



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

July 28, 2008



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Portland Plan Amendment  
DLCD File Number 003-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 11, 2008**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Meg Fernekees, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner  
Debbie Buschoff, City of Portland

<paa> ya/ph

# Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD  
**WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION**  
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **Portland**

Local file number:

Date of Adoption: **July 16, 2008**

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 4/11/08 & 5/29/08

☐ Comprehensive Plan Text Amendment

☒ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

These map amendments replace existing multi-dwelling residential zone with a commercial zone that allows housing. One residential parcel now has a conforming multi-dwelling zone. Pre-1993 when the multi-dwelling residential zone was applied, 75% commercial buildings existed. Residential zoning severely hampered improvements resulting in blight. No residential developments have been built. The map amendments encourage mixed-use development and will improve safety.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **R1, R2.5**

to: **UC, R1**

Zone Map Changed from: **R1ah, R2.5ah**

to: **CSh, R1ah**

Location: **Killingsworth St., NE 14<sup>th</sup> to 17<sup>th</sup>, 1 site NE 15<sup>th</sup>**

Acres Involved: **3**

Specify Density: Previous:

New:

Applicable statewide planning goals:

|                                     |                                     |                          |                          |                          |                          |                          |                          |                                     |                                     |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |
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| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                            | <b>10</b>                           | <b>11</b>                | <b>12</b>                           | <b>13</b>                           | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
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Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment.

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Debbie Bischoff**

Phone: **(503) 823-6946** Extension:

Address: **1900 SW 4<sup>th</sup> Avenue, Suite 7100**

Fax Number: **503-823-7800**

City: **Portland**

Zip: **97201-5380**

E-mail Address: **dbischoff@ci.portland.or.us**

## **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webserver.lcd.state.or.us](http://webserver.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
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DLCD

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☐ In person ☐ electronic ☐ mailed

DATE  
STAMP

DEPT OF

JUL 23 2008

LAND CONSERVATION  
AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **Portland**

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|                                     |                                     |                          |                          |                          |                          |                          |                          |                                     |                                     |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |
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If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 003-08 (16831)



Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro, Multnomah County

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Local Contact: **Debbie Bischoff**

Phone: (503) 823-6946 Extension:

Address: 1900 SW 4<sup>th</sup> Avenue, Suite 7100

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ORDINANCE No. **As Amended**

Amend Portland Comprehensive Plan Map and Zoning Map for properties along and adjacent to Killingsworth St between NE 14<sup>th</sup> to 17<sup>th</sup> Aves (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. Portland's *Comprehensive Plan* was adopted on October 16, 1980, acknowledged for compliance with Statewide Planning Goals on May 3, 1981, and again on January 25, 2000, and updated as a result of periodic review in June 1988, January 1991, March 1991, September 1992, and May 1995.
2. Oregon Revised Statute (ORS) 197.628 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up-to-date and in compliance with Statewide Planning Goals and State laws. Portland is also required to coordinate its review and update of the *Comprehensive Plan* and land use regulations with State plans and programs.
3. Portland *Comprehensive Plan* Goal 10, Plan Review and Administration, states that the *Comprehensive Plan* will undergo periodic review to ensure that it remains an up-to-date and workable framework for land use development.
4. Portland *Comprehensive Plan* Policy 10.2, Comprehensive Plan Map Review, establishes a community and neighborhood planning process for the review and update of the Portland Comprehensive Plan Map.
5. The Killingsworth Rezoning is intended to promote a pattern of land use that encourages and contributes to the economic, social, and physical health, welfare, and safety of the neighborhood and the city.
6. Information used for the formulation of the *Killingsworth Rezoning* was based on a review of existing land uses and historic zoning pattern, public comments from meetings, presentations, and internet and email comments, as well as a transportation analysis.
7. The Bureau of Planning developed the *Killingsworth Rezoning* with participation from interested neighborhood and business associations, property owners, business persons, and citizens with cooperation from other City bureaus and agencies.
8. Public involvement and outreach activities included two public meetings attended by about 160 people. Staff also attended neighborhood and business association meetings.
9. *Killingsworth Rezoning* provisions implement or are consistent with the Statewide Planning Goals, the Oregon Transportation Planning Rule, the Region 2040 Plan, the Metro Urban Growth Management Functional Plan, and the Portland Comprehensive Plan, as explained in the *Recommended Killingsworth Rezoning: Findings Report* attached as Exhibit B and incorporated as part of this ordinance. These rules, policies, plans, provide a basis for integrating new residential activities into the study area.



10. The Notice of Proposed Action and copies of the *Killingsworth Rezoning* were mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610 on April 11, 2008.
11. Written notice of the May 27, 2008, Portland Planning Commission public hearing on the *Proposed Killingsworth Rezoning* was mailed to 818 interested parties on April 23, 2008. Measure 56 notification of the May 27, 2008, Portland Planning Commission public hearing on the *Proposed Killingsworth Rezoning* was mailed to all property owners affected by changes to the base zone or allowed uses of property on April 23, 2008.
12. On May 27, 2008, the Portland Planning Commission held a public hearing on the *Proposed Killingsworth Rezoning*. At the hearing, the Planning Commission accepted public testimony, discussed the rezoning proposal, and unanimously recommended that City Council adopt the *Recommended Killingsworth Rezoning*.
13. Written notice of the July 10, 2008 City Council public hearing on the *Recommended Killingsworth Rezoning* was mailed to all owners of properties in the study area, the legislative mailing list, the Planning Commission, and other interested individuals on June 13, 2008.
14. It is in the public interest that the recommendations contained in the *Killingsworth Rezoning* be adopted to direct change in the study area. These recommendations are consistent with Statewide Planning Goals, Metro's Functional Plan and the City's Comprehensive Plan for the reasons stated in the findings in Exhibit B.

NOW, THEREFORE, the Council directs:

- a. The Planning Commission *Recommended Killingsworth Rezoning*, dated June 2008, and contained in the attached Exhibit A, is hereby adopted.
- b. The Portland *Comprehensive Plan* Map and the Zoning Map of the City of Portland are amended, as shown on the Recommended Zoning Map for Project Area on page 4 of Exhibit A.
- c. The commentary in Exhibit A is adopted as legislative intent and as further findings.
- d. Exhibit B, *Killingsworth Rezoning: Findings Report*, dated June 2008, which contains findings on applicable statewide planning goals, the transportation planning rule, the Metro functional plans, and Portland *Comprehensive Plan*, is adopted as findings of fact.

