

Downtown's West End:



Amendments to the *Central City Plan*, Zoning Code, and Zoning Map



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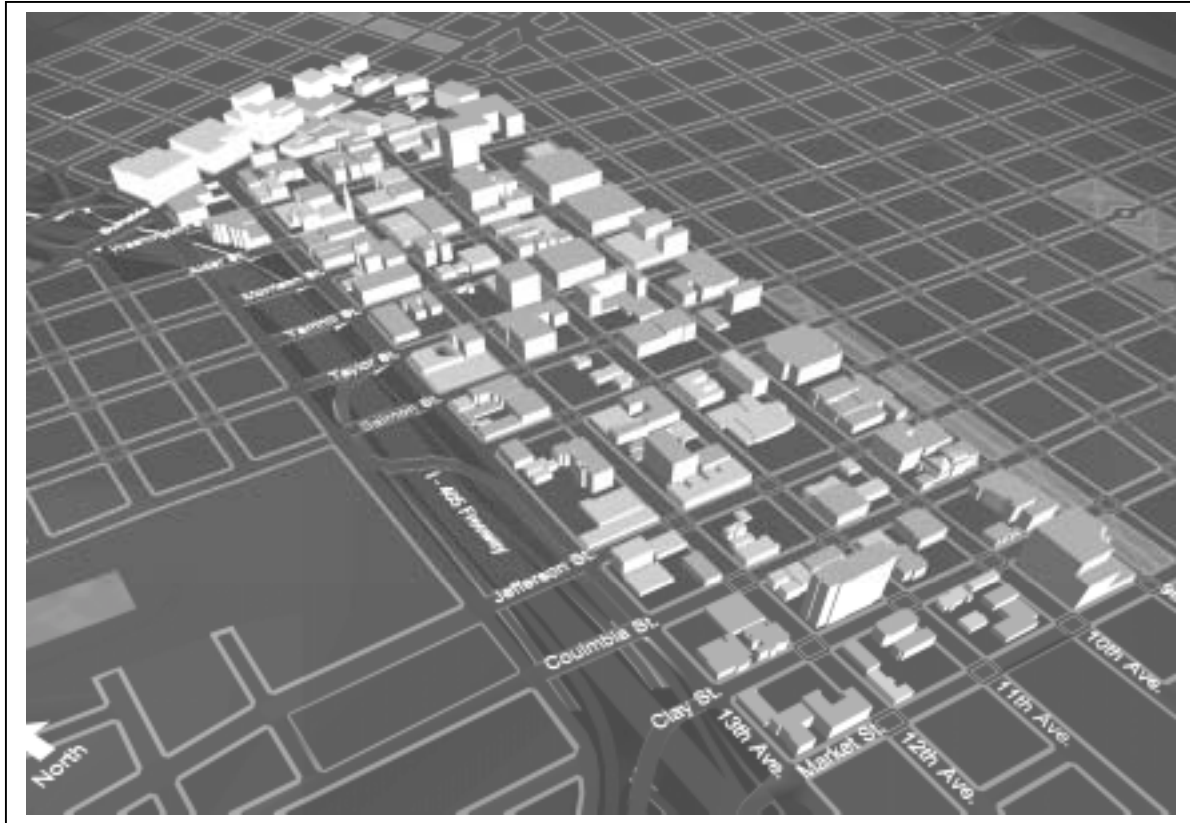
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Cover illustration of the Central Branch of the Multnomah County Library.

Special thanks to the West End Steering Committee for allowing our use of *West End Vision Plan* graphics.

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West End Study Area -- This illustration of the West End study area is from the *Downtown Development Capacity Study* by OTAK for the Portland Development Commission. About 53 blocks make up the subarea, which is bounded by West Burnside and Market streets and SW 9th and the I-405 freeway. The blocks north of Burnside were included in the study area but are not part of the new West End Subarea.

Summary

On January 10, 2002, City Council adopted changes, formally termed amendments, to the *Central City Plan*, Zoning Code, and Comprehensive Plan and zoning map. These amendments are designed to spur new development at the western edge of downtown. This area, between the I-405 freeway and the Park Blocks, has come to be known as the West End. The West End's full potential has only recently begun to be appreciated and realized. It contains outstanding assets including cultural, religious and social service institutions that serve the metropolitan area, a mixture of new and historic residential and commercial buildings, and a concentration of small independent retail businesses. Public and private investment in a streetcar line that runs through the West End linking it with the Pearl District and PSU campus has generated new interest in the area and was an initial impetus for current planning efforts.

The Council-adopted amendments update and elaborate on the planning completed for this area as part of the *Downtown Plan* of 1972 and *Central City Plan* of 1988. Both plans designated the West End as primarily a residential area that includes a mixture uses. Neither plan, however, contains a detailed blueprint for the development of the West End as a distinct urban neighborhood.

Council's actions were the culmination of a four-year planning process that was initiated by local business and property owners and other interested members of the community. This group, later known as the West End Steering Committee (WESC), developed the *West End Vision Plan (WEVP)* in 1999 with the support of the Association for Portland Progress (APP) and two city agencies. This effort was intended to guide revitalization in the district, improving the development market for new market rate housing, retail and office development. Many of the *WEVP* recommendations are incorporated into the West End amendments adopted by Council. Residents, housing advocates, and members of other community groups and institutions that later became involved in the planning process also contributed to the final package of adopted changes.

City Council's actions will help increase the vitality of this distinctive urban neighborhood by promoting the development of at least 5,000 new housing units and 5,000 new jobs over the next twenty years. The adopted amendments are intended to set the stage for redevelopment of underutilized land with significant new housing, retail and office development. Changes have been made to parking regulations increase the attractiveness of developing the area's numerous surface parking lots. The allowed scale of development in the district has been increased by a third for new residential and mixed-use development. In the mixed-use northern half of the district, more commercial development is allowed and safeguards are provided for the area's existing affordable housing supply. In addition, improvements to public spaces will enhance the area's attractiveness. A new urban design plan will guide enhancements of public rights of way and construction of other identity-giving features. These include developing a "Great Street" with destination retail along SW 10th Avenue, landscaping SW 12th Avenue and improving the streetscape in the Burnside Triangle entertainment district.

Overview of Adopted Amendments

City Council's changes to the *Central City Plan*, the Zoning Code, and the Comprehensive Plan and zoning maps are designed to promote new residential and mixed-use development in the West End. The Zoning Code and zoning map changes and the West End action agenda carry out the objectives of the *Central City Plan's* new West End Policy.

West End Policy (Ordinance 176193 and Resolution 36051)

The *Central City Plan* now includes a West End policy to allow more detailed planning for the subarea. The policy is accompanied by an action agenda that contains projects, programs, and regulatory changes aimed at attracting residential and commercial development, preserving the area's affordable housing supply, and funding streetscape and other improvements. A new urban design plan map and action chart, adopted by resolution, accompany the policy.

Other *Central City Plan* Amendments (Resolution 36051)

Some of Council actions taken on the West End apply outside the district, as well. The resolution adds several actions to other topical *Central City Plan* action charts and makes a change to the Culture and Entertainment map.

Zoning Code Amendments (Ordinance 176193)*

Council created a new West End Subarea that allows Zoning Code amendments to be targeted to the West End. The changes increase development potential, provide new incentives for residential projects, increase opportunities for commercial development, and provide incentives for the redevelopment of surface parking lots. Council extended some changes related to affordable housing and parking to the entire Central City.

Zoning and Comprehensive Plan Map Amendments (Ordinance 176193)*

Council made several small zoning map amendments. They are intended to make the zoning consistent on both sides of West Burnside Street and across portions of the I-405 Freeway (facilitating the decking and development of the freeway's air rights). Zoning is also adjusted on a small publicly owned housing development site to better match the use.

New Fiscal Resources (Resolution 36036)*

To implement the West End action agenda, City Council has initiated a process to identify new funding sources, including the possible creation of a new urban renewal district. The South Park Blocks Urban Renewal Area, which covers much of the West End, will expire in 2008. The nearby Downtown Waterfront Urban Renewal District will expire in 2004.

* Correction 02/13/02

Elements of Downtown's West End Amendments

Housing

City Council action significantly increases the amount of housing that can be developed in the West End. The larger population that will result from an increase in the housing supply will improve the area's vitality by providing a market for retail businesses and improving public safety. Other successful retail districts in Portland are adjacent to high-density neighborhoods. The success of the Midtown Blocks redevelopment is dependent, in part, on the development of a high-density residential neighborhood in the West End. Additional housing will also provide opportunities for those who work or attend educational institutions in the Downtown to live close to work or school. Making it possible for more people to live Downtown will help to reduce traffic congestion, and resulting air pollution, and the need to provide additional parking.

Attracting more residents to the West End requires a greater variety of housing options. The City Council's adopted amendments to Zoning Code regulations promote the development of market-rate housing that is attractive to higher income and larger households. Attracting these households to the district will increase and diversify the West End's population. As the district's popularity increases as a residential neighborhood, action will be required to ensure that these households are not displaced. The Zoning Code amendments also include new incentives and create a funding source for preserving the supply of affordable housing.

The Council adopted policy, code and map amendments promote construction of 5,000 new units of housing by:

- Increasing the development potential of sites in residentially zoned areas. Floor area ratios (FARs) are increased from 6:1 to 8:1 to make residential development, without public subsidy, economically realistic.
- Creating a higher limit (a maximum of 12:1) on the amount of floor area that can be earned by bonuses.
- Increasing the number of floor area ratio (FAR) bonus provisions available to residential projects. New FAR bonuses are provided for underground parking, larger apartments or condominiums, units affordable to low to middle income households, small site development, and contributions to a fund for affordable housing.
- Allowing owners of existing residential buildings to transfer (including through sale) their unused floor area rights.

Job Creation

The new *Central City Plan West End Policy* sets a target of adding 5,000 new jobs to the West End. The Council adopted changes increases opportunities for jobs-related development, and promotes the creation of 5,000 new jobs by:

- Increasing the amount of commercial development allowed in the RX zone north of Salmon Street depending on site characteristics.
- Raising the FAR in the RX zone. This allows increased commercial floor area – as the overall building is larger, so, too is the commercial floor area.
- Raising the amount of development potential that can be earned when transfer of development rights (TDRs) and bonuses are fully utilized and added to the base FAR. Up to 12:1 FAR is achievable in most of the West End.

Parking

Much of the district's developable land is devoted to surface parking. A central concern of the West End planning process was how to provide incentives to encourage new development on surface parking lots (and land in other low value uses) so that redevelopment can take place. A related concern was the provision of adequate parking for area institutions and older commercial and residential buildings. City Council's action provides incentives for the redevelopment of surface parking lots, including reducing parking demand, by:

- Adding to a site's development potential (FAR bonus) in exchange for providing underground parking.
- Relaxing the regulations for placing 750 surface parking spaces into parking structures to encourage the redevelopment of surface parking lots.
- Granting a parking bonus for surface spaces removed form surface parking and placed underground in a residential development.
- Opening new MAX light rail stations between SW 12th and 13th avenues.

Identity and Livability

The West End possesses exceptional assets including important cultural and religious institutions, community services, unique retail and entertainment areas, and attractive residential areas. However, identity as a community is lacking. Council action promotes a strengthened urban neighborhood by allowing greater development potential that will lead to a larger and more diverse population. Improving the physical environment will also be essential to attracting more residents and businesses. This includes adding identity-giving elements and more green to the streetscape. The adopted changes are intended to create a more attractive physical environment by:

- Developing SW 10th Avenue with its combination of cultural institutions, small retail shops, and restaurants into a vibrant pedestrian-oriented shopping street.
- Enhancing SW 12th Avenue with additional street trees and other landscaping treatments to create an attractive focus for residential development between SW 11th and 13th avenues.
- Creating attractive east-west connections for pedestrians along streets that cross the I-405 freeway to the Goose Hollow neighborhood.
- Fostering the special character of the area between SW Alder and West Burnside streets with its combination of entertainment, independent retail, restaurants, hotels, and housing.
- Improving east-west streets that do not cross the freeway (and therefore carry less traffic) with wider sidewalks and angled parking.
- Reducing maximum building heights in the district's northern portion to provide a more appropriate stepdown of development adjacent to the River District and Goose Hollow.
- Requiring active uses along the streetcar and MAX light rail alignments, creating a lively environment adjacent the sidewalk.

The West End Action Chart contains many of the projects and programs needed to create a vital urban neighborhood. This action agenda has also been shaped by ideas and comments from West End Advisory Committee, the West End Steering Committee, and other community members who have participated in West End planning process.



The study area for the West End planning process included the blocks north of Burnside Street. These blocks were not included in the new West End Subarea.

Background

The West End Planning Process

In Fall 1997, a group of property and business owners began gathering to discuss the future of the area that had been informally labeled the "West End" during the *Downtown Plan* process thirty years before. Although the City was planning to make a significant public investment in a new streetcar line that would run the length of the district, private investment in new market-rate housing, jobs and retail businesses was perceived to be lacking. The group, led by Downtown's business association, the Association for Portland Progress (APP), determined that the area had not lived up to its potential and that there has been relatively little significant development in the last three decades, especially in comparison the neighboring Pearl District to the north, or the Downtown office core, to the east. This group became known as the West End Steering Committee (WESC). Over an eighteen-month period, they produced a vision plan for the West End with the support of the Portland Development Commission (PDC) and Portland Office of Transportation (PDOT) designed to spur the area's revitalization.

The West End Vision Plan

In July 1999, the WESC published the *West End Vision Plan (WEVP)*, which summarizes their proposals into a vision, supporting goals, and actions. The *WEVP* calls for promoting new development by changing zoning and development regulations, and taking a number of other actions. The Portland City Council accepted the *WEVP* in October of that year and directed the Bureau of Planning (BOP) in consultation with other City bureaus to develop a response consistent with Portland's *Comprehensive Plan*. Further, they directed the Portland Development Commission in consultation with other City bureaus to evaluate specific recommendations for action on urban renewal and development related proposals.

The West End Advisory Committee

Mayor Vera Katz appointed a West End Advisory Committee (WEAC) to broaden public input and to assist Bureau of Planning (BOP) staff in evaluating the proposal. The advisory committee included WESC members, the Downtown Community Association, agency representatives, and others interested in the district. The Portland Planning Commission president led the advisory committee as it met from Fall 1999 into Summer 2000. The committee reviewed the *West End Vision Plan* in a series of public meetings. BOP staff also conducted two public workshops and assembled panels of experts to aid the WEAC in its discussion of issues raised by the plan. In addition, BOP project staff met with community groups and those interested in developing projects in the area. At the close of its process, the advisory committee's members provided the BOP with advice on and suggested ideas to include in the *West End Proposal* published in September 2000. This proposal incorporated many of the ideas contained in the *West End Vision Plan* and other ideas generated in the public process.

The Planning Commission's Review

The Planning Commission held a hearing on the *West End Proposal* on October 24, 2000. Following the hearing, the Commission met for five months to review the *West End Proposal* and the public's testimony. Working sessions were held January 9, 2001, February 13, 2001, and March 27, 2001. The Commission requested and reviewed additional information. Expert panels provided information on the market for new housing, preservation of affordable housing, urban renewal, and parking. The Commission also consulted with local developers of both for-profit and nonprofit projects, staff from the Portland Development Commission, and members of the West End Steering Committee.

The Planning Commission's Recommendation

On March 27, 2001, the Planning Commission voted to 6-to-2 to accept the *West End Proposal* with some major changes. They enhanced opportunities for mixed use and commercial development in areas of the West End zoned RX north of Salmon Street; liberalized the *Central City Transportation Management Plan* to encourage redevelopment of surface parking lots; and increased allowed building density to promote market-rate residential and mixed use development. They also retained existing residential zoning to reserve the area primarily for housing and made further recommendations to preserve affordable housing. In addition, the Commission recommended consideration of a new urban renewal district that would include the West End.

City Council Review

City Council held a public hearing on June 21, 2001 to consider the Planning Commission's *West End Recommendation*. They met half a dozen times between June 2001 and January 2002 to resolve issues with the recommendation and to make changes to it. On October 18, 2001, Council adopted Resolutions 36036 and 36037. The first directed the BOP, PDC, and the Office of Management and Finance (OMF) to look into a new urban renewal district and other finance tools to carry out the West End action agenda. The second directed the BOP to draft an alternative proposal that increased flexibility for development north of Salmon Street. They also passed Ordinance 176024, which adopted most of the Planning Commission's recommended Zoning Code changes in the area south of Salmon Street. On December 19, 2001, Council adopted Ordinance 176141 to delay the effective date of Ordinance 176024 until the date the remaining changes went into effect.

City Council Adoption

City Council adopted the Planning Commission's recommendations for West End with significant changes on January 10, 2002 by voting unanimously to pass Ordinance 176193 and Resolution 36051, which calls for the adoption of changes to the *Central City Plan* not adopted as part of Portland's *Comprehensive Plan*. This package of changes includes alternative code changes that liberalize regulations for commercial development in the RX zone north of Salmon Street. Other changes that differ from Planning Commission's recommendations included a new parking space bonus proposed during the Council hearings process. The policy, code and map changes became effective February 1, 2002. The final adopted West End Ordinance 176193 and Resolutions 36051 and 36036 are included in Appendix 1.



SW Morrison Street as it crosses the Midtown Blocks. Courtesy: *West End Vision Plan*

Existing Conditions

The “West End” is at the western edge of Portland's Downtown. This area extends from SW Ninth Avenue, west to the I-405 Freeway and from the northern edge of Portland State University’s campus at SW Market Street, north to West Burnside Street. The West End is about 50 acres in size exclusive of rights of way.

Land Use and Existing Development

The West End contains a mixture of old and new apartment buildings, institutions, surface parking lots, office buildings, residential hotels, and small retail businesses. Significant features of the district are:

- Almost 20 percent of the area (exclusive of rights of way) is in use as surface parking lots. Surface parking spaces total about 2,000.
- Most sites are underbuilt with low floor area ratios (FARs) of 1:1, 2:1 and 3:1. Clay Tower and the Pittock Block have the highest FARs; both are 7:1.
- The newest building is the Cornerstone Condominiums, completed in 2000.
- About 35 buildings and one tree are historic landmarks.

Housing and Jobs

In August 2000, the West End contained about 3,110 housing units according to the Portland Development Commission's (PDC) *Downtown Target Area Housing Inventory*.

- Most of this housing (2,700 units) were affordable to low and moderate income households.
- All but 40 units were rentals and most units were small – single room occupancy (SROs), studio and one-bedroom units.
- About half of the area's housing is owned by nonprofit organizations. The Housing Authority of Portland owns or manages the largest number of units.
- Over one-third of the housing units (1,365) have been constructed since the adoption of the *Downtown Plan* in the area designated Central Residential (RX zone).

A survey conducted by Portland's Office of Transportation (PDOT) in 1994 estimated that there were 9,800 jobs in the West End or about 9 percent of Downtown’s jobs.

Development Constraints and Improving the Market for Development

Discussion during the West End planning process centered on the issue of improving the market for residential and commercial development. City Council agreed that there is a need to improve the market with a desired outcome of a mix of new development that includes housing, retail and office developments. The adoption of a new *Central City Plan* Policy and new Zoning Code and map amendments is merely the beginning; capital projects and ongoing programs are necessary to foster an improved market. For this reason, the Council also adopted a resolution that calls for funding the West End action agenda.

Development projects and enhancement of services play a more significant role in fostering improved markets than does zoning. Both successful development projects and major public investments increase market interest in an area. Adoption of a plan for an area attracts additional interest by offering an assurance of the community's commitment to the area's future. Successful development breeds imitation.

Significant projects are planned or underway that will impact the market for development in the West End. Elements of this West End planning process will also improve the district's marketability. Recent projects, such as the Cornerstone Condominiums, are changing the market's perception of the area. The opening of the Portland Streetcar also improves the market. Projects underway such as the three-block Museum Place mixed use development, and the Midtown Blocks initiative also improve the market for West End development.

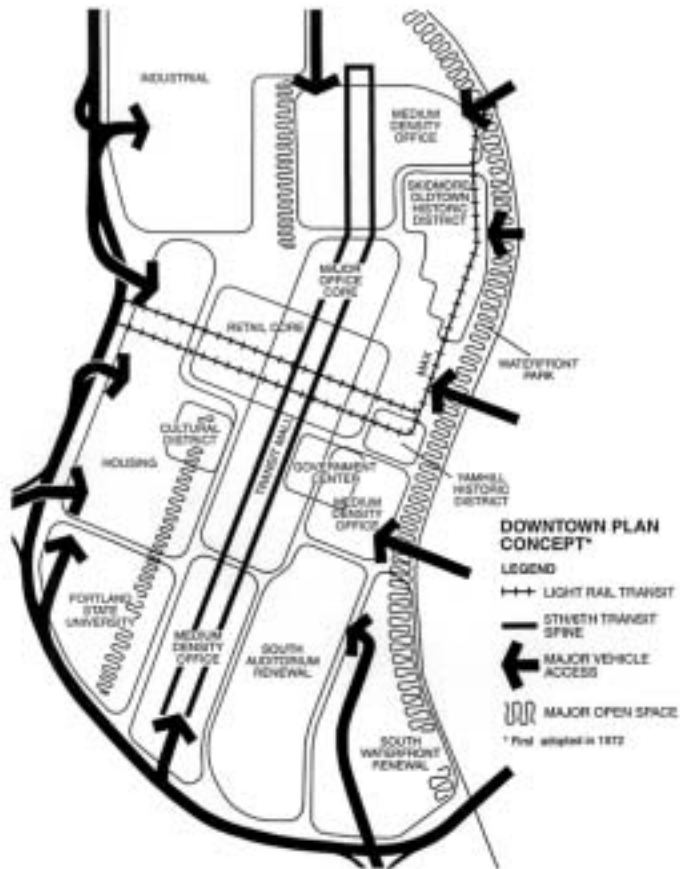
No combination of vision, public projects, positive market attention, and changes in zoning will be effective if there is no land available. The key to land availability is the presence of owners willing to develop or sell. Recent land transactions in the West End indicate that when land is for sale, it is sold quickly. Recent sales have been for small parcels ranging from five to 15 thousand square feet that were not in use as surface parking. The bulk of the development opportunity in the West End is on surface parking lots. To free up this land for new development, Council has made changes to the parking regulations to provide incentives for placing surface parking spaces in structures and underground as part of new developments.

Past Planning Efforts

The West End has been included in five plans over the last three decades.

The Downtown Plan

The *Downtown Plan*, adopted in 1972, set the current direction for planning in Portland's Downtown. A number of the *Downtown Plan's* planning guidelines cover portions of the West End. One guideline calls for mixed income housing with selected public improvements and financial assistance programs west of Tenth Avenue. The South Park Blocks guideline calls for additional housing to be mixed in with cultural and religious facilities in that area. Other guidelines encourage retail use of ground level space in all buildings and clusters of specialty retail to support Portland State University and residential areas. Zoning Code and map changes that implement the *Downtown Plan* policies occurred into the late 1970's.



South Park Blocks Urban Renewal Plan

The South Park Blocks urban renewal area (SPBURA) was created in 1985 to improve the condition and appearance of the area and encourage its development as a thriving residential neighborhood. The *South Park Blocks Urban Renewal Plan* specifically supports the housing goal of the *Downtown Plan* and the *Downtown Housing Policy*. The plan calls for increasing housing in Downtown for a mix of age and income groups. The plan calls for creation of 1,600 new housing units for small, middle-income households out of a total of 2,500 new housing units for Downtown. Most of the West End is in the SPBURA, which has funded many projects including new affordable and market rate housing, aid to retail businesses, and improvements along the streetcar line. The area will expire in 2008.

Central City Plan

The *Central City Plan (CCP)*, adopted in 1988, updated the *Downtown Plan* and expanded the area it had covered. The *CCP* updated *Downtown Plan* policies and greatly elaborated on the urban design plan for the *Downtown Plan* area. The *CCP* concept map continues the designation of much of the West End as residential. The retail core continues to be focused along the MAX light rail line alignment, extends west to SW 11th Avenue, and has been expanded eastward to SW Naito Parkway (formerly Front Avenue). The high-density spine of office development remains centered over the transit mall.

Central City Transportation Management Plan

The *Central City Transportation Management Plan (CCTMP)* was adopted in 1995. This plan carries out the *CCP's* transportation policy. The plan supports growth in the Central City while managing parking and the transportation system. Off-street parking regulations have been incorporated into the Central City plan district.

Downtown Community Association's Residential Plan

City Council adopted Downtown Community Association's (DCA's) *Residential Plan* in 1996. The plan promotes an increased residential base for Downtown for households of all income levels and the development of more retail sales and services to serve residents. Some plan objectives address issues raised in the West End process. These include encouraging the development of dwelling units for larger households and households with children; and promoting the reuse of older office buildings, surface parking lots and hotels as mixed-use developments, which include housing.

Relationship to the Central City Plan

The *Central City Plan (CCP)* divides the entire Central City into subdistricts in order to consider these areas in greater detail. Functional policies identify programs, projects, and regulations that are applicable to the entire area. District policies provide more specific content that applies to the plan's subdistricts. The West End Subarea is a portion of the Downtown Subdistrict just as the NW Triangle Subarea is a portion of the River District. Council added a new West End policy, action chart, and urban design map to the *CCP* to provide the policy basis for new West End Subarea. The new policy will provide specific programs, projects, and regulations for the subarea.

After the adoption of the *CCP* in 1988, new housing and jobs targets for the Central City were identified as part of the Portland Future Focus process. These are 15,000 new housing units and 75,000 new jobs by the year 2010. The new targets were adopted into the *CCP* at the same time as the River and University District policies in 1995. The West End Policy targets of 5,000 new housing units and 5,000 jobs are included in, rather than added to, these broader targets.

Council made several amendments to other *CCP* policies as part of the West End process. Several actions have been added to Functional Policy Action Charts that apply to the entire Central City. Council also made a change to the map that accompanies Policy 9: Culture and Entertainment

Relationship to Portland's Comprehensive Plan

As a Central City Plan policy, the new West End Policy becomes part of the Portland's *Comprehensive Plan* by reference. *Comprehensive Plan* Policy 2.26 *Central City Plan* incorporates the *CCP* as part of Portland's *Comprehensive Plan*. The West End Policy's status as a part of the *Comprehensive Plan* ensures that the policy and further statements will be carefully weighed when future land use designation changes are considered. The policy and further statements have been adopted by ordinance. The West End Action Chart and Urban Design Plan map are not adopted as part of the *Comprehensive Plan*. The Action Chart contains a list of current and planned programs and capital projects that depend on the availability of both public and private resources to accomplish. Some of these items may prove to be unfeasible and different actions will be taken instead.

Amendments to the *Central City Plan*



The South Park Blocks form West End's eastern edge. This view is to the northeast from the block between SW Madison and Jefferson streets.

Introduction

This section includes the adopted changes to *Central City Plan* policies, action charts, and maps. The first subsection contains an explanation and text for the *Central City Plan* policy for the West End Subarea. Like NW Triangle Subarea is a part of the River District, the West End Subarea is a part of the existing Downtown subdistrict. The second subsection contains an explanation and text of action items to be added to the Economic Development, Housing and Transportation policy action charts. The third subsection explains an addition to the Culture and Entertainment map.

1. *Central City Plan* Policy for the West End Subarea

City Council adopted a *Central City Plan* policy for the West End Subarea in January 2002. The policy reflects further refinement of a vision and implementation agenda for the West End developed as a result of the West End planning process. The West End Policy allows the incorporation of many policy statements and implementation actions requested by West End planning process participants into the adopted *Central City Plan*. This includes policy language and actions proposed by the authors of the *West End Vision Plan*. The West End Policy and a set of further statements that provide more detail are incorporated by reference into Portland's *Comprehensive Plan*. An urban design plan map illustrates existing and desired urban design features.

The West End Action Chart provides an implementation agenda for the policy. The action chart includes projects and programs that will help guide the expenditure of South Park Blocks Urban renewal area funds and other public and private funding resources. A number of projects and programs underway are listed in the action chart to acknowledge the extent of current public and private investment in the District.

