

City Council Amendments to the Recommended
Northwest District Plan

Exhibit D



Adopted September 2003

CITY OF PORTLAND, OREGON
BUREAU OF
Planning

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Introduction

This document contains City Council amendments to the Planning Commission's *Recommended Northwest District Plan* (April 2003). Amendments to parking-related elements of the Plan will be included in a separate document.

Comprehensive Plan and Zoning Map Amendments

1. Rezone the NW Neighborhood Cultural Center Building to allow a broader array of uses
2. Amend Maps for part of the Transition Subarea to add two blocks of the Upshur Warehouse District

Zoning Code Text and Map Amendments

3. Delete Recommended River District Parking Regulation
4. Revise and Clarify Limited Retail Use Area Map 562-2 to remove the retail restriction from the Dove Lewis Animal Hospital property
5. Create a NW Transportation Fund Bonus Option with a complementary limitation on base FAR for Non-Residential Uses in the Transition Area
6. Revise Floor Area Ratio (FAR) Map 562-5 based on 5.above and extend the maximum 4:1 FAR for two blocks including the Dove Lewis Animal Hospital property
7. Amend Central City Plan District Bonus Height Option and Maximum Heights Map 510-3 to address development on the Uptown Shopping Center site
8. Correct Mapping Error on Required Building Lines Map 510-6
9. Create Guild's Lake Industrial Sanctuary (GLIS) Plan District NW Transportation Fund Bonus
10. Add new development standard language to GLIS plan district Subdistrict B related to office uses having industrial firms as their primary market

Community Design Guidelines Amendments

11. Create District-wide Statement for the Desired Characteristics and Traditions Chapter

Other

12. Delete Two Policy Actions Not Recommended to City Council

Comprehensive Plan Map and Zoning Map Amendments

1. Rezone the Northwest Neighborhood Cultural Center (NNCC) building to allow a broader array of uses

Amendment: Rezone portion of the property with the existing NNCC building at 1819 NW Everett Street to Central Employment (EX) and retain the High Density Residential (RH) designation on the portion of the property in surface parking use.

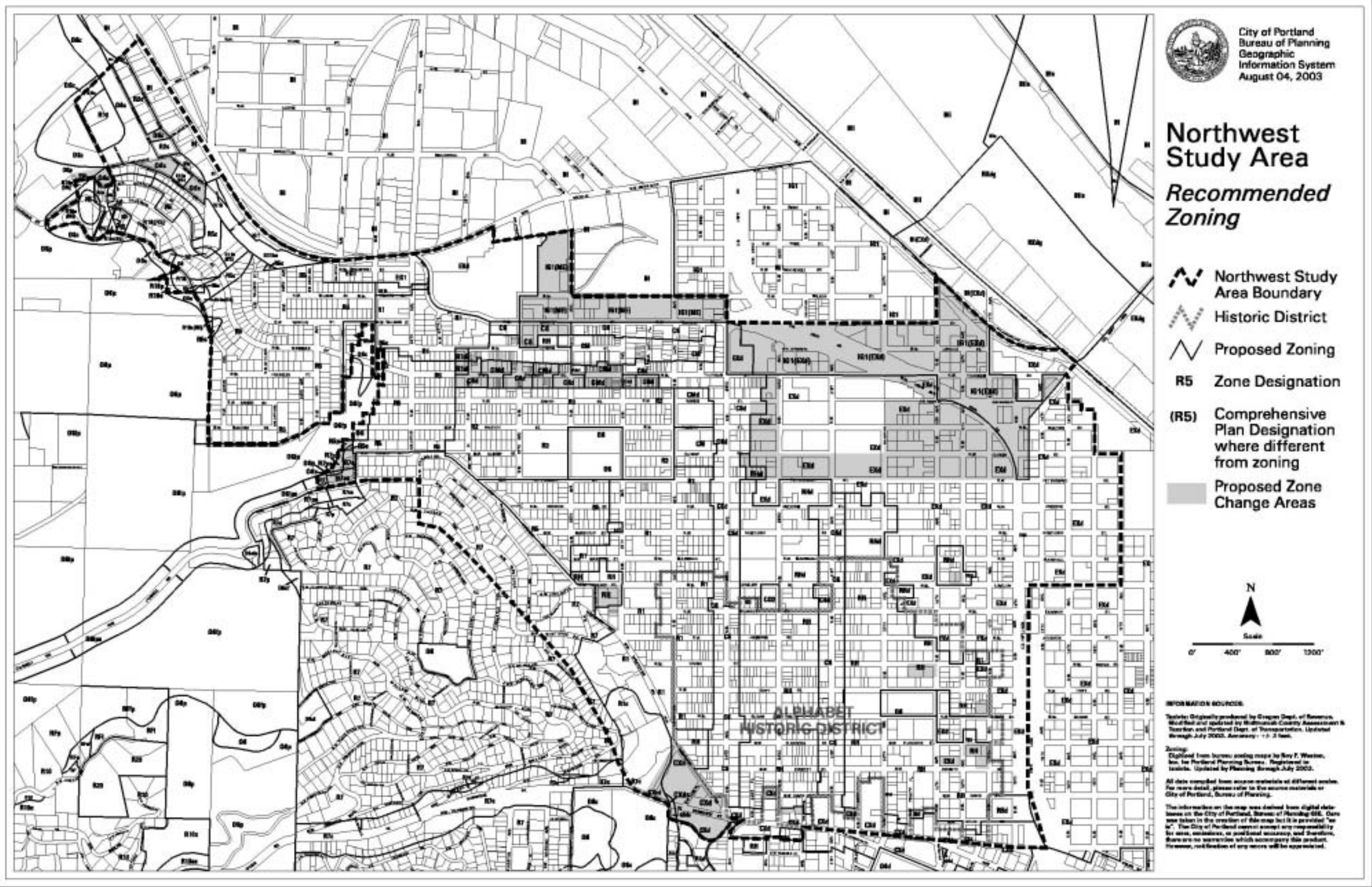
Commentary: EX zoning will allow a broader range of uses not currently allowed under the center's conditional use permit. These uses, such as a catering business, would support the center's mission and provide a source of income. The existing building is a former church and is not likely to be reused as a residential structure. RH zoning is retained on the surface parking lot to encourage residential uses in the future. Also, EX zoning allows uses that are potentially incompatible with the surrounding residential areas, such as retail sales and services, vehicle repair and industrial activity.

