

BEFORE THE BOARD OF COUNTY COMMISSISONERS

OF MULTNOMAH COUNTY, OREGON

ORDINANCE No. 487

An Ordinance amending the Zoning Code by adding Transit Commercial Uses around Platform Areas to the Transit Office Zone (MCC 11.15.3126) and adding Use Limitations to those uses allowed in Transit Office within the Code Section (MCC 11.15.3162-.3170) or transit-related commercial use.

SECTION 1. Findings.

- A. The Planning Commission is authorized by the Multnomah County Code, Chapter 11.05 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of ordinances intended to carry out part or all of the Multnomah County Comprehensive Plan.
- B. The purpose of the Transit Office Zoning District is to "Create business centers which provide employment opportunities in close proximity to the transit system and higher density residential areas to locate offices to support other retail commercial uses; and to reduce peak-hour traffic levels and to use land efficiently by requiring a minimum building lot coverage and building height."
- C. Currently certain commercial uses are allowed within the Transit Office District but only after a hearing, when a market analysis has been done showing a market area within 660 feet, and when the use is located in an office building.
- D. The medium and high density transit residential zones have a provision to allow transit-related commercial uses as Administrative Uses Under Prescribed Conditions (11.15.3162). So long as these uses have a primary pedestrian access with 300 feet of the center line of the street separating the transit stop platforms, then there is an assumed market need for these uses. Also, the uses are limited and must occur in a residential structure.
- E. The same market demand case can be made for properties that are in the Transit Office Zoning Districts. There are four station stops (102nd Avenue, 122nd Avenue, 181st Avenue and 197th Avenue) where the transit office zoning category is present with 300 feet of the station platforms. The same rationale applies to these properties as to the residential properties which occur on all the station stops.

- F. To require hearings on each commercial use in the case of the transit office and not to for the medium and high density residential areas around station platforms is an inequitable process that does not accomplish the objectives of an efficient Transit Ordinance.
- G. The impact of commercial uses in conjunction with office uses when limited in their size, location and required to locate in an office building is in fact less than allowing them in residential zones.
- H. All the same commercial uses are allowed in Transit Office with hearings and market demand, yet the current Ordinance anticipates an assumed market demand for the uses if they are close to station stop areas. The amendment would require that the same conditions exist for these transit-related commercial uses as currently exist for the residential properties.
- I. Transit commercial uses allowed in Transit Office must be located in buildings that are primarily used for office purposes (at least 50% of the gross floor area must be in office uses) and cannot total more than 10,000 square feet in any one building which is the break point in Policy No. 27 of the Comprehensive Plan for defining commercial developments if less than neighborhood scale.
- J. Comprehensive Plan Policies.

- 1. Policy No. 29, Office Location Policy, does not restrict the development of commercial uses within the Office Zoning District, neither does it encourage uses that are ancillary to office uses. An intent of the Office Location Policy, however, is to encourage the reduction of automobile trips. This may be achieved by locating a use or activity that is customarily associated with a primary trip such as the "journey to work" or that can be associated with a primary trip. Small easy to carry specialty items can be placed in this category and could be considered as an appropriate ancillary use to an office use.
- 2. Policy No. 35, Public Transportation, supports public transportation systems by increasing overall density levels in the urban area, particularly at light rail stations, reducing air pollution and conserving energy by reducing automobile trips".

By combining uses that are conducive to public transit ridership such as "journey to work" and small package or goods sales of services, the number of overall trips can be reduced and the integrity of the transportation system can be maintained.

SECTION 2. Amendments.

The Sections in [parenthesis] are to be deleted and those underlined are to be added.

MCC 11.15.3126 is amended by adding the following Section:

[M]. A Transit Commercial Use as provided by MCC .3162-.3170.

MCC 11.15.3162 Purpose is amended to read as follows:

The purpose for providing for Transit Commercial Uses Under Prescribed Conditions is to allow for commercial and service uses within medium and high density residential zones and transit office zones that are within close proximity to the transit stop platform area.

MCC 11.15.3170 is amended by adding the following Section:

(3). In the T0 zone no more than 50% of the gross floor area shall be in transit commercial uses or 10,000 square feet, whichever is the lesser.

Adopted this 17th day of December, 1985, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS

By Audline Anderson
Presiding Officer

(SEAL)


Authenticated by the County Executive on this 20th day of December,
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Dennis Buchanan, County Executive

APPROVED AS TO FORM

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