Transit Improvements and Reducing Surface Parking

The West End policy promotes the development of underused land for new job and housing opportunities. One action item (and related Zoning Code changes) calls for consolidating surface parking spaces into parking structures to free up land for new development. The City Council approved the creation of a one-time 750-space parking pool for the West End to encourage consolidation of surface parking spaces. A parking space bonus provides an incentive for placing surface parking underground. Another action calls for improving public transit in the West End by opening the partially-completed MAX light rail stations between SW 12th and 13th avenues. Opening these stations will help reduce the need for more commuter parking for employees working in close proximity to the MAX line and reduce the reliance of residents on automobile travel.

Job Creation

The West End Policy calls for attracting 5,000 new jobs to the district. Zoning Code changes significantly increase commercial development opportunity in the area north of Salmon Street. The policy also calls for the retention of institutional and social service uses in the West End. These uses provide employment opportunities.

Policy statements and supporting implementation actions promote the development of SW 10th Avenue as a pedestrian-oriented retailing street and the retention of the mix of restaurants, entertainment venues, and incubator retail space in the area between SW Washington and West Burnside streets. This area is part of a larger area that has been designated an Entertainment District on the *CCP* Culture and Entertainment map. These areas provide small business opportunities and service sector jobs. PDC has a number of projects and programs that are listed in the action chart to help small business owners upgrade their properties. *WEVP* proposals that call for establishing a West End Retail Council and extending Clean and Safe services to the West End are also included as actions.

Improvements to the Streetscape and Physical Environment

Improving the West End's streetscape and physical environment will help attract new housing and commercial development. The West End Policy calls for enhancing the pedestrian environments on particular streets, improving pedestrian connections to the adjacent Goose Hollow neighborhood and Civic Stadium area. The area adjacent the MAX light rail route is designated as a priority when the I-405 freeway is capped. Enhancement of SW 12th Avenue with additional street trees and other landscaping features will create an attractive environment for new residential development between SW 11th and 13th avenues. This will offset the area's distance from the Park Blocks and other open spaces. An action that calls for capping the I-405 freeway will also allow the development of new open space just east of Lincoln High School when new blocks over the freeway are created. Capping the freeway will reduce the role the freeway plays as a barrier between Goose Hollow and the West End, and enhance the desirability of areas along the freeway for new and current residents.

New Housing Construction and Affordable Housing Preservation

The West End Policy calls for the construction of 5,000 new units of housing, and Zoning Code changes have increased residential development potential. During the West End planning process, several developers interested in building residential projects in this area said that they needed more allowed floor area to make their projects viable. Allowed floor area ratio (FAR) has been raised to 8:1 south of Salmon Street and to 9:1 for residential and mixed-use projects north of Salmon Street in the area zoned RX. Also, new FAR bonus provisions further increase the amount of development opportunity available for residential projects. These include bonuses for:

- Larger apartment or condominium units (designed to encourage the development of more market-rate housing),

- Housing affordable to low, moderate and middle income households, and
- Contributions of an affordable housing fund.

The policy calls for retaining at least the current 2,700 housing units affordable to low and moderate income households in the West End. These housing units include those in buildings owned by nonprofits, in privately owned buildings with federal contracts (Section 8), and in privately owned buildings receiving no subsidies. As the West End increases in attractiveness as a residential neighborhood, rent increases and conversions of existing apartment buildings to condominiums may deplete the supply of affordable housing.

Council adopted new Zoning Code provisions in response to concerns about the loss of affordable housing in the West End due to demolition, building closures, and rent increases. These Zoning Code changes include:

- A bonus for increased floor area in exchange for contributions into an affordable housing fund.
- An option for owners of existing residential buildings to sell their unused floor area rights, decreasing pressure for redevelopment

The Action Chart lists projects and programs receiving urban renewal and other public funds. The Museum Place projects will provide new mixed-income and market-rate housing. The acquisition of properties with expiring federal contracts such as the Jefferson West and the Hotel Fairfield will help retain the West End's stock of affordable housing. The acquisition of the Fountain Place apartments will restore some affordable units that were lost to rent increases.

West End Policy and Further Statements

Policy 22: West End

Build on the West End's exceptional cultural and institutional assets, and its proximity to Portland State University, the Park Blocks, public transit, Goose Hollow and the Stadium area, and the Downtown retail core to foster its development as a vibrant Downtown neighborhood.

- A. Reinforce the role of the West End as a stable residential neighborhood by preserving or replacing existing housing and constructing 5,000 new units of housing.
- B. Preserve and construct housing to provide rental and home ownership opportunities for households of diverse income levels to provide additional opportunities for living close to work, services, shopping and recreation.
- C. Promote new development of owner-occupied housing in the West End to provide a more diverse housing stock and a broader mix of housing options.
- D. Encourage the retention or replacement of existing housing, including 2,700 units of housing affordable to low and moderate income households, in order to reduce the economic displacement of households currently residing in the West End.
- E. Promote a mix of development along the Portland Streetcar line that supports both ridership and expanded markets for jobs and housing along the streetcar's route.
- F. Attract 5,000 new jobs to the West End by increasing the quality and diversity of job and retail opportunities in the district through the creation of a vibrant mixed-use environment that supports business and attracts new investment.
- G. Improve SW 10th Avenue as a "Great Street" that fosters the growth of retailing, housing, and job creation along the Portland Streetcar route.
- H. Take advantage of the potential for transit connections that occur where the MAX light rail line on SW Morrison and Yamhill Streets crosses the Portland Streetcar line on SW 10th and 11th avenues.
- I. Strengthen the West End's connections to the University District on the south, the Park Blocks and Downtown retail core on the east, across Burnside Street to the Pearl District on the north, and across the I-405 freeway to the Goose Hollow neighborhood on the west.
- J. Continue to provide a place for institutional and social service uses requiring a central location and successfully integrate these uses with the larger mixed-use neighborhood.

- K. Improve SW 12th Avenue between Portland State University and West Burnside Street to create an attractive landscaped avenue along which residential, institutional and commercial uses can focus.
- L. Enhance the diverse character of the area between SW Washington and Burnside streets to continue its mix of residential and commercial uses including entertainment venues, and small and emerging businesses.
- M. Enhance the mixed-use character of and encourage new development in the area north of Salmon Street by:
 - Providing incentives that will prompt owners to convert surface parking lots and other underutilized properties to residential, mixed-use, and commercial developments.
 - Retaining and increasing opportunities for commercial uses, including small and emerging businesses, to locate and grow.
 - Promoting the location of attractive and lively uses adjacent to sidewalks to activate the West End's environment for pedestrians, and to help attract additional active ground level uses.
 - Providing incentives for the development of housing that increase the attractiveness of developing housing, particularly in comparison to office development.



The MAX light rail turnaround at SW 11th Avenue and Morrison Street is among the West End's redevelopment sites. This illustration depicts a new building on the site. *Courtesy: Ankrom Moisan Associated Architects*

West End Action Chart

#	Policy 22: West End Recommendations for Action	Timeframe ¹				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
PROJECTS						
WE 1	Complete and open the MAX light rail stations on SW Yamhill and Morrison streets between 12th and 13th avenues.					Tri-Met PDC PDOT
WE 2	Complete the current phase of the Portland Streetcar and extend the streetcar line to link the West End with North Macadam, Portland State University, Portland Center, the Pearl District and Northwest Portland.					PDOT PDC Pvt
WE 3	Identify and construct functional and aesthetic improvements to the West Burnside Street right-of-way that respond to the diverse needs of those using the street including the provision of a link between the West End and Pearl districts.					PDOT
WE 4	Design and construct enhanced pedestrian treatments in four rights-of-way (SW Columbia, Salmon, Taylor, and Alder streets) to create attractive east-west connections between the West End and the Goose Hollow neighborhood.					PDOT BOP PDC
WE 5	Design and construct an enhanced pedestrian treatment for SW12th Avenue to create an attractive connection between West End subdistricts, such as planting of additional street trees.					PDOT PDC
WE 6	Cap portions of the I-405 freeway to improve connections between the West End and the Goose Hollow/Stadium area.					APP PDOT ODOT
WE 7	Develop the air rights above the light rail turn around on SW 11th Avenue between SW Morrison and Yamhill Streets.					Tri-Met PDOT PDC Pvt
WE 8	Consolidate undedicated parking spaces on surface lots into a new parking garage(s) in the West End/ South Park Blocks area.					PDOT BOP PDC OMF Pvt
WE 9	Consider streetscape improvements to east-west streets like SW Main and SW Washington streets, that do not cross the I-405 Freeway, which will enhance the environment for pedestrians, such as wider sidewalks and angled parking.					PDOT BOP
WE 10	Develop and implement a strategy for the revitalization of the Galleria.					PVT PDC
WE 11	Explore the feasibility of a lively storefront "transportation option center " in the vicinity of SW 10 and 11th avenues, SW Morrison and Yamhill streets for residents and visitors to learn about and use a variety of travel alternatives. The center can serve as a transfer point for light rail and streetcar passengers going to and from Portland International Airport, and provide for retail activities.					PDOT PDC

¹ The gray tone under one of the four time frames indicates the target time frame for the action.

West End Action Chart

#	Policy 22: West End Recommendations for Action	Timeframe ²				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
PROJECTS						
WE 12	Explore new revenue sources for implementing the West End action agenda.					PDC BOP OMF
WE 13	Acquire existing lower income residential properties with expiring HUD subsidies as part of the City's Preservation Housing agenda.					PDC
WE 14	Develop or acquire and rehabilitate housing units (e.g. Fountain Place) for lower and middle-income households.					PDC
WE 15	Provide financing in mixed-use housing projects that encourage more neighborhood-oriented services.					PDC
WE 16	Facilitate the development of the three blocks between SW Columbia and Main streets and 10th and 11th avenues, as a mixed-use project including a grocery, community service, retail, and rental and ownership housing.					PDC Pvt.
WE 17	Identify and implement a funding source that will support the maintenance of affordable housing and reduce displacement of existing households as the area develops.					BOP PDC Pvt.
WE 18	Promote improvements in the Cultural District to highlight the district's identity and its connection to the streetcar (directional signage/kiosk).					PDC
WE 19	Complete the streetcar streetscape improvements along SW 10th and 11th avenues.					PDC
WE 20	Complete the retail district strategy and provide public improvements that support implementation of the strategy.					PDC
WE 21	Establish the Burnside Triangle Advisory Group (BTAG), which will participate in developing strategies to enhance the unique character of the Burnside Triangle area and support its continuation as a Gay/Lesbian/Bisexual/Transgender friendly environment. The BOP, PDC and PDOT are encouraged to consult with this group in future planning and development efforts within the Triangle.					MHRC BHCD Pvt
WE 22	Consider pedestrian and streetscape improvements to identify and promote the Burnside Triangle's unique character as part of the <i>Burnside Transportation and Urban Design Plan</i> .					PDOT BTAG PDC
WE 23	Explore establishing new performing arts facility (ies) in the West End.					BODS
PROGRAMS						
WE 24	Provide funding for exterior lighting to add safety and enhance the architectural and cultural features of various buildings in the West End.					PDC
WE 25	Promote use of PDC Storefront Improvement Program and lighting enhancement programs in the West End to improve the viability of the business district and enhance the area's livability.					PDC

² The gray tone under one of the four time frames indicates the target time frame for the action.

#	Policy 22: West End Recommendations for Action	Timeframe ³				Implementors
		Adopt with Plan	On-Going	Next 5 Yrs	6 to 20 Yrs	
PROGRAMS						
WE 26	Provide funds to support business expansion/retention/recruitment in the West End.					PDC
WE 27	Revitalize vacant or underused historic buildings including the Galleria and the Telegram Building.					Pvt PDC
WE 28	Sponsor public tours of church sanctuaries in and near the West End to provide information on the architectural and historical significance of these institutions and the contributions they have made to the city.					ADC
WE 29	Undertake activities to create at least one residential, commercial, or mixed-use development to provide a catalyst for new development.					PDC Pvt
WE 30	Encourage, promote, and facilitate the development of market rate rental and ownership housing in the West End.					PDC Pvt
WE 31	Establish a "wayfinders" system linking public transit, shopping, and dining opportunities.					APP PDC PDOT
WE 32	Establish a collaborative public-private effort to attract creative services and other industries listed in the <i>Target Industries Study</i> to the West End.					PDC APP Pvt
WE 33	Establish a West End Retail Council.					APP Pvt.
WE 34	Consider expanding Clean and Safe services throughout the District.					APP Pvt.
WE 35	Use public financing tools to retain project-based Section 8 and Section 202 contracts for properties in which private owners have opted not to renew					PDC BHCD Pvt NPs
WE 36	Develop and coordinate programs to prevent the deterioration of existing buildings and to rehabilitate or replace buildings that have deteriorated.					PDC (seismic loan program), BHCD, Pvt NP, BTAG
WE 37	Utilize existing business finance programs available in the South Park Blocks Urban Renewal Area to preserve and support the West End's small, locally owned businesses, and consider strategies outlined in the June 2001 PSU study entitled " <i>Strengthening Small Businesses Serving Minority Communities.</i> "					PDC

³ The gray tone under one of the four time frames indicates the target time frame for the action.

West End Action Chart

#	Policy 22: West End Recommendations for Action	Timeframe ⁴				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
REGULATIONS						
WE 38	Increase the maximum allowed floor areas in the RX zone to 8:1 to allow developers of residential or mixed use projects more development potential, and to 9:1 in the RX-zoned area north of Salmon for residential or mixed use projects.					BOP
WE 39	Extend the transfer of development rights option from single-room occupancy (SRO) developments and historic landmarks to all housing developments in the Central City.					BOP
WE 40	Develop residential FAR bonus options for the RX zone to provide incentives for the development of: <ul style="list-style-type: none"> ▪ Housing units that are affordable to those with household incomes at or below 150% Area Median Income, (extended to entire Central City) ▪ Larger housing units to attract larger households and those that are middle income and above. ▪ Underground parking. ▪ Small sites to encourage infill development on small vacant and underused lots. Also allow a FAR bonus for contributing to an affordable housing fund (extended to entire Central City).					BOP, Pvt
WE 41	Raise the cap on maximum floor area that can be earned by FAR bonuses and TDRs to 12:1.					BOP
WE 42	Implement a new building height bonus for buildings with housing units with ceiling heights greater than 8 feet.					BOP
WE 43	Support more intense commercial development in RX zoned areas north of Salmon Street by allowing more commercial and other uses to be developed on sites mapped on Map 510-14					BOP
WE 44	Remove one of three conditional use criteria for expanding the percentage of commercial use allowed in a new RX development.					BOP
WE 45	Prohibit the construction of new, and discourage the continuation of, existing surface parking. Create a separate pool of 750 undedicated parking spaces to be used in new projects in amounts of 250 spaces per project.					BOP
WE 46	Allow a parking space bonus of .5 spaces for every space removed from a surface lot and placed underground in a new residential development.					BOP
WE 47	Zone the site of the Fountain Place Apartments RX to ensure that the site remains in residential use.					BOP
WE 48	Rezone two sites in commercial use to EX to make the zoning consistent on the block faces facing Burnside Street and to make these uses conforming.					BOP
WE 49	Adjust the zoning for the blocks over the I-405 freeway to be consistent all the way across in anticipation of freeway capping.					BOP

⁴ The gray tone under one of the four time frames indicates the target time frame for the action.

NOTE: Portland City Council approves Action Charts by resolution. They are a starting place. All actions have an identified implementor. They are adopted with the understanding that some will need to be adjusted and others replaced with more feasible recommendations. Identified implementors have expressed interest and support with the understanding that circumstances will affect the implementation leader's ability to take action.

Abbreviations for Implementors

ADC	Association of Downtown Churches
APP	Association for Portland Progress
BHCD	Bureau of Housing and Community Development
BODS	Oregon Ballet Theater, Portland Opera, Portland Center Stage, and Oregon Symphony
BOP	Bureau of Planning
NPs	Nonprofits
ODOT	Oregon Department of Transportation
OMF	Office of Management and Finance
Parks	Bureau of Parks and Recreation
PDC	Portland Development Commission
PDOT	Portland Office of Transportation
Pvt	Private
Tri-Met	Tri-County Metropolitan Transit District



Some of the West End's older residential hotels and apartment buildings also provide affordable ground floor spaces for small businesses such as restaurants and retail shops.

West End Urban Design Plan

The Urban Design Plan (on the facing page) illustrates design elements of the West End Policy and Action Chart as well as other design elements identified in the Downtown District Policy of the *Central City Plan*. It locates major land use, urban form, and physical features within the district.

Specific area features include:

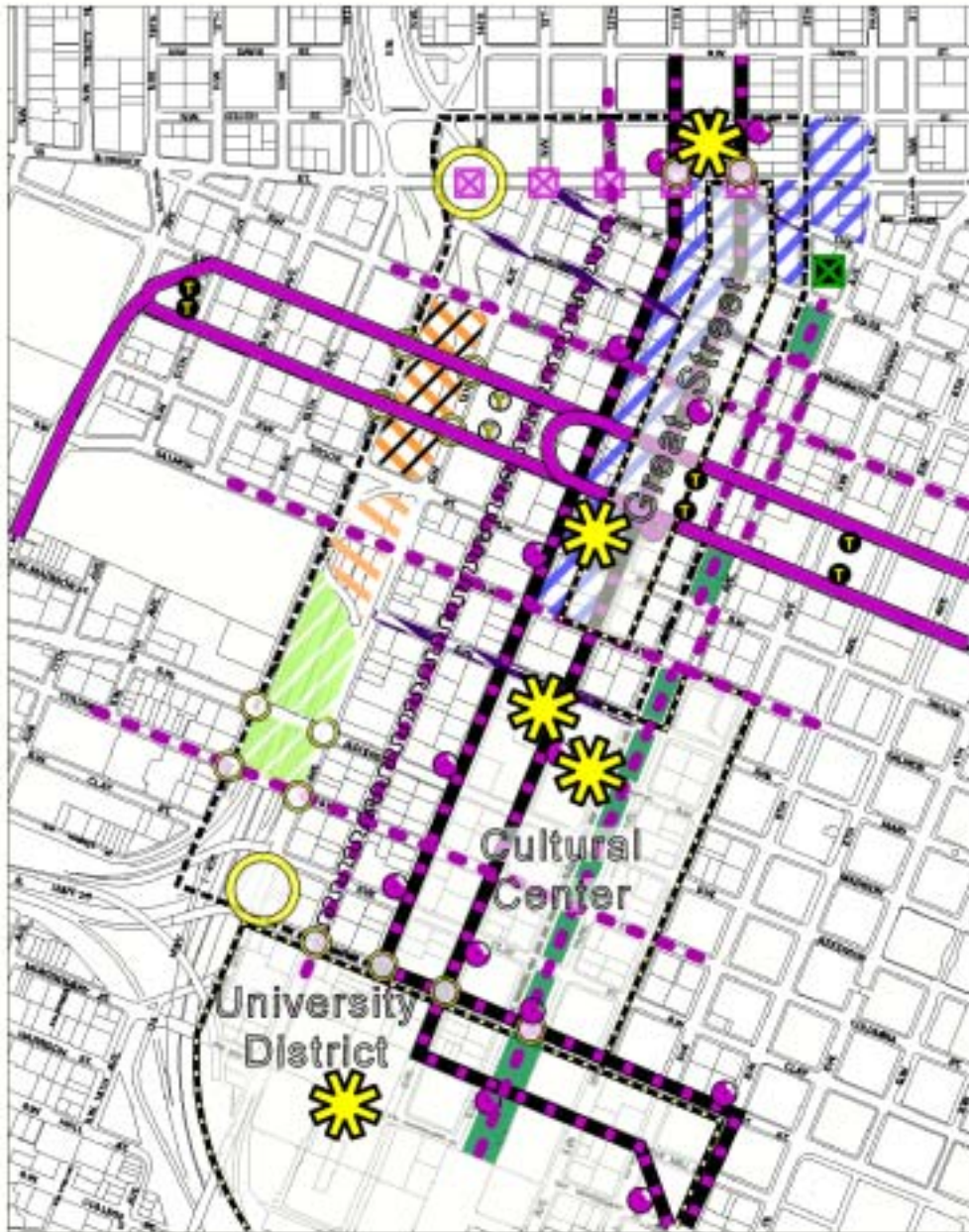
- Special districts (historic districts, the University District, the Cultural Center, etc.);
- Developed park features (the South Park Blocks and O'Bryant Square) and park deficient areas;
- Major and minor attractors, or places that bring people into the district from outside;
- Central City and district gateways, or areas of clear transition from one part of the city to another; and
- Portions of the I-405 freeway envisioned for capping.

Linear features include:

- High-capacity transit corridors and their stops;
- Pedestrian walkways; and
- Rights-of-way envisioned for special treatment.

A glossary of Urban Design Plan terms is included in the Appendix.

West End Urban Design Plan



- | | | | | | |
|--|--------------------------|--|------------------------------|--|------------------------------------|
| | Attractor - Major | | Existing Transit Corridor | | Pedestrian Walkways |
| | Central City Gateway | | Portland Streetcar Stop | | Freeway Capping |
| | District Gateway | | Portland Streetcar | | Priority Freeway Capping |
| | Existing Park/Open Space | | MAX Light Rail Stop | | Explore Street Improvement Options |
| | Proposed Park/Open Space | | MAX Light Rail Future Stop | | Residential Bonus Target Area |
| | Park Deficient Area | | Major Pedestrian Improvement | | Plant Street Trees |



New pocket parks between existing West End buildings could enhance the area's livability.

2. Amendments to other *Central City Plan* Action Charts

City Council made several additions to the action charts of other *CCP* policies. These items are either for areas outside of the West End Subarea or apply to the entire Central City. Two actions are recommended for the *CCP* Economic Development Policy action chart. Two actions are added for the *CCP* Housing Policy action chart. One action is added for the *CCP* Transportation Policy action chart. These actions include:

The Midtown Blocks

An action calls for the development of a revitalization plan for the Midtown Blocks between SW Salmon and West Burnside streets. This area was the subject of a weeklong visit by the "Advisory Council of Experts." This group was convened to consider the merits of a proposal to invigorate these blocks through acquisition and eventual redevelopment of some or all of the buildings on these blocks, with open space an eventual goal.

Commercial Development

The actions added to the Economic Development Policy action chart relate to commercial development. The first action calls for the Midtown Park Blocks study described above. The second action, which calls for the continuation of PDC's seismic upgrade loan program, will help keep existing buildings open for business.

Housing

Two actions are added to the Housing Action Chart. The first calls for no net loss of affordable housing in the Central City. This action supports the no net loss of affordable housing initiative that grew out of the West End planning process. The second action calls for the development of more owner-occupied housing in the Central City. In some parts of the Central City such as the West End, there is a need for more opportunities for home ownership. Both actions support the retention and development of housing for the Central City workforce and those households needing (or wanting) a location close to transit and services.

Surface Parking Lots

An action is added to the Transportation Policy action chart that calls for exploring strategies to encourage the redevelopment of surface parking lots. The entire Central City is zoned for intense development and commercial surface parking is not an efficient use of land. Large surface lots break up the continuity of development and detract from the character of the inner city.

Additions to Central City Plan Functional Policy Action Charts

#	Policy 1: Economic Development Recommendations for Action	Timeframe				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
PROJECT						
EDXX	Develop a revitalization plan for the Midtown Park Blocks between Salmon and Burnside streets, SW Broadway and SW 10th Avenue.					BOP PDC Parks
PROGRAM						
EDXX	Continue the seismic loan program for commercial buildings to mitigate high costs of seismic upgrades.					PDC

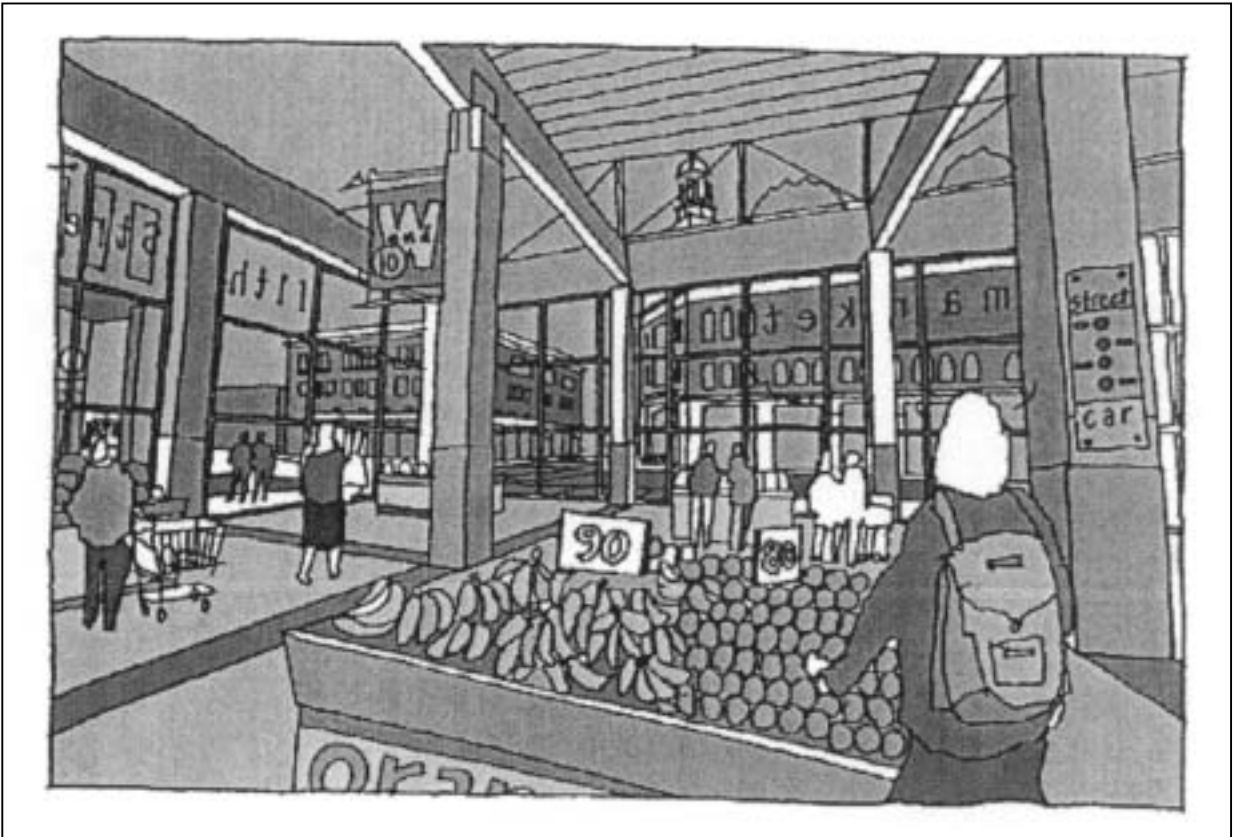
#	Policy 3: Housing Recommendations for Action	Timeframe				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
PROJECT						
HXX	Identify and implement strategies to foster the development of owner-occupied dwelling units in the Central City, both affordable and market-rate.					HMG
HXX	Identify and adopt new effective and defensible regulatory requirements to implement the no net loss of affordable housing policy in the Central City.					HMG

#	Policy 4: Transportation Recommendations for Action	Timeframe				Imple- mentors
		Adopt with Plan	On- Going	Next 5 Yrs	6 to 20 Yrs	
PROJECT						
TXX	Develop strategies or a plan to encourage redevelopment of surface parking lots including: <ul style="list-style-type: none"> ▪ Public acquisition of surface parking lots, ▪ Revision of the CCTMP parking regulations 					BOP PDOT Pvt

NOTE: Portland City Council approves Action Charts by resolution. They are a starting place. All actions have an identified implementor. They are adopted with the understanding that some will need to be adjusted and others replaced with more feasible recommendations. Identified implementors have expressed interest and support with the understanding that circumstances will affect the implementation leader's ability to take action.