2. Amend maps for part of the Transition Subarea to add two blocks of the Upshur Warehouse District

Amendment: Retain IG1 (General Industrial 1) Zone and IS (Industrial Sanctuary) Comprehensive Plan Map designations for most of the Transition Subarea north of Interstate-405 (an area known as the Upshur Warehouse District). Apply EX map designations to a two-block area between NW 18th and 19th Avenues, NW Savier and Upshur Streets.

Commentary: This amendment keeps industrial zoning on all but two blocks of the Upshur Warehouse District. This is in response to heightened concerns that the potential level of development especially commercial development, could result in unacceptable failure of critical transportation facilities. See item 5 below for commercial use limitations and the NW transportation fund bonus.

Application of the EX zone for the two-block area provides a more appropriate match with existing uses and their expansion



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Zoning Code Text and Map Amendments

3. Delete recommended River District Parking Restrictions

Amendment: Delete recommended changes to Central City Plan District River District parking restrictions near the streetcar alignment (33.510.225.E) and retain existing *Zoning Code* language. See existing section in Title 33: Planning and Zoning.

Commentary: Planning Commission's recommended changes to this code section were intended to prevent parking areas from fronting onto the streetcar alignment and ensure a transit- and pedestrian-supportive development pattern. The existing regulation restricts parking from only the 50 percent of the ground floor frontage that is required to be designed for active floor use. The recommended regulation would have prevented ground-level parking surface or structured parking along the entire streetcar frontage, except when located behind active uses. Pearl District Neighborhood Association testified that the existing regulation provided the appropriate level of parking restriction and that it was desirable to allow some flexibility for developments to provide ground-level parking along the portion of the streetcar alignment.

~~33.510.225 Ground Floor Active Uses~~

~~{A. – D. – no change}~~

E. Parking restrictions near a streetcar alignment.

- ~~1. Purpose. These provisions are intended to encourage a transit-supportive, pedestrian-oriented environment adjacent to a streetcar that is safe, active with uses, and comfortable for residents, visitors, and others.~~
- ~~2. Regulations. In the River District subdistrict and in the West End subarea, on the portion of a site within 100 feet of a streetcar alignment (Map 510-12), parking is not allowed in the portions of a building that are required to meet the ground floor active use standard of subsection C., above.~~
 - ~~a. In the River District subdistrict, on sites with frontage on a streetcar alignment (Map 510-12), parking is only allowed as follows. Sites of 10,000 square feet or less in area are exempt from this regulation.~~
 - ~~(1) Surface parking is allowed only when separated from streetcar alignment frontages by building areas designed to meet the ground floor active use standard of Subsection C., above.~~
 - ~~(2) Structured parking is allowed only if:~~
 - ~~• The finished ceiling is entirely underground;~~
 - ~~• The floor of the parking area is 9 feet or more above grade;~~
~~or~~
 - ~~• The parking area is at least 25 feet from the street-facing facade on streetcar alignment frontages.~~

