjacent to the west</li> <li>May result in Holgate commercial frontage</li> </ul>
✓ Complete Commercial Node	
Adjacent Street Conditions	
Minimizes Impact on Residential	
Minimizes Non-conforming Uses	

**8: Proposed change from R1 to CS**

Criteria	Comments
✓ Neighborhood Serving Use	<ul style="list-style-type: none"> <li>Substantial surrounding multifamily development activity</li> <li>Vacant property and property with temporary improvements included.</li> </ul>
✓ Complete Commercial Node	
✓ Adjacent Street Conditions	
✓ Minimizes Impact on Residential	
Minimizes Non-conforming Uses	

An individual property breakdown can be found in Appendix D: Property Summary

## Proposal for Map 3: Raymond Street to Springwater Corridor

### Raymond Street to Harold Street

Raymond Street is classified as a local service street by the Transportation Element of the City’s Comprehensive plan at this intersection. Dick’s Tire Shop occupies the southeast quadrant of the intersection. There is a small vacant parcel of land at the northwest quadrant while both of the corners on the Westside are occupied by single family homes.

Staff is proposing the application of CN1 Neighborhood Commercial zoning at all four corners of the intersection of Raymond Street and SE 122nd Avenue. This intersection was chosen for consideration in that it lays roughly half way between the larger commercial nodes located at Holgate and Harold Streets. PBOT has scheduled an enhanced pedestrian crossing for Raymond and SE 122nd Avenue as part of their East Portland in Motion pedestrian improvements. The less intensive CN1 zone, which does not permit quick vehicle services, was chosen to accommodate a more pedestrian oriented environment noting that this segment of Raymond Street terminates approximately one thousand feet to the west at Raymond Park and narrows to a substandard width less than 400 feet to the east.

The majority of this proposed R1 zoning accrues to the southeast quadrant of this intersection including the site of Dick’s tires, a legal non-conforming use. Two lots across SE 122nd at the NW and SW corners of this

intersection are also proposed for rezoning in order to complete the intersection even though their limited size is inconsistent with staff’s rezoning criteria of designating lots that are of such a size and dimension that they can support development to modern zoning district standards. Their development potential will remain limited after any subsequent rezoning.

South of the CN1 zoning at this intersection, staff is proposing approximately 8.25 acres of CM Mixed Commercial zoning on both sides of 122nd Avenue. This area was chosen for consideration in direct response to PAG requests for staff to add more commercial zoning to the proposal. Some existing multi-dwelling development was excluded from this proposed designation while the remainder of this block frontage was chosen for its existing lot depth primarily on the west side (200’), and the limited ratio of improvement value to lot value which suggests that these properties may be suitable for redevelopment. Staff also attempted to aggregate enough property that this new area might acquire a distinct identity and coalesce around a new CM Mixed Commercial and Residential design style. Some properties located on cross streets without direct frontage on SE 122nd Avenue were also included to simplify zoning district boundaries and allow for consolidation of larger development sites.



*Staff proposes to change the zoning on this undeveloped lot from R1 multi-dwelling residential to CM Mixed Commercial.*



*Dick's Tires, located at 5002 SE 122nd Avenue is one of the few commercial ventures in the midblock region of SE 122nd Avenue.*



## Harold Street SE 122nd Avenue Intersection South

At this intersection, Harold Street is considered a Neighborhood Collector Street according to the Transportation Element of the City’s Comprehensive Plan. Residential development is located at both corners north of Harold Street. Tina’s Restaurant is located at the southwest corner while the Lents- Gilbert Church of God buildings occupy the southeast quadrant.

West of the intersection with frontage on Harold Street there are single family houses and a chiropractic office zone CM Mixed Commercial. South of the intersection is the Cascade Manor Residential Care Facility.

Staff is proposing to expand the existing CM Mixed Commercial zoning located off of Harold Street by slightly less than one acre. This proposal would eliminate one split zoned lot and provide a larger potential site for future mixed use development at this location. Along the 122nd Avenue frontage staff is proposing to rezone two parcels currently part of the Cascade Manor campus. The existing residential care facility can continue as a permitted use under the CN2 designation while the development potential of an existing vacant parcel located at the intersection of Reedway and SE 122nd also owned by Cascade Manor is increased.

Across the street at the SE corner of Harold and 122nd Avenue, staff is proposing to rezone the existing Lents-Gilbert Church of God property from R1 Residential to CN2 Neighborhood Commercial. Again, the Church can continue as a permitted use under the commercial designation while the potential use of its community building located at the intersection of Ellis Street and 122nd Avenue is expanded.

Finally, further south at the intersection of SE 122nd Avenue and the Springwater Trail staff proposes rezoning a parcel of property from R1 to CN1 in recognition of a non conforming use that has recently changed from a chiropractic office to an Alzheimer’s residential care facility.

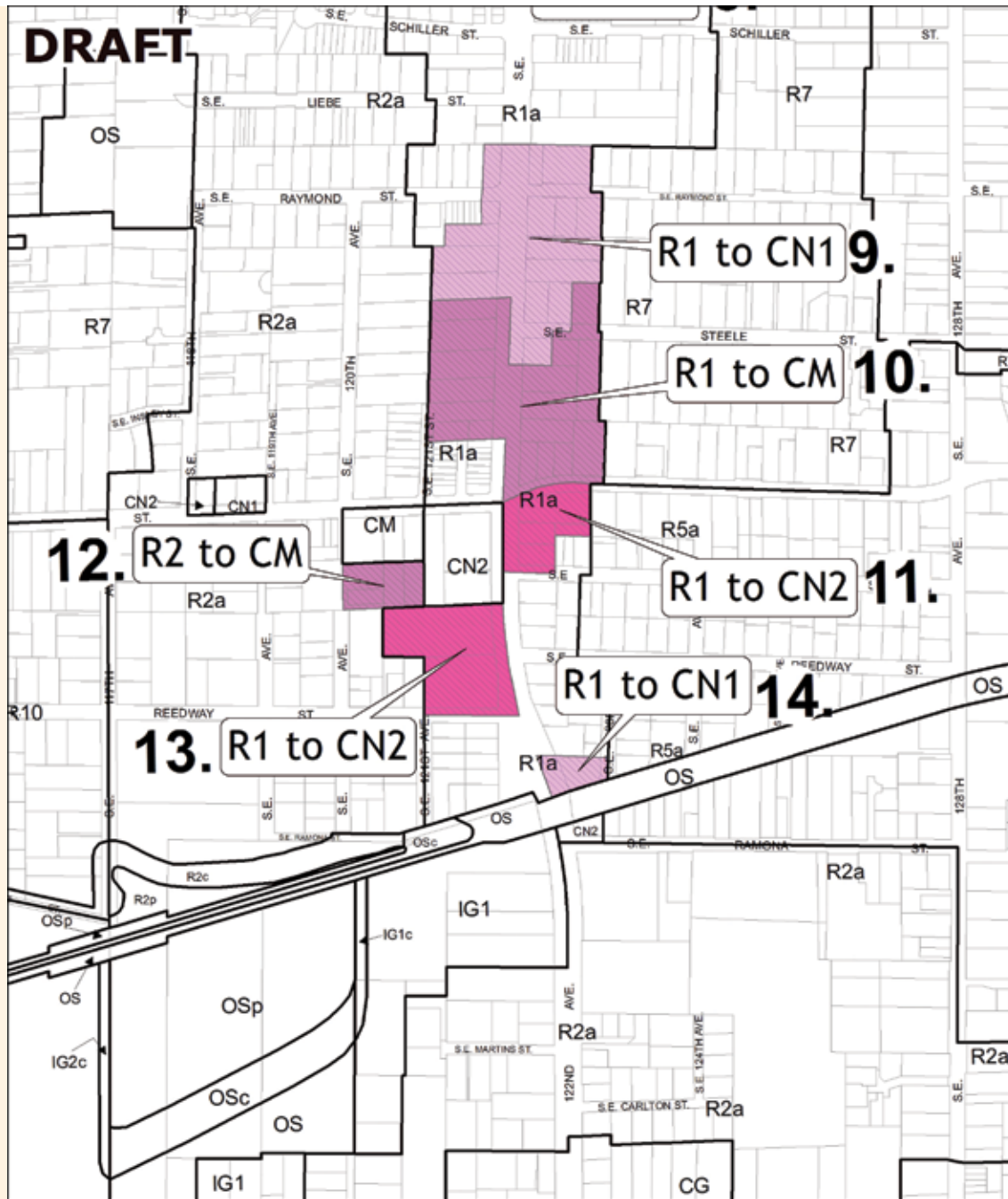
This represents the full extent of the staff proposal for commercial rezoning on SE 122nd Avenue at this time. After an analysis of the properties adjoining the CG commercially zoned properties at the intersection of Foster Road and 122nd Avenue staff did not identify any properties here which on balance met the review criteria for this project.