Passed by the Council, JUL 16 2008

Mayor Tom Potter  
D. Bischoff  
July, 2008

GARY BLACKMER  
Auditor of the City of Portland

By

*Susan Parson*  
Deputy

# Recommended Killingsworth Rezoning

## NE 14th to 17th Avenues –



*Bringing back  
commercial vitality*

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Exhibit A: Planning Commission Report and  
Recommendations to the Portland City Council

June 2008





# Acknowledgements

## **Portland City Council**

Tom Potter, Mayor  
Sam Adams, Commissioner  
Nick Fish, Commissioner  
Randy Leonard, Commissioner  
Dan Saltzman, Commissioner

## **Portland Planning Commission**

Don Hanson, President  
Amy Cortese, Vice-President  
Michelle Rudd, Vice-President  
Andre Baugh  
Catherine Ciarlo  
Howard Shapiro  
Jill Sherman  
Irma Valdez

## **Bureau of Planning**

Mayor Tom Potter, Commissioner-in-Charge  
Gil Kelley, Director  
Joe Zehnder, Principal Planner  
Deborah Stein, District Planning Manager  
Debbie Bischoff, Project Manager, NE District Planner

## **With additional assistance from:**

Karen Lucchesi, Planning  
Gary Odenthal, Planning  
Christine Rains, Planning  
Amber Springberg, Planning  
Jacob Brostoff, Bureau of Development Services  
Susan Van Staveren, Bureau of Development Services  
John Gillam, Portland Office of Transportation  
Courtney Duke, Portland Office of Transportation  
Ningsheng Zhou, Portland Office of Transportation

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For more information on the Killingsworth Rezoning Project contact Debbie Bischoff, 503-823-6946, [dbischoff@ci.portland.or.us](mailto:dbischoff@ci.portland.or.us) or visit the project website at [www.portlandonline.com/planning](http://www.portlandonline.com/planning).

# Introduction

Through community outreach, the Northeast District Planner became aware of neighborhood, property owner, and business community interest in seeing the blighted area of NE Killingsworth Street (14th to 17th avenues) rezoned from its existing multi-dwelling residential zoning to a commercial zone. In 1993, the Albina Community Plan rezoned this 3-block stretch along NE Killingsworth Street from commercial to residential zoning, hoping that residential redevelopment would occur to help increase the local population in an area that had been losing population and housing stock in the 1980s and early 1990s.

Now, 15 years later, no residential redevelopment has occurred along this 3-acre section of NE Killingsworth Street. However, renovation of existing housing stock and new residential and mixed-use projects has occurred and continue to occur elsewhere throughout the Albina plan area. In this 3-block section of NE Killingsworth Street, most of the existing buildings are commercial in nature. Because of their legal nonconforming status, commercial uses were able to continue to operate since 1993, but have been limited in their ability to expand or be renovated. Some commercial uses have vacated, leaving empty buildings shells. The lack of redevelopment or enhancement to these structures has left the 3-block area blighted. Neighbors and others have reported that on a daily basis, criminal activities are occurring at this location, largely due to the lack of active storefronts with a mix of neighborhood goods and services, which draws positive pedestrian activity.

The recommended Comprehensive Plan and Zoning Map designation changes are aimed at bringing back commercial vitality to this limited section of NE Killingsworth Street in the Vernon neighborhood, a place that is in need of locally accessible neighborhood-serving commercial and a mix of uses including residential. The area is well-served by the frequent bus line #8, that travels north-south on NE 15th Avenue. Changes proposed through this project help fulfill a variety of City goals related to livability, housing and economic development.

## Public Outreach and Engagement

Planning staff completed two public outreach and engagement events to solicit ideas and comments from affected property owners and the interested public. The first meeting drew about 100 people to the Vernon School on January 16, 2008. Staff introduced the project, confirmed community interest in the pursuit of a zone change for this three block area of NE Killingsworth Street, and solicited initial public input on the future of the area. A public comment form was distributed at the meeting and posted on the Planning Bureau's website that asked the following questions:

1. What qualities/values are important to you in regards to the redevelopment of NE Killingsworth Street, from 14th to 17th Avenues?
2. What land uses would be desirable along this stretch of NE Killingsworth Street?
3. Additional comments?

Planning staff received over 80 written responses on public comment forms and took copious notes at the January meeting. These public comments informed staff in its analysis and consideration of zoning change alternatives for this project area.

On March 26, 2008 a second community discussion of the Killingsworth Rezoning was held at a special Vernon Neighborhood Land Use Committee meeting, with about 60 people in attendance. At this meeting Planning staff reviewed the public comments received to date and confirmed with the audience overarching themes/ideas drawn from these comments. Staff then discussed its review of alternative zones, including pertinent considerations and offered an initial staff recommendation, (the staff recommendation presented in this report). This recommendation calls for rezoning properties along NE Killingsworth Street (14th to 17th avenues) to a Commercial Storefront (CS) zone. The initial staff recommendation was favorably received by those at the meeting, with a few people supporting a Neighborhood Commercial One (CN1) zone. See the comparison of potential commercial map designations section of this report for more information.

Planning staff attended and participated at May meetings of the Vernon Neighborhood Association and the North Northeast Business Association. Staff notified affected property owners and interested public of the May 27 Planning Commission public hearing and encouraged their participation at the hearing.

On May 27, 2008, the Portland Planning Commission held a public hearing on the proposed Killingsworth Rezoning staff report and recommendation. After a staff presentation, public testimony, and discussion, the Planning Commission voted unanimously to support staff's recommendation and forward it to City Council for adoption.



**January public meeting**

*"The only thing that will chase out the ubiquitous drug sellers who now "own" the corner will be commerce — any fast tracking possible should be approved. This should have changed 8-10 years ago."*

*- Input from nearby resident*



**Killingsworth Street**



# Planning Commission Recommendation

**The Portland Planning Commission recommends that the City Council take the following action:**

**Adopt an ordinance which amends the *Portland Comprehensive Plan Map* and *Portland Zoning Map* as shown in this report.**

Below are the Comprehensive Plan and Portland Zoning Map changes recommended by the Planning Commission. The recommendation is to re-designate the historically commercially zoned properties (pre-1993) to Urban Commercial on the Portland Comprehensive Plan Map with corresponding Commercial Storefront (CS) on the Zoning Map.

This change to a CS zone will mean that many of the existing commercial and other uses that became non-conforming with the zone change to residential in 1993 would now be allowed by right. Subject to appropriate building permit and/or land use review, these businesses could be expanded or modified without being subject to the requirements of Chapter 33.258 Nonconforming Situations.

Also, there is one nonconforming residential property at 5402-5418 NE 15th Avenue that is recommended to be re-designated from Residential 2,500 (R2.5) to Medium Density Multi-dwelling (R1) to bring the use on this property into zoning conformance and provide a transition to the single family residential area to the south.

