

# **EXHIBIT A**

## **Recommended Amendments to the Zoning Code**

Language **added** is underlined. Language **deleted** is shown in ~~striketrough~~.

While changes are proposed to only a few paragraphs, the entire section on the Northwest Master Plan is included here for information.

## AMEND CHAPTER 33.562, NORTHWEST PLAN DISTRICT

Sections:

Map 562-9 NW Master Plan Required

### 33.562.300 Northwest Master Plan

- A. Purpose.** The Northwest Master Plan allows flexibility in design and development of a site in a manner that evokes an urban development pattern, and does not overwhelm public services.

The provisions of this section accommodate the needs of property owners to begin long-range planning for their property in advance of adoption of the Northwest Area Plan. The Northwest Area Plan may modify or delete this section of the code. It is likely that there will be significant overlap in both timelines and issues addressed by the private and public planning efforts; the two efforts should inform and improve each other throughout their processes.

A Northwest Master Plan will ensure:

- Pedestrian-oriented, transit-supportive development;
- Development that includes a variety of uses, but retains the EX zone focus on employment uses that need a central location;
- High quality design appropriate to an urban setting;
- Active uses on the ground floor of buildings along designated transit streets and pedestrian routes;
- A street pattern that provides for frequent, convenient pedestrian and vehicle connections and emulates levels of connectivity similar to the adjacent block pattern;
- Transportation and parking demand management strategies that decrease reliance on the automobile;
- Development that is integrated into the broader urban fabric;
- Transitions to adjacent areas with different uses and intensities through use, height, and massing of new development, considering historic resources, and the character of the area anticipated through the Northwest Area Plan process;
- Consideration of opportunities to provide a park, plaza, or other open space that can be used by those working and living in the neighborhood; and
- Efficient use of land.

- B. Where these regulations apply.** The regulations of this section apply to sites ~~in the EX zone in Subdistrict B of the Northwest plan district. The boundaries of the subdistrict are shown on Map 562-1 9 at the end of this chapter. The regulations may also apply to areas that are not shown on the map, but are contiguous to or across a right-of-way from that area and under the same ownership, if the applicant voluntarily includes them in the Northwest Master Plan boundaries.~~

**C. When a Northwest Master Plan is required.**

1. Required. A Northwest Master Plan is required for sites shown on Map 562-9 in the EX zone in Subdistrict B of the Northwest plan district where the applicant proposes:
  - a. ~~An e~~Expansions of the amount of floor area or exterior improvements area greater than 1,500 square feet on the site; or
  - b. A change from one use category to another.
2. Voluntary. An applicant may voluntarily submit a Northwest Master Plan for any site not shown on Map 562-9 if the site is contiguous to or across a right-of-way from the area shown on the map and under the same ownership. in Subdistrict B of the Northwest plan district, regardless of zoning.
3. Exempt. The following are allowed without a Northwest Master Plan:
  - a. Normal maintenance and repair;
  - b. Changing up to 5,000 square feet of floor area from an accessory to a primary use, where no change of occupancy is required. An example would be changing an employees-only restaurant to a public restaurant; ~~and~~
  - c. Development where all of the floor area and exterior improvement area is in residential use; and
  - d. Fences, handicap access ramps, and on-site pedestrian systems.

**D. Components of a Northwest Master Plan.** The applicant must submit a Northwest Master Plan with all of the following components:

1. Boundaries. The boundaries of the area to be included in the Northwest Master Plan. The area must include all contiguous lots within the EX Zone area shown on Map 562-9 that are owned by the same person, partnership, association, or corporation. This also includes lots that are in common ownership but are separated by a shared right-of-way.
2. Overall scheme. An overall scheme, including both written and graphic elements, that describes and ties together existing, proposed, and possible development and uses, height and massing of development, phasing of development, review procedures for each development or phase, and what standards, guidelines, and approval criteria will be used to evaluate each development or phase.
3. Uses and activities. A description of present uses, affiliated uses, proposed uses, interim uses, and possible future uses. The description must include information as to the general amount and type of all uses such as office, warehousing, retail, residential, and parking; number of employees, and number of dwelling units.
4. Site plan. A site plan, showing the location, size, and dimensions of existing and proposed structures, the pedestrian, bicycle, and vehicle circulation system, rights-of-way proposed for dedication or vacation, vehicle and bicycle parking areas, open areas, infrastructure improvements, landscaping, and any proposed temporary uses during construction and phasing of development.