*The Springwater Corridor runs through the southern half of the study area.*



*The Lents-Gilbert Church of God, at the corner of SE 122nd Avenue and Harold, would change from an R1 Residential to a CN2 Commercial designation. Churches are a permitted use in commercial zoning districts.*



122nd Avenue Zone Study - Map 3  
 Discussion Draft Proposed Zoning & Comprehensive Plan Changes

Existing Zoning	Discussion Draft Proposed Zoning
Existing Zoning	Open Space
Proposed Zone Change	Low Density MD 2,000 - R2
	Neighborhood Commercial 1 - CN1(NC)
	Neighborhood Commercial 2 - CN2(NC)
	Storefront Commercial - CS(UC)
	Mixed Commercial - CM(UC)

NOTE: Zoning overlays do not change unless indicated.



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**Map 3**

**9: Proposed change from R1 to CN1**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>Complete Commercial Node</li> <li>Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>✓ Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Adds commercial node approximately halfway between Holgate and Harold nodes</li> <li>▪ CN1 applied to properties that include special flood hazard designation</li> <li>▪ Reduces, but does not eliminate Dick's Tire non-conforming circumstance</li> <li>▪ Pedestrian crossing improvement at Raymond programmed for 2012</li> <li>▪ West side parcels are undersized</li> <li>▪ Three parcels do not have frontage on 122nd Avenue.</li> </ul>

**10: Proposed change from R1 to CM**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>Complete Commercial Node</li> <li>Adjacent Street Conditions</li> <li>Minimizes Impact on Residential</li> <li>Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ CM Zone will allow some additional commercialization of existing residential structures. Redevelopment will require a residential component</li> <li>▪ Some properties without 122nd Avenue frontage included to square off district boundaries</li> </ul>

**11: Proposed change from R1 to CN2**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>✓ Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>✓ Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ Churches are a permitted use in commercial zones vs. conditional use in residential zone</li> <li>▪ Full stoplight at Harold</li> <li>▪ Matches zoning across 122nd</li> </ul>

**12: Proposed change from R2 to CM**

Criteria	Comments
<ul style="list-style-type: none"> <li>✓ Neighborhood Serving Use</li> <li>✓ Complete Commercial Node</li> <li>✓ Adjacent Street Conditions</li> <li>✓ Minimizes Impact on Residential</li> <li>Minimizes Non-conforming Uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ May spur completion of SE 120th Avenue</li> <li>▪ Resolves one split zoned parcel</li> </ul>

## PROPOSED ZONE CHANGES

### 13: Proposed change from R1 to CN2

#### Criteria

- ✓ Neighborhood Serving Use
- ✓ Complete Commercial Node
- ✓ Adjacent Street Conditions
- ✓ Minimizes Impact on Residential
- Minimizes Non-conforming Uses

#### Comments

- Existing healthcare facility remains split zoned. Such a facility is a permitted use in the commercial zone but is a conditional use in a multi-dwelling zone.
- Could activate NE corner of Reedway and 122nd Avenue

### 14: Proposed change from R1 to CN1

#### Criteria

- ✓ Neighborhood Serving Use
- Complete Commercial Node
- ✓ Adjacent Street Conditions
- ✓ Minimizes Impact on Residential
- ✓ Minimizes Non-conforming Uses

#### Comments

- Resolves existing non-conforming office use
- Adjacent to Springwater Trail

An individual property breakdown can be found in Appendix D: Property Summary

## Connections to Portland Plan

*This rezoning proposal is supportive of both the Economic Prosperity and Affordability Strategy and the Healthy Connected City Strategy of the Portland Plan. By increasing the available supply of commercially zoned property in an otherwise underserved neighborhood this proposal implements guiding policies P-25 which seeks to spur commercial activity in underserved neighborhoods, P-26 which advocates for additional support for micro-enterprise and P-27 which seeks to improve access to jobs and employment growth in priority neighborhoods.*

*Similarly, the proposed rezonings would make it possible to develop the type of neighborhood serving commercial nodes in the South 122nd neighborhoods that reduce the need for automobile trips and instead promote active transportation options for access to daily needs of people living in the adjoining residential areas.*



## Proposal for Map 4: Leach Botanic Garden Zone Change

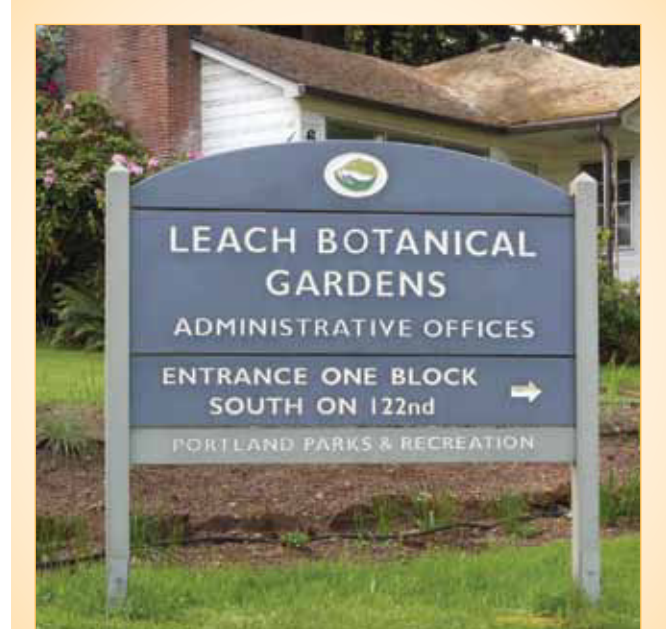
Staff is including a proposed reclassification of four parcels of land located south of Foster Road under the ownership of the City of Portland Parks Bureau from (R10) Single Dwelling Residence to (OS) Open Space as a component of this legislative process.

Leach Botanical Garden is a relatively new city park acquisition, donated by the Leach family in the 1980's. The total site is approximately 15.85 acres in size and includes 2 houses used as community space, a collection of rare botanical plants, and numerous gardens built by the former owners. The family donated the property with the specific desire to preserve the gardens and the entire site for the benefit of the public.

Over the years, the original acquisition has been added to with land donations or purchases of surrounding properties by the city. Various projects have helped modify the zoning to show public ownership of the acquired land.

Recent purchases or donations have been made that involve residentially zoned properties. Two of these properties are split zoned, that is, a portion of each lot is zoned R10 and the other part is zoned OS. Three of these Tax lots are also within the environmental overlay zone, which is proposed to remain.

As part of the SE 122nd Avenue Rezone Project, the proposal is to modify the zoning on all 4 tax lots from R10 to OS to bring the park into compliance with the intent of the donation and current use of the site.



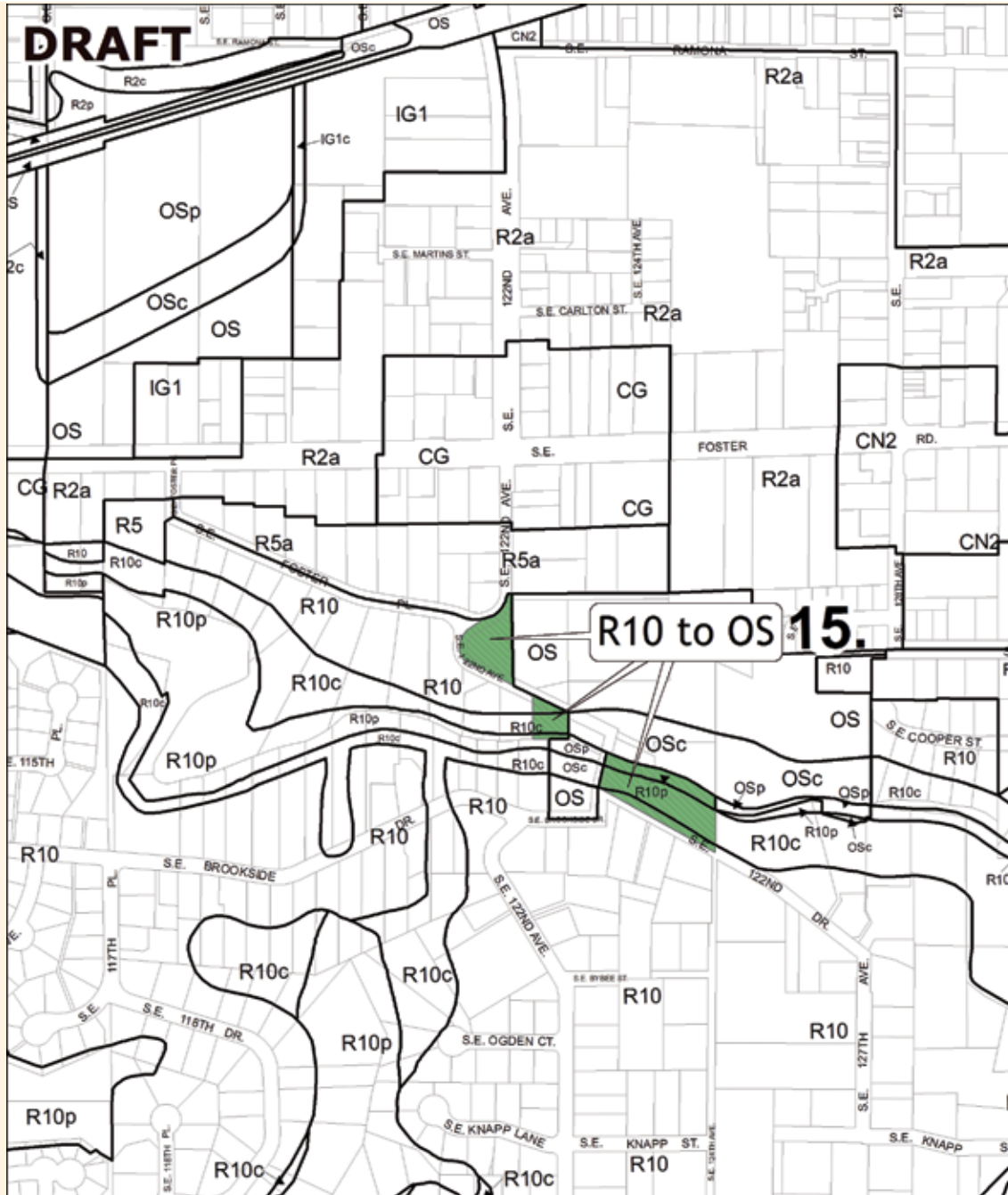
*At the southern end of the study area, the Leach Botanical Garden offers a green oasis to area residents.*