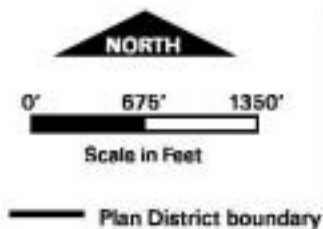
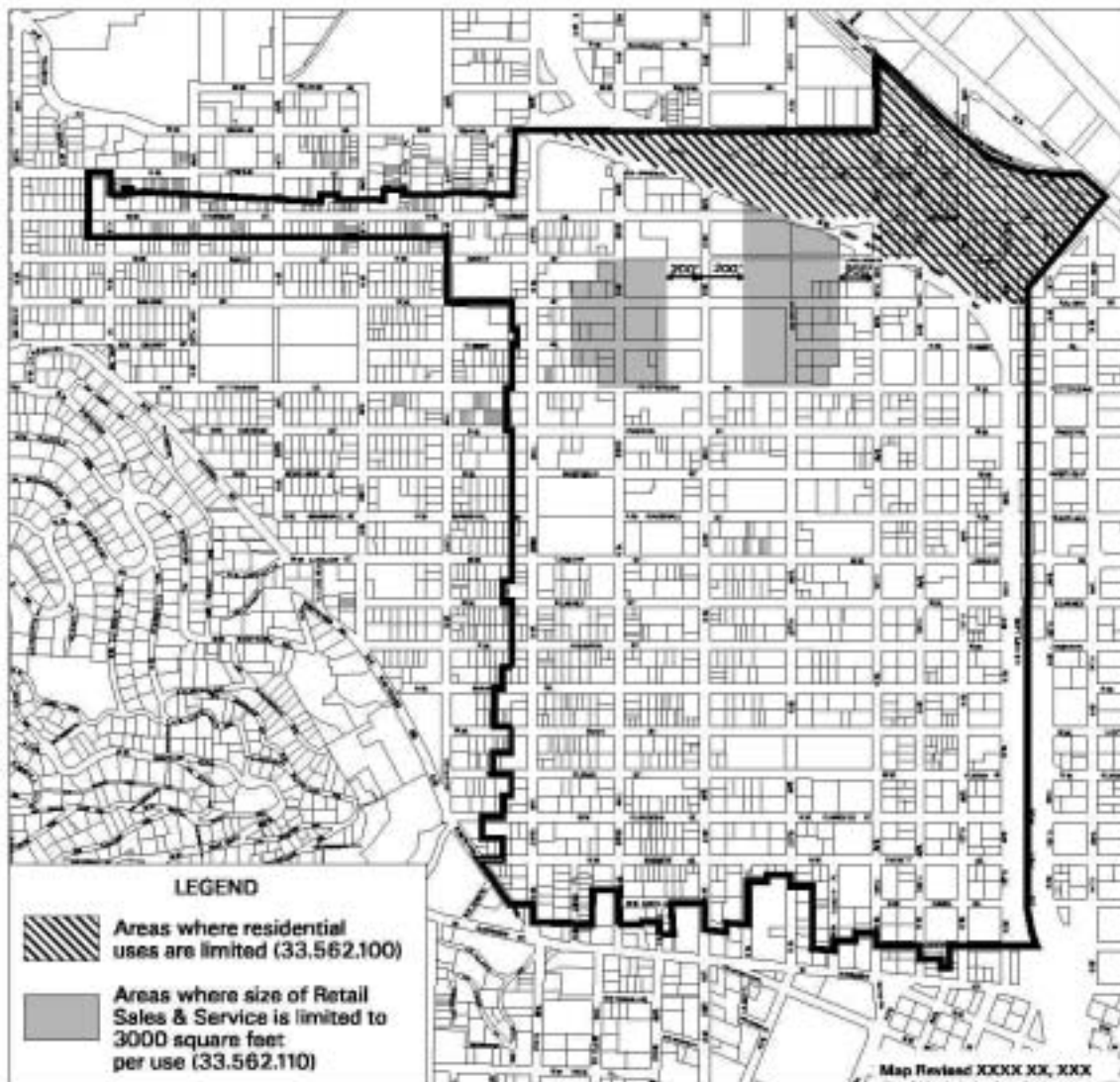
~~b. In the West End subarea, on the portion of a site within 100 feet of a streetcar alignment (Map 510-12), parking is not allowed in the portions of a building that are required to meet the ground floor active use standard of Subsection C., above.~~

4. Revise and clarify Limited Retail Use Area Map 562-2 to remove the retail restriction from the Dove Lewis Animal Hospital property

Amendment: Adjust the area of application for Map 562-2, Limited Use Areas to exclude the portion of lot 1N1E33AB 10700, from where Retail Sales and Services are limited to 3,000 Square feet per use (see attached map).

Commentary: The limited retail use area on recommended Map 562-2 included a small portion of a lot owned by Dove Lewis Emergency Animal Hospital, located on the north side of NW Pettygrove between NW 20th and 19th avenues. The site has been identified as a location for future expansion/relocation of the animal hospital, which is considered a Retail Sales and Service use. The amendment removes the 3,000 square foot restriction from this portion of the lot, making the 20,000 square foot retail restriction described in section 33.562.110 applicable to the entire lot.

The amended map also clarifies the area where residential uses are limited. This was difficult to determine in the recommended plan due to faint printing. The change only improves readability and does not change applicability.



Map 562-2

Northwest Plan District

Limited Use Areas

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5. Create a NW Transportation Fund Bonus Option with a complementary limitation on base FAR for non-residential uses in the Transition Subarea

Amendment: Create a NW Transportation Fund Bonus Option for part of the Transition Subarea that limits non-residential use FAR to 1:1 but provides the ability to increase non-residential use FAR to the Northwest Plan District allowed FAR. This can be accomplished through a contribution for to a NW Transportation Fund based on the amount of square footage desired beyond the 1:1 FAR.

Commentary: Non-residential uses such as retail sales and service, offices, commercial parking and major event entertainment, among others, can generate a lot of peak hour traffic. The transportation system in the Northwest District will likely experience some congestion at several locations during peak traffic hours if the development potential as provided in this plan is realized. Since non-residential uses generate the most peak hour traffic impacts, the non-residential use limitation and transportation fund bonus will assist the City in making necessary improvements to the transportation system that help alleviate anticipated congestion.

New code language to 33.562.230.G Bonus Options:

Northwest Transportation Fund bonus option. Within the area north of NW Pettygrove Street, on sites zoned EX, contributors to the Northwest Transportation Fund (NWTF) receive non-residential floor area bonuses. For each contribution to the NWTF, a bonus of one square foot of additional floor area that may be in non-residential use is earned, up to a maximum of the total floor area that is allowed on the site. The total floor area allowed on the site is regulated by Section 33.562.220, Floor Area Ratios, and Subsections A through F of this section. The amount of the contribution required for each square foot of additional floor area is in Chapter 17.19, Northwest Transportation Fund.