5. Development and design standards and criteria. The Northwest Master Plan must set out how specific development and use proposals will be reviewed, and the standards, guidelines, and approval criteria used to evaluate each proposal. The Northwest Master Plan may include standards that are in addition to or instead of standards in other sections of the Zoning Code. The Northwest Master Plan must address such things as height limits, setbacks, FAR limits, landscaping requirements, parking requirements, entrances, sign programs, view corridors and facade treatments.

Because the Northwest Master Plan is used in the EX zone, design review is required. The Northwest Master Plan must describe how design review will be implemented in the plan area. Generally, the Community Design Guidelines and Community Design Standards will apply, however the Northwest Master Plan may augment those Standards and Guidelines for the ~~Northwest Master Plan Area~~ area covered by the Northwest Master Plan.

6. Transportation. For each phase of Northwest Master Plan development the following must be addressed:
  - a. The location and amount of motor vehicle and bicycle parking;
  - b. Strategies to reduce the number of motor vehicle miles traveled by those regularly traveling to and from the Northwest Master Plan area, including:
    - (1) Measures to encourage those traveling to and from the Northwest Master Plan area to use alternatives to single-occupant auto trips (walking, bicycling and public transit);
    - (2) Car or van pool programs;
    - (3) Incentives to be offered to employees to use public transit for travel to and from the Northwest Master Plan area;
    - (4) Incentives to be offered to employees to travel on foot or by bicycle to and from the Northwest Master Plan area. This may include incentives for employees to live within walking distance of the area;
  - c. Planned improvements to the routes used by transit patrons between transit stops and buildings in the Northwest Master Plan area;
  - d. A street plan for the Northwest Master Plan area that provides multimodal street connections to match the surrounding street grid pattern where feasible.
  - e. A multi-modal transportation impact study. The study must follow the guidelines of the Portland ~~Office~~ Bureau of Transportation; and
  - f. Traffic impacts on the streets surrounding the Northwest Master Plan area, and mitigating measures to ensure that the surrounding streets will function consistent with their designations as found in the Comprehensive Plan Transportation Element.
7. Phasing of development. The Northwest Master Plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of property awaiting development. In addition the plan

should address any proposed temporary uses or locations of uses during construction periods.

8. Process. The Northwest Master Plan must include:
  - a. A proposed process and procedure for design review of development, including any development specifically called for in the Northwest Master Plan, if different than procedures for conventional design review; and
  - b. A proposed process and procedure for amendments to an adopted Northwest Master Plan, if different than in 33.562.300.F.
9. Written statement. A written statement, describing how all approval criteria for the Northwest Master Plan are met.

**E. Review Procedure.** A Northwest Master Plan is processed through a Type III procedure, reviewed by the Land Use Hearings Officer. The Design Commission also reviews Northwest Master Plans, and makes a recommendation to the Hearings Officer on the approval criteria in Paragraph G.2, below. The Hearings Officer may approve, deny, or apply conditions of approval to the Northwest Master Plan.

Applicants are encouraged to work with surrounding property owners, residents, recognized organizations, and City bureaus during the formulation of a Northwest Master Plan.

**F. Amendments to a Northwest Master Plan**

1. Amendment required. An amendment to an approved Northwest Master Plan is required for the following changes, unless they are specifically addressed by the Northwest Master Plan:
  - a. A change in ~~the use category involving~~ more than 1,500 square feet of floor area ~~or any exterior improvements;~~
  - b. Increases in floor area or exterior improvement area of more than 1,500 square feet. Fences, handicap access ramps, and on-site pedestrian circulation systems are exempt from this limitation; ~~of a use or structure, or the overall floor area on the site and;~~
  - c. Increases or decreases in the amount of parking;
  - d. Changes to the Northwest Master Plan boundary, or the text of the Northwest Master Plan; and
  - e. Any other development, operations, or activities which are not in conformance with the Northwest Master Plan.
2. Review procedures. Amendments to an approved Northwest Master Plan are reviewed through a Type III procedure.
3. Approval criteria. The approval criteria for an amendment to the Northwest Master Plan are the same as the approval criteria for the approval of a new Northwest Master Plan.