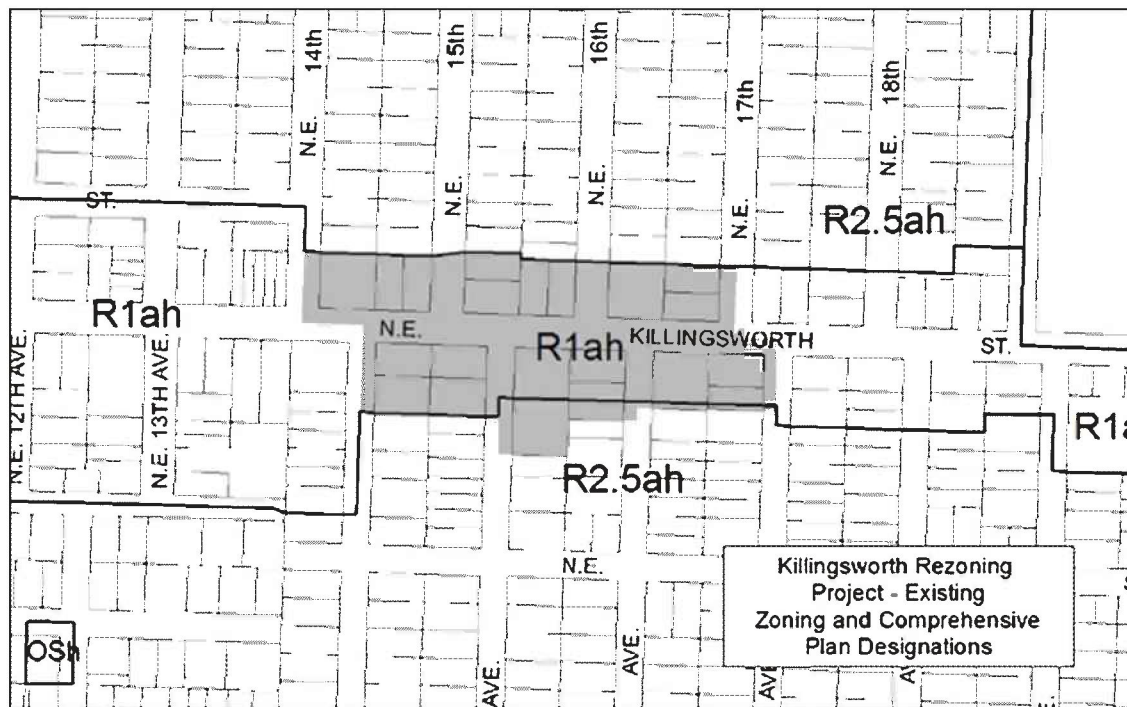
One other aspect of the recommendation is to remove split-zoning for a few properties on the south side of NE Killingsworth Street and designate these properties with one zone.

Two overlay zones apply to this area: The Aircraft Landing Zone “h”, which limits height of structures and vegetation within vicinity of the airport; and the Alternative Design Density Overlay Zone “a”, which allows more density for development that meets additional design compatibility requirements.

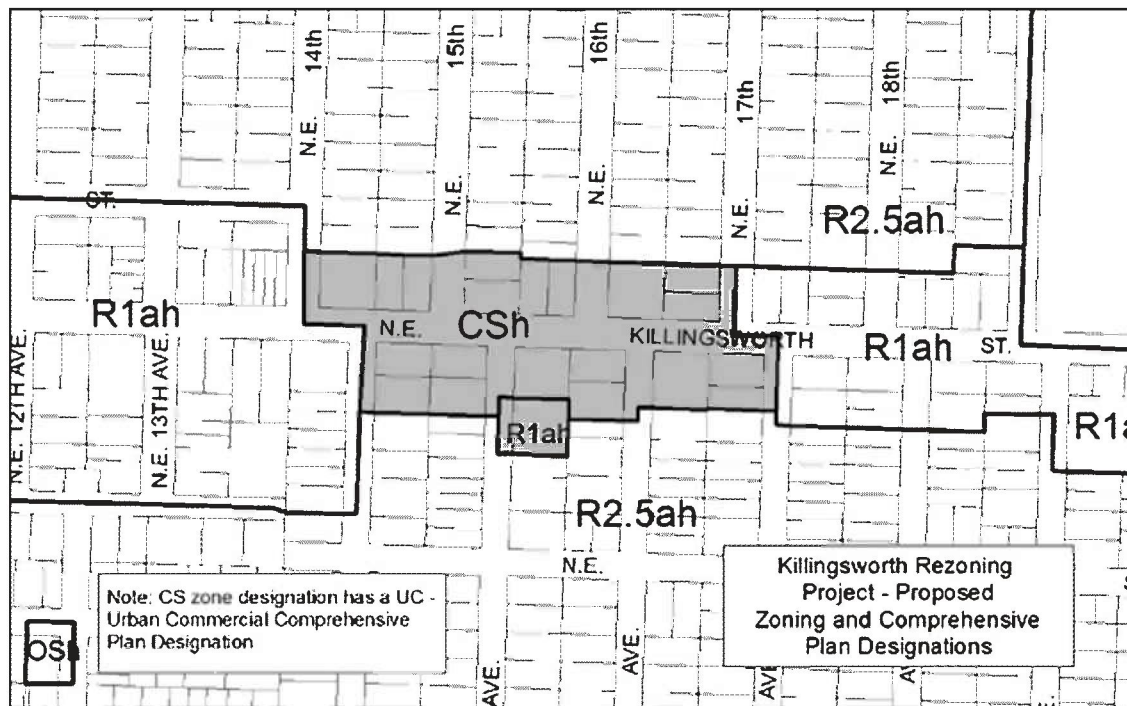


**Killingsworth Street**

## Existing Zoning Map for Project Area



## Recommended Zoning Map for Project Area



## Transportation Analysis of Staff Recommendation

The Portland Office of Transportation Planning Division prepared a transportation analysis of the Killingsworth Rezoning proposal, which consists of transportation modeling along with a policy assessment of the findings. This assessment addresses provisions of the State Transportation Planning Rule (OAR 660-012-0060) and provides citizens and decision-makers with information related to neighborhood scale traffic impacts resulting from this proposal. This analysis documents are part of the project record.

The transportation analysis finds that there would be no significant affect on regional or local transportation facilities as a result of the staff recommended Commercial Storefront (CS) and Residential 1,000 (R1) rezone proposal. The land area subject to the rezone is very small and contained within a local neighborhood environment. The rezone proposal provides a mixed use area along a District Collector Street that is well-served by transit and creates improved opportunities for walking, bicycling and short-distance automobile trips for local commercial services in lieu of other locations greater distances away from the area.