This bonus allows additional floor area to be in non-residential uses; it does not increase the total amount of floor area in any use that is allowed on the site, and does not count towards the maximum specified in B.2, above.

The NWTF is to be collected and administered by the Portland Office of Transportation. The funds collected may be used only to make transportation improvements in the area that will be most affected by the bonus, which is generally bounded by NW Pettygrove Street, NW Nicolai Street, I-405, and NW 27th Avenue.

Related new code language to 33.562.110.C.4 Retail Sales and Service Uses in the EX Zone:

Where the regulations of this section conflict with the regulations of Section 33.562.220, Floor Area Ratios, the most restrictive applies.

Related new code language to 33.562.220.C.1 Floor Area Ratios:

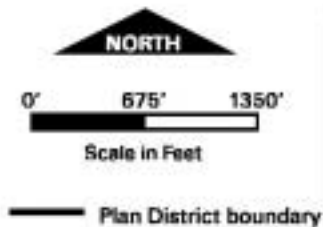
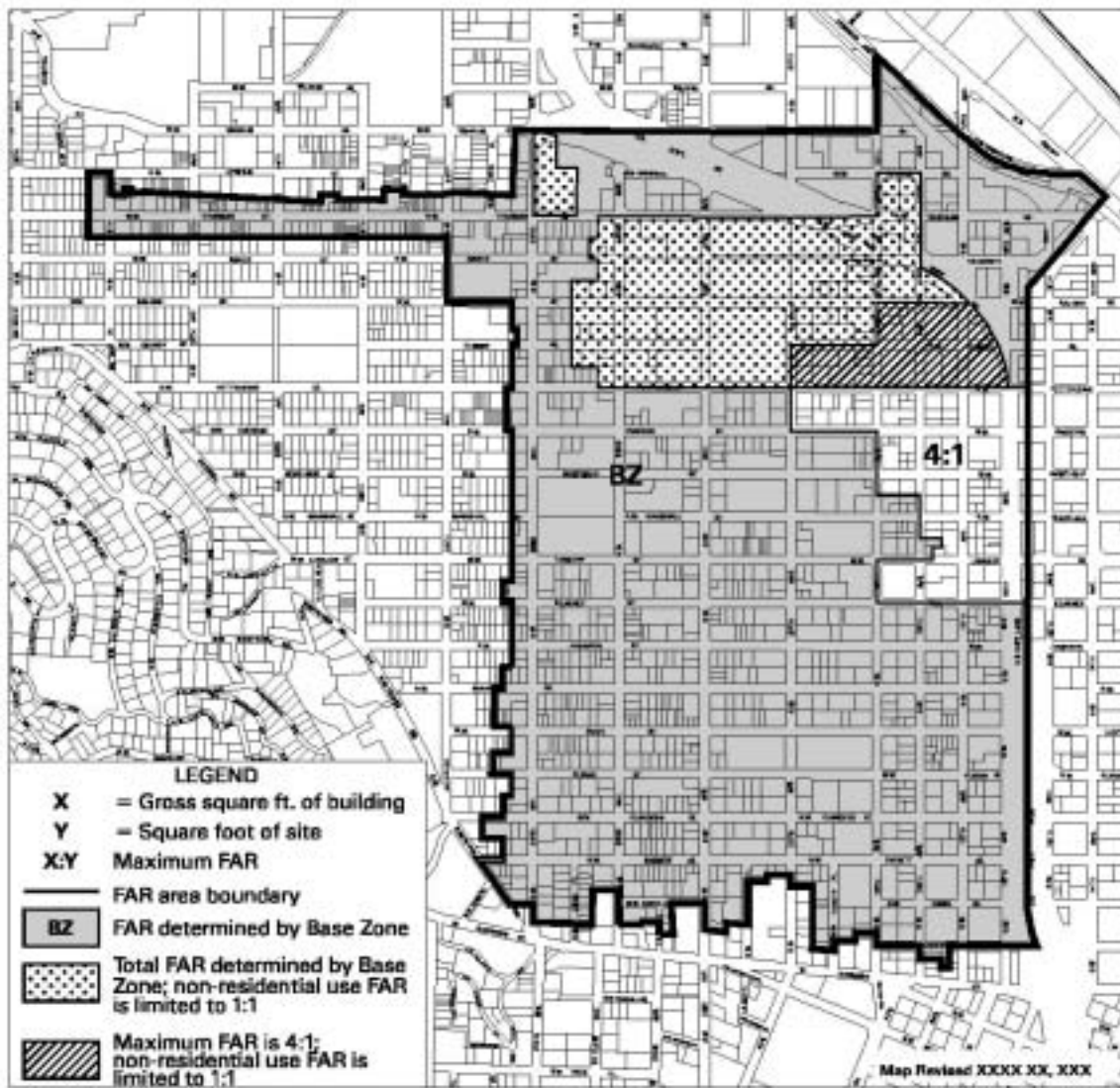
Maximum floor area ratios are shown on Map 562-5. Map 562-5 also shows areas where non-residential uses are limited to an FAR of 1:1 within the total FAR allowed on a site. Additional floor area is allowed as specified in Section 33.562.230, Bonus Options.