Abbreviations for Implementers

APP	Association for Portland Progress
BHCD	Bureau of Housing and Community Development
BOP	Bureau of Planning
HMG	Housing Managers Group (BOP, BHCD, PDC, and HAP)
NPs	Nonprofits
ODOT	Oregon Department of Transportation
OMF	Office of Management and Finance
Parks	Bureau of Parks and Recreation
PDC	Portland Development Commission
PDOT	Portland Office of Transportation
Pvt	Private
Tri-Met	Tri-County Metropolitan Transit District



A public market concept for a building in the West End. Courtesy: *West End Vision Plan*

3. Change to the Culture and Entertainment Map

The special character of the area called the Burnside Triangle has been a topic of discussion throughout the West End planning process. This area functions as an entertainment district with its mixture of housing, restaurants, bars, hotels, bookstores, and other retail shops. Like the Cultural District, this area draws visitors from throughout the metropolitan area. Some notable attractions are the Crystal Ballroom, a popular music venue, and Powell's City of Books, a privately owned business that hosts cultural events open to the public. This area also contains a cluster of businesses that cater to sexual minorities.

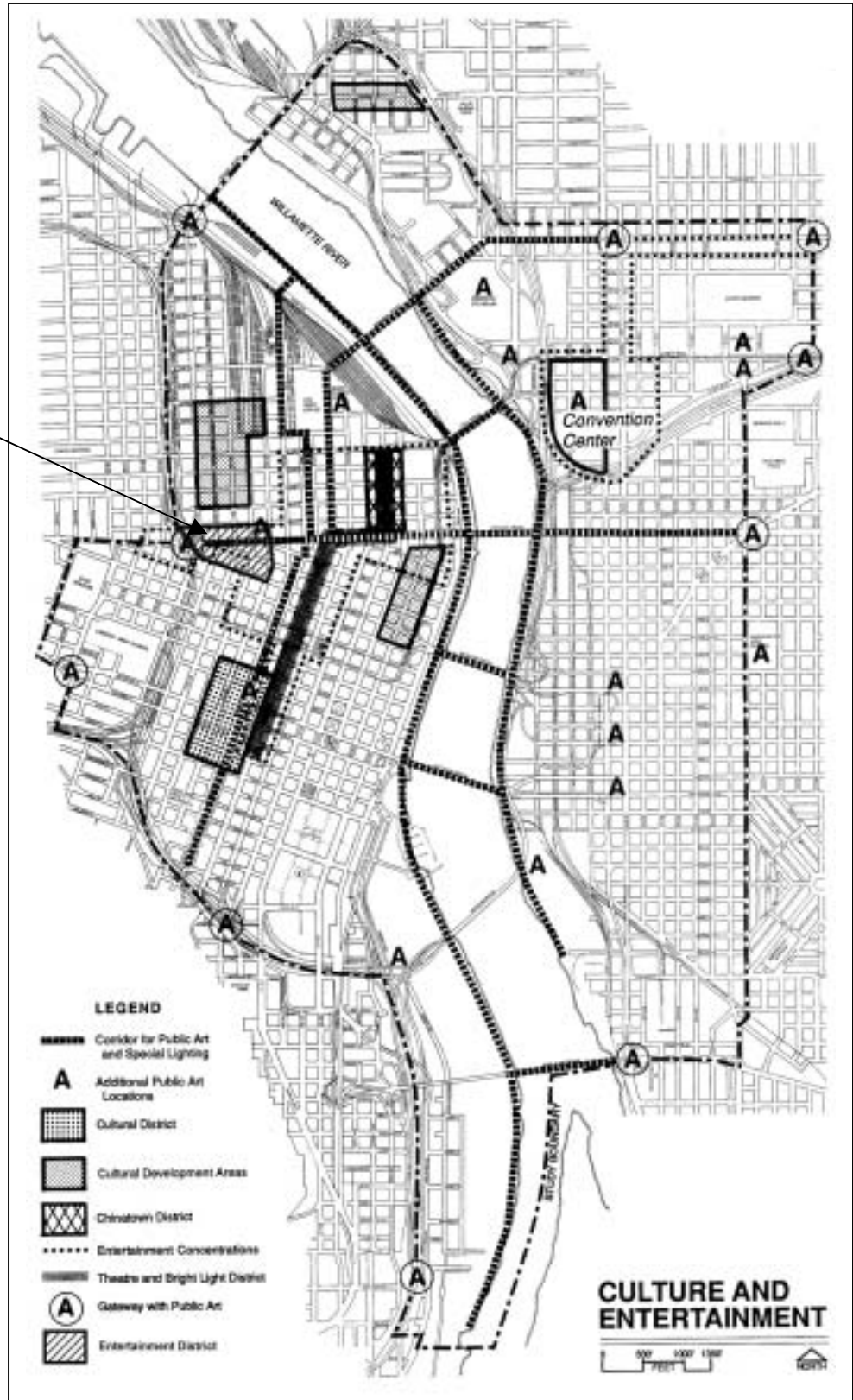
City Council designated this area as a Central City Entertainment District on the *CCP* Culture and Entertainment Map that accompanies Policy 9. The boundaries extend beyond those of the West End to include Powell's Books and other businesses on the north side of Burnside Street. The recommended boundaries are NW Couch and SW Washington streets, NW Ninth Avenue, and the I-405 Freeway.



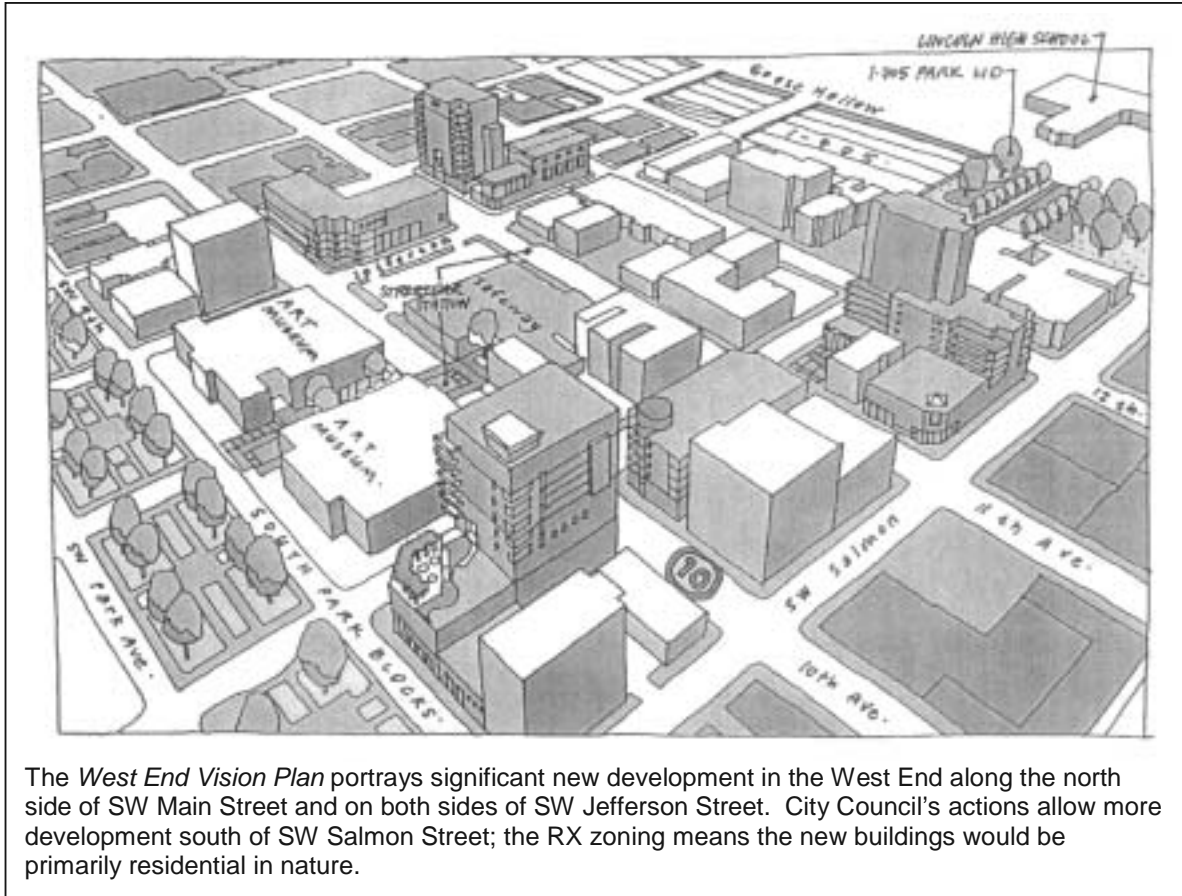
The Burnside Triangle has entertainment venues, restaurants and retail shops that have a regional draw. Courtesy: *West End Vision Plan*

Central City Plan Policy 9: Culture and Entertainment Map

The Burnside Triangle is identified as an Entertainment District on the Culture and Entertainment Map



Amendments to
Title 33: Planning and Zoning



The *West End Vision Plan* portrays significant new development in the West End along the north side of SW Main Street and on both sides of SW Jefferson Street. City Council's actions allow more development south of SW Salmon Street; the RX zoning means the new buildings would be primarily residential in nature.

Introduction

Among the major outcomes of the West End planning process is a series of changes to the Zoning Code. This section describes those revisions, employing several conventions:

- Odd-numbered pages show Zoning Code language with the changes that were adopted on January 10, 2002, and became effective on February 1, 2002.
- Even-numbered pages contain staff commentary on the recommended changes, presented in Comic Sans typeface. This commentary is more descriptive and indicates the legislative intent of the Zoning Code changes.
- Language now added to the Zoning Code is underlined (example).
- Language now deleted from the Zoning Code is shown in strikethrough (~~example~~).

Retail Sales And Service and Office uses in the West End's RX Zone

The next several pages describe Council's actions for increased nonresidential development in the West End's residential zone:

- The first provisions shift regulations for Central City RX nonresidential development from today's Zoning Code location (in Chapter 33.120 – Multi-Dwelling Zones) to the Central City plan district (Chapter 33.510). This simplifies the Zoning Code structure, as the provisions that apply only to the Central City are located in the section specific to that area.
- The newly-placed Central City RX nonresidential development regulations are amended to include West End distinctions between the north and south sides of SW Salmon Street. These can be found in Sections 33.510.117 and 33.510.118.

The Zoning Code language at right amends the Multi-dwelling chapter provisions for nonresidential uses in the RX zone. The current language is replaced in Section 33.510.117.

Retail Sales And Service and Office uses in the West End's RX Zone

33.120.100 Primary Uses (in the RX zone)

(A. – no change)

B. Limited Uses.

(1. and 2. – no change)

3. Retail Sales And Service and Office uses in the RX zone. This regulation applies to all parts of Table 120-1 that have note [3].

a. Purpose. Certain commercial uses are allowed in the RX zone to improve the economic viability of residential development by allowing mixed-use development. At the same time, commercial uses are limited to assure that residential uses remain the dominant use in the zone.

~~b. Commercial uses allowed by right – new construction. Retail Sales And Service and Office uses are allowed by right in new multi-dwelling development if they comply with either (1) or (2) below.~~

~~(1) They are not on the Park Block frontages shown on Map 120-1, and they are no more than 20 percent of the floor area of a new multi-dwelling development exclusive of parking area; or~~

~~(2) They are not on the Park Block frontages shown on Map 120-1, they are on the ground floor level of a new multi-dwelling development, and they do not exceed 40 percent of the floor area of the development exclusive of parking area.~~

~~c. Commercial uses allowed by right – conversion. Retail Sales And Service and Office uses are allowed by right in conversions of existing multi-dwelling development if they comply with (1) and (2) below.~~

~~(1) They are not on the Park Block frontages shown on Map 120-1, they are on the ground floor level of a existing multi-dwelling development, and they do not exceed 40 percent of the floor area of the development exclusive of parking area; and~~

~~(2) They do not result in a net loss of the square footage or number of dwelling units. Conversions which would result in a net loss of square footage or number of dwelling units are prohibited.~~

~~d. Commercial uses that require a conditional use review. Retail Sales And Service and Office uses proposed as part of a new multi-dwelling development require a conditional use review in either (1), (2), or (3) below. The conversion of existing multi-dwelling development is prohibited.~~

Retail Sales And Service and Office uses in the West End's RX Zone, continued

The Zoning Code language at right completes the removal of current Multi-dwelling Zones (Chapter 33.120) regulations. The pages that follow introduce these provisions as a new section within the Central City plan district regulations (Section 33.510.117).

Recommended Subsection 33.120.100.B.3.b refers readers to the Central City plan district (33.510) for specific regulations that apply only within its boundaries.

Recommended Subsection 33.120.100.B.3.c recasts existing RX nonresidential use regulations according to the new structure. This section will apply for RX sites outside the Central City plan district.

Retail Sales And Service and Office uses in the West End's RX Zone, continued

33.120.100 Primary Uses (continued)

- ~~(1) They are proposed for up to 20 percent of the floor area of a new multi-dwelling development on a site on the Park Block frontages shown on Map 120-1. The floor area limit is exclusive of parking area. Those frontages are Lots 1 through 4 of Blocks 221 through 232, Lot 8 of Block 196, and Lots 5 through 8 of Blocks 197 through 208, all in Portland Subdivision; or~~
 - ~~(2) They are not on the Park Block frontages shown on Map 120-1, they are proposed for more than the ground floor, and they are proposed to be between 21 and 40 percent of the floor area of a new multi-dwelling development exclusive of parking area; or~~
 - ~~(3) They are not on the Park Block frontages shown on Map 120-1, the multi-dwelling development is entirely within 500 feet of a light rail station or stop, and they are proposed to be between 21 and 50 percent of the floor area of the new multi-dwelling development exclusive of parking area.~~
 - ~~(4) Approval of more than the 20 percent limit in (1) above, more than the 40 percent limit in (2) above, or more than the 50 percent limit in (3) above, is prohibited.~~
- b. Central City plan district. Retail Sales And Service and Office uses in the RX zone within the Central City plan district are exempt from the regulations of this paragraph, and are instead subject to regulations in Chapter 33.510, Central City Plan District.
- c. Commercial uses in new multi-dwelling development. Adjustments to the regulations of this subparagraph are prohibited.
- (1) Limited uses.
 - If all of the Retail Sales And Service or Office uses are on the ground floor, up to 40 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses;
 - If any portion of the Retail Sales And Service or Office uses is not on the ground floor, up to 20 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses.

Retail Sales And Service and Office uses in the West End's RX Zone, continued

Limited and Conditional uses remain as they are today, with the same percentages allowed, and the same increased percentage allowed (through the Conditional Use process) near light rail stations. Conversions remain limited to preserve existing residential units.

Retail Sales And Service and Office uses in the West End's RX Zone, continued

33.120.100 Primary Uses (continued)

(2) Conditional uses.

- If any portion of the Retail Sales And Service or Office uses is not on the ground floor, up to 40 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses if approved as a conditional use;
- If the entire site is within 500 feet of a light rail station or stop, up to 50 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses if approved as a conditional use.

d. Commercial uses in existing multi-dwelling development. Up to 40 percent of existing net building area in a multi-dwelling development may be converted to Retail Sales And Service and Office uses if the following are met. Adjustments to the regulations of this subparagraph are prohibited:

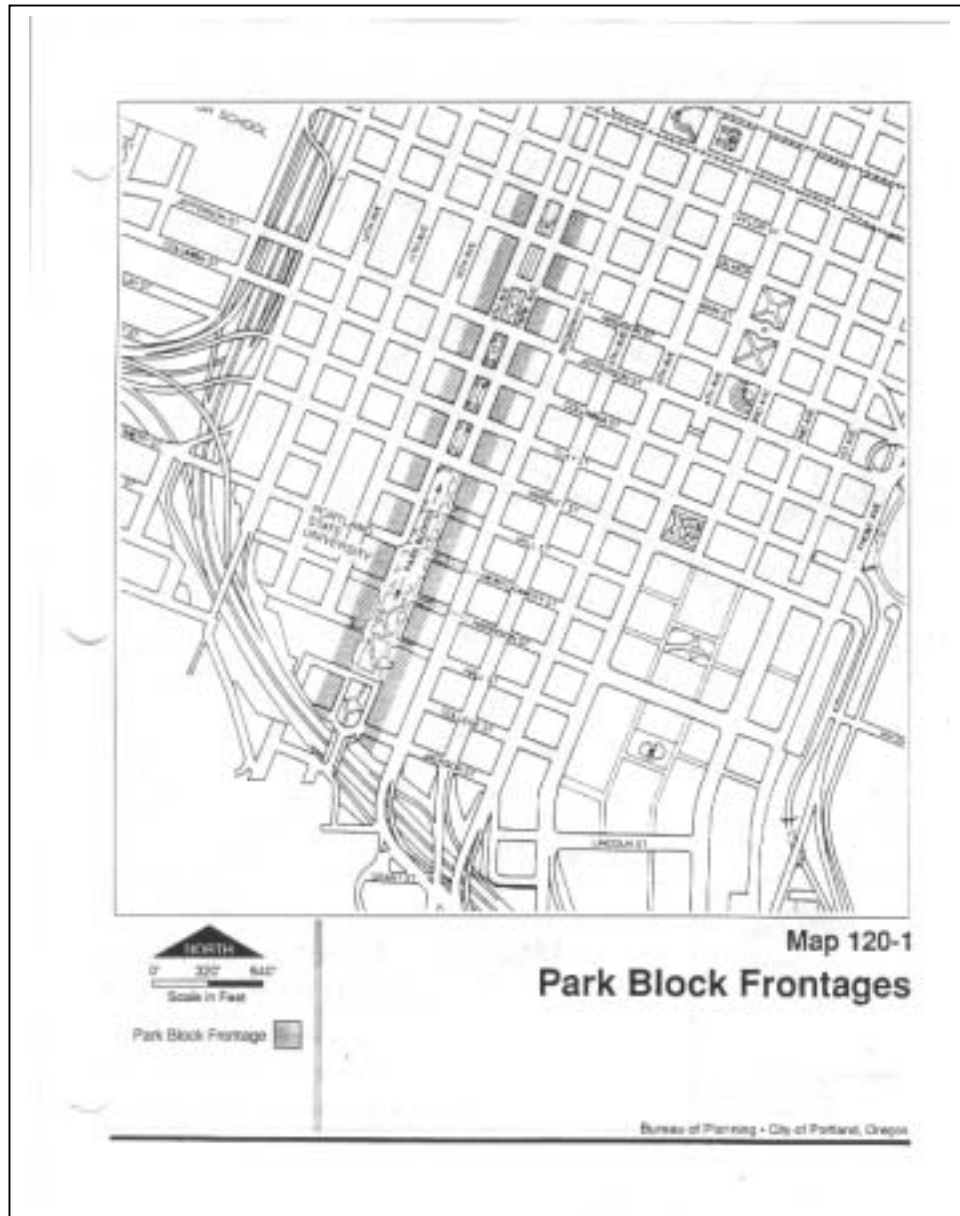
- (1) All of the Retail Sales And Service or Office uses must be on the ground floor; and
- (2) The conversion may not result in a net loss of the square footage in residential use, or a net loss in the number of dwelling units in the development.

[e and f: no change]

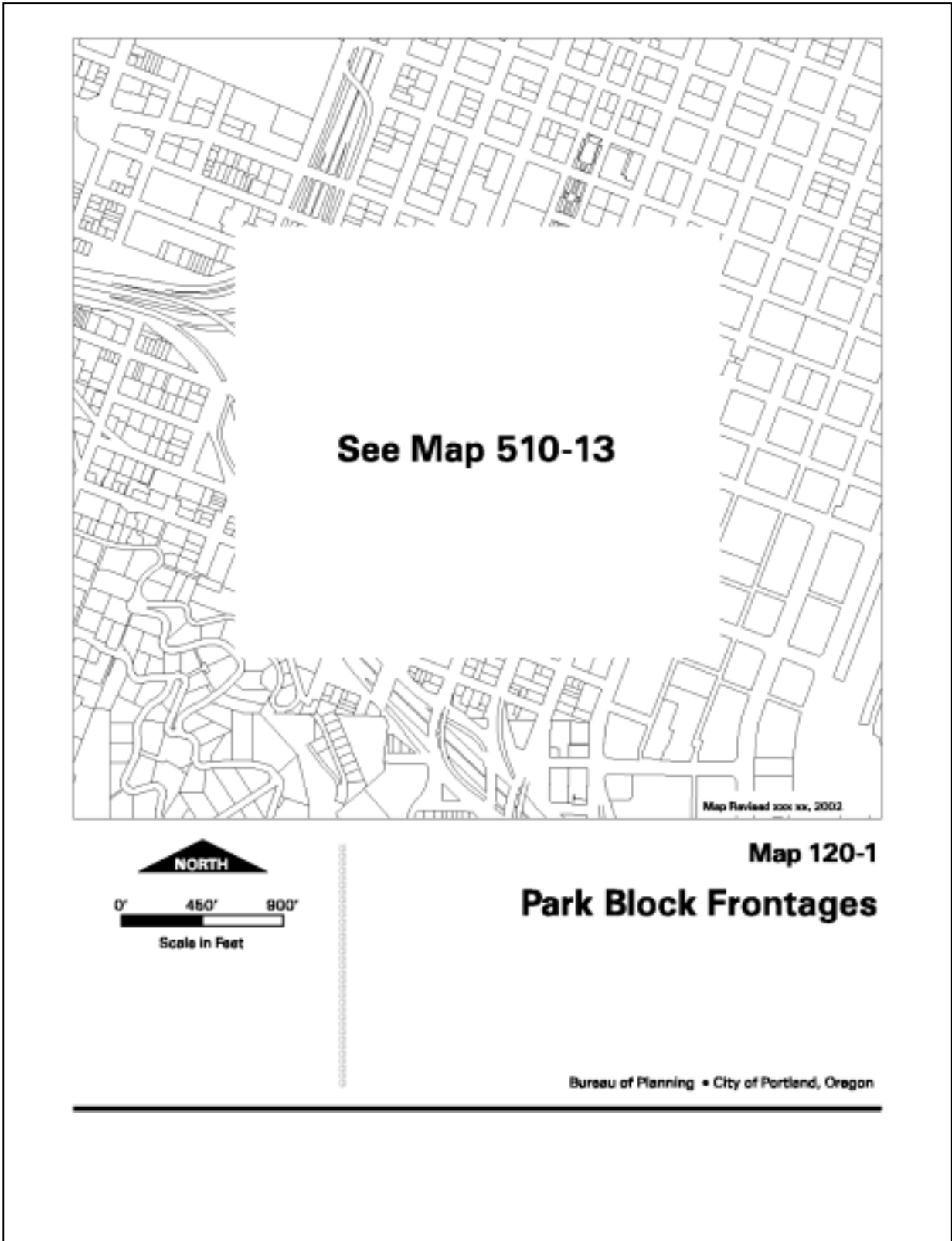
Retail Sales And Service and Office uses in the West End's RX Zone, continued

Because the Multi-dwelling zones (Chapter 33.120) description of Central City RX provisions is shifted to the Central City plan district, so too is the map that describes the specifics of this Code section.

Map 120-1 appears at right as the Zoning Code portrays it until February 2002, when the new regulations go into effect. . The "Park Blocks Frontages" are portrayed - these sites have different constraints on nonresidential development than do other areas of the RX zone. The recommended Map 120-1 is portrayed at right - the change is that it will now refer readers to the Central City plan district provisions, where the descriptive Code language will be located.



Retail Sales And Service and Office uses in Central City RX Zones,
continued



RX Zone Reference in Historic Resources Chapter

Today's Historic Resources chapter contains a reference to nonresidential uses in the RX zone. With adoption of the West End subarea regulations, a cross-reference to the new provisions is required.

RX Zone Reference in Historic Resources Chapter

33.445.310 Historic Preservation Incentives

[A. no change]

B. Incentives allowed with a historic preservation incentive review. The incentives in this subsection are permitted when they meet the requirements of Section 33.445.320, Eligibility for Historic Preservation Incentives, the standards of Section 33.445.330, Requirements for All Historic Preservation Incentives, and are approved through a historic preservation incentive review. The incentives are:

1. Nonresidential uses in the RX zone. In the RX zone, use of 100 percent of the floor area of a landmark may be approved. Use of this incentive on sites which front on the Park Blocks frontages shown on Map ~~420-1~~ 510-13 is prohibited. Uses that may be approved are Retail Sales and Service, Office, Major Event Entertainment, and Manufacturing and Production. The regulations of this paragraph supersede the regulations of Paragraph 33.120.100.B.3., Retail Sales and Service and Office uses in the RX zone, and those of Section 33.510.117. Where this incentive is used, the regulations of Section 33.510.118 do not apply.
2. [no change]

Amended Central City Plan District Structure

The list of sections at right lists the portions of the Central City Plan District chapter that Council amended on January 10, 2002. Listings in brackets indicate CCPD portions that remain unchanged.

Since May's release of the *West End Recommendation*, Council adopted the *Northwest Transition Area Plan*. This process assigned the new Zoning Code section envisioned within the *West End Recommendation* (Section 33.510.116) to NTAP provisions. The West End provisions are now listed in newly proposed Sections 33.510.117 and 33.510.118.

The titles of **Sections 33.510.113** and **33.510.116** are amended to provide clarity of purpose – the West End provisions, which amend Retail Sales and Service and Office use regulations (among others) of the Central City plan district, might otherwise confuse this section.

Section 33.510.117 describes RX zone provisions in most of the Central City. This text is almost exactly what is currently located in the Multi-Dwelling Residential chapter (33.120), and is the change recommended by the Planning Commission.

Regulations for the northwest corner of the West End (north and west of SW Salmon and 11th, respectively), will be in a new **Section 33.510.118**. These provisions implement City Council's intent as described in Resolution 36037.

At the end of this chapter, **Maps 510-1, 510-2, 510-3, 510-7, and 510-11** are amended. New **Map 510-13** shows areas where today Map 120-1 regulates nonresidential floor area in the RX zone. New **Map 510-14** portrays specific sites in the northwest corner of the district.

Amended Central City Plan District Structure

CHAPTER 33.510 CENTRAL CITY PLAN DISTRICT

Sections:

General

[no change]

Use Regulations

[33.510.100 through 33.510.112 - no change]

33.510.113 Retail Sales And Service and Office Uses in the IG1 Zone

[33.510.114 and 33.510.115 - no change]

33.510.116 Retail Sales And Service Uses for Specified Sites in the EX Zone

33.510.117 Retail Sales And Service and Office Uses in the RX Zone

33.510.118 Use Regulations for Specified Sites in the West End Subarea

Development Standards

[33.510.205 through 33.510.224 - no change]

33.510.224 Mechanical Equipment ~~in the River District~~ along the Portland Streetcar Alignment

[33.510.225 through 33.510.257 - no change]

Parking and Access

(33.510.261 through 33.510.267 - no change]

[Maps 510-1 through 510-12 - no change]

Map 510-13 Park Blocks Frontages

Map 510-14 Areas Where Additional Uses are Allowed in the RX Zone

Transfer (2): Central City Plan District

Section 33.510.020 is amended to indicate that Central City plan district use regulations supercede those of the base zones. In situations where Chapter 33.120, Multi-dwelling Zones conflicts with the Central City plan district, the CCPD regulations control.

Section 33.510.113 has a change in title to more accurately describe existing regulations.

Section 33.510.116 is amended to clarify the areas where its provisions apply.

Section 33.510.117: The Planning Commission, in its *West End Recommendation*, had placed all of the changes to the RX zone within the Central City plan district within a single section. However, with City Council's enhancements, the complexity of regulations north of Salmon and west of 11th are more effectively communicated through a new section, 33.510.118.

Section 33.510.117 completes the shift in the RX zone regulations from their position today in the Multi-Dwelling Zones chapter (33.120) to the Central City plan district. Preceding pages indicated their removal from Chapter 33.120. The provisions are altered only in minimal fashion, as described below.

The second paragraph in **Subsection B** provides a cross-reference to provisions of the next section, 33.510.118. These provisions limit the demolition of buildings on "Type C" (housing) sites.

Subsection D describes existing RX zone regulations for Retail Sales And Service and Office uses. Its content has been amended to be consistent with Section 33.510.223, Exterior Display and Storage.