Analysis was conducted to determine if the rezone proposal would significantly affect Oregon Department of Transportation (ODOT) facilities. It was found that the increased amount of potential traffic as a result of the rezone would be 1% or less at any ODOT facility during the 2 hour peak period under year 2030 conditions. This finding includes using conservative assumptions that would possibly even overstate trip generation rates. Our conclusion is that the traffic impacts on ODOT facilities are negligible.

Within the rezone area the intersections of the two off-set NE 15th Avenue approaches with NE Killingsworth Street were also analyzed. It was found that by the year 2030, with the proposed rezone, the traffic operation at one of these intersections would only have a slight downgrade from Level of Service (LOS) C or better, to LOS D or better, which will still meet City's mobility standard for planning purposes.

Mitigation measures were also explored to improve traffic operations at these intersections under either the future base case or with the proposed rezone. It was found that a set of mitigation options are available to improve traffic operations that would not require right-of-way or be extensive in scale. But these improvements are not needed at this point in time and are not warranted as a result of the rezone.



## Analysis of Potential Commercial Map Designations

### Community Input

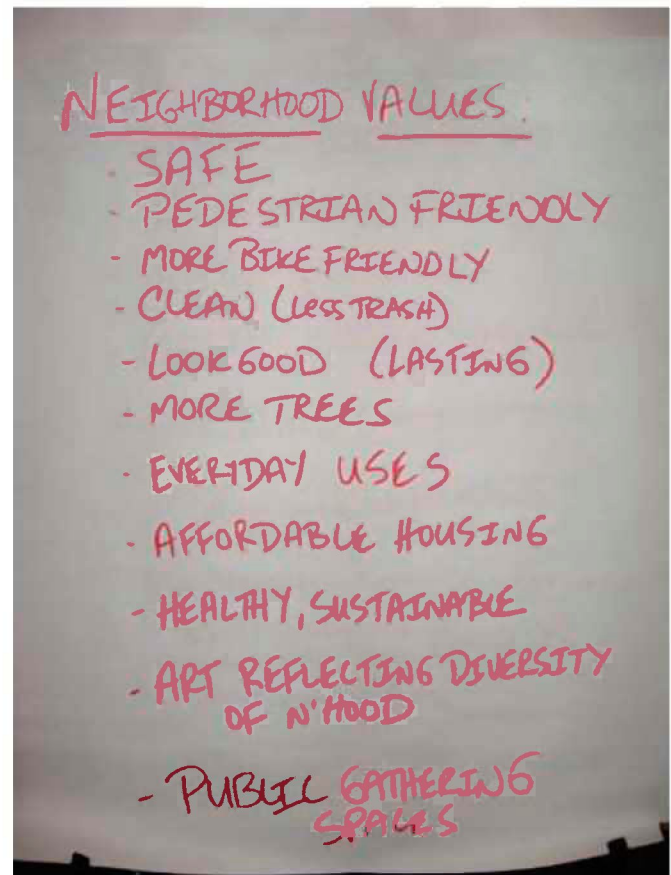
The following overarching themes and desired future uses were heard from the property owners, neighbors, local business people and others related to the future of NE Killingsworth Street (14th to 17th avenues):

- Neighborhood-serving commercial vitality and activities within walking distance of area residents
- Safe pedestrian-oriented, family-friendly environment
- Diverse mix of small, locally-owned, non-auto oriented commercial businesses that serve local families and households and may include housing that reflects a range of affordability
- Healthy, clean, sustainable and green development
- Community gathering places
- Examples of specifically-mentioned desired uses include restaurants, bakery, cafés, hardware store, offices, housing above retail, live/work units and public space

## City Considerations

Community input helped to guide City staff's analysis and initial recommendation, along with the following two City-oriented objectives:

- Minimize non-conforming uses by applying appropriate zoning that promotes desirable redevelopment
- Use the historic commercial zoning pattern as a guide for the rezoning boundary area
- Replace split-zoned properties with one zoning designation per property



Public meeting input from January meeting.

## Comparison of Potential Commercial Map Designations

### Storefront Commercial (CS)

- Preserves and enhances older commercial areas that have a storefront character; new development is compatible with this desired character
- Allows a full range of retail, service and business uses with a local and regional market area; housing is allowed and often happens in mixed-use projects
- Generally applied to areas which are predominantly built-up, with buildings close to and oriented towards the sidewalk especially at corners
- Development is pedestrian-oriented and creates a vibrant streetscape
- No minimum landscaping required
- Local examples of CS zone: 30th / Killingsworth, 33rd near Killingsworth, and Killingsworth west of MLK Jr. Blvd.

### Mixed Commercial/Residential (CM)

- Promotes development that combines commercial with a required housing component
- Allows increased development on busier streets without fostering a strip commercial appearance
- Supports transit use, and provides a buffer between busy streets and residential neighborhoods
- Emphasis on locally oriented retail, service, and office uses plus housing (that is typically in upper stories)
- Development is pedestrian-oriented and creates a vibrant streetscape
- No minimum landscaping required
- Local example of CM zone: Dekum – MLK Jr. Blvd. to Woodlawn Park

#### *Staff Comments:*

- Similar in scale to commercial zoning (CG) previously located on these sites and the existing residential zone (R1)
- More likely than CN1 to produce housing and meet housing goals
- Provides more opportunities for community-desired uses through greater Floor Area Ratio (FAR) than CN1
- Better capitalizes on frequent bus service in area

#### *Staff Comments:*

- Requires significant housing component, which might deter redevelopment
- Similar in scale to commercial zoning (CG) previously located on these sites and the existing residential zone (R1)
- Property owner and community input—allow but do not require housing with new commercial zone

## Comparison of Potential Commercial Map Designations

### Neighborhood Commercial (CN1)

- Intended for small sites in or near dense residential neighborhoods
- Encourages small scale retail and service uses for nearby residents
- Some uses which are not retail or service in nature are allowed
- Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas
- Development is pedestrian-oriented and compatible with the scale of surrounding residential areas
- Requires minimum landscaping (20% of site area)
- Local examples of CN1 zone: 30th / Ainsworth, 33rd at Killingsworth

### General Commercial (CG)

- Allows full-range of commercial uses having a local or regional market
- Allows access by automobiles

#### Staff Comments:

- Produces lower-scale development, mostly commercial, such as convenience stores and offices which are limited in size and may not produce range of community-desired uses due to lower FAR and building height
- May not produce housing due to development regulations like building height
- Less potential impact to neighborhood with lower-scale development

#### Staff Comments:

- Auto-oriented uses are allowed in CG and property owners and local community do not want auto-oriented uses here
- CG zone in area: sections of close by MLK Jr. Blvd. and Alberta St.