6. Revise Floor Area Ratio (FAR) Map 562-5 based on 5. above and extend the maximum 4:1 FAR for two blocks that include Dove Lewis Animal Hospital property

Amendment: Amend the FAR Map 562-5 to show area of application of the non-residential FAR limitation 1:1 for EX zoned property north of NW Pettygrove Street. Amend Map 562-5 to expand the 4:1 FAR maximum area to include a two block area bounded by NW 19 and 20th Avenues, NW Overton to Quimby Streets.

Commentary: One revision to Map 562-5 helps implement the NW Transportation Fund Bonus Option by describing in the map's legend and depicting on the map the EX zoned area north of NW Pettygrove Street that is limited to an FAR of 1:1 for non-residential uses. The map also describes and depicts the maximum FAR allowed with the bonus option. Most of the EX zoned property affected by the NW Transportation Fund Bonus Option has a maximum base zone FAR of 3:1. A smaller area east of NW 20th Avenue has a maximum FAR of 4:1 to help implement the community's vision of taller buildings near I-405. The maximum 3:1 FAR area corresponds with the community's vision for the scaling down of buildings in the core of the Transition Subarea to be similar with the established neighborhood.

Another revision to the map extends the maximum 4:1 FAR for a two-block area west of NW 19th Avenue. This allows the Dove Lewis Animal Hospital additional building square footage to complete a desirable mixed-use project that expands the animal hospital and provides additional housing opportunities, a key goal, in the Transition Subarea.



Map 562-5

Northwest Plan District Floor Area Ratios (FAR)

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7. Amend Central City Plan District Bonus Height Option and revise Map 510-3

Amendment: Subsection 33.510.210.E. is amended to clearly state that the review body has the ability to determine the appropriate height, shape, and configuration of a project; and that the increased height is consistent with the purposes stated in 33.510.205 (Height) along with the existing approval criteria. New text is also added in the subsection and the Maximum Heights Map 510-3 is revised to clarify those sites eligible for application of general and housing height bonuses and the site that is eligible for the housing height bonus only. The Uptown Shopping Center site on the north side of W. Burnside Street west of NW 23rd Place is designated the latter.

Commentary: A key feature of the amendment to the Central City Plan District Bonus Height Option section is to clearly state the ability of the review body to determine an appropriate size and scale of a residential project based on the project's relationship to an adjacent area. Examples of factors to be considered are being next to a historic district and limiting shadows from new development on residential neighborhoods. Additional text and map changes relate to a desire to allow the Uptown Shopping Center site to be eligible for a bonus height option for housing but not for the other general bonuses. The intent of this provision is to allow the review body to determine the appropriateness of all additional bonus height above the base zone allowed 75 feet (Central Commercial zone) for this site, which is located next to a historic district, and a mix of uses and scales of development.

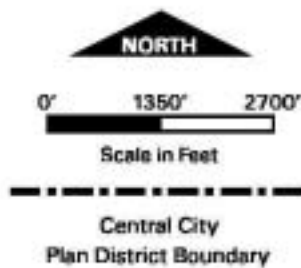
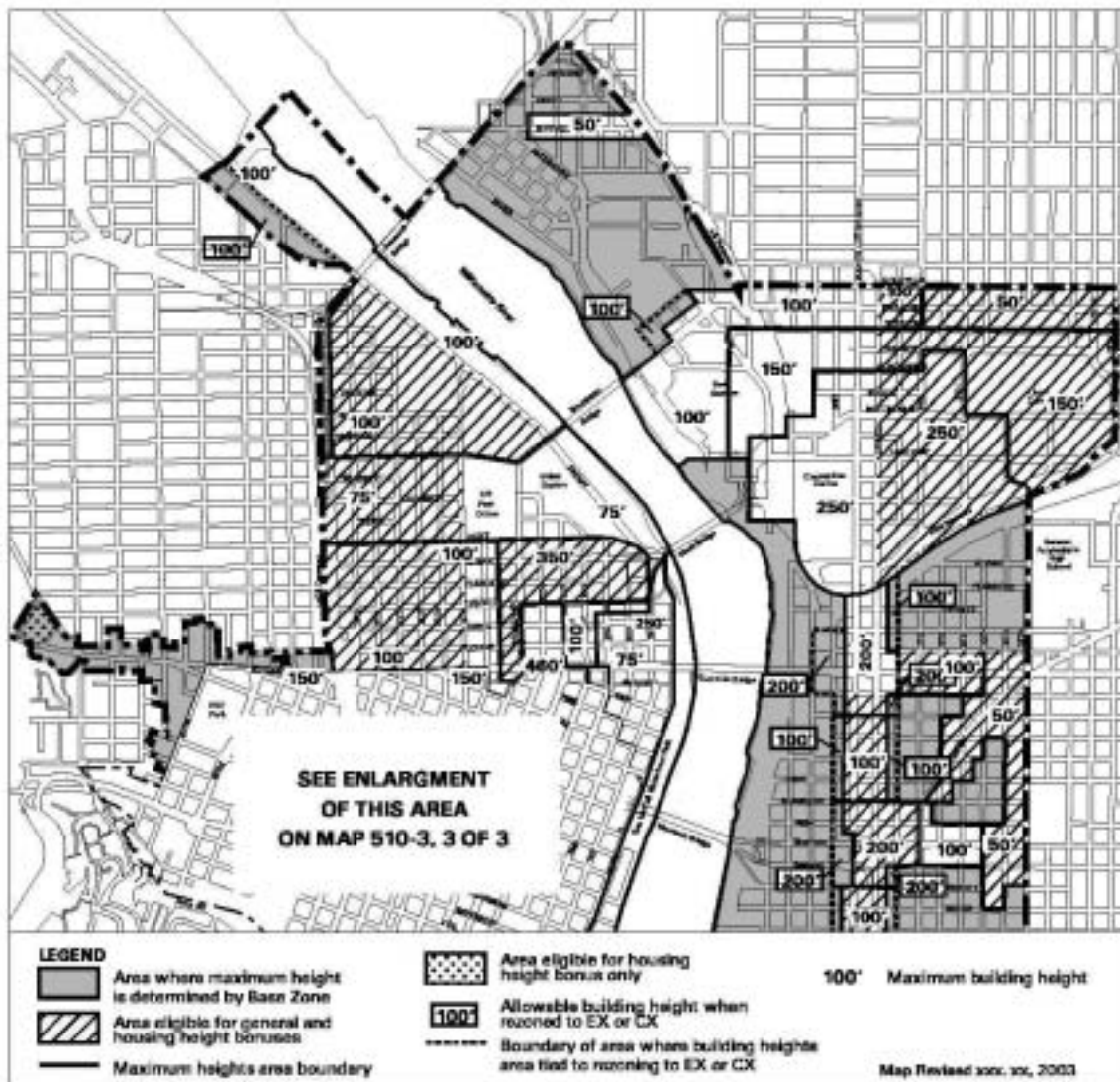
33.510.210 Floor Area and Height Bonus Options