### 15: Proposed change from R10 to OS

Criteria	Comments
Neighborhood Serving Use	<ul style="list-style-type: none"> <li>▪ Brings properties into conformance with proposed public use</li> </ul>
Complete Commercial Node	
Adjacent Street Conditions	
Minimizes Impact on Residential	
Minimizes Non-conforming Uses	

An individual property breakdown can be found in Appendix D: Property Summary

**PROPOSED ZONE CHANGES**



122nd Avenue Zone Study - Map 4  
Discussion Draft Proposed Zoning & Comprehensive Plan Changes



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## Transportation Analysis

The Portland Bureau of Transportation, Transportation Planning Division has prepared an analysis of the staff proposed rezoning. This analysis compares the anticipated future traffic that would accompany the increased commercial activity allowed by the proposed rezoning against the ability of the existing street network to accommodate this additional demand.

This assessment addresses provisions of the State Transportation Rule (OAR 660-012-0060) and is made a part of the public record for this project.

The full transportation analysis is attached as Appendix E. It finds that there is no significant effect on regional or local transportation facilities as a result of the staff recommended rezone package.



*SE 122nd Avenue going past David Douglas High School*

## Additional Project Advisory Group Recommendations and Comments

A Project Advisory Group comprised of business owners and residents of the study area met six times over the course of this project in order to review and inform staff’s analysis and subsequent recommendations regarding the location, type and magnitude of commercial rezoning proposed along 122nd Avenue. Their intimate knowledge of the neighborhood and the aspirations for the community were invaluable to staff’s understanding of the project and influenced the amount of commercial zoned property included in staff’s proposal.

The Project Advisory Group advocated that more properties should be rezoned to a commercial classification than are included in the staff recommendation. In some instances PAG members advocated for the entire frontage of 122nd Avenue within the study area to have a commercial zoning designation. Arguments presented in support of this additional rezoning include:

- 122nd Avenue is not a suitable residential environment due to the amount of traffic on the road.
- The City’s commercial zoning districts allow residential development as a permitted use so the commercial designation would only open additional opportunities for mixed use redevelopment.
- Other corridors such as Hawthorne Boulevard, Interstate Avenue and Alberta Street are zoned commercial along the majority of their frontages and have both the level and type of commercial activity that this area aspires to.

The Project Advisory Group also reiterates that commercial rezoning is only one part of a larger neighborhood improvement effort that must include complete the street network, address the negative impacts created by some of the recent multi-dwelling development and add urban amenities found elsewhere in the city for this area to reach its potential.

Planning staff acknowledges the desire of the PAG for additional commercial zoning and has added additional acreage to its initial proposal in response to their input and that of the broader study area community. However, staff has avoided proposing zone changes for properties that: include existing multifamily development; do not have sufficient property dimensions or orientation to the street to be developed to modern commercial standards; or is not part of a larger potential commercial node. Because of these reasons staff has not expanded its recommended rezoning list beyond what is being presented in this report. Additional commercial opportunities may be provided either through an enhanced home business ordinance presented later in this report or as part of a broader Comprehensive Plan Update work task.



## Topics for Further Analysis

This chapter provides a summary of the home business and residential density and compatibility topics discussed by project staff and the Project Advisory Group (PAG). Although the PAG would like to see implementation of both issues as part of this project, the issues have significant citywide importance and implication and would benefit from a larger public process. In particular, the residential density issue is of concern in many Portland neighborhoods and has future growth implications tied to the city's Comprehensive Plan. A summary of the group's discussion and proposals are presented here as a suggestion for additional analysis and community discussion as part of the Comprehensive Plan Update project now underway.

### Home Businesses

#### Introduction

This chapter describes opportunities for small business development without the need to change zoning map designations. As described in the previous chapter, there is community desire for a significant amount of new commercial zoning along SE 122nd Avenue. But zoning isn't the only ingredient necessary for small business growth.



*Example of a home based business in a residential structure in the study area.*

#### Connections to Portland Plan

*Possible revisions to the city's home occupation regulations described here would be supportive of a number of goals, objectives, guiding policies and actions described in the Economic Prosperity & Affordability Strategy of the Portland Plan. By allowing for greater levels of business activity under the home occupation program, revisions to the home occupation regulations could facilitate the creation of additional jobs within the city, Objective 14 of this strategy. Home occupations require little in the way of start-up capital, making them suitable vehicles for small-scale entrepreneurs to start and test their business concepts implementing Policy 26 which advocates for additional support for micro-enterprise in general and Policy 27 which seeks to improve access to jobs and employment growth in priority neighborhoods.*

Portland has a reputation as a friendly place for small businesses. The city has the ninth highest ratio of small businesses per residents – 28 businesses per 1000 residents. 95 percent of the small businesses employ 50 or fewer employees, and 76 percent employ between one and 10 people. Portland's neighborhoods are home to almost two thirds of these businesses, the majority of which are in retail and professional services sectors. These small businesses serve local or regional markets and provide a path for wealth creation for the business owner and jobs for community members.

In addition, the city has a program that allows home-based businesses in residential buildings as long as the appearance and livability of the residential area are not negatively affected by the home business, and the business is operated by the resident. The program treads a fine line between Zoning Code allowances and Building Code requirements, as the Building Code regulates structures based on occupancy, or number of people, and has a strong tie to public safety.

While the goals of this project are to add more commercial zoning at the south end of 122nd Avenue, commercial zoning alone doesn't always accommodate the variation in businesses that might meet community need. Small businesses can get a start within one's residence, as there are many business-related functions allowed in a residence. In addition, operation of a small business out of one's home eliminates some costly and time-consuming retrofits that would otherwise be required for full conversion of a residence to a commercial use.

## Background/History

Since adoption of the Outer Southeast Community Plan (OSECP) in 1996, the city has recognized the need for greater focus on economic development in East Portland. The OSECP proposed zone changes to assist with commercial and industrial job growth, but most of the changes have been directed at northern portions of the OSECP area, or within the Urban Renewal Areas of Lents and Gateway. Even where there has been focused effort, East Portland has been unable to grow jobs to match population growth.

Within the last year, the Portland Development Commission has started two programs that may have some impact on small business development city-wide - the Neighborhood Economic Development Strategy (NED) and the Neighborhood Prosperity Initiative (NPI). The NED strategy has already provided funding to community partners such as the Immigrant and Refugee Community Organization (IRCO) to help with small business outreach. The NPI is focused on 6 areas in the city that will be similar to Urban Renewal Districts, but the community will have full access to the funds generated to help direct business district improvements. Four of the 6 NPI areas are within the East Portland boundary; the closest to the SE 122nd Avenue Project areas is the Division Street NPI (Division between SE 117th and 148th).

The city promotes economic development and supports the entrepreneurial spirit and valuable role that small businesses play. Home businesses are allowed with the recognition that certain non-residential uses can co-exist on the same site or on adjacent property with residential uses, provided that the health, safety, and residential characteristics of the neighborhood are not compromised.

## City of Portland Home Business Regulations

The City of Portland regulates home businesses through its *Home Occupation* permit program. The program was created to address the needs of start-up and small business operators while also providing guidance and parameters for home uses to ensure public safety and compatibility with neighborhood character..

There are currently 340 registered home businesses in the city. The program distinguishes between home businesses that do not include employees or on-site customers, and those that do. In both cases, the home business is allowed only if the owner/renter lives in the home – the residence cannot be used as a business only. The Bureau of Development Services (BDS) implements and enforces the program. Additional details of the program can be found in Appendix F.