## Comparison of the Commercial Zones

| Standard                  | CN1      | CM       | CS       | CG      |
|---------------------------|----------|----------|----------|---------|
| Maximum Floor Area Ratio* | .75 to 1 | 1 to 1   | 3 to 1   | 3 to 1  |
| Maximum Height            | 30 ft.   | 45 ft.   | 45 ft.   | 45 ft.  |
| Minimum Landscaping       | 15%      | None     | None     | 15%     |
| Building Coverage         | 85% max  | 50% min  | 50% min  | 85% max |
| Building Setbacks         | 10 ft.   | 0–10 ft. | 0–10 ft. | 10 ft.  |

\* Applies to nonresidential development only. Additional floor area is allowed for residential.

The key differences between the zones are shown in the above table. All these zones have a number of regulations in common, including: requirements for ground floor windows, pedestrian standards (including main entrance orientation), landscaping buffer if abutting a residential zone, and also no requirement for off-street parking. CN1, CS and CM zones have no off-street parking requirement and in this location CG zone would also not have this requirement because of its proximity to frequent bus # 8.

The primary differences relate to scale and building orientation. The CN1 zone has the lowest allowed floor area and height and has the largest setback requirement. The CG zone, while

having a high floor area ratio, often results in less urban development due to landscaping, setback and building coverage standards. The CS and CM zones have minimum building coverage standards while the CG and CN1 have maximum building coverage requirements. The CS and CM zones are most likely to result in pedestrian-friendly mixed-use development.

The CM zone requires one square foot of residential for every square foot of commercial for new development. The CS is a commercial zone, but is flexible enough to encourage mixed use development as well. Purely residential development is allowed in all commercial zones.



**SW Corbett Street CS example.**



**NE 33rd & Killingsworth CN1 example.**

## Use Comparison by Zone

| Use Categories*                          | R1   | CN1  | CM   | CS   | CG   |
|------------------------------------------|------|------|------|------|------|
| <b>Residential Categories</b>            |      |      |      |      |      |
| Household Living                         | Y    | Y    | Y    | Y    | Y    |
| Group Living                             | L/CU | L/CU | L/CU | L/CU | L/CU |
| <b>Commercial Categories</b>             |      |      |      |      |      |
| Retail Sales And Service                 | N    | L    | L    | Y    | Y    |
| Office                                   | N    | L    | L    | Y    | Y    |
| Quick Vehicle Servicing                  | N    | N    | N    | N    | Y    |
| Vehicle Repair                           | N    | N    | N    | Y    | Y    |
| Commercial Parking                       | N    | N    | N    | Y    | CU   |
| Self-Service Storage                     | N    | N    | N    | N    | L    |
| Commercial Outdoor Recreation            | N    | N    | Y    | Y    | Y    |
| Major Event Entertainment                | N    | N    | N    | CU   | CU   |
| <b>Industrial Categories</b>             |      |      |      |      |      |
| Manufacturing And Production             | N    | L    | L    | L    | L    |
| Warehouse And Freight Movement           | N    | N    | N    | N    | CU   |
| Wholesale Sales                          | N    | N    | L    | L    | L    |
| Industrial Service                       | N    | N    | N    | CU   | CU   |
| Railroad Yards                           | N    | N    | N    | N    | N    |
| Waste-Related                            | N    | N    | N    | N    | N    |
| <b>Institutional Categories</b>          |      |      |      |      |      |
| Basic Utilities                          | L/CU | Y/CU | Y/CU | Y/CU | Y/CU |
| Community Service                        | CU   | L/CU | L/CU | L/CU | L/CU |
| Parks And Open Areas                     | L/CU | Y    | Y    | Y    | Y    |
| Schools                                  | CU   | Y    | Y    | Y    | Y    |
| Colleges                                 | CU   | Y    | Y    | Y    | Y    |
| Medical Centers                          | CU   | Y    | Y    | Y    | Y    |
| Religious Institutions                   | CU   | Y    | Y    | Y    | Y    |
| Daycare                                  | L/CU | Y    | Y    | Y    | Y    |
| <b>Other Categories</b>                  |      |      |      |      |      |
| Agriculture                              | N    | N    | N    | CU   | CU   |
| Aviation And Surface Passenger Terminals | N    | N    | N    | N    | CU   |
| Detention Facilities                     | N    | N    | N    | N    | CU   |
| Mining                                   | N    | N    | N    | N    | N    |
| Radio Frequency Transmission Facilities  | L/CU | L/CU | L/CU | L/CU | L/CU |
| Rail Lines And Utility Corridors         | CU   | CU   | CU   | CU   | CU   |

Y = Allowed, N = Not allowed, CU = Conditional Use, L - Limited Use,

\* Specific details about how these standards apply can be found in applicable code sections.

## Comparison of Residential Zones for R2.5 to R1 Proposal

### Residential 1,000 (R1)

- Medium density multi-dwelling zone
- Allows approximately 43 units per acre and up to 65 units per acre with use of an amenity bonus
- Permits one to four story buildings
- Major development types are multi-dwelling structures (condominiums and apartments), duplexes, townhouses and rowhouses
- Generally applied near Neighborhood Collector and District Collector streets, and local streets adjacent to commercial areas and transit streets

### Residential 2,500 (R2.5)

- Highest density single-family residential zone
- Allows two units per 5,000 square feet of site area
- Permits one to three story buildings
- Typical development: single-family detached and attached including duplexes
- Often applied as a transition zone between higher density zones and medium density single-family zones, e.g. Residential 5,000 (R5)

#### Staff Comments:

#### R2.5 to R1 Map Change Proposal for 5402–5418 NE 15th Ave.:

- Eliminates non-conforming use status of apartments in a single family residential zone
- Multi-dwelling residential supports commercial, mixed-use development on Killingsworth Street and helps to meet housing policy
- Provides a good transition between the commercial mixed-use zone on Killingsworth Street and the single family residential zone to the south (R2.5)



5402-5418 NE 15th



## Comparison of the Residential Zones

| Standard            | R1                                           | R2.5                                                   |
|---------------------|----------------------------------------------|--------------------------------------------------------|
| Maximum Density     | 1 unit per<br>1,000 sq. ft.<br>of site area  | 1 unit per<br>2,500 sq. ft.<br>of site area            |
| Minimum Density     | 1 unit per<br>1,450 sq. ft.<br>of site area* | 1 unit per<br>2,500 sq. ft.<br>of site area            |
| Maximum Height      | 25/45 ft.**                                  | 35 ft.                                                 |
| Setbacks            | 3–10 ft.                                     | 5-18 ft.                                               |
| Building Coverage   | 60% max                                      | Varies by lot size.                                    |
| Minimum Landscaping | 20%                                          | None required<br>200 sq. ft. +outdoor<br>area required |

\*\* The 25 foot height limit applies only to the portion of a structure within 10 feet of a front property line.