Transfer (2): Central City Plan District

Use Regulations

33.510.020 Where the Regulations Apply

The regulations of this chapter apply to the Central City plan district. The boundaries of the plan district and its subdistricts are shown on Map 510-1 at the end of this chapter, and on the Official Zoning Maps. The plan district standards for uses, floor area ratio, height, bonuses, transfer of development rights, required residential development, amount of parking, and Central City master plans control when in conflict with any base or overlay zone. For other regulations, in cases of conflict the most restrictive regulation controls. The information depicted on Maps 510-1 through 510-7 is part of the plan district regulations and is subject to the same amendment procedures as amendments to the text of this chapter.

33.510.116 Retail Sales And Service Uses for Specified Sites in the EX Zone

[No change other than title]

33.510.117 Retail Sales And Service and Office Uses in the RX Zone

- A. Purpose.** The provisions of this section enhance the residential character of the RX zone and improve the economic viability of residential development by allowing commercial uses. At the same time, commercial uses are regulated to assure that residential uses are the primary use in the zone.
- B. Where these regulations apply.** The regulations of this section apply to sites in the RX zone, except in the area shown on Map 510-14, and supercede the regulations of the base zone. Sites in the area shown on Map 510-14 are subject to the regulations of Section 33.510.118, Use Regulations for Specified Sites in the West End Subarea, not those of this section.
- The regulations of Paragraph D.2 apply to sites that are not on the Park Block frontages; the regulations of Paragraph D.3 apply to sites that are on the Park Block frontages. The Park Block frontages are shown on Map 510-13.
- C. Adjustments prohibited.** Adjustments to the regulations of this section are prohibited.
- D. Retail Sales And Service and Office uses in the RX zone.**
1. Outdoor activities on all sites. All commercial uses must be conducted entirely within fully enclosed buildings. Exterior display of goods and exterior storage are not allowed. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, are exempt from this requirement.

Transfer (2): Central City Plan District, continued

Subsection D3 describes special provisions that have existed for Park Block frontages since at least the 1959 Zoning Code. At the time the Downtown Plan was drafted, the properties along the South Park Blocks were zoned for exclusive high-density multi-dwelling development. Commercial use was restricted to small retail and service businesses that primarily served those living in the building. The South Park Blocks are seen in the Downtown Plan as a residential corridor. Allowing 20 to 40 percent of new development in the RX zone was a compromise made in light of the new RX areas being rezoned from primarily light manufacturing. In making this compromise, Council specifically wished to protect the strongly residential character of the South Park Blocks.

Transfer (2): Central City Plan District, continued

2. Sites not on Park Block frontages. On sites that are not on the Park Block frontages, shown on Map 510-13, the following regulations apply:

a. New multi-dwelling development.

(1) Limited uses.

- If all of the Retail Sales And Service or Office uses are on the ground floor, up to 40 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses;
- If any portion of the Retail Sales And Service or Office uses is not on the ground floor, up to 20 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses.

(2) Conditional uses.

- If any portion of the Retail Sales And Service or Office uses is not on the ground floor, more than 20 and up to 40 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses if approved as a conditional use;
- If the entire site is within 500 feet of a light rail station or stop, more than 20 and up to 50 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses if approved as a conditional use.

b. Conversion of existing multi-dwelling development. Up to 40 percent of existing net building area in a multi-dwelling development may be converted to Retail Sales And Service and Office uses if the following are met:

(1) All of the Retail Sales And Service or Office uses must be on the ground floor; and

(2) The conversion may not result in a net loss of the square footage in residential use, or a net loss in the number of dwelling units in the development.

3. Sites on Park Block frontages. On sites that are on the Park Block frontages, shown on Map 510-13, the following regulations apply:

a. New multi-dwelling development. Up to 20 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office uses if approved as a conditional use;

b. Conversion of existing multi-dwelling development. Conversion of existing multi-dwelling development to Retail Sales And Service and Office uses is prohibited.

Central City Plan District Chapter 33.510.118

Adopted **Chapter 33.510.118** details the provisions that implement Resolution 36037. The regulations will apply only in the blocks north and west of SW Salmon Street and SW 11th Avenue, as shown on Map 510-14.

Subsection A describes the purpose of the new regulations for this northwestern corner of the subarea. The intent is to consider all of the uses that are listed in this section. These range from Office to Institutional uses, from Retail Sales And Service to Commercial Parking.

Subsection D describes the process by which existing housing buildings may be demolished. Today, under RX zone regulations, existing housing may be demolished, but redevelopment must meet RX zone minimum density requirements of 1 unit per 500 square feet (80 units per block). The provisions of Subsection D offer other options for nonresidential development. Each is intended to be stringent.

Subsection E describes the minimum residential requirement for full-block redevelopment. The Zoning Code defines "block" as "all of the property bounded by streets, rights-of-way, and water features, but is not divided or separated in any way by streets, rights-of-way, or water features." This subsection addresses redevelopment on the block; not on parcels across rights-of-way. At least fifty percent of floor area in full-block redevelopment must be in residential use. Existing development on the block is included in the total.

Subsections F, G, and H describe three different site categories in this portion of the West End:

- Type A, or "underdeveloped" sites, where existing site FAR is less than 2.5 to 1;
- Type B sites, where existing site FAR is greater than 2:5 to 1 and the buildings are in nonresidential use; and
- Type C sites, where existing site FAR is greater than 2.5 to 1 and the buildings are in residential use.

Subsection F describes provisions for Type A, or "underdeveloped" sites. Resolution 36037 directed that these sites receive the greatest range of development options. These sites have the least investment in structures, and are generally comprised of surface parking lots and small buildings, with floor area ratios of 2.5 to 1 or less (generally two-story; some two-story with mezzanine). These sites occupy about 40 percent of the fifteen-block area.

Provision F1 describes the Section F changes that implement Resolution 36037 on Type A sites. Retail Sales And Service and Office uses, along with several Institutional categories are allowed outright. Other uses are allowed when reviewed – these reviews are already required today. No greater stringency of review is proposed.

Central City Plan District Chapter 33.510.118

33.510.118 Use Regulations for Specified Sites in the West End Subarea

- A. Purpose.** Provisions within this section are intended to encourage an infill pattern of development in the portion of the West End Subarea shown on Map 510-14. This infill strategy preserves the Central Residential zone while encouraging a wider range of nonresidential uses. These provisions limit redevelopment pressure on existing housing.
- B. Where these regulations apply.** The regulations of this section apply to sites in the area shown on Map 510-14, and supercede the regulations of the base zone. Minimum residential densities must be met only where specified in this section. The regulations of subsection D apply to Type C sites. Where the site, or a portion of the site, occupies a full block, the regulations of Subsection E apply to the full-block portion of the site. Portions of the site that are not part of the full block must meet the regulations for sites that are less than a full block. The regulations of subsections F, G, and H apply where the site occupies less than one full block.
- C. Adjustments prohibited.** Adjustments to the regulations of this section are prohibited.
- D. Demolition on Type C sites.** Demolition on Type C sites as shown on Map 510-14, is subject to subsection 33.510.242.C.
- E. Full-block sites.** Where the site, or a portion of the site, occupies a full block, at least 50 percent of all net floor area on the full block portion of the site must be in Household Living uses, and the minimum residential density requirement of the RX Zone must be met. The net floor area that is not in Household Living uses is regulated as specified in Subsection F, with all percentages of allowed development based on the floor area in nonresidential use, not the total floor area on the block.
- F. Type A sites.** On Type A sites, as shown on Map 510-14, where the site occupies less than one full block, the following use regulations apply:
- 1. Household Living, Retail Sales And Service, Office, Schools, Parks And Open Areas, Colleges, Medical Centers, Religious Institutions, and Daycare Uses.** Up to 100 percent of the net floor area may be in Household Living, Retail Sales And Service, Office, Schools, Parks And Open Areas, Colleges, Medical Centers, Religious Institutions, and Daycare uses;
 - 2. Group Living.** Group Living for up to 15 residents is allowed. Group Living for more than 15 residents is a conditional use. See Chapter 33.239;
 - 3. Basic Utilities and Community Service uses:**
 - a. Up to 20 percent of the net floor area may be in Basic Utilities and Community Service uses; and**
 - b. More than 20 percent of the net floor area in Basic Utilities and Community Service uses is a conditional use;**

Central City Plan District Chapter 33.510.118, continued

Provision F5, Commercial Parking, is governed in the existing Central City Plan District use regulations as follows:

33.510.112 Commercial Parking

Commercial Parking is subject to special regulations in Sections 33.510.261 through .267. Visitor Parking and Undedicated General Parking, as described in Section 33.510.261, are Commercial Parking. The other types of parking are accessory parking, although some of them may operate as commercial parking.

Further, the distinction between new and existing parking and the Zoning Code provisions that apply is described in the following quote from the *Central City Transportation Management Plan Amendments to the Zoning Code* document (1995), page 4:

"New vs. Existing" Issue. The zoning code is written to apply to development proposals (i.e. new development or alterations to existing development). It is written in the present tense, so phrases such as "Undedicated General Parking is prohibited" mean "proposals for new Undedicated General Parking will not be accepted," not that we are shutting down existing, legal, Undedicated General Parking.

If we were to use the words "new" or "newly developed" in situations such as this, unless we use such phrasing throughout the code, we are creating a host of legal problems and conflicts that would nearly invalidate our code.

Section G describes provisions for Type B sites, or buildings with an existing FAR of 2.5 to 1 or more that are in non-residential use as of January 1, 2002. These sites occupy about forty percent of the Map 510-14 area. Provisions G2 and G4 comprise the section G changes that implement Resolution 36037 for Type B sites.

Section G4 describes specific provisions for existing nonresidential buildings. Several scenarios are possible for development and redevelopment on these sites. Some of them are:

- An existing building in Retail Sales And Service or Office use is renovated, and building tenants change. No land use review is required.
- An existing building in Retail Sales And Service or Office use is demolished or refurbished with an addition. These provisions allow that site to be redeveloped with Retail Sales and Service use not to exceed 125 percent of the floor area that was in the building it is replacing.
- An existing building in Retail Sales And Service or Office use is demolished or refurbished with an addition. Floor area in excess of 125 percent of the building it is replacing is allowed outright, but the floor area over 125 percent of the building it is replacing must be in Residential use.
- An existing building in Retail Sales And Service of Office use is demolished or refurbished with an addition. Floor area in excess of 125 percent of the building it is replacing may be sought through the Conditional Use process.

Central City Plan District Chapter 33.510.118, continued

4. Radio Frequency Transmission Facilities. Some Radio Frequency Transmission Facilities are allowed by right, while others are conditional uses. See Chapter 33.274;
5. Commercial Parking is subject to Central City Parking Review;
6. Rail Lines And Utility Corridors are a conditional use;
7. Uses and amounts of uses not specifically listed in this subsection are prohibited.

G. Type B sites. On Type B sites, as shown on Map 510-14, where the site occupies less than one full block, the following use regulations apply:

1. Household Living uses. Up to 100 percent of the net floor area may be in Household Living uses;
2. Schools, Colleges, Medical Centers, Religious Institutions, Parks And Open Areas, and Daycare uses. Up to 100 percent of the net floor area may be in Schools, Colleges, Medical Centers, Religious Institutions, Parks And Open Areas, and Daycare uses if the requirements of Subsection I are met;
3. Group Living. Group Living for up to 15 residents is allowed. Group Living for more than 15 residents is a conditional use. See Chapter 33.239;
4. Retail Sales And Service and Office uses:
 - a. Up to 125 percent of the net floor area that existed on the site on January 1, 2002 may be in Retail Sales And Service or Office uses if the requirements of Paragraphs I.2 and 3 are met. The applicant must document the amount of floor area that existed on the site on January 1, 2002;
 - b. More than 125 percent of the net floor area that existed on the site on January 1, 2002 in Retail Sales And Service and Office uses is a conditional use, subject to the approval criteria of 33.815.122 and the requirements of Subsection I. Only the square footage above 125 percent is a conditional use, and only the square footage above 125 percent must meet the requirements of Paragraph I.1.
5. Basic Utilities and Community Service uses:
 - a. Up to 20 percent of the net floor area may be in Basic Utilities and Community Service uses; and
 - b. More than 20 percent of the net floor area in Basic Utilities and Community Service uses is a conditional use;
6. Radio Frequency Transmission Facilities. Some Radio Frequency Transmission Facilities are allowed by right, while others are conditional uses. See Chapter 33.274.

Central City Plan District Chapter 33.510.118, continued

Section G7 describes Commercial Parking uses. See the Commentary for Section 33.510.118.F5.

Section H describes provisions for Type C sites, or those in housing use, as of January 1, 2002. The Portland Development Commission housing database was used to determine the sites that qualify for this designation. Subsections I and J, and the proposed Conditional Use (33.815.122), must be met to qualify for some of these provisions.

Provisions H3 d and H4 implement Resolution 36037 for Type C (housing) sites. Existing allowances remain; the new provisions offer options for increased nonresidential floor area. If the new provisions are met, some commercial and institutional uses are allowed to constitute as much as 100 percent of floor area in new development.

This commercial and institutional development may be allowed through a "standards" approach (described in subsections 33.510.118 I and J) which allows a higher percentage of new nonresidential development if the Map 510-14 area has an increasing supply of housing, if no surface parking is proposed, and if ground floor uses are to be active. Further, the loss of existing housing on the site must be mitigated, through any of three mechanisms.

Paragraphs H3a, 3b, and 3c retain provisions that are currently in the Zoning Code and are applicable to the RX zone in the Central City. Paragraph H3d contains the provisions that implement Resolution 36037.

Central City Plan District Chapter 33.510.118, continued

7. Commercial Parking is subject to Central City Parking Review.
8. Rail Lines And Utility Corridors are a conditional use;
9. Uses and amounts of uses not specifically listed in this subsection are prohibited.

H. Type C sites. On Type C sites, as shown on Map 510-14, where the site occupies less than one full block, the following use regulations apply:

1. Household Living, Parks And Open Areas, and Daycare uses. Up to 100 percent of the net floor area may be in Household Living, Parks And Open Areas, and Daycare uses.
2. Group Living. Group Living for up to 15 residents is allowed. Group Living for more than 15 residents is a conditional use. See Chapter 33.239;
3. Retail Sales And Service and Office uses:
 - a. Up to 20 percent of the floor area may be in Retail Sales And Service and Office uses;
 - b. More than 20 percent and up to 40 percent of the floor area in Retail Sales And Service and Office uses is a conditional use, subject to the approval criteria of 33.815.110; and
 - c. If all portions of the site are within 500 feet of a light rail station or stop, more than 20 percent and up to 50 percent of the floor area in Retail Sales And Service and Office uses is a conditional use, subject to the approval criteria of 33.815.110;
 - d. Up to 100 percent of the floor area may be in Retail Sales And Service or Office uses if the requirements of Subsections I and J are met.
4. Up to 100 percent of the floor area may be in College, Religious Institution, Medical Center, and School uses if the requirements of Subsections I and J are met.
5. Basic Utilities and Community Service uses:
 - a. Up to 20 percent of the floor area may be in Basic Utilities and Community Service uses; and
 - b. More than 20 percent of the floor area in Basic Utilities and Community Service uses is a conditional use;
6. Radio Frequency Transmission Facilities. Some Radio Frequency Transmission Facilities are allowed by right, while others are conditional uses. See Chapter 33.274.

Central City Plan District Chapter 33.510.118, continued

Paragraph H7 describes Commercial Parking uses. See the Commentary for Section 33.510.118.F5.

The development standards described in **Section I** are intended to assure that the district is enhanced by new development in the place of existing buildings.

Provision I .1 requires that significant single-project development of commercial space in excess of today's RX zone allowance of 20 percent by right / 40 percent through Conditional Use can only occur if the Map 510-14 area has had an increase in residential space since the beginning of 2002. The mathematical formula compares new residential to new nonresidential space; new nonresidential development can take place only if the balance is positive. These provisions hold sway on about sixty percent of the district's parcels; the other parcels ("underdeveloped sites") are allowed nonresidential development by right.

Provision I .2 assures that new development will not include surface parking, which throughout the planning process has been said to be holding the district back.

Subsection J applies only to "Type C" or housing sites. Under today's RX zone regulations, buildings on these sites may be demolished, but redevelopment must meet the RX minimum density requirement (1 housing unit per 500 square feet of site area). Subsection J allows a new option: through housing mitigation, new nonresidential development may occur on the site. Housing mitigation may include any of the options J1 through J3, which include:

- housing built as part of redevelopment (the site can be anywhere in the Central City);
- the donation of a site for housing development by an entity with a commitment to affordable housing; and
- existing units refurbished and preserved, at a rate of two units per unit demolished.

Option J.1 sets the parameters for housing built as part of the proposed development. This method is allowed today in the RX zone – joint development proposals may meet residential requirements, even if they are not in close proximity. These provisions are strengthened to stipulate that the number and unit-affordability must be replaced in the new building.

Central City Plan District Chapter 33.510.118, continued

7. Commercial Parking is subject to Central City Parking Review.
8. Rail Lines And Utility Corridors are a conditional use;
9. Uses and amounts of uses not specifically listed in this subsection are prohibited.

I. Development standards. The development standards of this subsection must be met when required by subsections G or H.

1. Mixed-use character. The following formula is used to determine the maximum square footage of non-residential development allowed on the site:

(Residential net floor area developed in the area shown on Map 510-14 since January 1, 2002) minus (Non-residential net floor area developed in the area shown on Map 510-14 since January 1, 2002) equals the maximum non-residential net floor area allowed on the site. Net floor area is considered to be "developed" when an occupancy permit has been issued.

If the result of the calculation is zero or a negative number, no non-residential net floor area is allowed on the site;

2. No surface parking. Surface parking on the site is prohibited. All existing surface parking on the site must be removed as part of the proposal; and
3. Active ground floor uses. The proposed development must meet the requirements of Section 33.510.225, Ground Floor Active Uses. Parking is not allowed in portions of a building that are required to meet this standard.

J. Housing mitigation. The standards of this subsection must be met when required by subsection H. The applicant must mitigate for the lost housing using one of the three methods in this subsection:

1. Method 1: Replace the housing as part of the proposed development, as follows.
 - a. The development proposed for the site must include at least the same number of dwelling units as existed on the site on January 1, 2002;
 - b. The development proposed for the site must include at least the same amount of square footage in residential use as existed on the site on January 1, 2002; and
 - c. There must be a covenant for the dwelling units and square footage used to meet this provision; the covenant must meet the requirements of Paragraph J.4;

Central City Plan District Chapter 33.510.118, continued

Option J.2 allows the donation of a developable site in exchange for higher nonresidential development on the housing site proposed for demolition. Because scarcity of available parcels is such a constraint in West End development, this option is seen as a way to encourage new development of improved housing. The site must be on the west side of the river, in an effort to minimize potential displacement distances. The Portland Development Commission and Housing Authority of Portland are designated as the site controllers to assure that the sites will be built with at least the same number of units and site affordability as the site proposed for demolition.

Option J3 allows removal of housing if other affordable housing is preserved at a 2:1 ratio. The existing affordable housing in the West End is very much at risk. Gentrification combined with modest building sizes and the advanced age of much of the area's existing housing threatens the preservation of the affordable housing in the area.

Provision J4 ensures the affordability and availability of the housing units provided through options J1, J2, and J3.

Central City Plan District Chapter 33.510.118, continued

2. Method 2: Donate another site for residential development, as follows.
 - a. The donated site must be at least 5,000 square feet in area, or at least half the size of the area of the site proposed for development, whichever is larger;
 - b. The donated site must be within the Central City plan district and west of the Willamette River; and
 - c. The site must be donated to the Portland Development Commission (PDC). PDC will ensure that the donated site is developed to replace both the number of dwelling units and the residential square footage lost through the proposal. PDC will also ensure that the dwelling units will be affordable to households earning less than 60 percent of median family income for the region, and that the units will remain so for at least 60 years;
3. Method 3: Ensure preservation of existing affordable housing, as follows:
 - a. For each dwelling unit that existed on the site on January 1, 2002, two existing dwelling units must preserved as specified in this paragraph;
 - b. The units to be preserved must be in the West End subarea of the Downtown subdistrict; and
 - c. There must be a covenant for the dwelling units used to meet this provision; the covenant must meet the requirements of Paragraph J.4;
4. Dwelling unit preservation and affordability. Where required by this subsection, the property owner must submit a letter from the Portland Development Commission (PDC) certifying the following. The letter must be included with the development application, except for situations described in Subsection 33.510.118.D, where the letter must be included with the application for a demolition permit.
 - a. That the owner has executed a covenant with the City that complies with the requirements of Section 33.700.060;
 - b. That the covenant ensures that:
 - (1) The dwelling units will be affordable to households earning less than 60 percent of median family income for the region, and that the units will remain so for at least 60 years; and
 - (2) The dwelling units will be preserved for at least 60 years.

Maximum Allowable Floor Area Ratio Bonus (including bonuses and transfers)

Paragraph B3, which applies to the northwest corner of the West End, creates a building height and bulk differential between fully commercial development and that including residential units. This difference is intended to make residential development more economically appealing in relation to commercial development. If the expected return on investment is similar between commercial and residential development (today, commercial development is more lucrative and somewhat simpler in terms of property management), then even though the area's nonresidential development regulations have been made less restrictive, the economic playing field between the two types of development is being made more level.

Specifically, the amendment to floor area ratio standards creates different FARs for nonresidential, at 6:1 FAR, and mixed-use or residential development, at 9:1 FAR. With bonuses, non-residential buildings can achieve a maximum 9 to 1 FAR. Residential and mixed-use buildings can achieve a maximum 12 to 1 FAR. Further, to assure that new development in the area is urban in nature, a minimum 2:1 FAR is established. Map 510-2 portrays the maximum floor area ratio regulations.

The desired urban design outcome of this strategy is that occasional office buildings may reach about twelve stories, interspersed with narrow residential towers that reach much higher. Mixed-use buildings might combine the forms, with outcomes not dissimilar to the KOIN Tower. Typically, office development is constructed with about 22,000 square foot floorplates. In contrast, residential development, where more perimeter and window space are desired per square foot, is often is built with floorplates less than half that size. The buildout scenario is for air and light as an attractive feature above 150 feet, with associated views that can encourage the construction of middle and upper income residential units.

Ordinance 176024 adopted Subsection C changes for the portion of the district south of SW Salmon Street. Floor area ratio is allowed to be as high as 12:1, but no higher. Achievable bonuses, therefore, are higher, as all other Central City subdistricts cap the achievable bonuses at 3:1. It is important to note that this maximum 12:1 FAR includes the base FAR, the bonused FAR, and any FAR transferred from another site.

Maximum Allowable Floor Area Ratio Bonus (including bonuses and transfers)

33.510.200 Floor Area Ratios

[A. **Purpose.** No change]

B. Floor area ratio standards.

1. Generally. The maximum floor area ratios for all sites in the Central City plan district are shown on Map 510-2 at the end of this chapter. Floor area ratios greater than shown on Map 510-2 are prohibited unless allowed by Subsections D., or E., below, or by 33.510.210.
2. Goose Hollow. The minimum floor area ratio for all sites in the Goose Hollow subdistrict is 1 to 1.
3. Specified sites in the West End Subarea. In the area shown on Map 510-14, the following regulations apply:
 - a. Maximum. The maximum floor area ratio is 6 to 1. If at least 33 percent of floor area is in residential use, the maximum floor area ratio is 9 to 1.
 - b. Minimum. The minimum floor area ratio is 2 to 1.

C. Limit on increased floor area. ~~In situations where FAR increases are allowed, increases more than 3 to 1 above those shown on Map 510-2 are prohibited~~

1. Generally. In situations where FAR increases are allowed, increases more than 3 to 1 above those shown on Map 510-2 are prohibited, except as allowed in subparagraph C.2;
2. In the portion of the West End subarea that is not shown on Map 510-14, the following applies. In situations where FAR increases are allowed, there is no maximum on the amount of bonus floor area that may be earned. However, the total floor area on a site, including bonus floor area and transferred floor area, may not be more than 12 to 1. Adjustments are prohibited.

[D. and E. - no change]

Transfer of Floor Area Option

This option allows residential building owners to sell their unused floor area development rights to other landowners, thereby reducing pressure for redevelopment, and allowing additional development potential.

Concern about the viability of West End privately owned affordable housing has spurred interest in provisions that will help protect that housing. Transfer of unused floor area ratio (FAR) potential from sites that are built at much lower scale than today's FAR regulations allow reduces market pressure for removal of existing buildings.

To help implement the No Net Loss of Affordable Housing resolution adopted by Council in August 2001, Council moved on January 10 to make this transfer of development rights option applicable to the entire Central City plan district. Two FAR bonuses received similar attention. Each of these is intended to increase the attractiveness of preserving existing or building new affordable housing.

Most residential buildings in the West End, both in the RX and CX zones, are "underbuilt" according to today's FAR development potential. Newer residential buildings in areas such as the South Auditorium or the Pearl District, are built closer to their allowed FARs. Considerable concern has been expressed about the need to limit the redevelopment pressures on West End residential buildings.

Transfer of Floor Area Option

33.510.200 Floor Area Ratios

F. Transfer of residential floor area.

1. Purpose. Transfer of floor area ratio potential from sites occupied by residential development is allowed in order to reduce market pressure for removal of existing housing.
2. Allowable floor area transfers.
 - a. The owners of qualifying sites may transfer the rights to their unused floor area potential. The rights to the floor area may be used anywhere in the Central City plan district.
 - b. Floor area transferred to a site is limited to that allowed by 33.510.200.C.
 - c. The sending residential property owner must execute a covenant with the City which reflects the decrease of potential floor area. The covenant must require future continuation and maintenance of the housing in conformance with the standards of this subsection. The covenant must meet the requirements of 33.700.060.

Maximum Building Height

As described in Section 33.510.200, Resolution 36037 creates a differential building height and bulk between commercial and residential or mixed use. Subsection F implements this change. Today's maximum building height in the area is 350 feet, with bonuses available to extend potential height to 425 feet. Changes to Map 510-3 amend heights for nonresidential development to 150 feet, with up to 175 feet of additional height (to 325 feet maximum) for residential development.

Section 33.510.200 commentary further describes these concepts.

Maximum Building Height

33.510.205 Height

- A. **Purpose.** (no change)
- B. **The height standard.** The maximum building height for all sites in the Central City plan district is shown on Map 510-3 at the end of this chapter. Heights greater than shown on Map 510-3 are prohibited unless allowed by Subsections C. through ~~E.~~ F. below or by 33.510.210.D ~~, E., or F.~~
- C. **Performance standard for sites adjacent to designated open spaces.** (no change)
- D. **Performance standard for sites adjacent to historic districts.** (no change)
- E. **Open space height transfers.** (no change)
- F. **Height standard for housing on specified sites in the West End subarea.** In the area shown on Map 510-14, building heights 175 feet higher than shown on Map 510-3 are allowed if all the floor area constructed above the limits shown on Map 510-3 is used exclusively for housing.

Large Housing Units Bonus Option

This bonus option promotes the construction of larger housing units. Larger residences, especially those with two or more bedrooms, are likely to find a market with larger households or households of middle incomes. This bonus is intended to foster two-bedroom housing units. These are much more likely to entice larger and/or middle-income households than are smaller, one bedroom or studio units. Because the administration of a minimum-bedroom rule is difficult, a square footage minimum was chosen, instead.

A two-bedroom unit of comfortable proportions is difficult to squeeze into a floorplate smaller than 750 square feet. This minimum qualifying unit size is the threshold beyond which bonus floor area is achieved, at a rate of one to one. Developers looking to qualify for this bonus must propose larger housing units, and then must pledge through a Covenant with the City that these units will remain as they were described during the permitting process – large single units may not be divided in the future.

Middle-income Housing Bonus Option

Considerable West End discussion has centered on the district's limited middle-income housing stock. The West End has very few larger or middle-income households. In a real sense, floor area ratio (FAR) bonuses that encourage middle-income housing represent an opportunity to create a vibrant, diverse, and economically attractive neighborhood.

This option creates incentives for middle-income households and can also be applied to the development of affordable housing. It rewards the development of such units with additional floor area. Like the transfer of floor area provisions (33.510.200.F) discussed earlier, Council expanded the area of applicability for the use of this bonus to the Central City plan district. This action provides new incentives for the provision of affordable housing throughout the Central City.