There are a few restrictions on the kinds of businesses a home business entrepreneur can operate – for example, auto repair is prohibited, as is repair of large appliances such as washing machines. Outdoor work or activities are prohibited (all work must be within a building) and retail sales are prohibited unless associated with the home business (such as a hair salon selling hair care products). The point is to maintain a residential appearance. An equally important aspect of the home business is that it not cross the line from residential use to commercial use under Building Code definitions. The Building Code specifies construction requirements for safety of the occupants and commercial structures are built under vastly different codes than residential structures. The use or occupancy of a building determines how it must be constructed. Additional information is provided in Appendix F.



## Possible Program Modifications

Programmatic changes were explored and vetted with the Project Advisory Group, BDS inspectors, and several home business owners. Although there was general support for the changes within the project group, any adopted changes would be adopted citywide, beyond this study area and therefore would benefit from a wider review effort. Project staff will forward the proposal to the Comprehensive Plan Update project for citywide consideration and potential implementation because of the citywide nature of the changes.

Given the limitations of the types of businesses allowed in a residential structure, and the issues related to building code public safety rules, the primary opportunities for programmatic change are the number of employees and customers allowed per day. Current rules allow one employee **or** eight customers per day; the proposed concept would allow one employee **and** eight customers per day.

In addition, if the site of a proposed home business is located on a Major City Traffic Street (eg, a street that connects industrial areas, regional and town centers, and access to transit) as shown on the Portland TSP map in Figure 5, the employee/customer ratio is proposed to increase to 3:10 as a third type of home business permit. The Major City Traffic Street designation was chosen as a criterion because these streets have a higher volume of traffic, are generally larger, and provide visibility and parking for a home business. There is also less concern that traffic generated by the home business would negatively impact a residential neighborhood.

The following are designated Major City Traffic Streets in East Portland, also shown on the map in Figure 5:

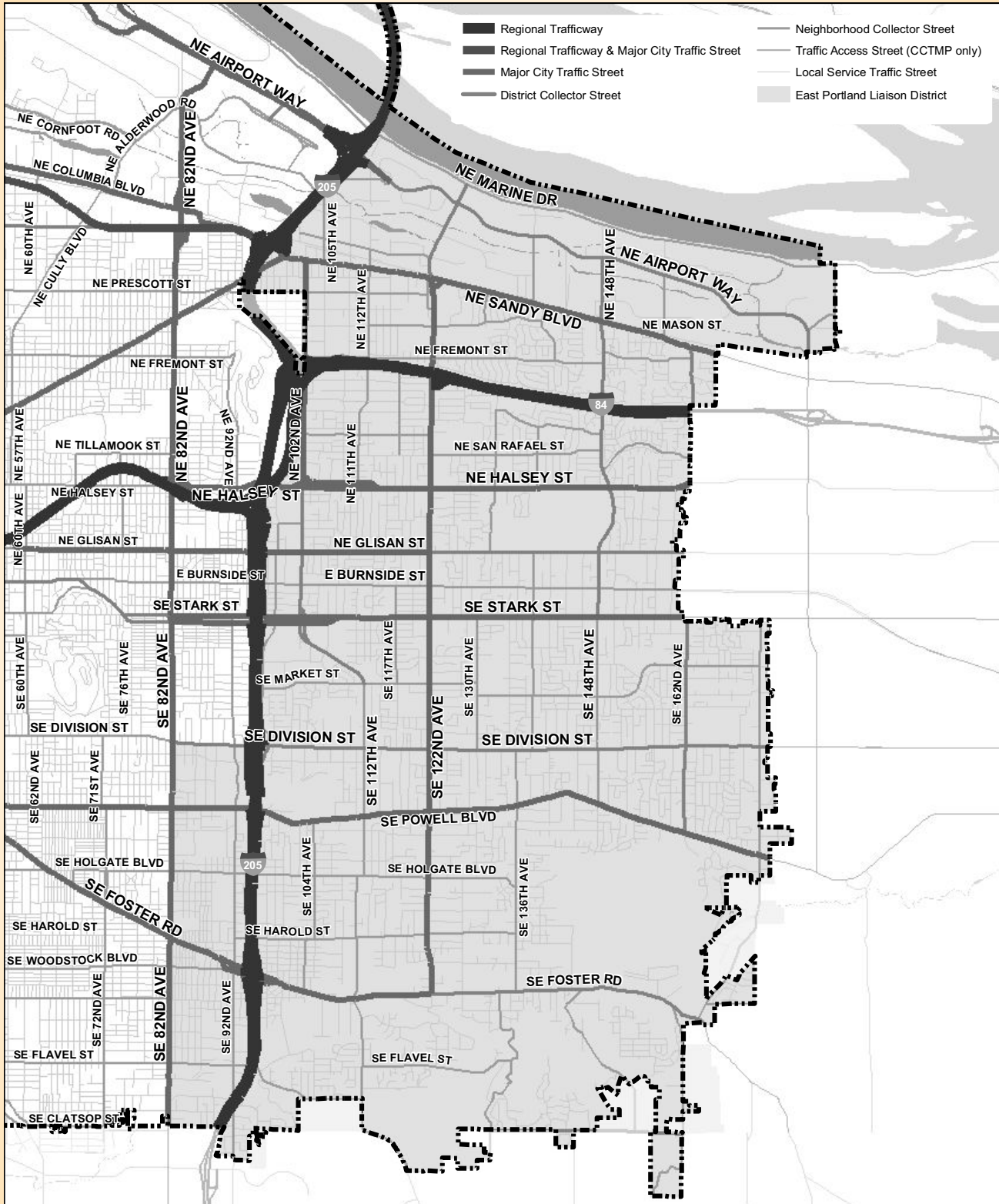
- Powell Boulevard
- All of 122nd Avenue
- Foster to 122nd Avenue
- Stark from 82nd to eastern city boundary
- Glisan from NE 58th to NE 122nd
- Halsey from NE 82nd to eastern city boundary
- most of Sandy Boulevard (starts at NE 14th)
- 102nd from Sandy south to Halsey



*Intersection at SE 122nd Avenue and SE Division Street*



Figure 5: Major City Traffic Streets in East Portland



Transportation System Plan | East Portland Traffic Classes

June 11, 2012

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



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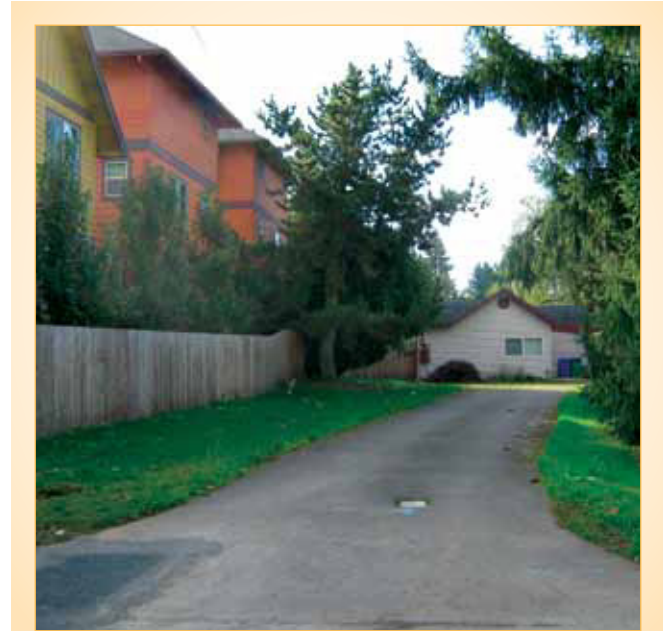


## Residential Density and Compatibility

This section provides a summary of the Project Advisory Group (PAG) discussions on housing design, compatibility, and residential density, and forwards suggested avenues for further analysis as part of the Comprehensive Plan Update project. One issue relevant for Comprehensive Plan consideration is how the city can continue to accommodate new residents in existing neighborhoods while successfully addressing community concerns about building compatibility, transition, scale, design, and infrastructure placement.

Housing design and density have been significant topics for the East Portland community, given the volume of development that occurred between 1996-2006. According to BDS permit records, 50 percent of new residential units in Portland were developed in East Portland during that time frame. Much of the development occurred after the Outer SE Community Plan (OSECP, 1996) when large areas of single-family zoning were changed to medium or high density multifamily zoning. Coupled with low land values, much of the new housing is considered affordable but not always perceived as attractive or compatible with surrounding low-density development.

While the main goal of this project is to implement commercial zone changes along SE 122nd Avenue, the persistent community desire to address density and housing design has helped move the effort toward the next step. As defined in this project, the next step involved a recap of specific design issues, a review of existing and older zoning tools for achieving better design and compatibility, and suggested areas for downzoning.



*New high density housing next to older house*

## Density and Compatibility

The project area is slowly transforming from low density, suburban character to a medium density urban scale. New residential structures, single family and multifamily, are out of scale and incompatible with surrounding existing development. While this is an issue that faces many communities as they transition from low-density to higher density development, it is particularly acute in East Portland due to several factors unique to the area. Factors that lead to conflicts with new development include:

- irregular lot and block patterns with deep, narrow lots;
- under-improved and poor street connectivity;
- inadequate street frontage; and
- a significant difference between pre- and post-OSECP zoning.