**G. Approval criteria for a Northwest Master Plan.** A request for approval or amendment of a Northwest Master Plan will be approved if the review body finds that the applicant has shown that the following approval criteria are met:

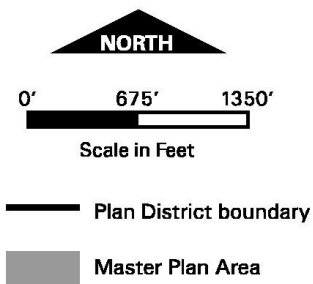
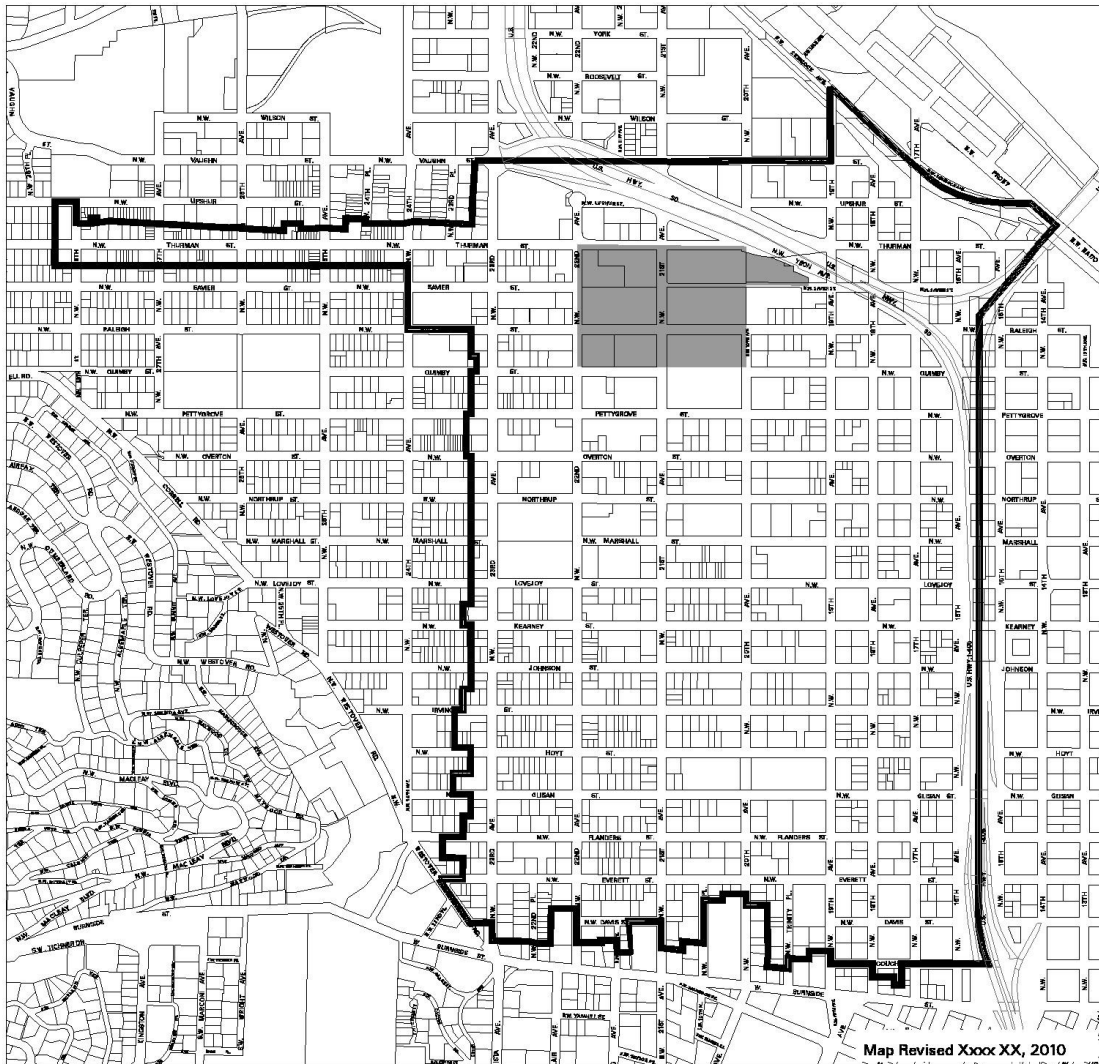
1. Overall. The proposed Northwest Master Plan, and development allowed by it, will be consistent with the purpose of the plan district, and the purpose of this section, as well as other applicable zoning code provisions;
2. Design.
  - a. The urban design elements of the proposed overall scheme and site plan provide a framework for development that will result in an area with an urban development pattern that will be attractive, safe, and pleasant for pedestrians, and is integrated with historic resources, and the character of the nearby area anticipated through the Northwest Area Plan process. The urban design elements of the proposed overall scheme and site plan must meet the design guidelines that are in effect for the site at the time of application.
  - b. The proposed design guidelines, standards, and review procedures specified in the Northwest Master Plan must ensure that:
    - (1) An environment will be created which is attractive, safe, and pleasant for pedestrians, including consideration of such elements as the location and orientation of buildings and main entrances, the design and use of the ground floor of structures, and the location, design and landscaping of parking lots and structures;
    - (2) Scale and massing of the development addresses the broader context of the area, including historic resources, and the uses and development anticipated through the Northwest Area Plan process, specifically at the edges of the Northwest Master Plan area; and
    - (3) The approach to implementing design review, including the guidelines and standards, will ensure that the quality of design and public process is as good or better than that achieved through conventional design review. The guidelines and standards proposed, including existing guidelines and standards, must be appropriate for the Northwest Master Plan area and the type of development anticipated by the purpose statement of this section.
3. Transportation.
  - a. The Northwest Master Plan must comply with the policies, street classifications, and street designations of the Transportation Element of the Portland Comprehensive Plan;
  - b. The transportation system is capable of safely supporting the proposed uses in the plan district in addition to the existing and planned uses in the area. Evaluation factors include street capacity and level-of-service in the vicinity of the plan district, on-street parking impacts, access requirements and needs, impacts on transit operations and access to transit, impacts on adjacent streets and on neighborhood livability, and safety for all modes of travel, particularly pedestrians and bicyclists; and