Subsidies are available for the construction of housing affordable to households earning 80 percent of area median family income (MFI) and below. The true cost of building residential units begins to get recouped at approximately the 150 percent MFI level – the market is building housing for persons at this income level. But a gap exists between 80 and 150 percent of MFI – neither subsidies nor the market can provide housing to this demographic. Encouraging new housing that caters to this income level is likely to reduce the pressure for conversions of existing affordable housing units.

Large Housing Units and Middle-income Housing Bonus Options

33.510.210 Floor Area and Height Bonus Options

[A. and B. – no change]

C. Bonus Floor Area Options.

[1. through 10. – no change]

11. Large dwelling unit bonus option. In the West End subarea, new development with dwelling units larger than 750 square feet receive bonus floor area. Where a dwelling unit is larger than 750 square feet, each square foot over 750 square feet earns a bonus of one square foot. For example, if a building includes one 700 square foot unit, one 900 square foot unit, and one 950 square foot unit, a bonus of 350 square feet will be earned. To qualify for this bonus option, the property owner must execute a covenant with the City ensuring that the units used for bonuses will not be reduced in size. The covenant must comply with the requirements of Section 33.700.060.

12. Middle-income housing bonus option. Housing for middle-income residents receives bonus floor area. For each square foot of floor area certified by the Portland Development Commission, three square feet of bonus floor area is earned. To qualify for this bonus, the proposed development must meet all of the following requirements:

- a. The applicant must submit with the development application a letter from the Portland Development Commission (PDC) certifying that at least 30 percent of new dwelling units in the proposed development will be affordable to those earning no more than 150 percent of the area median family income;
- b. The property owner must execute a covenant with the City that complies with the requirements of 33.700.060. This covenant must ensure that:
 - (1) Rental units used for this bonus will remain affordable to those earning no more than 150 percent of the area median family income for at least 60 years after an occupancy permit is issued; and
 - (2) Units for sale used for this bonus will be initially sold at a price that is affordable to those earning no more than 150 percent of area median family income.
- c. Residential portions of mixed-use projects using this bonus must be completed and receive an occupancy permit in advance of or at the same time as an occupancy permit for any nonresidential portion of the project.

Small Development Site and Affordable Housing Fund Bonus Options

One of the disincentives to redevelopment in the West End is a pattern of ownership comprised largely of small parcels (20,000 square feet and less). The difficulty of assembling multiple ownerships into a single development site for a larger project is among the reasons the West End has not had redevelopment of the type experienced in the Pearl District immediately north.

Quality new development on small infill sites may be the key to West End vitality. This bonus option allows the developer of a small lot(s) to overcome some of the limitations small sites have (especially the "sunk" costs of all redevelopment that include elevators, shafts, and stairways, and often, provisions for vehicle parking and ramps) by building more square footage to spread the sunk costs over more revenue-producing floor area.

Today an economic gap exists between the feasibility of frame construction of up to six stories and steel and concrete construction, which is difficult to justify under about eleven stories. This FAR bonus would help to bridge that gap by allowing greater floor area and, by extension, greater achievable building height.

Affordable Housing Fund Bonus

This provision responds to the risk of loss of affordable housing by offering a floor area ratio bonus that can be purchased through contribution to an affordable housing replacement/upgrade fund. Contributions earn additional square footage for new development, to a maximum of two square feet per square foot of site area.

In adopting this FAR bonus on January 10, 2002, Council extended this bonus option to apply to all of the Central City plan district. This action helps to implement the No Net Loss of Affordable Housing resolution passed in August 2001.

The contribution amount (\$10 per square foot purchased) is derived from recent West End real estate transactions, which have averaged near \$60 per square foot in areas with 6:1 floor area ratios. This translates to a value of \$10 per developable square foot. Therefore, a \$10 per developable bonus square foot contribution is required in using this bonus. To compensate for inflation over time, the \$10 figure is in year 2000 dollars, and is tied to the Consumer Price Index (CPI). This is a very conservative approach, as land has appreciated much more rapidly than has the CPI.

Small Development Site and Affordable Housing Fund Bonus Options

33.510.210 Floor Area and Height Bonus Options

[C. Bonus Floor Area Options, continued].

13. Small development site option. In the West End subarea, developments on small development sites receive floor area bonuses. To qualify for this bonus, the development site must be 15,000 square feet or less. The development site is all of the lots, lots of record, and plots proposed for the development, including accessory uses. Lots, lots of record, and plots that are under the same ownership, and that are vacant or used for surface parking, and that about those proposed for the development are included in the development site.

The amount of the bonus varies with the size of the development site, as follows:

- a. Where the development site up to 5,000 square feet, the FAR is increased by 1.5;
- b. Where the development site is larger than 5,000 square feet and up to 10,000 square feet, the FAR is increased by 1.0;
- c. Where the development site is larger than 10,000 square feet and up to 15,000 square feet, the FAR is increased by 0.5.

14. Affordable Housing Replacement Fund bonus option. Contributors to the Affordable Housing Replacement Fund (AHRF) receive floor area bonuses. For each \$10 in 1990 dollars contributed to the AHRF, one square foot of bonus floor area is earned, up to a maximum of two square feet per square foot of site area. To qualify for this bonus, the following requirements must be met:

- a. The applicant must submit with the development application a letter from the Portland Development Commission (PDC) documenting the amount, in current year and 1990 dollars, that has been contributed to the AHRF;
- b. The bonus floor area may be used only in the Central City plan district.
- c. The Affordable Housing Replacement Fund is to be collected and administered by the Portland Development Commission (PDC). The funds collected may be used only within the Central City plan district, either for acquisition, rehabilitation, remodeling or construction of housing affordable to those households earning no more than 60 percent of area median income.

Underground Vehicle Parking Bonus

This provision allows bonus floor area for a project if it incorporates underground parking. The provision cannot be used unless 100 percent of parking is located underground. One caveat applies: because constructing parking structures, either above or below grade, sometimes leaves small "useless" spaces behind storefronts and adjacent to vehicle ramps, this provision allows as many as one space per 5,000 square feet of site area to be on the ground level, *as long as neither the space nor a vehicle within it are visible from the right-of-way.*

A bonus of two square feet for every square foot of underground parking will help offset the high cost of constructing underground parking spaces (approximately \$28,000 per space, compared with approximately \$18,000 per space in above-ground parking structures, or around \$1,000 to \$3,000 for a surface parking space).

To qualify for this bonus, provisions 15a and b direct that all parking must be below grade. On sloping sites, this means that parking adjacent to the higher portions of a block may actually be above the grade of the lower portions of the block. For example, the Zoning Code's definition of grade would allow a development like downtown's PacWest building to include ramps and parking spaces on its SW Sixth Avenue side, even if they were above the SW Fifth Avenue grade.

Underground Vehicle Parking Bonus

33.510.210 Floor Area and Height Bonus Options

C. Bonus Floor Area Options.

15. Below-grade parking bonus option. In the West End subarea, where parking on the site is located below grade, a bonus of two additional square feet of floor area is earned for each square foot of below-grade parking. To qualify for this bonus, the following requirements must be met:

- a. Except as allowed by subparagraph C.15.c, all parking on the site must be below grade. This includes both commercial and accessory parking;
- b. Where accessory parking is off-site, it must be below grade; and
- c. One parking space per 5,000 square feet of site area may be on the ground floor of the building if both the parking spaces and any vehicles parked there are completely screened from all adjacent rights-of-way. These spaces do not qualify for bonus floor area.

[D. and E. - no change]

Ceiling Heights Bonus

Relatively small residential units are being built in the West End and elsewhere to meet the demands for affordable housing. These units, often smaller than 600 square feet, are improved dramatically by extra ceiling height. In locations where maximum building heights are relatively low, the number of units and floors that are necessary to ensure financial feasibility dictates an eight foot floor-to-ceiling height. Allowing and encouraging greater ceiling heights within these units will enhance their livability and help to attract a more varied mix of incomes among Central City households.

Specifically, this provision allows each floor in 100 percent residential use to accrue one foot of bonus height for each foot of ceiling height greater than eight feet. A maximum of four feet of bonus height per floor may be gained. Bonus height may be gained only in areas that allow the use of height bonuses (see provision # 2, maximum building heights, for a map of these areas).

On floors where the applicant seeks this height bonus, at least 75 percent of ceiling square footage must be of the greater height. Elevator lobbies and corridors are not required to have the greater ceiling height - only spaces within residences are counted, but the bonus is allocated to the entire floor.

Ceiling Heights Bonus

33.510.210 Floor Area and Height Bonus Options

F. Bonus height option for high ceilings in the West End. In the West End subarea, proposals where any of the residential floor-to-ceiling heights exceed 8 feet receive bonus height. Each floor that has a ceiling height of more than 8 feet may receive up to four feet of bonus height; for each foot of floor-to-ceiling height over 8 feet, an additional foot of height is allowed above that shown on Map 510-3. To be eligible for this bonus, the floors where this bonus is earned must be in residential use, and at least 75 percent of ceiling square footage must qualify for the bonus that is being sought.

For example, the height bonus for a ten story, totally residential building where 3 floors have 10-foot ceilings (3x2=6), two floors have 12-foot ceilings (2x4=8), two floors have 14-foot ceilings (2x4=8) and three floors have 8-foot ceilings (3x0=0), the height bonus allowed would be 22 feet.

Provisions from Northwest Transition Area Zoning Project

On November 21, 2001, Council expressed an interest in considering the southward extension of recently-adopted provisions that govern building activity north of West Burnside Street. The provisions had been adopted as part of the Northwest Transition Zoning Project in August 2001. The project had been initiated in part as a response to:

“ . . . community concerns over the impacts of an emerging type of land use and development, telco hotels, and the relationship of this type of land use to the newly developed Portland Streetcar.” (NWTZP, August 2001)

Each of these issues also applies in the West End, where the streetcar runs the length of both SW Tenth and Eleventh avenues. Council extended each of these provisions into the West End on January 10, 2002.

Section 33.510.221 is designed to prevent blank walls that are typical of inactive uses such as “telco hotels” and warehouses. Requiring windows promotes spaces that are useable for residential, office and other active uses.

Section 33.510.224 is designed to reduce the visual and noise impacts of mechanical equipment in areas that allow a mix of residential, commercial and industrial uses to protect the residential livability, economic vitality and appearance of these areas.

The regulation emulates the base zone requirements for screening of mechanical equipment in relation to residential uses, but applies the screening requirements to all sites. The regulations work to limit the visual impacts of large areas of ground level equipment. The regulation also minimizes large exterior equipment areas by requiring that mechanical equipment areas over 500 square feet, or three percent of site area up to 1,000 square feet, be enclosed in a building. A typical two-megawatt generator requires an enclosure of approximately 350 to 490 square feet, and is capable of providing emergency power to a 300,000 square foot office building.

Functionally, this regulation is implemented through a change to Map 510-11: today's area of applicability is extended south from West Burnside to SW Market streets between SW Ninth and 12thth avenues. Three blocks surrounding the MAX light rail line are also added.

Provisions from Northwest Transition Zoning Project

33.510.221 Required Windows Above the Ground Floor.

- A. Purpose.** Windows on building facades above the ground floor ensure opportunities for active uses, contribute to the skyline, and add interest to the built environment in the area near the streetcar alignment.
- B. Where this regulation applies.** The regulation of this section applies to sites shown on Map 510-12.
 - 1. In the River District, the regulation applies to the portion of a site within 200 feet of a streetcar alignment, if the site is in the EX Zone and in the River District. See Map 510-12.
 - 2. In the West End, the regulation applies to the portion of a site within 200 feet of a streetcar alignment.
- C. Standard.** Windows must cover at least 15 percent of the area of street-facing facades above the ground level wall areas. This requirement is in addition to any required ground floor windows. Ground level wall areas include all exterior wall areas up to 9 feet above the finished grade.

33.510.224 Mechanical Equipment in the River District along the Portland Streetcar Alignment

- [A. **Purpose.** - no change]
- B. Where these regulations apply.** The regulations of this section apply to sites shown on Map 510-11.
- [C. **Screening and enclosure.** - no change]

Provisions from Northwest Transition Zoning Project, continued

Section 33.510.225 is intended to encourage new development that enhances the pedestrian environment and is supportive of the transit function of the streetcar. Requiring spaces that are built to accommodate ground floor active uses, combined with regulations for minimum active floor area and minimum window areas, provides opportunities for active uses and limits the ability to establish telco hotels.

Section 33.510.226 requires a minimum of fifty percent of floor area in an active use, within one block of the Portland Streetcar. It is intended to prevent development of single-purpose "telco hotels" and other completely inactive land uses. Active uses are desirable along the streetcar alignment to support transit and neighborhood livability.

Today, the Zoning Code language that implements *Central City Transportation Management Plan* provisions (Subsection 33.510.263.G5 a through c) regulates buildings where parking occupies more than fifty percent of the gross building area of a structure. Such buildings are not allowed along and within 100 feet of the Transit Mall, and on the blocks between the MAX light rail alignment on SW Morrison and Yamhill streets.

Provisions from Northwest Transition Zoning Project, continued

33.510.225 Ground Floor Active Uses

(A. through D. – no change)

E. Parking restriction near a streetcar alignment.

1. Purpose. This provision is 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. Regulation. 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 ~~areas~~ the portions of a building that are required to meet the ground floor active use standard of subsection C., above.

33.510.226 Minimum Active Floor Area

[A. through C. – no change. Changes implementing this section are found on Map 510-7.]

Demolitions

In the West End's northwestern corner (north and west of SW Salmon Street and 11th Avenue), applicants seeking nonresidential redevelopment on Type C sites must gain Conditional Use approval prior to the demolition of an existing Type C building. The Demolition provisions are shown on the right.

Demolitions

33.510.242 Demolitions

- A. Landscaping.** In R, C, and E zones, sites must be landscaped within 6 months of the demolition of buildings unless there is an approved development for the site. Approved development means a project approved through design review in design zones, and issuance of a building permit outside of design zones. The landscaping must meet at least the L1 standard of Chapter 33.258, Landscaping and Screening, except that no shrubs or trees are required.
- B. Replacement of demolished ground floor area.** In R, C, and E zones, if a building is demolished after September 1, 1994, the square footage of the ground floor of the demolished building must be replaced as follows. Adjustments to the requirement of this Subsection are prohibited.
1. In the Core Area, as shown on Map 510-8, the square footage must be replaced on the same block as the demolished building. This replacement must occur before or at the same time as any other development or redevelopment on the block, other than landscaping.
 2. Outside the Core Area, as shown on Map 510-8, the square footage must be replaced on the same site as the demolished building. This replacement must occur before or at the same time as any other development or redevelopment on the site, other than landscaping.
- C. Demolition on Type C sites .** If an applicant requests a demolition permit for a Type C site as shown on Map 510-14, and proposes development that requires compliance with subsections 33.510.118.I or J, a conditional use, or a Central City Parking Review (CCPR), the application for a demolition permit must include documentation that the requirements of those subsections are met, or that the required land use review has been approved.

Relocation of “Undedicated General” parking spaces

The *Central City Transportation Management Plan (CCTMP)* regulates the number and type of parking spaces in an effort to regulate the demand for automobile travel to, within, and from the Central City. *CCTMP* provisions classify each parking space as one of six different parking types.

Today, if a surface parking lot with Undedicated General parking is redeveloped, the Undedicated General spaces go into the Preservation Parking Reserve. The spaces may be rebuilt only as Preservation Parking spaces.

The Planning Commission's strategy is to remove the regulatory barriers to the redevelopment of surface parking lots. The amendment creates new flexibility for the relocation of Undedicated General Parking spaces. It applies solely to the West End, or approximately 14 percent of the area the *CCTMP* governs. Allowing relocation of Undedicated General Parking spaces will remove a significant obstacle to the redevelopment of surface commercial parking lots. Given the profitability of Undedicated General Parking spaces, the prohibition on their transfer makes redevelopment difficult for owners to justify economically. Removing this obstacle will spur West End redevelopment.

Moving surface parking spaces to new parking structures will free up redevelopable land. If the surface lot is in the RX zone, new West End housing will result on these sites. Residents in these new buildings will have opportunities for walking, bicycling, or riding transit to work, resulting in fewer vehicle miles traveled, and lower emissions.

Because of the complex reasons for the relationship between Undedicated General and Preservation Parking, coupled with DEQ's concerns, reconsidering the regulations for the entire Core Area was considered to be inappropriate in the context of this project. However, adopting this amendment just for the West End subarea allows us to test another approach, which will yield valuable information—and options—when the *CCTMP* is updated.

Relocation of “Undedicated General” parking spaces

33.510.263 Parking in the Core Area

[A. through F. – no change]

G. All parking. The regulations of this Subsection apply to all parking.

[1. through 3. – no change]

4. Surface Parking Lots.

[a. and b. – no change]

c. Redevelopment of surface parking lots. When development occurs that removes parking spaces in surface lots, the parking spaces will automatically be added to the Parking Reserve except as provided in Subparagraph G.4.d ~~and e~~ through g below.

[d. and e. – no change]

f. West End subarea. Undedicated General parking spaces removed from a surface parking lot in the West End subarea will not automatically be added to the Parking Reserve if they are relocated as allowed by this subparagraph. Undedicated General parking spaces may be relocated if all elements listed in this subparagraph are met. Adjustments to this subparagraph are prohibited. The Undedicated General spaces may be relocated in a structure and continue to be operated as Undedicated General parking. Central City Parking Review is required for the structure where the parking spaces are relocated.

(1) The parking spaces to be removed are Undedicated General parking on a surface parking lot in the West End subarea;

(2) The parking spaces will be relocated in a structure within the West End subarea. Spaces that are not relocated in a structure within five years of their removal from a surface parking lot will be added to the Parking Reserve and will not be available for Undedicated General parking. Where a CCPR has been approved for the relocated spaces, those spaces will not be added to the Parking Reserve unless the spaces are not built and the CCPR expires.;

(3) The owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that the spaces on the surface lots will not be used for parking after the date the structure with the relocated parking is occupied.

(4) Since February 1, 2002, the total number of spaces relocated under the provisions of this subparagraph, plus the spaces requested, does not exceed 750 spaces. The number of spaces relocated includes:

- Spaces that have been relocated into structures; and
- Spaces that have been approved through a Central City Parking Review that is not expired.

(5) No more than 250 Undedicated General parking spaces may be relocated to any single structure.

(6) Structures containing any relocated Undedicated General parking must meet the Ground Floor Active Use area standard of subsection 33.510.225.C.

Parking Space Bonus: Underground Parking

This proposal's origins are in West End City Council public testimony. On November 21, 2001, City Council endorsed a parking space bonus concept with the intention that the bonus be provided throughout the Central City plan district. Unlike the other development incentives in this document, this bonus awards *parking spaces* rather than bonus floor area, to encourage residential redevelopment in the West End.

In essence, the provision allows a greater number of flexible, profitable parking spaces to be operated beneath a new residential building, with an eye to producing a revenue stream that helps to compensate for the risk and debt incurred in redeveloping the existing surface parking lot. Under this provision, operators of surface parking spaces may rebuild their "Undedicated General" (see previous page) parking spaces underground. The "undedicated general" status is also retained (today, the rights revert to the Preservation Parking Reserve, for claim by the first applicant anywhere in the Downtown Core). Further, where all of the provisions are met, the number of qualifying existing spaces may be multiplied by 1.5.

To qualify for this bonus, all parking must be below grade. On sloping sites, this means that parking adjacent to the higher portions of a block may actually be above the grade of the lower portions of the block. For example, the Zoning Code's definition of grade would allow a development like downtown's PacWest building to include ramps and parking spaces on its SW Sixth Avenue side, even if they were above the SW Fifth Avenue grade.

Parking Space Bonus: Underground Parking

33.510.263 Parking in the Core Area, continued

- g. Residential redevelopment. Parking spaces removed from a surface parking lot will not automatically be added to the Parking Reserve if they meet all of the elements listed in this subparagraph. For each parking space removed that meets all elements of this subparagraph, a maximum of 1.5 spaces may be replaced on the development site as specified in this subparagraph. The spaces will still be considered Undedicated General Parking. The elements are:
- (1) The development site includes Undedicated General Parking on a surface parking lot. The development site is all of the lots, lots of record, and plots proposed for the development, including accessory uses. Lots, lots of record, and plots that are under the same ownership, and that are vacant or used for surface parking, and that about those proposed for the development, are included in the development site;
 - (2) The parking spaces are Undedicated General Parking on a surface parking lot;
 - (3) The proposed redevelopment will remove all surface parking from the development site;
 - (4) All of the Undedicated General Parking will be within the development site, in a structure, and below grade;
 - (5) Since February 1, 2002, the total number of parking spaces added under the provisions of this subparagraph, plus the spaces requested to be added, does not exceed 400 spaces. The added spaces are those built in addition to those that exist on the site. Example: 100 Undedicated General spaces are removed from a surface parking lot and, under the provisions of this subparagraph, 150 Undedicated General Parking spaces are included in the proposed development. The result is that 50 Undedicated General Parking spaces are added, and count against the limit of 400 spaces; and
 - (6) The proposed redevelopment will meet minimum density requirements for the RX zone.

[5. through 8. – No change.]

Parking in the Core Area: Ground Floor Spaces

This provision ensures that ground floor development may include vehicles adjacent to rights-of-way only under very limited circumstances. Several recent buildings include vehicle parking behind glassed-in storefronts. This provision allows parking in such areas in very limited number; only "leftover" spaces near ramps or garage entrances are likely to be practical.

Parking in the Core Area: Ground Floor Spaces

33.510.263 Parking in the Core Area

G. All parking. The regulations of this Subsection apply to all parking.

[5. through 8. – no change]

9. Parking in a building in the West End subarea. In the West End subarea, parking on the ground floor of a building is not allowed unless the requirements of this paragraph are met. Ground level includes any area less than 9 feet above grade that is not below grade. Where parking occupies more than 50 percent of the gross building area of a structure, the regulations of G.5, above, also must be met.

One parking space per 5,000 square feet of site area may be on the ground floor of a building if one of the following standards is met:

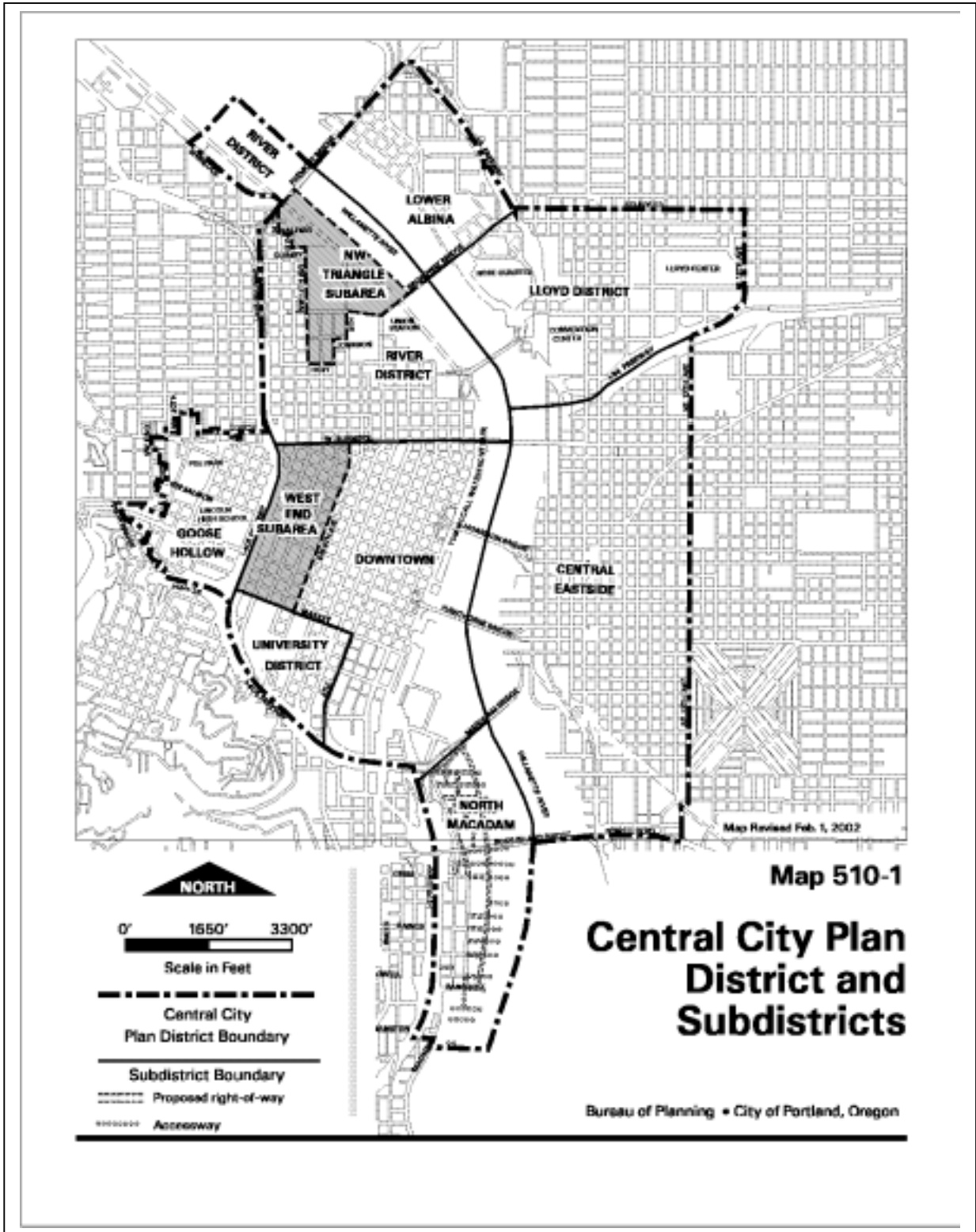
- a. The parking spaces and any vehicles parked in the spaces must be completely screened from all adjacent rights-of-way; or
- b. The parking spaces must be at least 20 feet from all property lines.

Map 510-1: West End Subarea

The regulatory proposal for the West End is largely predicated on creating a new West End subarea within the Downtown subdistrict. This action enables a series of West End-specific regulations, addressing parking, jobs, and housing issues, to be added to the Zoning Code. The new subarea is described in Map 510-1, at right.

As described in the preceding Policy section, the Central City Plan area contains several subdistricts, as well as a single "subarea" - the Northwest Triangle subarea. The West End is designated as a subarea because such a designation allows Downtown subdistrict regulations and policies to continue to apply in the West End, even following adoption of Planning Commission's recommendations for the district. Conversely, adopting the West End provisions as a subdistrict would necessitate replacing every "Downtown" reference with "Downtown and in the West End." Essentially, designating the West End as a subarea results in less Zoning Code complexity.

Map 510-1: West End Subarea



Map 510-2: Maximum Floor Area Ratio

Floor area ratios determine a building's bulk. In the West End, residential development is said to have been hindered by floor area ratios that are too low to justify market-rate residential projects.