The density change is especially sensitive because existing single family development consists mainly of single story houses on very large lots. When new development is constructed to maximum density, existing adjacent housing is often overpowered.



*PSU students presentation on potential public realm improvements*

Developed multifamily properties often have site design issues as well, such as lack of adequate open space, removal of mature trees, inefficient land development, and an inadequate public realm interface. In addition, existing ambiguities in land division regulations allow the creation of private streets with lots that have double-street frontage. This allows houses and multiplexes to front the private street and the rear of the building to face the public street. Even if such design and compatibility issues were addressed, the community feels that high density zoning is inappropriate along the side streets off of SE 122nd Avenue.

Several Portland State University projects have attempted to address these and other issues. One study by PSU (see Appendix F for link to document) found that the community vision for SE 122nd Ave is different than the vision for residential areas on the side streets, and recommended that the issue be further explored. The Outer SE Livable Infill Project, presented in 2004, focused solely on multifamily infill development and provided recommendations for alternative approaches to achieving better design. In 2008, the SE 122nd Ave Enhancement Study explored community preferences

and analyzed market, land use, and urban design strategies to develop placemaking alternatives for the Powellhurst-Gilbert Neighborhood.

As the SE 122nd Avenue Rezoning Project was getting underway, a group of students worked with city staff and the community to develop the SE 122nd Avenue Action Plan, including development of a *Kit of Parts*. The students had limited time to work with the community, so instead of replicating some of the community exercises conducted in the previous studies, the students used the studies as springboards to launch new ideas that address the public/private realm. The Kit of Parts describes the infrastructure elements that are deemed important for the public realm - crosswalks, streetlights, bus stops, improved sidewalks, neighborhood signs, benches and planters. When implemented over time and in conjunction with other community improvement projects, such as transforming vacant lots into temporary gardens and engaging home owners to implement simple improvements to unsightly buildings, the community sense of identity is restored/revived. The first two PSU projects can be found on the PSU Urban Studies web page via the link provided in Appendix F.

## Community Input on Design Issues

Although many community members continue to express concerns about the amount of multifamily zoning in the study area and the desire to return to single-family zoning, most community members agree that if design and compatibility were improved, and potential ground-floor retail uses were allowed, multifamily development along SE 122nd Avenue could be more acceptable. As described above, the irregular shape and size of most lots are not conducive to good site planning or building design, there is a serious lack of infrastructure and connectivity, and the transition from low to high density is seen as too much of an increase. The density issue will be a topic further examined in the Comprehensive Plan Update project.

The PAG reviewed regulatory tools that have been used by the city to address compatibility and design. The most useful of these may be the Supplemental Compatibility Standards (no longer in use) and the Base Zone Design Standards project (incorporated into today's Zoning Code).

## Compatibility Standards

Between 1993 - 1997, a set of Supplemental Compatibility Standards (SCS) were applied to new development and remodels of all structures within the design overlay (d-overlay) zone in the Albina Community Plan area. When the Outer SE Community Plan was adopted in 1996, one of the implementation tools included application of the SCS for areas within the design overlay, mainly the Gateway Plan District.

In 1997 the Supplemental Compatibility Standards were replaced by the Community Design Standards (CDS), so they are no longer used. However, the CDS did not include *compatibility* requirements, and the issue has resurfaced where new development and infill projects are occurring around the city. The PAG reviewed the CDS and the former SCS to determine whether any of the previously applied compatibility standards would be worth considering again to address the design and scale compatibility challenges occurring in recent development in this part of the city. The PAG focused on the four SCS that seem most applicable to issues found in East Portland: street setbacks, height, roof pitch, and bulk of buildings.

It is important to keep in mind that *compatibility* standards can inhibit the transition of an area from low density to *desired future condition*, medium or high density, as happened in Gateway. While this project reviewed compatibility issues, the conclusion is that further discussions on transition and appropriate levels of density and residential zoning need to occur.

- **Street Setbacks** – The compatibility standards required that a new structure be no closer and no further from the street than adjacent properties.

SE 122nd Avenue is designated as a transit access street and a major city traffic street. Because of the transit designation, multifamily development is subject to a maximum setback of 20 feet from the street property line and is allowed to go closer. Contrasted with existing single-family development that is often set back much further than 20 feet, the new development has a much larger presence on the street and can obscure visibility of adjoining properties. If the setbacks of the new development were more closely matched to what is existing, new development would have less of an overwhelming feel to adjoining properties.



*Height discrepancy between older house and newer multifamily development*



*Matching roof angle between newer and older homes*

- **Height** – The compatibility standards required new structures be no higher than 150 percent of any structure within 150 feet of the site along the same street, and they had to be at least 70 percent of the average height of existing structures on adjacent lots.

This is one of the most evident contrasts between existing and new construction. Although single family development is allowed a 30-foot height and most of the multifamily development only 40-feet, the existing development is mostly one-story, cottage-style development. Even single-family development, if constructed to the maximum allowance, would be noticeably taller than existing development. If new construction was subject to a transitional height requirement similar to that described in Figure 6, new development would be more compatible with surrounding smaller structures.

- **Bulk of Buildings** – The compatibility standards required the area of a new front elevation of a building be at least 50 percent of the average front area elevation of adjacent structures, and no more than 150 percent of that area.

- Coupled with height, the bulk or wall area of a building has a large impact on adjacent properties and the public realm. When large buildings are placed close to the sidewalk, they can overwhelm the pedestrian if the public/private realm is not thoughtfully designed. In addition to limiting the bulk of new buildings, other standards such as front porches, bay windows, or multiple building planes help separate large empty facades and provide a more friendly public face.

- **Roof Pitch** – The compatibility standards required the new roof pitch be no flatter than the shallowest (or 4/12, whichever is less) and no greater than the steepest in the area of the new development.

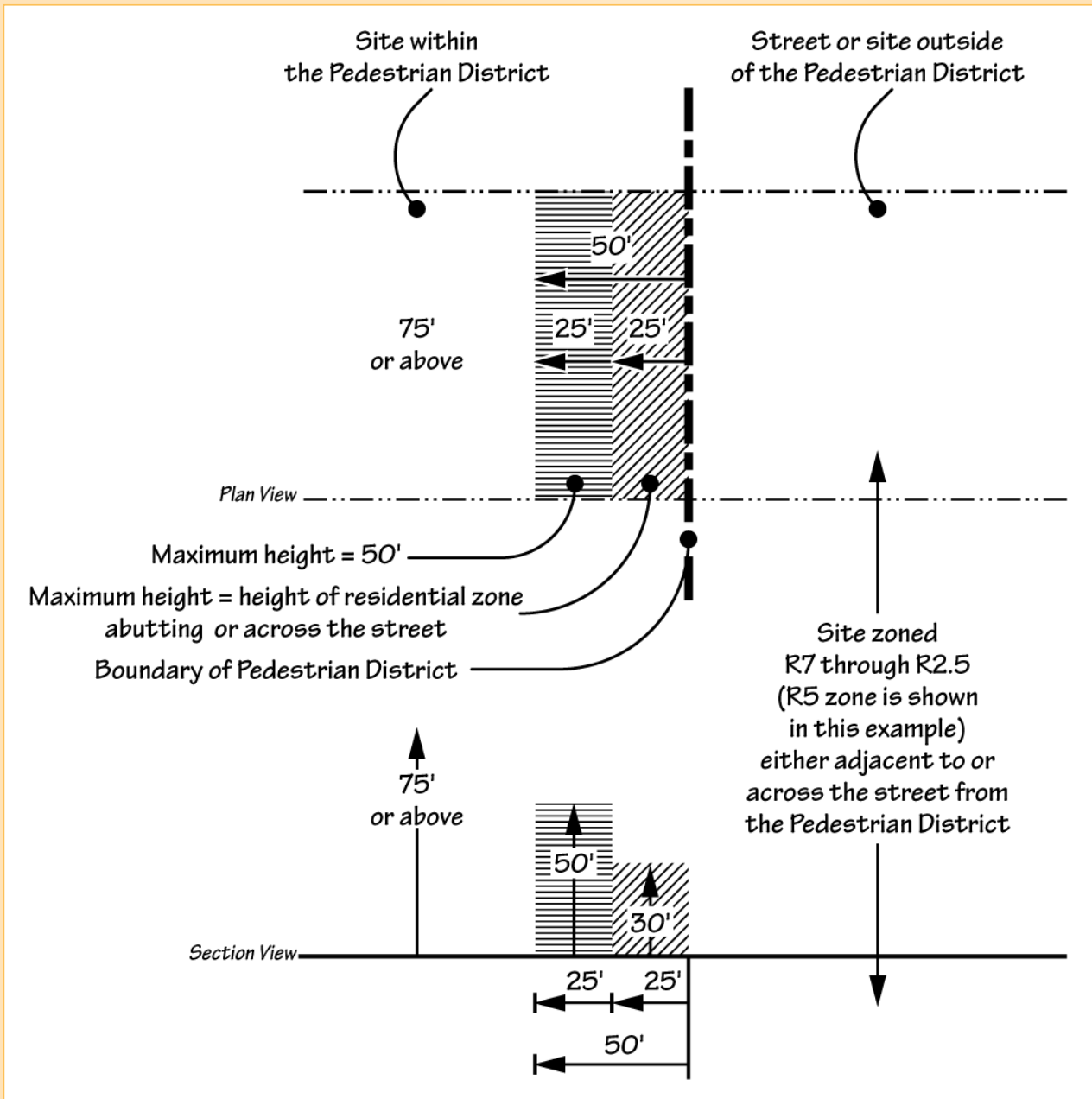
On its own, roof pitch may not add much to help blend new development in with the old. But coupled with the other 3 standards described here, roof pitch provides the architectural tie-in that adds continuity and familiarity between the existing building and the new. In the photo to the left, the newer house on the left matched roof pitch, color, and height.