# Appendix

## Initial Public Comments

The following are responses to questions asked at the public meeting held January 16, 2008, which was attended by more than 100 people and additional public comments received through March 25, 2008.

### Question 1: Neighborhood Values

- Safe
- More Trees
- Public gathering spaces
- Affordable housing
- Encourage local businesses
- Pedestrian friendly
- Everyday uses
- Green (including demolitions)
- Clean (less trash)
- Healthy, sustainable
- School + family friendly
- Look good (lasting)
- Street lighting
- "Living room"
- Limited surface parking
- Facilitate community
- Adequate parking
- Adequate commercial + city / community presence
- Art reflecting diversity of neighborhood

### Question 2: Uses

- Commercial mix
- Affordable housing
- Local businesses
- Middle school age services
- Outdoor seating
- Hardware
- Owner occupied housing
- Farmer's market
- Restaurants/cafes/bakery
- Doctor Offices
- No fast food/convenience stores
- Dry cleaning
- Art centers
- No big box style development
- Neighborhood theme
- Affordable businesses
- Bookstore/coffee house
- No quick vehicle servicing
- Some off-street parking
- Brew pub (kid + dog friendly)
- Sports + recreation area (possibly on cul-de-sac)

### Question 3: Additional Comments

- Left turn lane on 15th Avenue
- Roundabout at 15th Avenue

## Q1 What qualities/values are important to you in regards to the redevelopment of NE Killingsworth Street, from 14th to 17th Avenues?

- Residential and commercial vitality
- Want the area to be safe, more attractive, and convenient. Would like to see the area cleaned up and developed.
- Diversity, mixed use (commercial + residential), sustainable neighborhood businesses, affordable housing.
- Small business with perhaps mixed use buildings with apartments upstairs.
- Fair/affordable rent for residents/business. Locally owned development. Pedestrian/cyclist friendly. Green.
- That commercial property owners be able to sale their property as commercial, not just the use of commercial property.
- Absolutely no liquor stores, fast food, gun shops, corporate businesses, porn shops. Keep in mind the kids in the area. Also, the gang activity is an issue in this neighborhood. Positive businesses, non-profit organizations, music and arts, plan grounds, daycare, bookstore, dog parks, after school programs. Also, gentrification is a serious issue in the N/NE area. Limit the boutiques and expensive stores. Affordable!
- Sustainability, safe, attractive, pedestrian safety, open space, green space, and local services.
- I am in favor of getting rid of the rundown or vacant commercial buildings around 15th Avenue and Killingsworth.
- I would like my property at 5402 - 541B NE 15th Avenue changed to mixed use/ commercial too since this apartment is adjacent to the proposed CM property zones on the North and East side!
- Using the space for things that will bring community together and drive drug dealing out. Right now, this section is actively avoided by many in the neighborhood.
- Safe, clean, "living room," theme, family friendly.
- Safe, pedestrian and bike friendly, aesthetics, local necessities, adequate parking, theme for appearance, children friendly, local ownership, "green" building."
- Safety! The run down properties attract drugs, loitering and litter. My house has been broken into three times in the last two years.
- Neighborhood theme with an artistic architecture. Safe, family friendly. Clean with local business with healthy values. New sidewalks and bike lanes. No pornography!
- Pedestrian friendly, shop windows and "eyes in the street," life on the street, slow traffic, trees and greenery, no boarded up/ vacant buildings, clean, safe, safe pedestrian crossing, streetscape improvements, storefront improvements, 1-3 stores but no higher, wide sidewalks with sidewalk cafe or plaza space.
- Improve buildings; beautify neighborhood- adding businesses that are of interest to residents. Developments that encourage people to meet and hang out (i.e. over coffee) in a way that improves the quality of life in the neighborhood. Please zone area commercial storefront.



## Q1 What qualities/values are important to you in regards to the redevelopment of NE Killingsworth Street, from 14th to 17th Avenues?

- Strong positive commercial vitality with or without a residential component. Store front access and new development. Green development.
- A zone that can be built economically.
- Better transportation planning, traffic flow, pedestrian safety, etc. Basic street improvements, streetscape. Better development, better use of underutilized properties, vacant land, etc. Better public transportation! No bus on Killingsworth! We need one. Better street lighting. Nuisance properties on 18th and Killingsworth. Look at Vernon as a neighborhood Association. Does it make sense to have, so small does it make more sense to absorb into other neighborhood associations?
- Clean, safe, kid friendly, bike friendly, pedestrian friendly, beautiful, plant friendly.
- Beauty (green space), community sustainable constructions, affordable.
- Livable, safe, commercial space access to funding resources. Active spaces.
- Preserving existing affordable house, none in NE now. Create public space to bring neighborhood focus, serve existing neighbors; do not try to gentrify the area. Support local enterprises.
- Street improvements, islands, vegetation, trees, safe.
- Wouldn't really care to see strictly residential (like 60th and Killingsworth area). But anything would be an improvement!
- Reduces traffic, eco-friendly development that incorporates water runoff capture and tree planning, esthetically pleasing buildings, bike and pedestrian friendly, public art integrated, celebrates cultural diversity of the area, green space and public meeting areas (benches, etc), locally developed, handicap accessible.
- Clean, safe, attractive, pedestrian friendly. Would like to see tall/dense buildings.
- Good design, high gravity materials, pedestrian scale/friendly, locally owned/serving, sustainable design/green buildings.
- I would like to see buildings that foster a sense of community. The scale should be neighborhood appropriate, nothing too massive. They should be pedestrian friendly and be forward on the lot with any parking to the rear. The area should be well lit and any public spaces should be arranged so as to discourage crime.
- I would like to see current structures improved and any new structures to look like they fit the neighborhood. No buildings any larger than the tallest building already on the block.
- Clean pedestrian friendly, drug-free, family friendly, engaging active.
- To stop the illegal works on the corners of 16th Avenue and 17th Avenue. Speed is of the utmost importance regarding this issue. Illegal drugs, prostitution, littering and general loitering.