- c. The proposed street plan must provide multi-modal street connections to match the surrounding street grid pattern where feasible.
- 4. Retail Sales And Service uses. Where the Northwest Master Plan proposes Retail Sales And Service uses that are larger than 10,000 square feet per use, the following approval criteria must be met:
  - a. The proposed uses and development will primarily serve those who live and work in the immediate vicinity;
  - b. The transportation system is capable of safely supporting the proposed uses and development;
  - c. The proposed uses and development will not have significant adverse effects on the area;
  - d. The scale and intensity of the proposed use and development is consistent with historic resources, and the character of the area anticipated as a result of the Northwest Area Plan process; and
  - e. A proposed Retail Sales And Service use or development of larger scale or intensity equally or better meets the purpose of this section.

**H. Duration of the Northwest Master Plan.** The Northwest Master Plan must include proposed uses and possible future uses that might be proposed for at least 3 years and up to 10 years. An approved Northwest Master Plan remains in effect for 10 years, unless the plan is amended or updated.

When the Northwest Master Plan is amended or updated, the application for amendment or revision must include a discussion of when the next update will be required.

**I. After approval of a Northwest Master Plan.** After a Northwest Master Plan has been approved, all development except maintenance and repair must comply with the provisions of the Northwest Master Plan as well as all other applicable provisions of this code, unless exempted by the plan. If the Northwest Master Plan does not specify that a standard, approval criterion, or procedure in the Northwest Master Plan supercedes a similar regulation in the Portland City Code, the regulation in the Portland City Code applies.



## Map 562-9

# Northwest Plan District

## NW Master Plan Required

Bureau of Planning & Sustainability • City of Portland, Oregon