The illustration below is borrowed from the East Corridor Plan District (Zoning Code Chapter 33.521) and illustrates height transition from a high density zone that allows 75 foot tall building to single-family zones where the height allowance is 30 feet. The rule works by requiring new buildings in the high density zone to transition up in three steps:

- between the property line and 25 feet from the property line, the new building is restricted to a 30 feet height limit,
- between 25 feet and 50 feet from the property line, the height limit is 50 feet, and
- more than 50 feet from the property line, the height may be 75 feet.

**Figure 6: Example of height transition Regulation in zoning code**



## Limitations/challenges of the Compatibility Standards

The SCS were problematic for home owners and developers because of the complexity of the submittal requirements and the lack of certainty inherent in subjective standards. They also restrict the development potential otherwise allowed on development sites and prevent the area from developing to its full potential as anticipated by the underlying zoning district. The SE 122nd Avenue staff and PAG noted these concerns in the four standards that were reviewed and recognize that future analysis must also consider the potential downsides of these standards.

## Base Zone Design Standards

The Base Zone Design Standards project (BZDs) was focused on residential design outside of design zones where rules did not address design. The community had been expressing concern about infill design for a number of years, and used the 1997 rewriting of the design guidelines as an opportunity to bring the concern to the Planning Commission. The resulting BZD project identified a small number of design standards that could be applied broadly throughout the city. The four standards addressed percentage of window area facing the street, orientation of front door facing the street, amount of garage wall area as a percentage of the front of the house, and how much the garage can protrude beyond the front of the house. (In a subsequent project, the window percentage requirement was added to the development standards for multifamily development.)

The BZDs were adopted in 1999 and continue to be applied. They address aesthetics, public safety, and the pedestrian environment, but not compatibility. The take-away message here is that the BZDs have been somewhat of a success because the design rules were incorporated into the development standards that apply to all new or remodeled structures, and don't require a separate process for review.

The Base Zone Design Standards project was a multi-year effort that included builders, architects, planning staff, and the community. Any future discussions about how to address multifamily development in areas transitioning from low to high density, and for areas with infill development will require the same full range of stakeholder participation.

## Suggestions for further analysis

Project staff and the Project Advisory Group recommend the following be addressed by the Comprehensive Plan Update project:

- Further the research started with this project to identify options for compatibility and transitional standards for new development that address community concerns.
- Reexamine multi-dwelling zoning in this area, both along 122nd Avenue and as far to the east and west as the multi-dwelling zones are applied. The analysis should include evaluation of infrastructure, floodplain and stormwater issues, school capacity, and percentage of affordable housing in this area of East Portland.
- Define and/or develop site design rules that address the large, irregular lots found in East Portland to help create connected, pedestrian-friendly neighborhoods.

## Appendix A: Open House Survey Results

With approximately 60 people attending the Open House, 13 paper surveys were filled out the day of the event and 12 surveys were submitted later online. The paper and online survey results have been summarized below. Note that not every respondent answered every question.

### Commercial Rezoning

Most of the survey respondents (68 percent) agreed with the proposed changes. However, a majority of these respondents said they think there should be more commercial added to the proposed rezoned area. Some respondents were very clear that they didn't think the proposed area was aggressive enough in scale.

Some residents also expressed a desire to make sure that whatever type of commercial is added it is more walking-scale and less auto-oriented than what exists currently. Many respondents also pointed out that it is desirable to have commercial development only at major intersections. Conversely, some respondents commented they would like to see development along the entirety of the 122nd corridor. Respondents noted they would like to see sidewalks, better lighting, and crosswalks in the mid block areas along 122nd.

#### Types of commercial development desired by respondents:

Yes	No	Example of type of commercial development
100%	0	Small businesses: barber shop, café, book shop, dentist (small = < 5,000 sq ft)
92%	8%	Medium sized businesses: restaurant, medical office (medium = 5,000 to 10,000 sq ft)
72%	28%	Large sized businesses: grocery store, fitness club (large is > 10,000 sq ft)
45%	55%	Auto repair, sales and services
35%	65%	Restaurants with drive-through windows
92%	8%	Single business on one property
78%	22%	Two or more businesses on one property
92%	8%	Commercial business with housing on upper floors
Other types desired:		<ul style="list-style-type: none"> <li>▪ Restaurants yes, drive thrus no. However, drive thru coffee shops are probably okay just not fast food,</li> <li>▪ Trader Joe's,</li> <li>▪ More mixed use all along 122nd, Fewer strip clubs, less big parking lots</li> </ul>

#### Multifamily Zoning: This question asked if the respondents were in favor of returning (blue) multifamily to (yellow) single family zoning:

- 7 respondents said Yes and 4 said No
- Individual comments:
  - Like to see pockets of blue versus just the existing block of blue
  - Too much multifamily creates too much traffic and parking issues.
  - All of this multifamily has caused too much strain on local schools.

### Home Businesses:

- Most respondents (86%) were aware they could have a business in their home.
- 100% of respondents agreed that if a home business was on a street with bus service they should be allowed to have more than one employee.
- Individual comments:
  - Some respondents noted they prefer home businesses to be something service-based versus retail. Their reasoning was that a service-based business would have fewer people coming and going all day.
  - They commented that the examples of businesses on Alberta are a good example 122nd could try to follow.
  - Respondents pointed out that, from their experience, auto repair, kennels, and paving businesses have problems associated with them that might be difficult to do as a small home-based business.

### Housing Design Issues:

Here were some common suggestions from respondents on the housing design proposals:

- New housing should be compatible with existing house. We don't want things that will stick out.
- Transitions are important.
- More housing facing the street instead of blank walls.



## Appendix B: Commercial Leakage Summary

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$191,903,044	\$76,748,065	\$115,154,979	42.9	104
Total Retail Trade	44-45	\$163,376,052	\$61,144,690	\$102,231,362	45.5	66
Total Food & Drink	722	\$28,526,992	\$15,603,375	\$12,923,617	29.3	38
Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
<b>Motor Vehicle &amp; Parts Dealers</b>	<b>441</b>	<b>\$37,796,582</b>	<b>\$7,362,818</b>	<b>\$30,433,764</b>	<b>67.4</b>	<b>6</b>
Automobile Dealers	4411	\$31,463,215	\$3,997,006	\$27,466,209	77.5	1
Other Motor Vehicle Dealers	4412	\$2,932,794	\$0	\$2,932,794	100.0	0
Auto Parts, Accessories & Tire Stores	4413	\$3,400,573	\$3,365,812	\$34,761	0.5	5
<b>Furniture &amp; Home Furnishings Stores</b>	<b>442</b>	<b>\$5,578,704</b>	<b>\$479,024</b>	<b>\$5,099,680</b>	<b>84.2</b>	<b>2</b>
Furniture Stores	4421	\$3,584,141	\$184,554	\$3,399,587	90.2	1
Home Furnishings Stores	4422	\$1,994,563	\$294,470	\$1,700,093	74.3	1
<b>Electronics &amp; Appliance Stores</b>	<b>4431</b>	<b>\$5,074,780</b>	<b>\$1,230,677</b>	<b>\$3,844,103</b>	<b>61.0</b>	<b>2</b>
<b>Bldg Materials, Garden Equip. &amp; Supply Stores</b>	<b>444</b>	<b>\$5,987,126</b>	<b>\$692,790</b>	<b>\$5,294,335</b>	<b>79.3</b>	<b>3</b>
Bldg Material & Supplies Dealers	4441	\$5,772,735	\$688,444	\$5,084,291	78.7	3
Lawn & Garden Equip & Supply Stores	4442	\$214,391	\$4,347	\$210,044	96.0	0
<b>Food &amp; Beverage Stores</b>	<b>445</b>	<b>\$34,810,540</b>	<b>\$27,634,864</b>	<b>\$7,175,676</b>	<b>11.5</b>	<b>18</b>
Grocery Stores	4451	\$32,387,974	\$27,634,864	\$4,753,110	7.9	18
Specialty Food Stores	4452	\$1,224,844	\$0	\$1,224,844	100.0	0
Beer, Wine & Liquor Stores	4453	\$1,197,722	\$0	\$1,197,722	100.0	0
<b>Health &amp; Personal Care Stores</b>	<b>446,4461</b>	<b>\$4,252,777</b>	<b>\$4,155,677</b>	<b>\$97,100</b>	<b>1.2</b>	<b>4</b>
<b>Gasoline Stations</b>	<b>447,4471</b>	<b>\$22,319,195</b>	<b>\$10,394,435</b>	<b>\$11,924,760</b>	<b>36.5</b>	<b>4</b>
<b>Clothing &amp; Clothing Accessories Stores</b>	<b>448</b>	<b>\$7,810,023</b>	<b>\$1,325,705</b>	<b>\$6,484,317</b>	<b>71.0</b>	<b>6</b>
Clothing Stores	4481	\$6,056,555	\$514,864	\$5,541,691	84.3	4
Shoe Stores	4482	\$989,011	\$803,174	\$185,837	10.4	2
Jewelry, Luggage & Leather Goods Stores	4483	\$764,457	\$7,668	\$756,789	98.0	0
<b>Sporting Goods, Hobby, Book &amp; Music Stores</b>	<b>451</b>	<b>\$2,502,864</b>	<b>\$1,374,698</b>	<b>\$1,128,166</b>	<b>29.1</b>	<b>6</b>
Sporting Goods/Hobby/Musical Instr Stores	4511	\$1,448,015	\$1,096,787	\$351,228	13.8	5
Book, Periodical & Music Stores	4512	\$1,054,849	\$277,911	\$776,938	58.3	1
<b>General Merchandise Stores</b>	<b>452</b>	<b>\$25,241,134</b>	<b>\$3,452,247</b>	<b>\$21,788,888</b>	<b>75.9</b>	<b>1</b>
Department Stores Excluding Leased Departments	4521	\$12,323,058	\$3,363,087	\$8,959,971	57.1	1
Other General Merchandise Stores	4529	\$12,918,077	\$89,159	\$12,828,917	98.6	0