A. through D. [No change.]

E. Bonus height option for housing

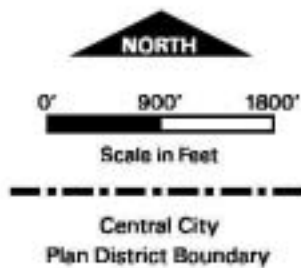
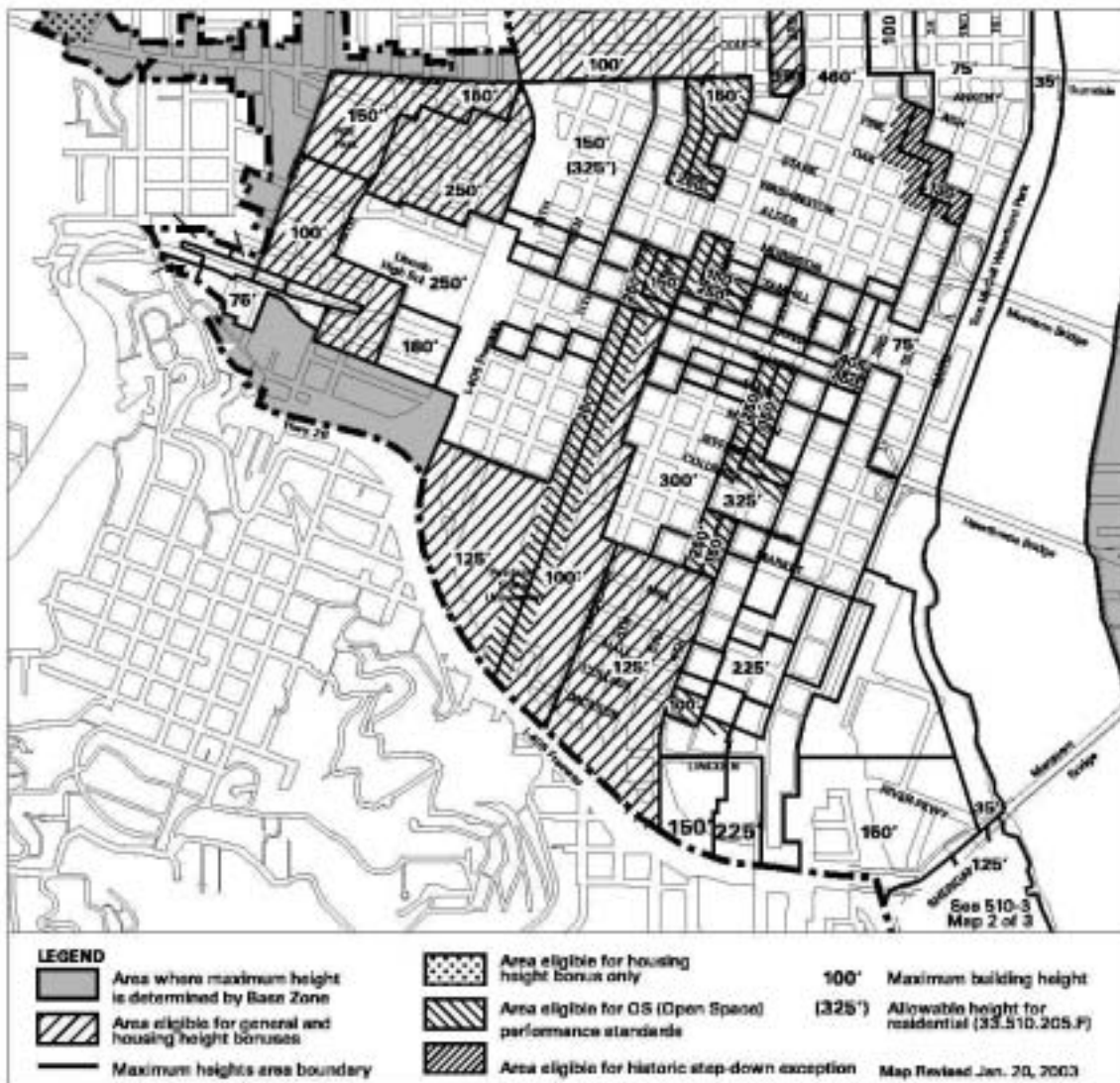
1. Generally. In the bonus height areas, building heights may be allowed to be greater than shown on Map 510-3 if the bonus height is for housing. Although this subsection allows the review body to approve bonus height, the review body may also require reconfiguration of the building, including reducing its height, and may approve all, some or none of the bonus height requested, based on application of the criteria in E.3, below.
2. Standard. The maximum height bonus that may be allowed is 75 feet.
3. Relationship to Subsection D.
 - a. On sites shown on Map 510-3 as eligible for general and housing height bonuses, Projects may use both the bonus height options of this subsection and Subsection D., above may be used. However, if both options are used, the combined bonus height may not exceed 75 feet. Bonus height in excess of the maximum allowed through Subsection D., above, must be used exclusively for housing, and may not be used to qualify for the residential floor area bonus option in Subsection C.1., above.
 - b. On sites shown on Map 510-3 as eligible for housing height bonuses, only the housing height bonus of this subsection may be used.