**Q1 What qualities/values are important to you in regards to the redevelopment of NE Killingsworth Street, from 14th to 17th Avenues?**

- I live right dead center of where this rezoning is talking place. I am totally for it. Sadly, the neighborhood store (at 16th and Killingsworth) is a haven for drug addicts (that pay phone doesn't help).
- Limit the amount of surface parking lot space, especially fronting Killingsworth. Encourage animated sidewalk activities, retail storefronts, maybe a few live-work units.
- Flexibility, so the area isn't an afterthought again in 20 years. Density, therefore, walkability. Aesthetics!
- Unique (local businesses only), safe, family oriented, well lit but not super bright. A safe place to wait for the bus. Businesses that are for nearby residents (coffee shop, organic grocery, boutique retail).
- Development that enhances the local community and not development that is done cheaply for maximum profit for the developers. The local houses have been around for almost 100 years, can the new development be something lasting and well built also?
- I want a safe neighborhood that looks good and provides amenities within walking distance.
- Community retail – coffee shop/restaurant/shops.
- Safety, walkability, cleanliness, attractiveness.

## Q2 What land uses would be desirable along this stretch of NE Killingsworth Street?

- Retail, restaurants, coffee shops, youth activities, upscale game video store.
- Commercial only or mixed use. I'd be happy with either one. Restaurant, coffee shop with wife!
- Mixed residential and commercial including all levels of affordability.
- Small business with perhaps mixed-use buildings with apartments upstairs.
- Community center, 4-story family collective, mini bike/skate park.
- Affordable housing complex. Market with different businesses.
- I want to walk my dog safely. Trees, positive community bill boards, green and solar powered roofs, diversity!
- Bookstore café drycleaner, restaurant, bar, brewpub, stores similar to Fox Chase.
- I would accept commercial/residential mixed use or even just commercial. Neighborhood centered commerce, food, retail, medical office and of course not industrial. I am not in favor of a gas station. \*Food meaning markets/restaurants.
- Please consider rezoning to commercial, residential for property at 5402 to 541-B 15th Avenue NE Killingsworth. I would like a nursery on main level and 2-3 story apartments on top level.
- Mixed use. Restaurant, small business, mixed income housing. Local rather than chain business/restaurants would be great!
- Farmer's market, library, café, hardware store.
- Community center, coffee shops, services, i.e., medical hardware, farmers market, performing arts.
- Commercial!
- Commercial only. No housing.
- Improve commercial buildings. I like residential above commercial office spaces. Ideas for commercial uses: coffee shop, corner store, active affordable business space, brewpub, plant nursery. Look at land uses at 15th Avenue and Prescott for inspiration and what the market will bear.
- Coffee shop, bakery, restaurant, deli, dessert place, higher end retail, wine shop, bistro, sidewalk café, active space. No convenience stores. No gas stations. No car repair.
- Coffee houses, small shops or gallery spaces, bistro.
- Commercial with optimal housing.
- Mixed use, retail and residential. Higher density. Parks and open space, community amenities or shared public use. Development that meets neighborhood needs values and vision.
- Middle school activity options. Local, funky, small, quiet businesses. Public venues and art. Food and fun books.
- Hardware store, coffee shop, restaurant gathering areas, library, farmers market, local business, affordable housing.



## Q2 What land uses would be desirable along this stretch of NE Killingsworth Street?

- Neighborhood fabric architectural design. Collaborative efforts.
- Playground/court on 14th Avenue cul-de-sac. Affordable housing. Dining with music and culture venues. Affordable commercial space for small businesses (micro-commercial).
- Commercial establishments, partial residential, the redevelopment of Alberta Street and Mississippi being good models.
- Trees! Mini-green spaces. Minimal parking lots or none at all. NO GAS STATIONS or LIQUOR STORES.
- Commercial and residential.
- Food! Café, bohemian coffee shop, restaurant. Retail; clothing store, garden store, yarn shop, etc. Services; salon, yoga studio. Some offices would be good, too. Housing.
- I liked the idea of the mixed commercial zoning with the 50% residential requirement. I would like to see office/small retail/coffee shop. I do not want any alcohol-licensed establishments located there. I do not want to see any free standing commercial buildings.
- Mixed use buildings – doctor's offices, etc. No restaurants/bars, etc. We already have those services on Alberta Street. What we don't have is the neighborhood is doctors and dentists.
- Small locally owned business, retail and dining, no gas stations, no adult businesses.
- To be zoned where developers have the options to develop for the most profit. Options such as commercial mixed use and residence only.
- I just want good businesses to be able to set up shop in the suggested area. Please help to get rid of those low-life drug dealers who hand in that area ALL DAY LONG. Think I'm kidding. Go on down there and just stand – it's horrible and nobody with a good business sense (or little children) is going to go that specific area.
- Mixed use commercial, ground floor retail with housing above, make buildings as tall and as high density as allowed for that area.
- Multi-purpose live/work buildings. Apartments above with ground floor shops. Public service building, if well done.
- Mixed, low density, low-rise developments. Similar to Alberta. Could be retail with one to two more living above. 15th Avenue and Killingsworth could be similar to Pocket at 28th and Killingsworth.
- Small offices and boutique sized retailers. Businesses that are open in the evening will keep people from loitering and crime under control. Services that support the community, like a garden store, a craft center, daycare! Aimed at an older crowd rather than Alberta, which seems to be, geared towards 20-30 year olds.

**Q2 What land uses would be desirable along this stretch of NE Killingsworth Street?**

- I'd urge, no beg, the city to not require residential space here. Please use some normal PDX commercial zoning, and let developers decide whether residential real estate is needed. Also, please consider that this is a residential neighborhood with side streets filled with homes and this strip of Killingsworth is the ONLY space that's available to create a nice little nook of restaurants and neighborhood stores. If half that space is taken with residential use, we may lose the chance to create a walkable mini-commercial district forever. Oh, and if that slum-lord guy wants to include his eight-plex, please let him. It's a run-down eyesore and doesn't do anything to promote residential community – in fact, the courtyard looks to be jammed with mobile homes and other stored vehicles. I wouldn't mind at all if that was razed and replaced with a ice store or restaurant
- Retail restaurants, housing on top of retail.
- Bakery, coffee shop, restaurant, retail.