## APPENDIX B: COMMERCIAL LEAKAGE SUMMARY

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
<b>Miscellaneous Store Retailers</b>	<b>453</b>	<b>\$3,264,065</b>	<b>\$1,789,518</b>	<b>\$1,474,547</b>	<b>29.2</b>	<b>13</b>
Florists	4531	\$173,422	\$219,845	-\$46,423	-11.8	2
Office Supplies, Stationery & Gift Stores	4532	\$854,791	\$45,818	\$808,973	89.8	0
Used Merchandise Stores	4533	\$262,019	\$545,545	-\$283,527	-35.1	4
Other Miscellaneous Store Retailers	4539	\$1,973,833	\$978,309	\$995,524	33.7	6
<b>Nonstore Retailers</b>	<b>454</b>	<b>\$8,738,262</b>	<b>\$1,252,236</b>	<b>\$7,486,026</b>	<b>74.9</b>	<b>1</b>
Electronic Shopping & Mail-Order Houses	4541	\$5,083,142	\$0	\$5,083,142	100.0	0
Vending Machine Operators	4542	\$1,027,599	\$0	\$1,027,599	100.0	0
Direct Selling Establishments	4543	\$2,627,521	\$1,252,236	\$1,375,285	35.4	1
<b>Food Services &amp; Drinking Places</b>	<b>722</b>	<b>\$28,526,992</b>	<b>\$15,603,375</b>	<b>\$12,923,617</b>	<b>29.3</b>	<b>38</b>
Full-Service Restaurants	7221	\$12,892,074	\$6,433,818	\$6,458,256	33.4	18
Limited-Service Eating Places	7222	\$10,329,670	\$7,244,197	\$3,085,473	17.6	13
Special Food Services	7223	\$2,662,864	\$242,463	\$2,420,401	83.3	1
Drinking Places - Alcoholic Beverages	7224	\$2,642,385	\$1,682,897	\$959,488	22.2	6

## Appendix C: Characteristics of the Zones

- A. Neighborhood Commercial 1 zone** – The Neighborhood Commercial 1 (CN1) zone is intended for small sites in or near dense residential neighborhoods. The zone encourages the provision of small scale retail and service uses for nearby residential areas. Some uses which are not retail or service in nature are also allowed so a variety of uses may locate in existing buildings. Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas. Parking areas are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.
- B. Neighborhood Commercial 2 zone** – The Neighborhood Commercial 2 (CN2) zone is intended for small commercial sites and areas in or near less dense or developing residential neighborhoods. The emphasis of the zone is on uses which will provide services for the nearby residential areas, and on other uses which are small scale and have little impact. Uses are limited in intensity to promote their local orientation and to limit adverse impacts on nearby residential areas. Development is expected to be predominantly auto accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The development standards reflect that the site will generally be surrounded by more spread out residential development.
- C. Office Commercial 1 zone** – The Office Commercial 1 (CO1) zone is used on small sites in or near residential areas or between residential and commercial areas. The zone is intended to be a low intensity office zone that allows for small scale offices in or adjacent to residential neighborhoods. The allowed uses are intended to serve nearby neighborhoods and/or have few detrimental impacts on the neighborhood. Development is intended to be of a scale and character similar to nearby residential development to promote compatibility with the surrounding area. Development should be oriented to pedestrians along transit streets and in Pedestrian Districts.
- D. Office Commercial 2 zone** – The Office Commercial 2 (CO2) zone is a low and medium intensity office zone generally located on Major City Traffic Streets as designated by the Transportation Element of the Comprehensive Plan. Uses are limited to those in the Office category and may have a local or regional emphasis. The zone is intended to prevent the appearance of strip commercial development by allowing office uses but not other commercial uses. Commercial uses are also restricted to limit detrimental impacts on nearby residential areas. Development is expected to be somewhat auto-accommodating. Where the site is adjacent to a transit street or in a Pedestrian District, development should be oriented to pedestrians. The development standards allow for more intense development than in the CO1 zone, but not so intense as the CG zone.
- E. Mixed Commercial/Residential zone** – The Mixed Commercial/Residential (CM) zone promotes development that combines commercial and housing uses on a single site. This zone allows increased development on busier streets without fostering a strip commercial appearance. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally oriented retail, service, and office uses. Other uses are allowed to provide a variety of uses that may locate in existing buildings. Development is intended to consist primarily of businesses on the ground floor with housing on upper stories. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk, especially at corners.

- F. Storefront Commercial zone** – The Storefront Commercial (CS) zone is intended to preserve and enhance older commercial areas that have a storefront character. The zone intends that new development in these areas will be compatible with this desired character. The zone allows a full range of retail, service and business uses with a local and regional market area. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. The desired character includes areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners. Development is intended to be pedestrian-oriented and buildings with a storefront character are encouraged.
- G. General Commercial zone** – The General Commercial (CG) zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. The zone allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The zone’s development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.
- H. Central Commercial zone** – The Central Commercial (CX) zone is intended to provide for commercial development within Portland’s most urban and intense areas. A broad range of uses is allowed to reflect Portland’s role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.



# What will the different zones look like?

Five of Portland's eight commercial zones are being considered for SE 122nd Avenue

	General Commercial	Neighborhood Commercial 2	Neighborhood Commercial 1	Storefront Commercial	Mixed Commercial/Residential
<b>Examples</b> Built examples from around Portland					
<b>Permitted Uses</b> Uses that are always allowed					<p>Requires that at least half of all new development be residential uses.</p>
<b>Limited Uses</b> Allowed, but with limitations, or subject to additional city review					
<b>Building &amp; Site Requirements</b> FAR = total building floor area (all floors)* size in area of the property *Excludes undeveloped floor area **No parking required on frequent transit routes. (Requirement is to frequent transit street Cully Blvd is not.)	Height: 45' High 15' Awnings MAX FAR: 3/1 Lot Coverage: 85% MAX On-site** parking/landscaping required Min. lot landscaping required	Height: 30' High 15' Awnings MAX FAR: .75/1 Lot Coverage: 85% MAX On-site** parking required	Height: 30' High 15' Awnings MAX FAR: .75/1 Lot Coverage: 85% MAX Minimum landscaping required	Height: 45' High 15' Awnings MAX FAR: 3/1 Lot Coverage: 85% MIN Landscaping NOT required parking NOT required	Height: 45' High 15' Awnings MAX FAR: 1/1 Lot Coverage: 85% MIN Landscaping NOT required parking NOT required

## Appendix D: Property Summary

### Area 1

#### 1: Proposed change from R1 to CN2

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
3331 SE 122ND AVE	14,320	3,618	No	49%
Total	14,320			

#### 2: Proposed change from R1 to CN1

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
3408 SE 120TH AVE	9,999	1,298	Yes	34%
12033 SE POWELL BLVD	20,043	0	n/a	0%
12019 SE POWELL BLVD	11,000	1,500	No	34%
Total	41,042			

#### 3: Proposed change from R2 to CN2

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
3312 SE 122ND AVE	13,068	2,029	No	37%
3322 SE 122ND AVE	12,238	1,340	No	33%
3400 SE 122ND AVE	13,111	9,580	No	66%
3300 SE 122ND AVE	7,189	1,502	Yes	51%
3302 WI/ SE 122ND AVE	4,672	0	n/a	0%
3302 WI/ SE 122ND AVE	350	0	n/a	0%
12439-12529 SE POWELL BLVD	164,657	6,709	No	21%
12415 SE POWELL BLVD	46,500	11,301	No	33%
Total	261,785			

#### 4: Proposed change from R2 to CN2

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12330 WI/ SE POWELL CT	4,454	0	n/a	0%
12330 SE POWELL CT	9,048	3,296	Yes	55%
12350 WI/ SE POWELL BLVD	52,944	16,290	No	70%
Total	66,446			

### Area 2

#### 5: Proposed changes from CM and R1a to R2a

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12032 SE HOLGATE BLVD	47,170	20,161	Yes	83%
Total*	47,170			

\* Note: Rezone limited to approximately 10,000 sf of total lot sf.