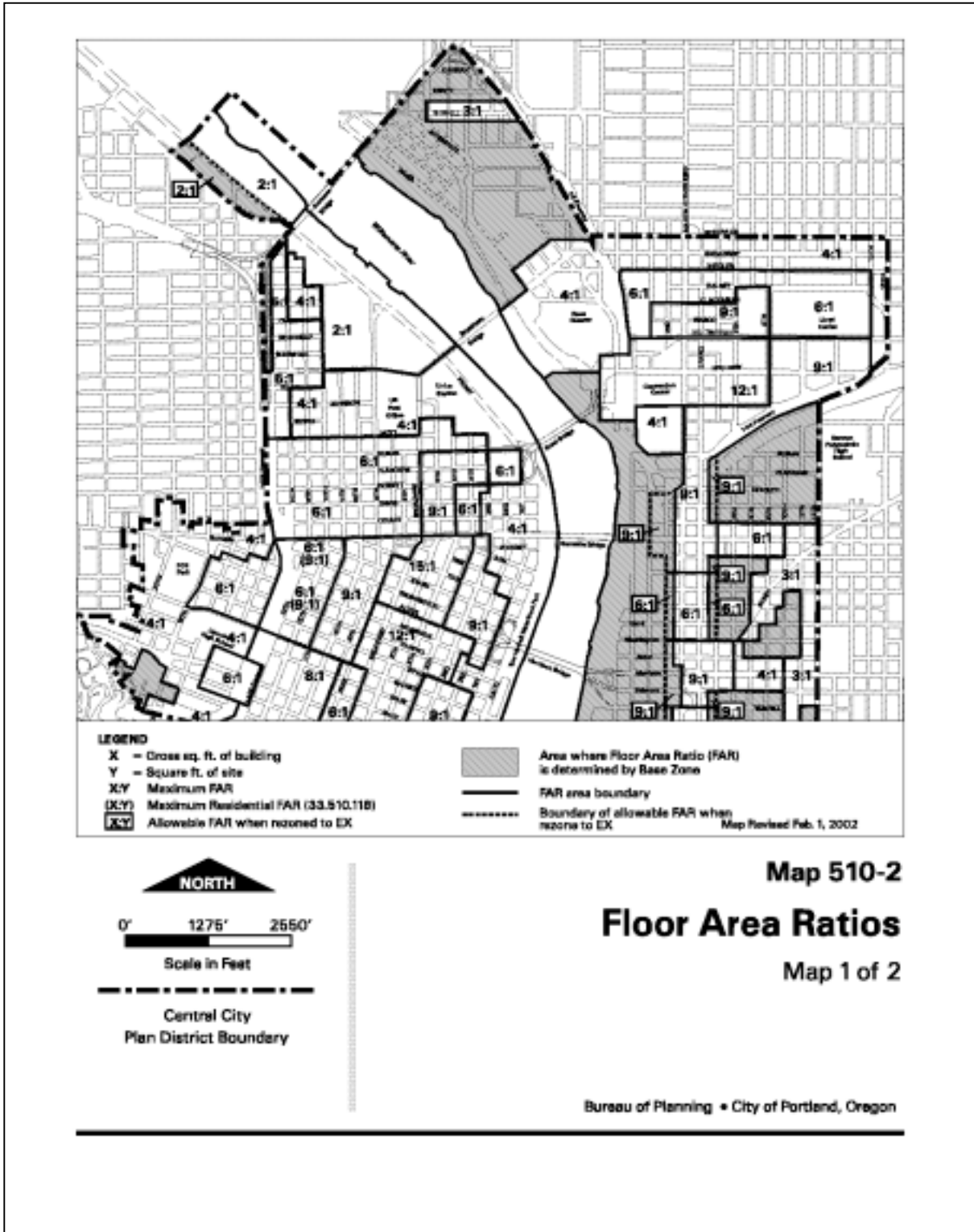
Contributors to the floor area ratio discussion have advocated for widely differing outcomes. The *West End Vision Plan* calls for doubling the base floor area ratios in the RX zone, from today's 6:1 to 12:1. Others have said the area's character and scale are among the most attractive West End attributes, and should be preserved to the extent possible.

Map 510-2 (opposite page) depicts the increase from 6:1 to 8:1 floor area ratio for the district's RX-zoned area south of SW Salmon Street. This change is based on the FAR that residential projects in the district today are trying to achieve. Both the Mosaic (SW 11th and Columbia) and the Museum Place (bounded by SW 10th and 11th avenues and Main and Columbia streets) projects approach FARs of 8:1. This slightly increases height and bulk allowances, but creates a realistic expectation for increased residential development over time.

Minor amendments to floor area ratio were adopted over the I-405 freeway in an effort to facilitate possible future freeway capping efforts. Similar minor amendments to the zoning map are proposed.

The floor area ratios in the northwest corner of the West End implement Resolution 36037. A new convention is employed – maximum FAR for nonresidential development is shown without parentheses. If all floor area above 6:1 (or 9:1 if bonuses or transfers are used) is devoted to residential use, the parenthetical figure is the maximum floor area. Subsection 33.510.200 commentary further describes these provisions.

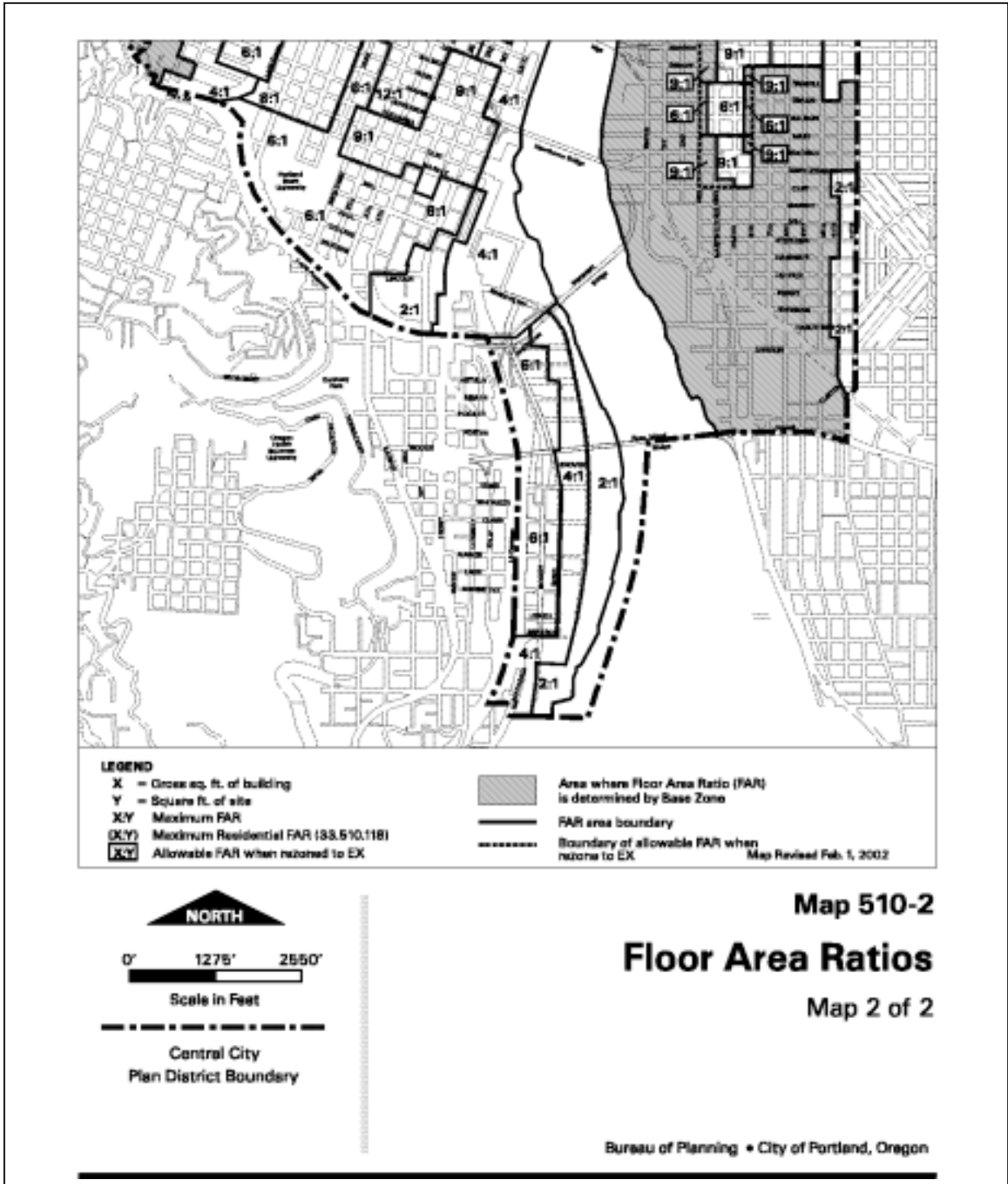
Map 510-2: Maximum Floor Area Ratio



Map 510-2: Maximum Floor Area Ratio, continued

The map at right completes the revisions to the Central City plan district's maximum FARs.

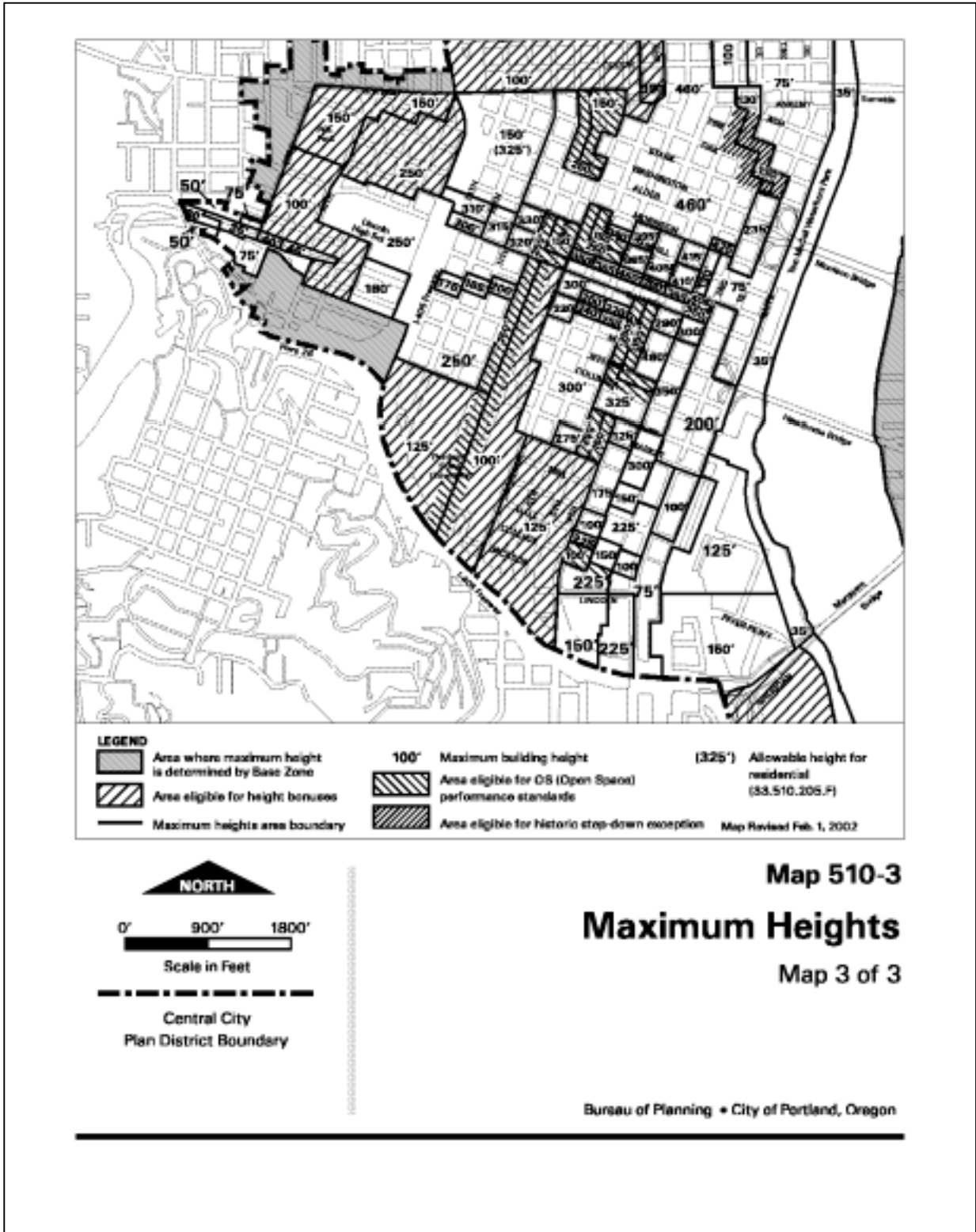
Map 510-2: Maximum Floor Area Ratio



Map 510-3: Maximum Building Height

Map 510-3 shows maximum building heights. Subsection 33.510.205 commentary describes the reasoning behind these changes, which apply only to the northwest corner of the district. Similar to proposed Map 510-2, a new convention is employed - maximum building height for nonresidential development is shown without parentheses. If all floor area above that height is devoted to residential use, the parenthetical figure is the maximum building height.

Map 510-3: Maximum Building Height



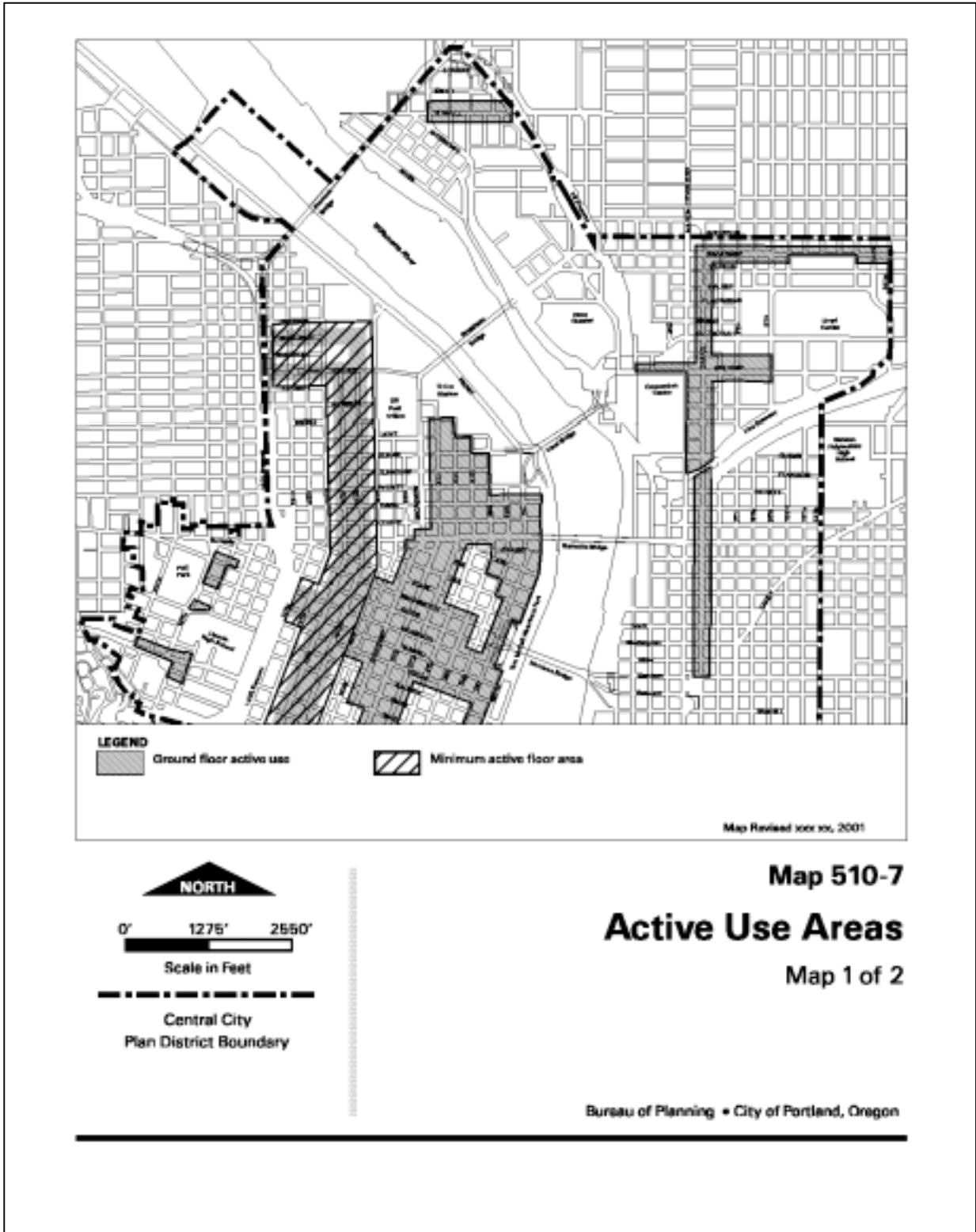
Map 510-7: Active Use Areas

The Northwest Transition Zoning Project provisions (33.510.221 through 33.510.226) also extend the boundaries depicted on Map 510-7. West End areas are amended to:

- Extend ground floor active uses to sites within 100 feet of Portland Streetcar and MAX alignments; and
- Extend minimum active floor area requirements to sites within 200 feet of Portland Streetcar and MAX alignments.

Because the West End Subarea is split between maps 1 and 2, both maps must be amended to implement the change.

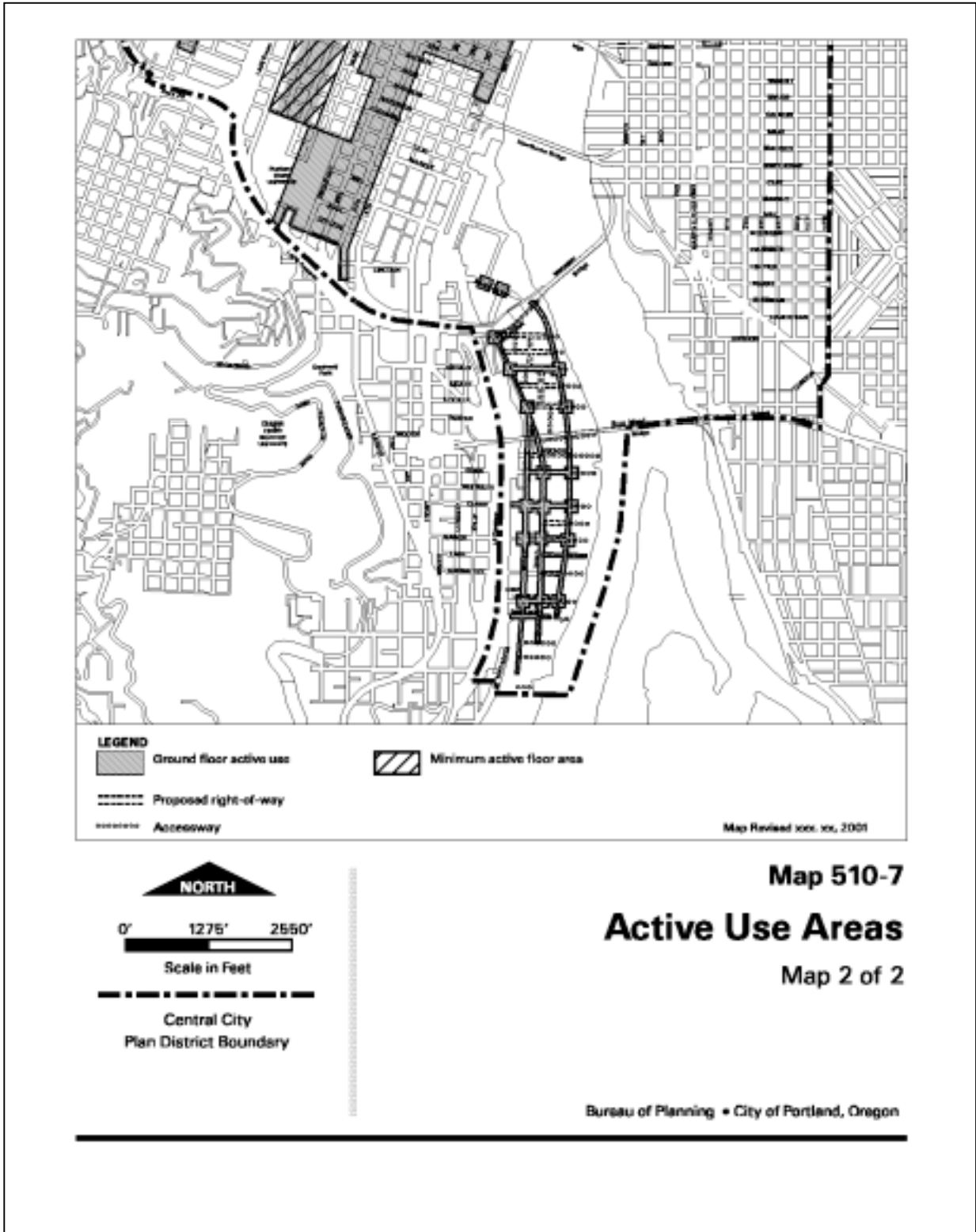
Map 510-7: Active Use Areas



Map 510-7: Active Use Areas, continued

The map at right portrays the same changes as described on the previous page to the southernmost portion of the West End.

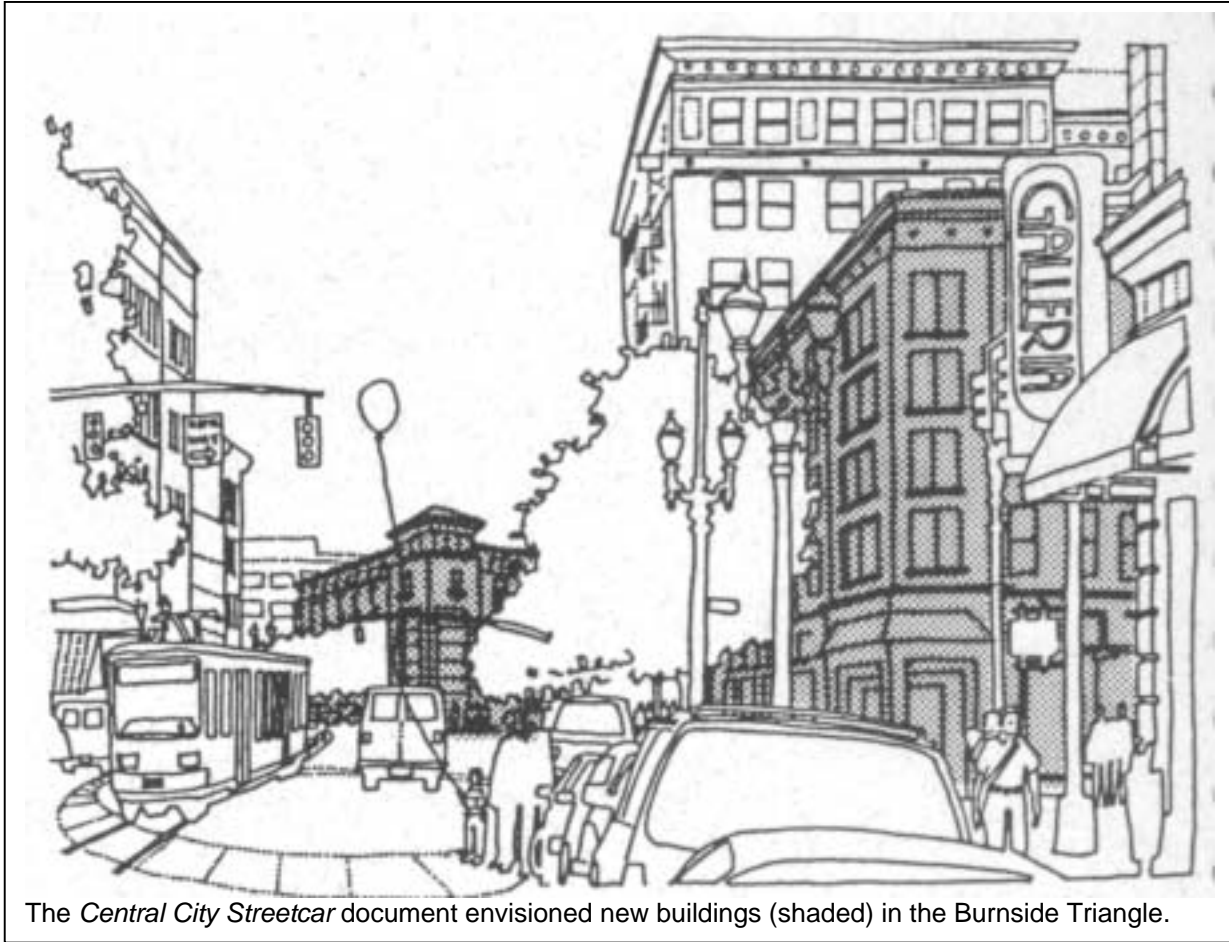
Map 510-7: Active Use Areas, continued



Map 510-11: Special Areas

The map at right implements Section 33.510.224 Zoning Code changes that limit mechanical equipment. For greater detail, refer to the commentary page for that provision.

Appendix



The *Central City Streetcar* document envisioned new buildings (shaded) in the Burnside Triangle.

SUBSTITUTE

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As Amended

ORDINANCE No.

* Adopt and implement the West End Policy as an element within the *Central City Plan* and the *Comprehensive Plan*, adopt and implement revisions to the Zoning Code and to the zoning and *Comprehensive Plan* maps to implement the West End Policy and establish an effective date. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In 1972, the City Council adopted the *Downtown Plan* covering a one square mile area bounded by the I-405 Freeway on the west and south, by the Willamette River on the east, and by Union Station and NW Hoyt Street on the north.
2. The *Downtown Plan* called for several areas of the downtown to be zoned to emphasize housing production. These areas included the area presently zoned Central Residential (RX) within the West End study area.
3. The City's *Comprehensive Plan* was adopted on October 16, 1980 by order of Ordinance No. 150580. The plan was acknowledged for compliance with *Statewide Planning Goals* on May 3, 1981. Since 1981, the *Comprehensive Plan* has been updated frequently. The *Downtown Plan* was incorporated by reference into the *Comprehensive Plan* at the time of the *Comprehensive Plan's* adoption through Policy 2.10, Downtown Portland. Policy 2.10 called for the continued implementation of the *Downtown Plan*.
4. In 1988, the City Council adopted the *Central City Plan* as an element of the Portland's *Comprehensive Plan* by order of Ordinance No. 160606. The *Central City Plan* incorporated the *Downtown Plan* by reference through the inclusion of Policy 14: Downtown. This policy calls for the ongoing maintenance and implementation of the *Downtown Plan*.
5. The *Central City Plan* has been updated from time to time as additional planning has been completed. The plan was updated with the adoption of a University District Policy and the River District Policy in 1995 through Ordinance No. 168702 and the incorporation of two new policies into the *Central City Plan*. In January 1996, the *Central City Plan* was updated again through the enactment of the *Goose Hollow Station Area Plan* through Ordinance No. 169699.
6. In 1996, the Council adopted the *Downtown Community Association Residential Plan* by order of Ordinance No. 170347. Within the adopting Ordinance, the Council found that the *Downtown Community Association Residential Plan* was consistent with the *Downtown Plan* and *Central City Plan*. The West End is within the boundaries of the plan. The *Downtown Community Association Residential Plan* calls for enhancing the West End of Downtown as a residential and mixed-use community.