34. Approval Criteria. The approval of the bonus height is made as part of the design review of the project. The bonus height may be approved if the review body finds that the applicant has shown that all of the following criteria have been met:
- a. through e. [No change.]
 - d. If the site is on a block adjacent to the Yamhill or Skidmore Fountain/Old Town Historic Districts, the project must meet the performance standards of Subsection 33.510.205.D.; ~~and~~
 - e. The increased height will result in a project that better meets the applicable design guidelines; and
 - f. Approval of the increased height is consistent with the purposes stated in subsection 33.510.205.A.



Map 510-3
Maximum Heights
 Map 1 of 3

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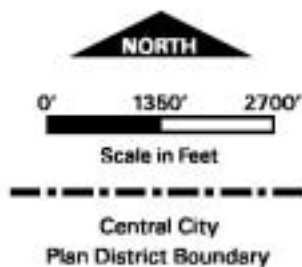
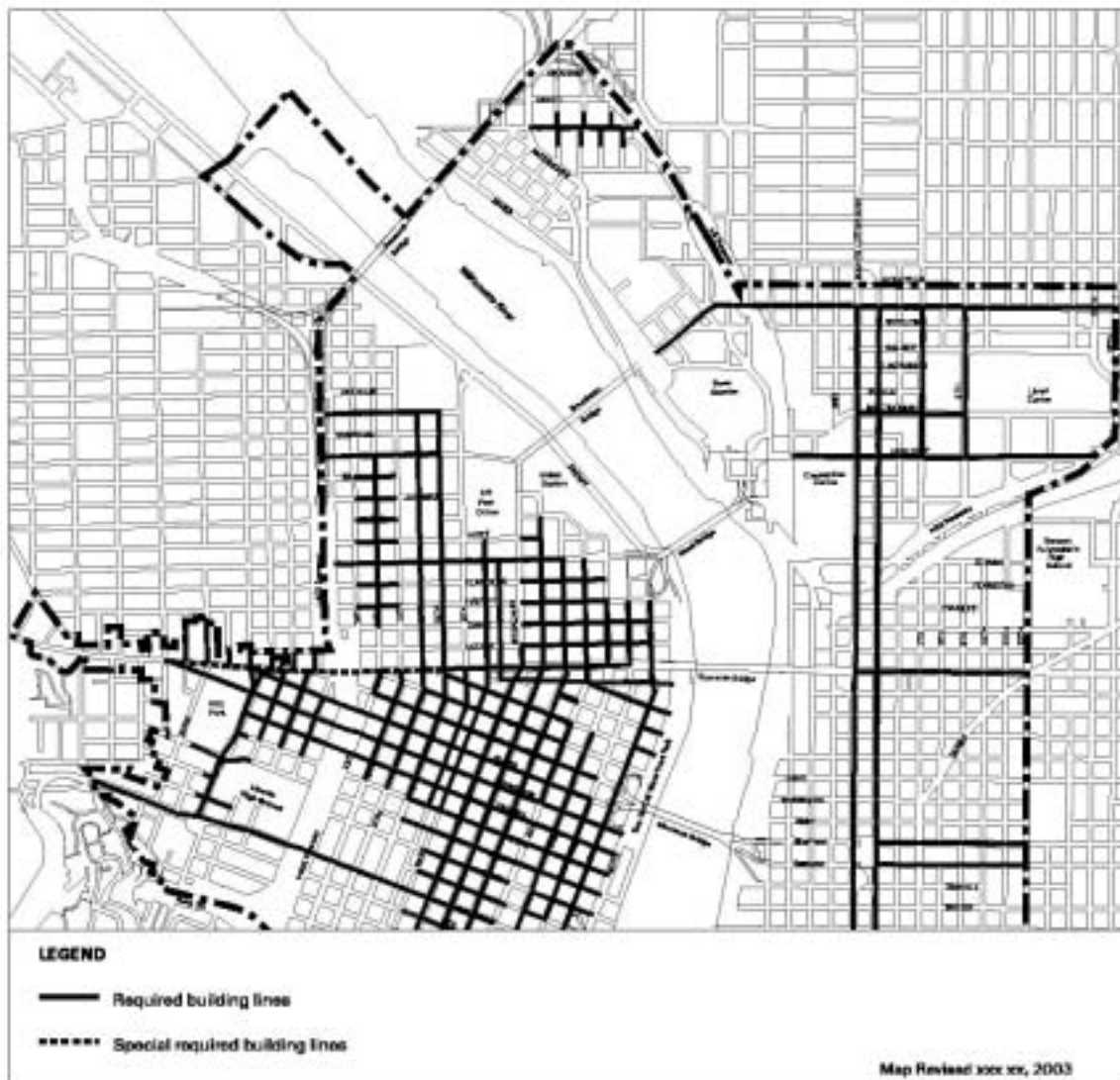
Map 510-3
Maximum Heights
 Map 3 of 3