**6: Proposed changes from CM to CS**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12050 E/ SE HOLGATE BLVD	8,190	0	n/a	0%
SWC/ 122ND & SE HOLGATE BLVD	7,646	0	n/a	0%
12050 SE HOLGATE BLVD	7,554	2,078	No	41%
Total	23,390			

**7: Proposed changes from R2 to CS**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12244 SE HOLGATE BLVD	18,450	2,956	Yes	44%
Total	18,450			

**8: Proposed changes from R1 to CS**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
122ND S/ SE HOLGATE BLVD	17,592	0	n/a	0%
4549 SE 122ND AVE	17,593	1,131	No	33%
4555 SE 122ND AVE	8,799	1,862	Yes	54%
4605 SE 122ND AVE	8,799	2,070	Yes	63%
Total	52,783			

**Area 3****9: Proposed changes from R1 to CN1 (North section)**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
NEC/ 122ND & SE RAYMOND ST	6,026	0	n/a	0%
12215 SE RAYMOND ST	20,278	3,084	Yes	48%
5002 SE 122ND AVE	11,669	507	Yes	29%
12226 SE RAYMOND ST	9,011	734	No	29%
12242 SE RAYMOND ST	10,682	1,228	Yes	42%
5104 SE 122ND AVE	18,354	1,026	Yes	29%
SE 122ND AVE	18,480	0	n/a	0%
4941 SE 122ND AVE	8,198	1,872	Yes	48%
5011 SE 122ND AVE	4,393	1,224	Yes	47%
5025 SE 122ND AVE	13,504	1,008	No	12%
5025 SE 122ND AVE	18,730	720	No	13%
5123 SE 122ND AVE	18,708	830	No	27%
5226 SE 122ND AVE	8,272	983	Yes	48%
12205-12217 SE STEELE ST	10,329	5,776	No	60%
12221-12233 SE STEELE ST	10,376	5,776	No	60%
Total	187,009			

## APPENDIX D: PROPERTY SUMMARY

### 10: Proposed change from R1 to CM

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
5123 S/ SE 122ND AVE	14546	0	n/a	0%
5225 SE 122ND AVE	21592	1344	No	28%
5315 SE 122ND AVE	19866	1263	No	28%
5325 SE 122ND AVE	16257	1678	No	48%
5312 SE 122ND AVE	15840	4866	No	66%
5326 SE 122ND AVE	15910	1487	No	52%
5410 SE 122ND AVE	12960	832	No	20%
5432 SE 122ND AVE	7610	1776	Yes	53%
5403 S/ SE 122ND AVE	5056	0	n/a	0%
5413 SE 122ND AVE	7345	0	n/a	0%
5403 SE 122ND AVE	13669	0	n/a	0%
12241 SE STEELE ST	12168	7040	No	63%
12230 SE STEELE ST	7569	960	Yes	41%
12302 SE STEELE ST	19598	1452	No	32%
12301 SE HAROLD ST	18121	5035	No	66%
12219 SE HAROLD ST	6422	1819	Yes	59%
12223 SE HAROLD ST	6523	1652	Yes	57%
Total	221,052			

### 11: Proposed change from R1 to CN2 (East of 122nd Avenue)

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12230 SE HAROLD ST	21,453	11,464	No	89%
12230 WI/ SE HAROLD ST	8,406	0	n/a	0%
12230 WI/ SE HAROLD ST	4,650	0	n/a	0%
5530 SE 122ND AVE	8,406	1,656	n/a	61%
Total	42,915			

### 12: Proposed change from R2 to CM

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
12040 SE HAROLD ST	19,778	1,864	No	45%
5530 SE 120TH AVE	11,230	887	No	41%
5580 SE 120TH AVE	5,906	598	Yes	33%
Interior parcel	2,747	0	n/a	0%
Interior parcel	9,890	0	n/a	0%
Total	49,551			

\* Note: 12040 SE Harold property proposed rezone limited to 1/2 Parcel (9898 sf approx)



**13: Proposed change from R1 to CN2 (West of 122nd Avenue)**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
5601 WI/ SE 122ND AVE	40,687	0	n/a	0%
5545 SE 122ND AVE	83,202	37,483	No	73%
Total	123,889			

\* Note: 5545 rezone limited to western R1 zoned portion only (59,191 sf approx.)

**14: Proposed change from R1 to CN1**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
5732 SE 122ND AVE	12,071	3,245	No	71%
Total	12,071			

**Area 4**

**15: Proposed change from R10 to OS (Leach Botanic Garden)**

Property Address	LOT-sqft	BLDG-sqft	Owner Occupied?	BV/TV
6604 SE 122ND AVE	19,821	0	n/a	0%
SE 122ND AVE	10,602	0	n/a	0%
6704 S/ SE 122ND DR	44,943	0	n/a	0%
6704 SE 122ND AVE	38,686	2,995	No	67%
Total	114,052			

# Appendix E: Traffic Analysis

(Pending)

# Appendix F

## Home Businesses - Quick Summary

The City of Portland calls a business that you operate out of your home a Home Occupation. While any house in the city can be used as a home occupation, there are a lot of limitations on the business activities that can take place there. View the brochure that goes into detail.

There are two types of Home Occupations, Type A and Type B. A Type A requires no permit, but is very limited. A Type B is regulated by the city and so a permit is required.

A **Type A home occupation** is where the residents of the house use their home as a place of work, but no customers come to the site. AND there is no one who works in the house who does not also live there.

A **Type B Home Occupation** is where the residents of the house use their home as a place of work, but there is some limited coming and going by other people as a part of the business activity. A Type B Home occupation can have EITHER one employee (or business partner, etc.) who does not live in the home come to work at the house OR up to eight customers per day may come to the house.

The types of businesses allowed under a Type B Home Occupation are those that are by appointment only, or where customers come to the house by making prior arrangements. You can't operate a typical retail store, for example, by home occupation. Zoning doesn't allow Doggie Day Cares or other kennel type businesses to be run as a home occupation.

### Life Safety/Building Code

If remodeling would be required to accommodate your home business, you may need to get a residential development permit (building permit). BDS has a lot of information on the residential permit process.

If your business would require a commercial kitchen, that could be difficult-- call a Life Safety Reviewer at (503) 823-1456 to discuss what would be entailed.

Establishing a Type B home occupation involves an application process and a fee. As a part of the process, you will be required to notify nearby neighbors. Your neighbors need not approve of your starting the home business, but are notified as a courtesy.

[www.portlandonline.com/bds/index.cfm?c=49392](http://www.portlandonline.com/bds/index.cfm?c=49392)

## Change of Occupancy

Every building is given an occupancy classification when it is originally built, related to the types of hazards or uses proposed for the building and the anticipated number of people coming to the business. The occupancy classification addresses the impact of the building on the occupants, and, depending on the proposed use, certain safety and accessibility requirements will apply. When the original use of the building changes to another use, upgrades related to safety may be required. As these requirements change over time, no building is immune to necessary safety and accessibility upgrades when there is some activity that needs a building permit. Generally, the older the building, the more likely it is to need significant upgrades when a building application is made.

Home businesses that are allowed under the city home business program are exempt from any change of occupancy rules, because the existing limits on uses, number of people, and the small scale of the operations fall within acceptable limits to the Building Code regulators. If the uses allowed were expanded or there was no limit on the number of people coming to the business, issues of safety would arise. For example, if retail uses such as bookstores, coffee shops, or electronic equipment sales were allowed, building changes to accommodate handicapped access, restrooms, fire sprinklers, and emergency exits would all be required in addition to other changes specific to the use and number of customers and employees anticipated at the site.

## Residential Density and Compatibility

Portland State University studies:

- **Outer S.E. Livable Infill Project (2004)**

[http://www.pdx.edu/sites/www.pdx.edu.usp/files/2004%20PW%20Project%202004\\_LIVIN.pdf](http://www.pdx.edu/sites/www.pdx.edu.usp/files/2004%20PW%20Project%202004_LIVIN.pdf)

- **SE 122nd Avenue Enhancement Study (2008)**

[http://www.pdx.edu/sites/www.pdx.edu.usp/files/usp\\_122nd\\_ave\\_enhancement.pdf](http://www.pdx.edu/sites/www.pdx.edu.usp/files/usp_122nd_ave_enhancement.pdf)