



CITY OF PORTLAND, OREGON BUREAU OF PLANNING

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MEMORANDUM

DATE: September 11, 2003
TO: Honorable Mayor Katz and Members of the City Council
FROM: Gil Kelley, AICP, Director *JK*
SUBJ: **September 17, 2003 Northwest District Plan Meeting**

The City Council will discuss two items described below, related to the *Northwest District Plan* (NWDP), at its 10 AM meeting on September 17, 2003. Staff then anticipates that the City Council will move the substitute ordinance adopting the NWDP (non-parking plan) along with a related ordinance and resolution to second reading and adoption on September 24.

- City Council approved Option B and changes on attachment page*
- 1. Guild's Lake Industrial Sanctuary Plan District (Subdistrict B).** At the last discussion held August 27, 2003, City Council voted to have staff bring back development standard language for Guild's Lake Industrial Sanctuary (GLIS) Plan District (Subdistrict B), that requires a majority of the office uses in Subdistrict B be linked to industrial firms in GLIS. Bureau of Planning staff developed the following two options to implement this idea of limiting office uses to those related to industry:

Option A would require that at least 50% of the office uses be accessory to industrial uses in GLIS.

33.531.140.E.10 Office uses linked to industrial. At least 50 percent of the floor area in office space on each site must be accessory to Industrial uses that are located in the Guild's Lake Industrial Sanctuary plan district.

Option B would require property owners to record a signed statement that they will a) make a good faith effort to market office space only to businesses whose primary market is industrial firms in the Guild's Lake Industrial Sanctuary and b) provide a disclosure statement to all prospective tenants informing the tenants that the office is located in an industrial area where impacts from industrial uses are present, such as noise, vibrations, fumes, odors, glare and traffic.

33.531.140.E

10. Disclosure statement. Before a building permit is issued for office space, the applicant must record a disclosure statement with the County. In addition, the owner must provide a copy of the disclosure statement to all prospective tenants and buyers. The disclosure

statement must state that the office is located in an industrial area where impacts from industrial uses are present, such as noise, vibrations, fumes, odors, glare, traffic and freight movement. The statement is available at the Development Services Center; and

11. Marketing statement. Before a building permit is issued for office space, the applicant must record a marketing statement with the County. The statement must state that the owner will make a good faith effort to market office space to businesses whose primary market is industrial firms in the Guild's Lake Industrial Sanctuary plan district. The statement is available at the Development Services Center.

Staff recommends City Council approval of Option B. Identifying an objective standard that implements Council's motion has proven problematic. While Option A appears to provide such a mechanism, staff has found through experience that this standard is not reliably enforceable. Option B does not guarantee that industrial-related office uses will locate in Subdistrict B, but is a proactive approach to recognizing the importance of the Industrial Sanctuary.

- 2. Northwest and GLIS Plan District Amendment Language to the Northwest Transportation Fund Bonus Option.** The Portland Office of Transportation (PDOT) has requested that Bureau of Planning staff revise Sections 33.562.230.G and 33.531.140.F to eliminate the need for the applicant to produce a letter from PDOT documenting payment to the Northwest Transportation Fund. The attached underline and strikethrough language is the recommended amendment to Title 33: Planning and Zoning Code. This is offered for City Council consideration and amendment.

Staff recommends that City Council discuss the two items described above and vote on specific zoning code amendment language. Staff then anticipates that the City Council will move the substitute ordinance adopting the NWDP (non-parking plan) along with a related ordinance and resolution to second reading and adoption on September 24. These NWDP recommendations would go into effect 45 days after final adoption.

On a related note, PDOT will present to City Council at a hearing on October 8, 2003, at 2 PM, an ordinance and amendments to Title 17, Public Improvements, to complete the City's implementation of the Northwest Transportation Fund Bonus Option. The amendment references the purpose, applicability, payment, implementing regulations, and dedicated account and appropriate use of account. For more information, contact Jeanne Harrison, 503/823-7793.

Attachment

Cc: Betsy Ames, Assistant Director
Joe Zehnder, Principal Planner
Debbie Bischoff, Senior Planner

RECOMMENDED ZONING CODE AMENDMENTS TO NORTHWEST TRANSPORTATION FUND BONUS OPTION

33.562.230.G 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.

To qualify for this bonus, the following requirements must be met:

1. The applicant must submit with the development application a letter from the Portland Office of Transportation documenting the amount that has been contributed to the NWTF and the amount of square footage earned;
2. 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.

33.531.140. F 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. To qualify for this bonus, the following requirements must be met:

1. The applicant must submit with the development application a letter from the Portland Office of Transportation documenting the amount that has been contributed to the NWTF and the amount of square footage earned;
2. 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

Northwest District Plan

Comprehensive Plan and Zoning Map Changes Reflecting City Council Amendments

September 11, 2003

Existing Zone	Recommended Zone	Existing Comp Plan	Recommended Comp Plan	Acres Affected	Taxlots Affected
CG	CX	CG	CX	8.50	7
CM	CS	UC	UC	0.35	3
CN1	CM	NC	UC	4.51	45
CN1	CS	NC	UC	4.46	29
CN1	R1	NC	R1	0.39	1
CN1	RH	NC	RH	0.21	3
CS	CM	UC	UC	1.27	23
CS	CX	UC	CX	0.24	1
CS	EX	UC	EX	2.58	2
CS	RH	UC	RH	0.69	6
EX	RH	EX	RH	2.97	12
IG1	CS	IS	UC	0.97	5
IG1	EX	IS	EX	36.29	66
IG1	IG1	IS	ME	12.24	22
IG1	RH	IS	RH	0.29	2
IH	EX	IS	EX	0.01	1
IH	IH	IS	ME	4.61	2
OS	OS	R5	OS	1.16	1
R1	RH	R1	RH	1.60	3
R10	OS	R5	OS	1.75	3
R2	OS	R2	OS	0.43	1
RF	OS	RF	OS	0.26	3
RF	R5	RF	R5	0.23	2
RF	R7	RF	R7	1.85	5
RH	CS	RH	UC	2.09	6
RH	CX	RH	CX	1.09	5
RH	EX	RH	EX	0.46	1
RH	R1	RH	R1	0.39	1
Total				91.87	261

Bureau of Planning