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8. Correct mapping error on Required Building Lines Map 510-6

Amendment: Amend Central City Plan District Map 510-6, Required Building Lines, to remove special required building line requirements along West Burnside Street from NW 21st Avenue to NW 24th Place.

Commentary: Map 510-6 in the recommended plan contains a map error that incorrectly shows the extension of “special required building lines” requirements along W Burnside Street from NW 21st Avenue to NW 24th Place. This was neither staff’s proposal nor Planning Commission’s recommendation. The commentary on page J-20 of the recommended plan correctly states that the only change to this map is the revised Central City Plan District boundary.



Map 510-6
Required Building Lines
Map 1 of 2

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9. Create a Guild's Lake Industrial Sanctuary (GLIS) Plan District NW Transportation Fund Bonus

Amendment: Create a NW Transportation Fund Bonus Option for Subdistrict B of the GLIS plan district that provides the ability to increase office use FAR from the Employment General (EG1 or EG2) allowed FAR of 1:1, to 1:85. This can be accomplished through a contribution for to a NW Transportation Fund based on the amount of square footage desired beyond the 1:1 FAR.

Commentary: This amendment is intended to broaden the range of job producing uses that could be developed in this transition area between the Industrial Sanctuary and the mixed-use neighborhood. It also responds to the changing nature of types of businesses and functions that are associated with industrial uses.

New code language to 33.531.140.F Additional Regulations in Subdistrict B:

Northwest Transportation Fund bonus option. Contributors to the Northwest Transportation Fund (NWTF) receive Office floor area bonuses. For each contribution to the NWTF, a bonus of one square foot of additional floor area that may be used for Office use is earned, up to an additional floor area ratio of 0.85 to 1. The amount of the contribution required for each square foot of additional floor area is in Chapter 17.19, Northwest Transportation Fund. This bonus allows additional floor area to be in Office uses; it does not increase the total amount of floor area in any use that is allowed on the site, and does not count towards the maximum FAR allowed by the base zone.

The NWTF is to be collected and administered by the Portland Office of Transportation. The funds collected may be used only to make transportation improvements in the area that will be most affected by the bonus, which is generally bounded by: NW Pettygrove Street, NW Nicolai Street, I-405, NW 27th Avenue.

10. Add new development standard language to GLIS plan district Subdistrict B related to office uses having industrial firms as their primary market

Amendment: On September 17, 2003 City Council approved a new development standard language in subsection 33.531.140.E, for Subdistrict B of the GLIS plan district, that relates to office uses having industrial firms as their primary market. (See public record from 9/17 City Council meeting for approved language.)

Commentary: Code language is added to the Subdistrict B to reinforce that this area is in an industrial area and that supportive office uses are desirable to continue the industrial focus. This allows office uses to happen as transitional uses between the established Industrial Sanctuary and the mixed-use neighborhood to the south.

Community Design Guidelines Amendment

11. Create District-wide Statement for the Desired Characteristics and Traditions Chapter

Amendment: Add the following new language in the beginning of the chapter:

District-wide Considerations

While the emphasis of the Desired Characteristics and Traditions statements that follow is on highlighting the distinguishing characteristics of each urban character area, development throughout the Northwest District should contribute to maintaining the district's architectural scale and its fine-grain pattern of development. New buildings and additions that are taller than the two- to four- story building height that is predominant in the district should have upper stories stepped-back in order to contribute to a more consistent streetscape and to maintain neighborhood scale. Also, the street frontage of large projects should be divided into distinct components that reflect the district's established pattern of partial block massing.

Commentary: This new section to the Desired Characteristics and Traditions chapter precedes the specific character area sections and describes overall design qualities that are important to be considered in new development projects that seek design review approval.

Other

12. Delete Two Policy Actions not recommended to City Council

Amendment: Delete Land Use action item LU14 and Willamette Heights Subarea action item WH10 and renumber charts accordingly.

LU14 reads "Adopt changes to the *Comprehensive Plan* designations for residential properties in environmentally sensitive areas to match existing zoning."

WH10 reads "Amend the *Comprehensive Plan* map to redesignate certain residential properties near the natural resource Forest Park, to Residential 10,000 (R10), matching current zoning."

Commentary: The Planning Commission voted not to recommend changes to the *Comprehensive Plan* and Zoning maps to match the designations of properties in Willamette Heights. Therefore, these actions are not correct and should not have been included in the recommended plan.