### Q3 Additional Comments

- The drug and gang activities are real bad something needs to be done to curb gang activities. Sidewalk café.
- Anything to attract the clean up and development of the area. Would be very beneficial to the area.
- Must provide existing businesses tools and support in transitioning, before, during, and after, including access to financial and promotional resources. Strongly favor multi-use zoning (50% or better residential)
- Include apartments on 15th Avenue. I agree with all the values and uses expressed in this meeting.
- Vernon Elementary Rules!!! Go Owls!!
- This area also needs to be a drug free area to protect the residents in this area.
- This is a lower income area. It would be nice to have the families in the neighborhoods, still feel safe, and not fear the rent going up because of fancy businesses developing.
- I would be happy to provide further input or assistance in this project.
- Fast food franchises would be a serious disappointment.
- Thank you for making this project happen. This area needs this change.
- Streetlights around the businesses on the sidewalks.
- PDC storefront improvement grants would be great for this area. What happens to single-family homes? Will they be able to remain and make improvements? Only change zoning of these parcels that are currently commercial/office uses to create a smaller neighborhood center. I'm afraid that if too much commercial is built, then some will become vacant, which is bad for the street safety. I like "commercial storefront" zoning.
- I would have no problem changing the zone for the gentleman who expressed owning an 8-plex next door to the commercial property on 15th Avenue and Killingsworth.
- This strip needs "active" development uses. Right now, there is too much underutilized land (i.e., surface parking). Traffic, pedestrian and street issues are huge problems on this strip. We should consider specific design criteria. Hold property owners accountable for nuisance properties (trash, etc.).
- Is there a way to require recycling of waste like the bread factory on Williams and Fremont? That would be great!
- I support the rezoning of NE 14th - 17th to commercial mixed use.
- My friend lives in the house and lot back from Killingsworth on 14th. This rezone will encourage their landlord to tear down their house! Why are we talking about rezoning lots that aren't on Killingsworth? Who drew this boundary? How can they change it?



### Q3 Additional Comments

- This area should stop being used for industry. Currently the Oregonian has a distribution space on NE corner of 16th and Killingsworth. Cars frequently park and load on sidewalks and damage trees/leave pollution. Also, reduce/slow traffic on 16th before turning onto Killingsworth and Ainsworth currently used as a cut through when the light backs up. Very unsafe for kids living on 16th.
- This is a fantastic idea. This area is a huge problem to an otherwise great neighborhood.
- I do not think the lots at 5416 NE 14th Place, 5417 NE 15th Avenue and 5431 NE 16th Avenue should be included in the rezoning. I really object to the inclusion of the apartments at 5418 NE 15th Avenue. These go too far back into the neighborhood.
- I strongly disagree with the rezoning of any structure or lot unless it is directly on Killingsworth Street. I also feel the city should require the builders to provide parking! I am concerned about what development will do the traffic on 15th Avenue.
- We own the double lot at 5427 and 5431 NE 16th. The zoning line splits our property. We would prefer the entire lot is included in the new zoning.
- There is potential with in few blocks it would be a shame to see it go to waste. Many of us who live here see the growth potential and want to make the most of a great neighborhood; boutiques, and restaurants on these prime locations. The 30th block is wonderful.
- The only thing that will chase out the ubiquitous drug sellers, who now “own” the corner, will be commerce. Any fast trading possible should be approved. This should have changed 8-10 years ago.
- I am considering purchasing a house nearby on 18th and Ainsworth, but have been warned that this area at 15th Avenue and Killingsworth is dangerous. This redevelopment plan helps me to consider this area a good place to live. Great idea!! I plan to attend the meeting!
- I think Killingsworth should have its own feel. Alberta seems to be the ‘arts’ strip, but maybe Killingsworth could be aimed towards a more stable crowd, like it is on 29th/30th and Killingsworth area. More of a useable/ community driven strip.
- We really need to revitalize this area and it’s commercial space that will do that. Real storefront commercial space – it’s proven that the neighborhood safety is directly related to foot traffic and eyes on the street. Creating a walk able neighborhood with a few places to go would help enormously. Strip mall type businesses and parking lots with curb cuts reduces pedestrian traffic and makes it

### Q3 Additional Comments

more likely that pedestrians will get injured by cars crossing the sidewalk. And the current parking lot of the corner is a major focal point for the local drug trade. Service and retail businesses – local destinations – are what will revitalize the neighborhood. Residential isn't in demand, and office or professional complexes don't generate the kind of interaction with the community that we need.

- Please make changes so that something can happen at this intersection. It's blight on the whole neighborhood.
- It would be great to see some business owners with a sense of pride on this stretch of Killingsworth.

# Killingsworth Rezoning Project

NE

1463 WI NE Killingsworth



1463 NE Killingsworth



1505 NE Killingsworth



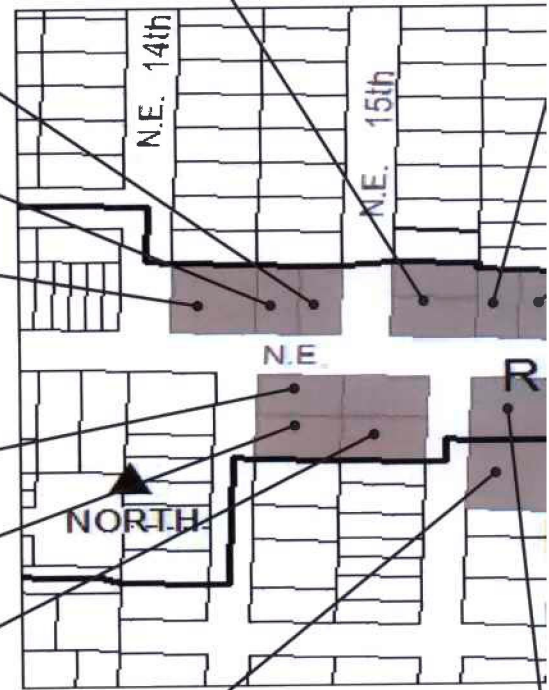
1525 NE



1405 NE Killingsworth



1470-1478 NE Killingsworth



5416 NE 14th Place



5417 NE 15th Avenue



5402-5418 NE 15th Avenue



1516 NE

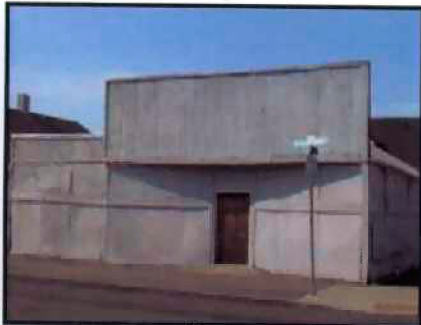


# 14th — NE 17th Avenues

Killingsworth



1535 NE Killingsworth



1601-1621 NE Killingsworth



5515 NE 17th Avenue



1625-1637 NE Killingsworth



1616 WI / NE Killingsworth



Existing Zoning



Killingsworth

5427-5431 NE 16th Avenue



1540 NE Killingsworth



1616 NE Killingsworth





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BUREAU OF

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## CERTIFICATE OF MAILING

I hereby certify that on July 21, 2008, I mailed a correct copy of Form 2, DLCD Notice of Adoption regarding Killingsworth Rezoning, NE 14<sup>th</sup> -- 17<sup>th</sup> Avenues, to the following persons by first class mail at the post office at Portland, Oregon. The following is a list of persons to whom a copy of this document was mailed.

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July 21, 2008

Date



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