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7. The "West End" is a term that describes the western edge of Portland's Downtown. This area described as the West End extends from SW Ninth Avenue west to the I-405 Freeway, and from the northern edge of Portland State University's campus at SW Market Street to West Burnside Street.
8. The 1972 *Downtown Plan* proposed designating much of this area for residential development with an allowance for ground floor retail and mid-rise office development. The West End's existing enclave of housing was to be reinforced and expanded to create walk-to-work opportunities. Office development was to be concentrated near the transit mall and, later, light rail alignment, as part of the City's strategy to improve air quality. These strategies were also intended to preserve affordable housing and to help create a 24-hour downtown, populated by workers and visitors by day and residents by night.
9. The Association for Portland Progress (APP) formed the West End Steering Committee (WESC) in 1997 with the mission of developing a revitalization plan for the western area of the Downtown. Some in the community believed that the district was not reaching its potential, especially in comparison the neighboring Pearl District to the north or the Downtown office core to the east. The WESC, composed of interested business and property owners and other members of the Downtown community, focused on the area bounded by SW Ninth Avenue, the Stadium Freeway (I-405), SW Market Street, and NW Couch Street.
10. Over the next eighteen months, the WESC developed the *West End Vision Plan (WEVP)*, which was published in July 1999. The *WEVP* identified the impending expiration of the South Park Blocks Urban Renewal Area and the recent public investment in library and museum renovations, plus the construction of the Portland Streetcar, among the reasons to reconsider the district's regulatory structure. In response to these issues, the *WEVP* calls for promoting new development by changing zoning and development regulations and taking a number of other actions.
11. In October 1999, the WESC submitted the *West End Vision Plan* to the Portland City Council and requested the Council's consideration, adoption, and implementation of *West End Vision Plan*.
12. The Portland City Council accepted the *WEVP* and directed the Bureau of Planning (BOP) to develop a response that was consistent with Portland's *Comprehensive Plan*. The *WEVP* was accepted through the adoption of resolution No. 35833.
13. In Resolution No. 35834, adopted on the same date as the City Council's acceptance of the *West End Vision Plan*, Mayor Vera Katz appointed the West End Advisory Committee (WEAC). The committee was composed of WESC participants, City agencies, development interests, and community organizations and was given the mission of aiding the Bureau of Planning (BOP) in developing its response to the *WEVP*. This resolution also directed

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- the BOP to report its evaluation of the *WEVP* to the Portland Planning Commission.
14. The WEAC met from Fall 1999 into Summer 2000. Steve Abel, who was President of the Planning Commission during the period when the WEAC was meeting, chaired the committee. The committee reviewed the *WEVP* in a series of public meetings. Workshops were conducted, and panels of experts were assembled to discuss *WEVP* issues with the WEAC. During this process, WEAC members suggested ideas for inclusion in the Bureau of Planning's *West End Proposal*.
 15. The Bureau of Planning published a draft *West End Existing Conditions Report* in January 2000, along with appendices under separate cover. This report was assembled to provide the WEAC and the public the opportunity to assess the district with sufficient background knowledge to understand the implications of the Bureau's ultimate recommendations. The existing condition's report included inventory information including land use and historic resources.
 16. The Bureau of Planning published *Three Alternatives for the West End* in April 2000. Presentations were made to interested groups, and in May and June 2000, two public workshops were held to allow the public to advise staff and the WEAC about the proposal. The workshops are summarized in *West End Workshop Proceedings*, which were published and made available to interested parties.
 17. The Bureau of Planning published a tentative proposal in July 2000. During August and the first half of September of that year, the *Tentative West End Proposal* was reviewed by the public and interested parties. Presentations were made to interested groups regarding the *Tentative West End Proposal* to allow participants to advise staff about concerns they had with the proposal, and changes they would like to see made.
 18. In late September 2000, a revised *West End Proposal* was published as the Bureau of Planning's recommendation to the Portland Planning Commission. The proposal revised earlier approaches to several issues raised during public's review of the *Tentative West End Proposal*. The proposal incorporated elements of the *West End Vision Plan* that are compatible with the vision set out in previously adopted plans for the area.
 19. Notice of the scheduled Planning Commission public hearing was provided thirty days in advance of the scheduled hearing to all those who had participated in the process and all property owners. Notice was provided to the Oregon Department of Land Conservation and Development and Metro more than 45 days before the scheduled hearing.
 20. On September 21, 2000, prior to the Planning Commission's hearing, the Portland Design Commission held a public meeting on the Bureau of Planning's *West End Proposal*. Notice was provided and, although the meeting was not a hearing, public testimony was taken. In a written letter,

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the Design Commission raised a number of issues they suggested the Planning Commission examine, including their perception that a neighborhood park should be planned and developed in the West End.

21. Prior to the Planning Commission's hearing, the Portland Historic Landmarks Commission held a public meeting on the *West End Proposal* on October 9, 2000. Notice was provided and, although the meeting was not a hearing, public testimony was taken. In a written letter, the Historic Landmarks Commission raised a number of issues they suggested the Planning Commission examine.
22. On October 10, 2000, Bureau of Planning West End project staff held an information meeting on the *West End Proposal*. The meeting purpose was to answer questions about the proposal in an effort to ensure that those participating in the Planning Commission's upcoming hearing could use their, and the Planning Commission's, time effectively.
23. The Portland Planning Commission held a public hearing to consider oral and written testimony on the *West End Proposal* on October 24, 2000. The hearing's record was kept open for additional written testimony through October 27, 2000. Planning Commission working sessions on the *West End Proposal* were held January 9, 2001, February 13, 2001, and March 27, 2001. Public notice was provided for each of these public meetings.
24. During January and February 2001, the Planning Commission reviewed additional information developed at their request related to issues raised at their October 24, 2000 hearing, and in subsequent written testimony. Panels of experts advised the Commission on the market for new housing, preservation of affordable housing, urban renewal districts, and parking. At the close of the Planning Commission's fact-finding process, a West End Steering Committee member were given time to offer their perspectives on these issues.
25. On March 27, 2001, the Planning Commission voted 6 to 2 to recommend the *West End Proposal* to City Council with significant changes. These changes were aimed at addressing issues raised in the public testimony on the proposal. The Planning Commission's amendments included creating enhanced opportunities for mixed use and commercial development in areas of the West End zoned Central Residential (RX); liberalized the *Central City Transportation Management Plan* to encourage infill development on existing surface parking lots; and increased allowed building density.
26. On March 27, 2001, the Portland Planning Commission also recommended that the City Council adopt and implement the West End Policy as an element within the *Central City Plan* and *Comprehensive Plan* and that the City Council also implement the West End Policy through enactment of changes to the City's Zoning Code and zoning map.

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27. In preparing and describing the *West End Proposal*, the Bureau of Planning created a number of supporting documents including inventory information needed to help participants understand the current situation in the West End and its history. These included the *West End Workshop Proceedings*, published in June 2000; a *West End Proposal Working Session* report, which was developed at the request of the Planning Commission and published in January 2001; and a *West End Work Book*, also developed at the request of the Planning Commission and published in February 2001. These documents accompany this Ordinance, are marked as Exhibit C, and are incorporated by reference into this Ordinance as findings supporting adoption of this ordinance.
28. The Planning Commission's *West End Recommendation* aggressively pursues the implementation of the *West End Vision Plan*, within the framework of the City's *Comprehensive Plan*. The proposal incorporates *WEVP* elements that are compatible with the vision for the area set out in the *Downtown Plan*, *Central City Plan*, and the *Downtown Community Association Residential Plan*.
29. On May 18, 2001, notice of the City Council's scheduled hearing on the Planning Commission's *West End Recommendation* was mailed to all those who had participated in the Planning Commission process, in person, in writing, or through a representative. Notice was also provided to all those who had requested such notice. Notice was also sent to all property owners whose development opportunities were proposed to be reduced by the Planning Commission's recommendations.
30. On June 21, 2001 the Portland City Council held a public hearing on the Planning Commission's *West End Recommendation*. Testimony came from diverse interests and continued beyond the normal scheduled time for adjournment of the City Council. The hearing was continued.
31. On July 18, 2001 the City Council reconvened to complete testimony on the Planning Commission's recommendation. At the close of this hearing, the City Council noted that the bulk of the controversy was focused on the portion of the West End that lies north of SW Salmon Street and west of SW 11th Avenue. The Council directed the Planning Director to create a new proposal for the RX-zoned area north of Salmon Street that would address the conflicting issues raised in testimony. These issues included the area's economic stagnation, the preservation of existing affordable housing, the protection of historic resources, and encouragement of new high quality development.
32. Throughout August and into September 2001, the Planning Director met with development experts, representatives of the Planning Commission, area property owners, and others to formulate an approach that could find broader support.
33. On September 26, 2001 the City Council met again to consider the results of the Planning Director's work. An outline of a new approach to zoning in

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the area in question was presented and supported by a number of interests present. Although there was opposition to some aspects of the proposal, the proposal seemed much closer to finding broad support than the Planning Commission's recommendation for the RX-zoned area north of Salmon Street.

34. At the City Council's September 26, 2001 hearing, representatives of the Association for Portland Progress (APP) and Portland's Planning Director, Gil Kelley, jointly requested an additional six weeks to finalize outstanding details of the proposal. The City Council agreed, directing that a final proposal be brought for conceptual approval in three weeks.
35. Also, at the City Council's September 26, 2001 hearing, there was a discussion of the area of the West End that is south of SW Salmon Street. Several projects currently proceeding toward building permits were noted with the understanding that some, or all, of these project's economic viability would be enhanced if the Planning Commission's recommendation for the area south of Salmon Street were implemented at an early date. In response, the City Council directed that an Ordinance implementing some of the Planning Commission's recommendations that were not linked to the controversy present in the north of Salmon area, be brought back in three weeks for their consideration and possible action.
36. On October 18, 2001 the City Council held a public hearing on an Ordinance to implement recommendations of the Planning Commission for the part of the West End that is south of SW Salmon Street. These had been broadly supported in the City Council's earlier hearings on the Planning Commission's *West End Recommendation* and were supported by the existing policies of the *Comprehensive Plan*.
37. On October 18, 2001, the City Council considered and adopted Resolution No. 36037. That resolution directed Bureau of Planning staff to craft an alternative regulatory proposal for the portion of the West End north of SW Salmon Street and west of SW 11th Avenue. This Ordinance accomplishes that task, and also replaces the Ordinance filed in June and the substitute Ordinance filed November 13, 2001 to accept the Planning Commission's *West End Recommendation*.
38. On October 18, 2001, Council also adopted Resolution 36036 which directs the Bureau of Planning, Office of Management and Finance, and the Portland Development Commission to undertake an analysis of tax increment and other financing tools, including the creation of a new urban renewal district, to implement the West End action agenda.
39. On October 24, 2001 the City Council adopted Ordinance No. 176024. That Ordinance implemented broadly supported provisions of the Planning Commission's West End recommendations for the area south of Salmon Street that are well supported by the existing policies of the *Comprehensive Plan*. The Ordinance was acted on prior to the bulk of the actions recommended by the Planning Commission to assure developers of

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housing, and mixed-use projects that include housing in the project, of the City Council's intentions regarding the area of the West End that is south of SW Salmon Street. These projects are desirable because they will further *Downtown Plan* and *Central City Plan* objectives of fostering the growth of housing in this area. The feasibility of these projects was enhanced, as well as the feasibility of future housing projects, through the early implementation of the Planning Commission's recommendations for amendments to the RX zone. A delayed effective date of January 1, 2002 was established for Ordinance No. 176024. This delay was intended to allow all provisions of the Council's action affecting the City's Zoning Code to take effect simultaneously.

40. A findings report was developed supporting the Planning Commission's entire *West End Recommendation*. The report covers the consistency of the *West End Recommendation* with the applicable *Statewide Goals for Land Use Planning*, Metro's 2040 Functional Plans, and Portland's *Comprehensive Plan* including the *Downtown Plan*, *Central City Plan*, *Downtown Community Association Residential Plan*, the *Central City Transportation Management Plan*. This findings report was adopted in support of Ordinance No. 176024 on October 24, 2001.
41. A second *City Council Findings Report* has been developed to reflect the City Council's enhancements of the Planning Commission's recommendations. The *City Council Findings Report* also covers the consistency of the City Council's West End decisions with the applicable *Statewide Goals for Land Use Planning*, Metro's 2040 Functional Plans, and Portland's *Comprehensive Plan* including the *Downtown Plan*, *Central City Plan*, *Downtown Community Association Residential Plan*, the *Central City Transportation Management Plan*. The *City Council Findings Report* accompanies this Ordinance as Exhibit B, and is incorporated by reference into this Ordinance as additional findings.
42. During the City Council's hearing process, several requests for amendments were made, through public testimony, that if approved might limit some aspects of the affected property owners' development rights. On October 31, 2001, a notice was sent to all potentially affected property owners of a City Council hearing scheduled to consider these amendments. The notice invited those interested to testify to the Council, in person or in writing. The hearing was scheduled for November 21, 2001. The notice included information on how and where to obtain all of the specific proposals being considered by the City Council.
43. On November 7, 2001, a notice was sent to those who had participated in the City Council hearings process to notify them of the proposed changes requested by City Council to the Planning Commission's recommendations for the area north of SW Salmon Street and west of SW 11th Avenue.
44. On November 21, 2001, the City Council held a public hearing to hear additional testimony on the amendments requested to the Planning Commission's recommendations on the new West End Action Chart and

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additions to other Central City Plan action charts. The consideration of the proposed Zoning Code changes requested by City Council was delayed until January 10, 2002 due to the complexity of drafting the new proposed changes.

45. To facilitate the City Council's deliberations, the Bureau of Planning prepared an amendments report providing the Bureau's recommendation on each of the requested amendments. Hard copies were also available, for those desiring them, at the Bureau of Planning's offices in Downtown Portland. The amendments report accompanies this Ordinance as Exhibit D, and is incorporated by reference into this Ordinance.
46. A new report that contains the Zoning Code enhancements requested by City Council and amendments to the *Central City Plan* that were received after filing Exhibit D. These are included in *Exhibit E: Planning Commission's Recommendation with Enhancements Requested by the Portland City Council*, which accompanies this ordinance. Two Zoning Code amendment requests are included in this document. The first is an amendment request by Commissioner Hales to provide bonus parking spaces for placing parking underground. Also included is a request to extend active use provisions (developed as part of the Northwest Transition Area project) within 200 feet of the Portland Streetcar alignment in the West End. These provisions are designed to promote a lively pedestrian oriented environment along the streetcar route.
47. On November 21, 2001 City Council approved the addition of the new West End Action Chart to the *Central City Plan* and several actions to the to the Economic Development, Housing, and Transportation Action Charts of that plan as amended by the Bureau of Planning recommendations on the amendment requests. Council made one amendment of their own to the recommended West End Action chart.
48. The West End Policy provides a vision, programs and regulations to guide the revitalization of the 60-block area known as the West End. The Policy has been developed in close cooperation with the West End Steering Committee, the Downtown Community Association and others interested in the area. The Portland Office of Transportation and the Portland Development Commission have been active partners in the process of creating the West End Policy. An action agenda, already adopted by Council on November 21, 2001, accompanies the West End Policy and provides mechanisms for managing the area's growth, fostering new investment, coordinating the delivery of services and enhancing the area's livability and image.
49. It is in the public interest for the West End Policy to be adopted as a part of the *Central City Plan* and by reference as part of Portland's *Comprehensive Plan*, and be implemented through the enactment of the Zoning Code and map amendments that accompany the Planning Commission's *West End Recommendation*, as enhanced by the Portland City Council that appear in the supplement to the recommendation.

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NOW, THEREFORE, the Council Directs:

1. a. Ordinance No. 160606 is amended to add a new Policy 22: West End, to the *Central City Plan* as shown in Exhibit A. In some cases, Exhibit A amendments are superseded by Council decisions about Exhibits D and E. *Comprehensive Plan* Policy 2.26 incorporates the new West End Policy into Portland's *Comprehensive Plan* as a part of the *Central City Plan*. A related amendment is made to the *Central City Plan*'s Downtown District Policy, as described in Exhibit A on page 51. This amendment reflects the creation of the new Policy 22: West End, and ensures that the status of the *Downtown Plan* is clear.
- b. Title 33, Planning and Zoning, a part of the Municipal Code of the City of Portland, is hereby amended to reflect the changes listed in Exhibit A with the amendments approved by the City Council from Exhibits D and E (Exhibits A, D and E are attached to this Ordinance). These changes include amendments to the following:
 - Chapter 33.120, Multi Dwelling Zones;
 - Chapter 33.510, the Central City plan district; and
 - Chapter 33.815, Conditional Uses.
- c. The Official Zoning Maps of the City of Portland are hereby amended to reflect the zoning and Comprehensive Plan map designations shown in Exhibit A with the amendments approved by the City Council from Exhibit D and E (Exhibits A, D and E are attached to this Ordinance). The zoning section and quarter-section maps included in Exhibit A and the amendments to the zoning changes adopted by the City Council from Exhibits D and E are incorporated into this Ordinance by this reference.
- d. The *City Council Findings Report*, attached as Exhibit B, is hereby adopted as findings supporting adoption of this Ordinance and incorporated by reference. This incorporation includes those items listed in the Appendix of the *West End Recommendation* (Exhibit A) that provide the factual basis, analysis and conclusions supporting the findings included in the Findings Report.
- e. The background reports included in Exhibit C, are hereby adopted and incorporated by reference as findings supporting adoption of this Ordinance.


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Section 2. The Council declares that an emergency exists because a delay in the effective date of the Zoning Code amendments could adversely affect those planning residential and mixed-use projects that will be made feasible by the increase in development potential allowed by these amendments. Therefore, this ordinance shall be in full force and effect on February 1, 2002.

Passed by the Council, JAN 10 2002

Mayor Vera Katz
Graham Clark
December 27, 2001

Gary Blackmer
Auditor of the City of Portland

By 
Deputy

SUBSTITUTE

Resolution No. 36036

Direct the Bureau of Planning, Office of Management and Finance and the Portland Development Commission to undertake an analysis of tax increment and other financing tools, including the creation of a new urban renewal district, to implement the West End action agenda. (Resolution).

WHEREAS, urban renewal has been employed in Portland since 1958 as a tool to finance the implementation of city plans and policies. Authority for the use of urban renewal was established by the Oregon Legislature and codified as Chapter 457 of the *Oregon Revised Statutes* (ORS). Chapter 15, Article 1, of the Portland City Charter assigns all general urban renewal powers and duties to the Portland Development Commission;

WHEREAS, the Bureau of Planning role as steward of the Comprehensive Plan includes consideration of implementation tools, including advising on the creation of new or revisions of existing urban renewal districts;

WHEREAS, the South Park Blocks Urban Renewal Area, created in 1985, has financed many public projects, including new housing, housing rehabilitation, improvements to the South Park Blocks; enhancements to the Portland State University campus, and construction of the Portland Streetcar;

WHEREAS, the resources available to the South Park Blocks Urban Renewal Area were constrained by the 1992 passage of Ballot Measure 5, which outlawed the use of tax increment financing. Ballot Measure 50, adopted in 1998, restored the use of tax increment financing. The six intervening years reduced the effectiveness of the South Park Blocks Urban Renewal Area;

WHEREAS, South Park Blocks Urban Renewal Area funds are likely to be exhausted by 2004, and the district is scheduled to be retired in 2008; and the Downtown Waterfront Urban Renewal Area is scheduled to be retired in 2004;

WHEREAS, indications of blight remain in the West End, as evidenced by infrastructure deficiencies, buildings in need of maintenance, freeway impacts on livability, inadequate sidewalks on some streets, and large areas of surface parking;

WHEREAS, the most recent West End planning process was initiated by the West End Steering Committee, producers of the *West End Vision Plan*. The *West End Vision Plan* identified public and public-private projects that are necessary to create a vibrant district. Many of these priorities into the *West End Recommendation* action charts, with an eye to producing a vibrant mixed-use but primarily residential district;

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WHEREAS, the recently adopted Midtown Blocks Resolution No. 35999 directs the Planning Director to continue to work with an inter-bureau team to produce a development strategy to implement the objectives of the Midtown Blocks; and

WHEREAS, a new public financing tool to be used in the West End may also be justified for use in nearby Central City areas such as the Civic Stadium/Goose Hollow, Midtown Blocks areas, and Downtown Waterfront areas;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon, that the Bureau of Planning, Office of Management and Finance, and Portland Development Commission are directed to undertake feasibility and other analyses for new public financing tools in the West End and surrounding areas of the Central City, including the creation of a new urban renewal district. This analysis will include the input of other city agencies and commissions, including the Portland Development and Planning Commissions, and will be reported back to City Council by Summer 2002.

Adopted by the Council, OCT 18 2001
Mayor Vera Katz
Graham Clark
June 11, 2001

GARY BLACKMER
Auditor of the City of Portland

By 
Deputy

SUBSTITUTE
36051
As Amended

RESOLUTION NO.

Adopt changes to the Central City Plan to add a West End Action Chart, a West End Urban Design Plan, two new actions to the Economic Development Action Chart, one new action each to the Transportation and Housing Action Charts, and the designation of an entertainment district to the Culture and Entertainment Map (Resolution)

WHEREAS, in December 1997, the Association for Portland Progress (APP) invited West End business and property owners, the Downtown Community Association, and public agencies to meet and discuss whether the West End was fulfilling its potential. This group defined the West End district as bounded by SW Ninth Avenue, the Stadium Freeway (I-405), SW Market Street, and NW Couch Street.

WHEREAS, the consensus of those invited to meet by the APP was that the area was not fulfilling its potential. As a result, the APP formed the West End Working Group and Steering Committee (WESC), with the mission of developing a revitalization plan. The West End Working Group and WESC were composed of interested business and property owners, representatives of public agencies, and other members of the Downtown community. Over the next eighteen months, these groups developed the *West End Vision Plan (WEVP)*, which was published in July 1999.

WHEREAS, the *West End Vision Plan* identified a number of actions to attract new private investment to the West End, which would build on the recent public investment in library and museum renovations and the construction of the Portland Streetcar. The proposed *WEVP* actions include projects, programs, and regulatory actions to be undertaken, by both the public and private sectors, to develop the West End, a district of exceptional assets, into a "cohesive community in the city's core" that "exhibits and sustains the urban culture to which Portland aspires."

WHEREAS, in October 1999, City Council accepted the *West End Vision Plan* by adopting Resolution 35834 to acknowledge and applaud the work of the West End Working Group and Steering Committee and to support the plan's concepts. This resolution also directed the Bureau of Planning (BOP), the Office of Transportation (PDOT), the Office of Planning and Development Review (OPDR), and the Portland Development Commission (PDC) to develop a comprehensive evaluation and response to the actions proposed.

WHEREAS, the City Council directed the BOP to take the lead, in consultation with PDOT, OPDR, PDC, and other interested city agencies, to report to the Planning Commission no later than July 2000 with recommendations for action. To assist the BOP and other city bureaus in evaluating *WEVP* proposals, the Council adopted Resolution 35834 to establish a West End Advisory Committee (WEAC). Steve Abel, President of the Planning Commission, chaired the WEAC, which included members of the WESC, the APP Housing Committee, Portland State University, Innovative Housing Inc., the Association of Downtown Churches, the Downtown Community Association, Coalition for a Livable

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Future, and the American Institute of Architects Urban Design Committee. The resolution also named staff from PDOT, OPDR, PDC, and Office of the Mayor to serve on the committee.

WHEREAS, the WEAC met from Fall 1999 into Summer 2000 to review the *WEVP* and discuss other possible proposals for action in a series of public meetings. During this process, WEAC members and others involved in public meetings and workshops suggested ideas for inclusion in the BOP's proposals.

WHEREAS, in July 2000, the BOP drafted the *Tentative Proposal for the West End* that includes a new West End Action Chart, and an Urban Design Plan, to be added to the *Central City Plan* to implement the proposed West End policy. This policy calls for fostering the development of the West End as a vibrant urban neighborhood. The proposed West End Action chart and Urban Design Plan also allowed *WEVP*'s proposals, and other proposals for action by those participating in this planning process, to be incorporated into an adopted city plan.

WHEREAS, the new Urban Design Plan is a map that illustrates urban design proposals mentioned in the West End policy objectives and action items. The West End Subarea has the same boundaries as the *WEVP*'s study area, except that the blocks north of Burnside Street have not been included.

WHEREAS, the proposal also included action items to be added to the *Central City Plan's* Functional Policy Action Charts (Economic Development and Transportation) that address issues in the West End as well as the larger Central City.

WHEREAS, the WEAC, City bureaus, and others listed as implementors of actions in the action chart reviewed the proposed actions in the tentative proposal and made some changes and additions.

WHEREAS, in September 2000, the BOP published the *West End Proposal* which contained a revised action chart, the urban design concept, and the proposed change to the *Central City Plan* Culture and Entertainment map. The BOP proposed the designation of the area known as the "Burnside Triangle" as an "entertainment district" on the Culture and Entertainment map that accompanies Policy 9 of the *Central City Plan*, in response to requests from the public that the special character of this area be recognized and be the focus of additional planning efforts in the future.

WHEREAS, the Planning Commission held a hearing on the *West End Proposal* on October 24, 2000. Some of the oral and written public testimony addressed proposed action items. This included testimony from the WESC, PDC, and PDOT. The hearing's record was kept open for additional written testimony through October 27, 2000.

WHEREAS, on March 27, 2001, the Planning Commission voted 6 to 2 to recommend the *West End Proposal* to City Council with significant changes. This included the recommendation

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that City Council adopt and implement the West End Policy, as amended by Planning Commission, as an element within the *Central City Plan*, which itself is incorporated into the *Comprehensive Plan*. They also recommended adoption of the West End Action Chart and several actions to be added to the action charts of the Functional Policies of the *Central City Plan*. The West End Action chart and other action items implement this policy along with the recommended changes to the Zoning Code and map. BOP staff made changes to the West End Action Chart as directed by the Planning Commission. BOP staff made findings to support the inclusion of the West End Action Chart and other *Central City Plan* Functional Policy Action Charts.

WHEREAS, on June 21, 2001 the Portland City Council held a public hearing on the Planning Commission's *West End Recommendation*. Testimony came from diverse interests and continued beyond the normal scheduled time for adjournment of the City Council. The hearing was continued until July 18, 2001. Subsequent meetings with City Council were held on September 26, and October 18, 2001 to give direction to BOP staff to come back with a new proposal for the portion of the West End Subarea north of Salmon Street and west of SW 11th Avenue.

WHEREAS, in the course of these hearings some changes were requested to the recommended West End Action Chart in oral and written testimony including some requests for changes by members of City Council. These included changes and additions to the action chart requested by Commissioner Saltzman intended to support small businesses and establish a Burnside Triangle Advisory Committee.

WHEREAS, the BOP published an amendments report which included these requested changes to the recommended action chart along with the BOP's recommendations to City Council on them. In this document, the BOP recommended revising one of the requested actions and adding it to the Action Chart of *Central City Plan* Housing Policy (a Functional Policy) instead of the West End Action Chart.

WHEREAS, on November 21, 2001, the City Council held a public hearing on a new proposal for the area north of SW Salmon Street and the remaining Planning Commission recommendations and the amendments to them.

WHEREAS, the City Council adopted the West End Action Chart as amended by their decisions on the requests for amendments. They also adopted several actions to be added to the Functional Policy Action Charts of *Central City Plan*; the West End Urban Design Plan; and the change to the Culture and Entertainment that accompanies Policy 9 of the *Central City Plan*.

WHEREAS, the West End Action Chart and the additions to Functional Policy Action Charts contain projects, programs, and regulatory actions necessary for the implementation of the new West End policy of the *Central City Plan*. (The regulatory actions listed in the action chart are adopted separately by Ordinance.)

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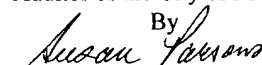
WHEREAS, the success of creating a vibrant urban neighborhood in the West End will depend on the coordination of independent actions carried out by private interests, nonprofit organizations, area institutions, public service providers, and community based organizations in the 20-year period covered by this update of the *Central City Plan*.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon, that the City Council of the City of Portland adopt the new implementation actions as described in the Planning Commission's *West End Recommendation* as amended by City Council. These include the West End Action Chart, actions added to the Economic Development, Housing, and Transportation Action Charts of the *Central City Plan*, the West End Urban Design Plan, and the change to the *Central City Plan* Culture and Entertainment map and that:

- a. The various City agencies identified in the action charts as possible implementing agencies are authorized to engage in activities aimed at implementation projects and programs called for in the Action Charts.
- b. Proposals for projects and programs approved by this resolution are understood to be a starting place. As studies are undertaken, projects and programs may need to be refined or replaced by alternative actions found to be better able to implement the West End policy of the *Central City Plan*.
- c. The West End Urban Design Plan is adopted by City Council to illustrate various action chart proposals and urban design concepts for the new West End Subarea.
- d. The designation of the area between NW Couch and SW Washington west of Ninth Avenue as an entertainment district on the Culture and Entertainment Map that accompanies *Central City Plan* Policy 9 is intended to recognize the unique character of the area known as the Burnside Triangle. This section of the West End and the blocks just to the north contain a mixture of housing, hotels, restaurants, bars, bookstores, independent retail shops and entertainment venues that have a regional draw.

BE IT FURTHER RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon that the City Council authorizes and directs the Bureau of Planning to make corrections to the Action Charts to correct typographical errors and to ensure parallel construction.

Adopted by the Council, JAN 10 2002
Mayor Vera Katz
Graham Clark
November 13, 2001

GARY BLACKMER
Auditor of the City of Portland
By  Deputy

Urban Design Plan Glossary

The following urban design terms are used in the West End Urban Design Plan Map. They appear in the order in which they appear on the map. Many of the terms were developed with the *Central City Plan*, adopted in 1988. Refinements and augmentations occurred during both the Albina and Outer Southeast planning processes. Some new terms have been developed for the West End Plan. As future planning efforts are undertaken, it is likely that circumstances unique to those plans will suggest the need for additional terms.

The urban design terms and their symbols show how some of the plan's objectives are to be accomplished. The symbols identify desired improvements and developments which will play a significant role in defining the area. The use of these terms and their symbolic notation allows the organization of the city's significant character-giving elements in places and patterns which ensure that, over time, the city's character and livability are enhanced.

While realization of the Plan would be enhanced through development of these Plan Elements, in each case there may be other means for achieving the desired ends. Most elements are part of the leadership agenda (see the West End action charts) for these plans. Action charts and most urban design elements are adopted by City Council resolution. They are a starting place. Some will need to be adjusted and others will be replaced with proposals found to be more feasible. Unless otherwise stated, urban design elements are not adopted as part of the City's Comprehensive Plan or the Comprehensive Plan's implementing zoning. With the exception of a few implementation tools which tie to the Zoning Code, most elements in the urban design legend are not mandatory.

ATTRACTOR -- MAJOR

Major attractors are those which are expected to draw patrons and participants from throughout the city, region or state. Because these facilities draw significant interest and enthusiasm, nearby portions of the district often benefit from their proximity.

CENTRAL CITY GATEWAY

These entrance points have a high degree of visibility and provide a distinct sense of transition. The plan proposes to reinforce their role as entrances to (and exits from) the Central City. Improvements may include landscaping, public art, gateway structures, special lighting and signs.

DISTRICT GATEWAYS

These entrance points to the West End have a high degree of visibility and are intended to provide a distinct sense of transition. Improvements may include landscaping, public art, gateway structures, special lighting and signs.

EXISTING PARK/OPEN SPACE

Sites shown as park/open space are publicly owned or have been committed by their owner to open space use. Open spaces are shown on the urban design plans because of the significant role they play in creating an area's character. In the West End, these sites include parks and plazas at the eastern edge of the district: the South Park Blocks and O'Bryant Square. These locations are designated as open spaces by the City's Comprehensive Plan. Use of the property for other activities will require a Comprehensive Plan amendment and zone change.

PROPOSED PARK/OPEN SPACE

These are locations where development of additional public park/open space is proposed. The West End urban design plan restates the *Central City Plan's* identification of South Park Block 5 and the I-405 Freeway blocks between SW Main and Columbia streets as desired open spaces. While the plan calls for creation of open space at these locations, it does not require that development be for open space. These sites are zoned for other uses and nothing in the plan is intended to prevent the owners' use of the property for those uses permitted by the sites zoning and the Comprehensive Plan designation.

PARK DEFICIENT AREAS

These symbols identify locations where additional open space is needed. Methods other than park development may be used to provide this open space. These methods include partial street closures, incentives for private open space development, and private plaza development requirements. The locations identified are not intended to be specific. Placement of this symbol on a map is intended to identify a vicinity for the location of an open space and not a potential acquisition site. The West End Urban Design Plan Map identifies the same site as is identified in the Central City Plan – immediately north of O'Bryant Square.

EXISTING TRANSIT CORRIDORS

These symbols depict the existing light rail transit improvements. The MAX (Metropolitan Area Express) links the Central City with Hillsboro, the Airport, and Gresham. Existing light rail facilities are identified in the Transportation Element of Portland's Comprehensive Plan as "regional transitways."

PORTLAND STREETCAR STOP

The Portland Streetcar has seven stops in the West End. Typically, two to four blocks separate Portland Streetcar stops.

PORTLAND STREETCAR

The Portland Streetcar opened in Summer 2001, linking Northwest Portland with Portland State University. An extension southward into the North Macadam district is planned. The system runs through the West End on SW 10th and 11th avenues.

MAX LIGHT RAIL STOP

MAX light rail stations include platforms nearly 200 feet long, with ticketing equipment and, usually, shelters. In the Central City, pedestrian improvements usually include street furniture and brick paving materials, along with high-quality pedestrian crossing enhancements. In the West End, a MAX light rail stop is located on both SW Morrison and Yamhill streets between SW Ninth and Tenth avenues.

MAX LIGHT RAIL FUTURE STOP

A MAX light rail stop was planned and partially constructed on SW Morrison and Yamhill streets during the construction of Westside MAX. The subterranean equipment is in place. West End action WE 1 calls for the completion and operation of these stations.

PEDESTRIAN WALKWAY

These symbols are routes for pedestrians; in the West End, the symbols designate SW Alder, Salmon and Columbia streets as high-quality pedestrian connections. Where appropriate, improvements in paving, planting of street trees, placement of street furniture, street crossing signalization, and sidewalk widening should be made to enhance their safety and attractiveness.

MAJOR PEDESTRIAN IMPROVEMENT

Areas where pedestrian safety and attractiveness improvements are warranted are denoted with these symbols. In the West End, these symbols are located on West Burnside Street where it intersects with 10th, 11th, 12th, 13th, and 14th avenues.

FREEWAY CAPPING

The Interstate 405 "Stadium" Freeway, built beneath the blocks between SW 13th and 14th avenues in the 1960's, tears the fabric of the West End and Goose Hollow neighborhoods. The *Central City Plan* depicts a deck over a portion of the freeway, used as park space. This section is bounded generally by SW Taylor and Columbia streets. More generally, these decks will provide both public open space and development opportunities above freeways. These structures may include institutional or other buildings, parking, or other facilities. They may provide sites for public attractions.

PRIORITY FREEWAY CAPPING

In 1998, the American Society of Landscape Architects and the Landscape Architecture Foundation facilitated a study that to consider the I-405 trench and the prospects for capping sections of it. The October 1998 report, *Bridge the Divide and Cap I-405: Vision Study* summarizes the prospects for each block. The study prioritizes 2-1/2 blocks – those adjacent to the MAX light rail alignment as it crosses I-405.

EXPLORE STREET IMPROVEMENT OPTIONS

Several east-west streets terminate at avenues in the West End. For this reason, they carry relatively little vehicle traffic and offer opportunities to reconsider their allocation of right-of-way. Options might include angled parking, street furniture and vegetation improvements, and curb extensions, among others.

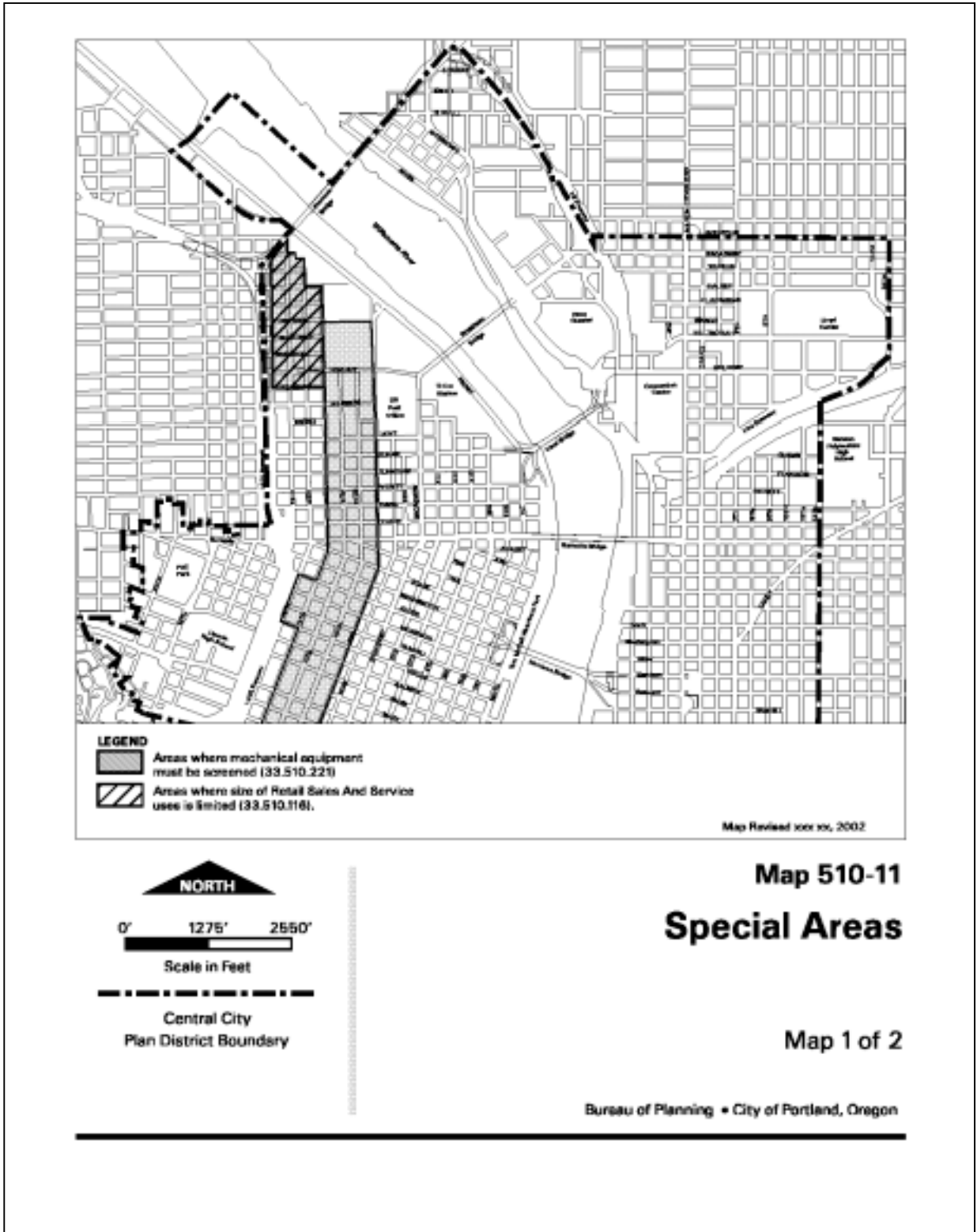
RESIDENTIAL BONUS TARGET AREA

The residential bonus target area is applied in commercial- or employment-zoned portions of the Central City adjacent to residentially-zoned areas. The intent is to encourage a transition to residential development. In these areas, projects seeking floor area ratio bonuses must first provide housing. The boundaries of this bonus target area were put in place during the *Central City Plan* process.

PLANT STREET TREES

West End action WE 5 calls for improved pedestrian and street tree amenities along SW 12th Avenue between SW Stark and Market streets. This avenue carries relatively little traffic and is well situated west of the South Park Blocks for "green" treatments. These right-of-way improvements are intended to create an attractive focus for residential development at the western edge of the district.

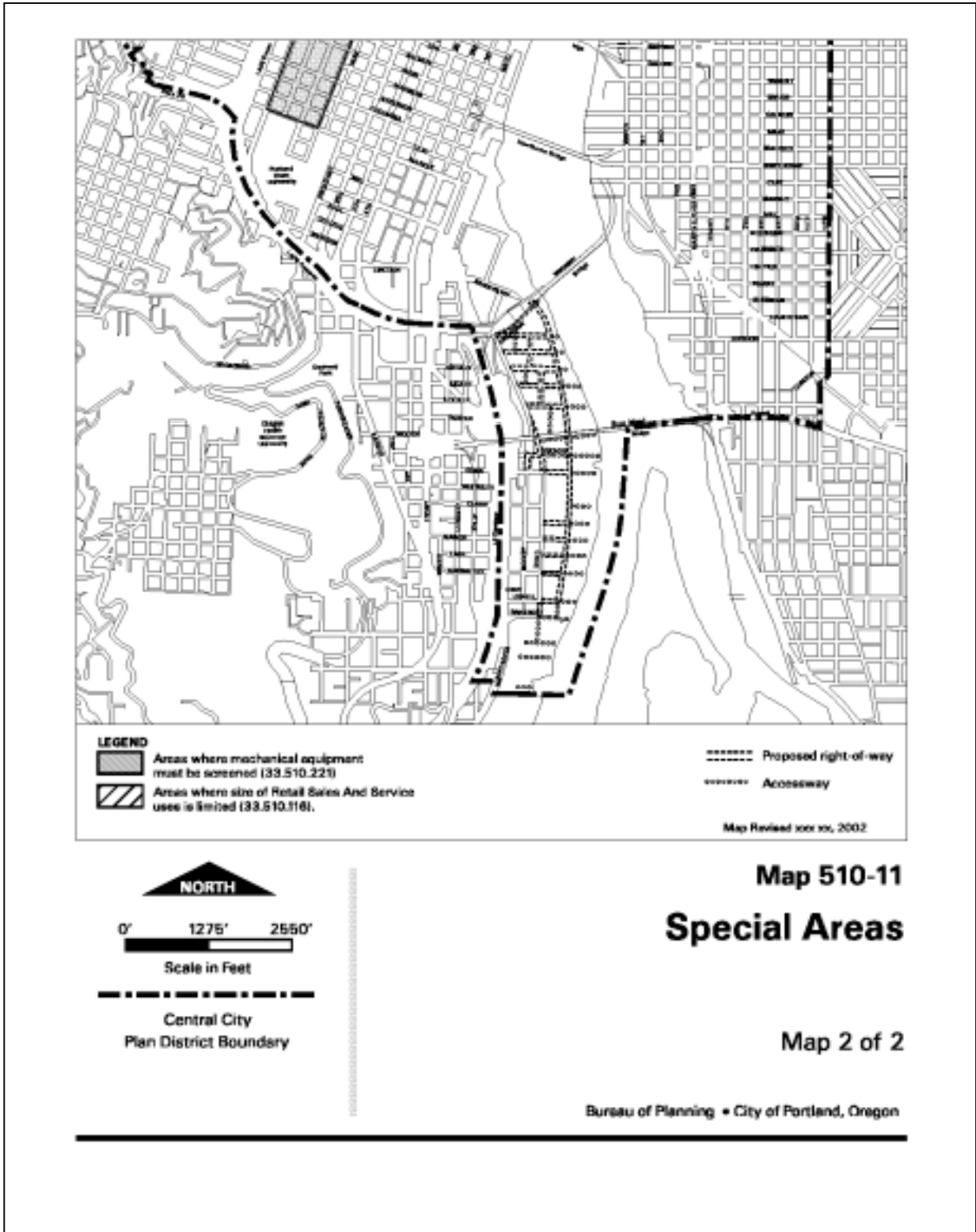
Map 510-11: Special Areas



Map 510-11: Special Areas

The map at right completes the implementation of mechanical equipment provisions from the previous page.

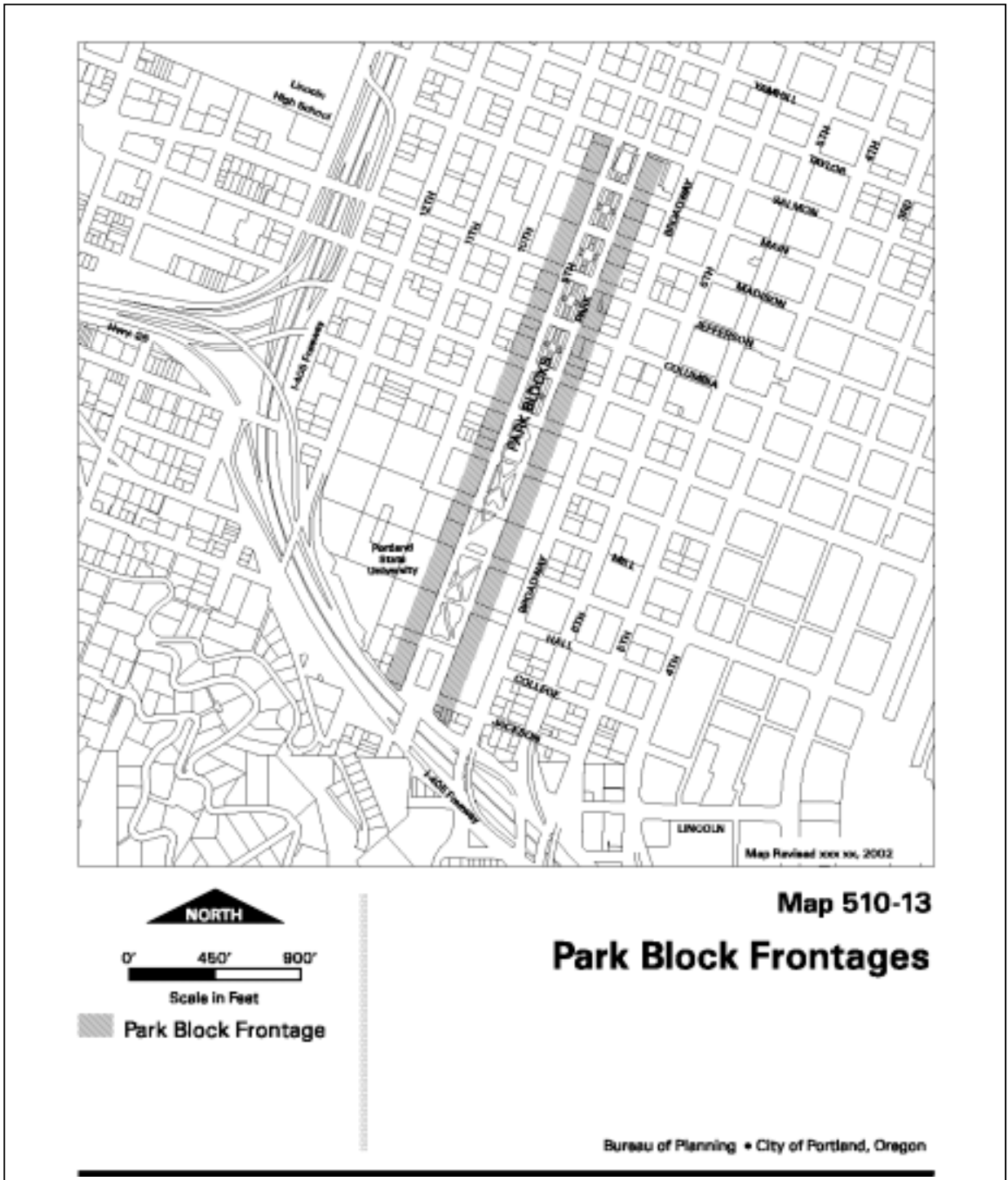
Map 510-11: Special Areas



Map 510-13: Park Block Frontages

The map at right depicts the South Park Block frontages referred to in Chapter 33.120 and later in Section 33.510.117. The sole recommended change is its new placement – like the Code text it supports, it has been moved from the Multi-dwelling chapter (33.120) to the Central City plan district (33.510).

Map 510-13: Park Block Frontages



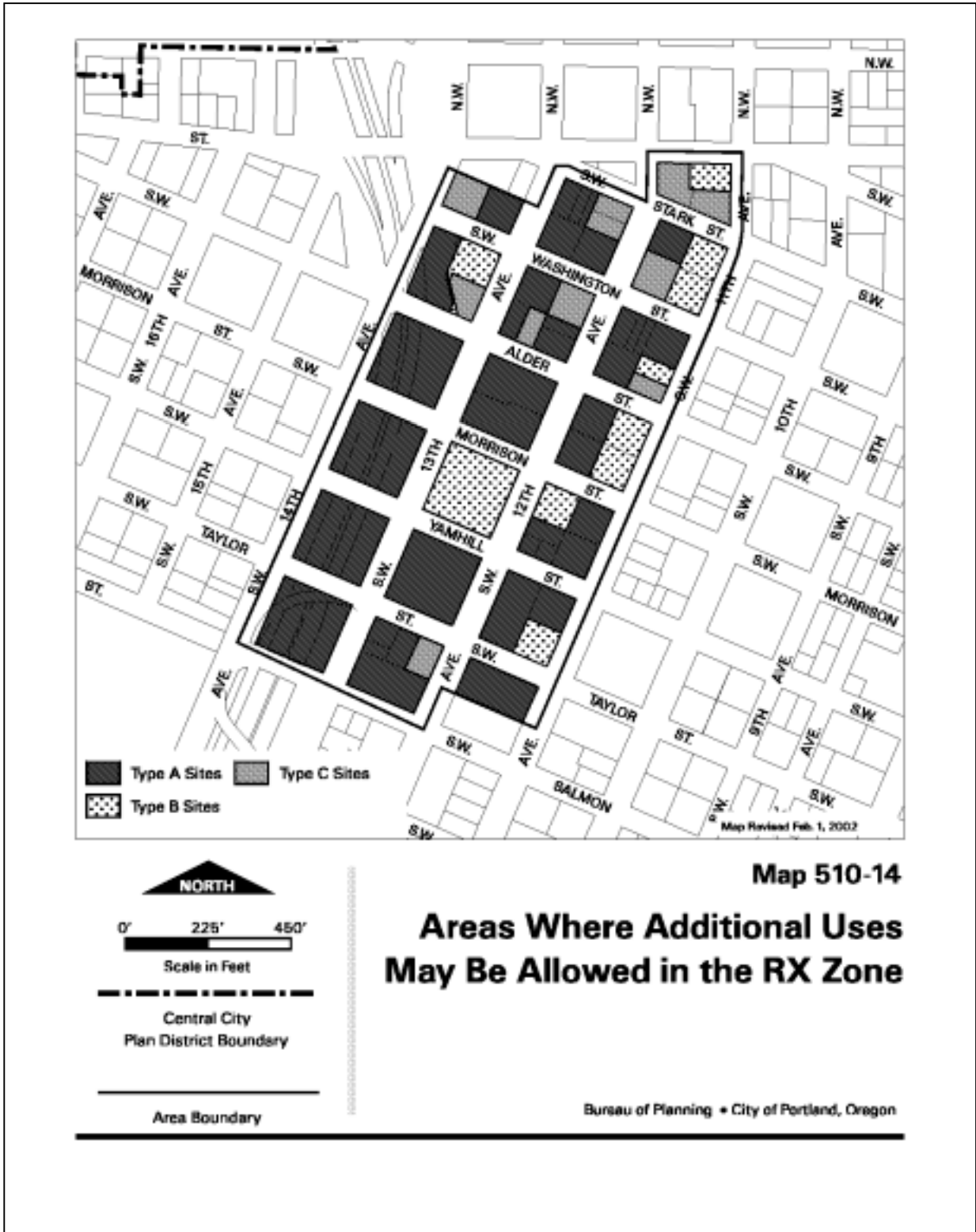
Map 510-14: Areas Where Additional Uses are Allowed in the RX Zone

Map 510-14 describes the area of special regulations for the RX zone. See Section 33.510.118 for greater detail.

- Type A sites are those that are underdeveloped as of January 1, 2002. Underdeveloped is defined as sites with 2.5 to 1 floor area ratio, or those with small buildings or surface parking lots. Approximately 29 percent of the area is within this designation.
- Type B sites are those with existing buildings of greater than 2.5 to 1 FAR, occupied by nonresidential uses as of January 1, 2002. These buildings are operating under nonconforming use allowances. Slightly more than half of the area fits in this category.
- Type C sites are those with existing buildings of greater than 2.5 to 1 FAR, occupied by residential uses as of January 1, 2002. These sites occupy about 18 percent of the area.

In adopting this map on January 10, 2002, City Council made one amendment: the site of the existing Danmoore Hotel, on the north side of SW Morrison Street between 12th and 13th avenues, was amended to become a Type B site. This change was made to reflect the approved Demolition permit and the Conditional Use and Design Review processes that are near completion for the demolition of the Danmoore Hotel and its replacement with a three-phase development.

Map 510-14: Areas Where Additional Uses are Allowed in the RX Zone



Conditional Use Chapter Structure

The Conditional Use chapter is amended to include the new provisions (33.815.122) for the West End subarea.

Conditional Use Chapter Structure

CHAPTER 33.815 CONDITIONAL USES

Sections:

General

(no change)

Approval Criteria

(33.815.100 through 33.815.121 - no change)

33.815.122 Nonresidential uses on specified Sites located in the RX zone within the
Central City plan district

(33.815.125 through 33.815.310 - no change)

Conditional Use Criterion for RX Commercial Development

One of the three Conditional Use Review criteria for expanding the commercial portion of new RX development is that customers of the new commercial square footage will come primarily from the new building or from nearby buildings.

The opening of the Portland Streetcar will expand the market for commercial space near the alignment, and it will be more difficult than before to make a finding about the distance from which users of the commercial space are traveling.

The Office of Planning and Development Review states that, even if this criterion made sense from a public policy perspective, it is exceedingly difficult to make a defensible finding either for or against it. At the time of Conditional Use Review, the applicant need not have determined the specific tenant, be it a retailer or an office tenant, and the distance patrons might travel to visit the nonresidential use is impossible to determine. In addition, tenants move in and out of retail and office spaces without a land use review, making this provision meaningless over time.

Conditional Use Criterion for RX Commercial Development

33.815.110 Office and Retail Sales and Service Uses in the RX Zone

These approval criteria provide for commercial uses in greater amounts than are allowed by right to promote new housing and support the residential area. The approval criteria are:

- A. The overall development will result in a net increase in housing units on the site; and
- ~~B. The proposed use will supply services to residents of the building or of nearby buildings; and~~
- ~~C.~~ B. The appearance, location, and amount of commercial uses in the project will not by itself or in combination with nearby developments decrease the desirability of the area for the retention of existing housing or the development of new housing.

Proposed Conditional Use Process for New Nonresidential Development on Type B Sites

A new conditional use process is proposed to allow nonresidential development of Type B sites that are proposing more than 125 percent of the existing square footage within the northwest corner of the district as shown on Map 510-14. To be consistent with the infill strategy recommended by the Planning Commission, and many participants in the process, this new Conditional Use provision is not intended to encourage redevelopment of existing buildings. Rather the intent is to ensure that nonresidential development is a possibility, when it is justified. The criteria are intended to be stringent. For existing residential properties, this conditional use process must be successfully concluded prior to the demolition of the existing residential property.

Commentary for each of the criteria below is intended to provide the applicant, the staff, and the decisionmaker with a greater understanding of the intent of each conditional use criterion:

Criterion A considers the impacts of the development proposal on the existing mix of residential and nonresidential uses in the area. Factors to be considered include the change in the mix of nonresidential and residential uses in the area and the intensity or scale of the proposal as compared with existing residential development in the area. This criterion considers the impacts of the development proposal on the attractiveness of the district for future residential development.

Criterion B considers whether the proposal will support the City's intention of fostering the continuation and growth of small and emergent businesses in the West End. The district's current function as "incubator" space for independent small business has been recognized through the process and in independent retail character studies commissioned by the Portland Development Commission. This criterion is intended to encourage development proposals seeking nonresidential approval to include space that may contribute to the continued strength of the area for independent retailing.

Criterion C includes a consideration of the adequacy of existing public services.

Proposed Conditional Use Process for New Nonresidential Development on Type B Sites

33.815.122 Nonresidential Uses on Specified Sites located in the RX Zone within the Central City plan district. These approval criteria apply to certain proposals that include nonresidential uses on RX zoned sites in the area shown on Map 510-14. The proposals that are subject to these approval criteria are specified in Section 33.510.118, Use Regulations for Specified Sites in the West End Subarea. The approval criteria are:

- A. Minimized negative impacts on the desirability of future residential development.** The location and amount of nonresidential uses in the project will not by itself or in combination with nearby developments decrease the desirability of the area for the retention of existing housing or the development of new housing.
- B. Small businesses.** The proposal increases opportunities for small businesses. A high percentage of the ground floor is suitable for occupancy by small businesses.
- C. Public services.** Existing infrastructure is sufficient to support the proposed development. Examples of factors to be considered include whether:
 - 1. The proposed use is in conformance with the Central City Transportation Management Plan;
 - 2. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, parking impacts, access requirements, neighborhood impacts, and pedestrian safety;



Portland's West End shows great promise as a vibrant residential district with active ground-floor storefronts. *Illustration courtesy of A Citizen's Guide to the (Seattle) Comprehensive Plan*

3. Amendments to the Comprehensive Plan and Zoning Maps

Map Designations: Implementing Public Policy

City Council and the Planning Commission recognize the advantages of dense residential and mixed-use development, and adopted zoning and Comprehensive Plan map amendments that strengthen the future, both immediate and long-term, for the area as a mixed-use but primarily residential district at the western edge of the Downtown retail and office core.

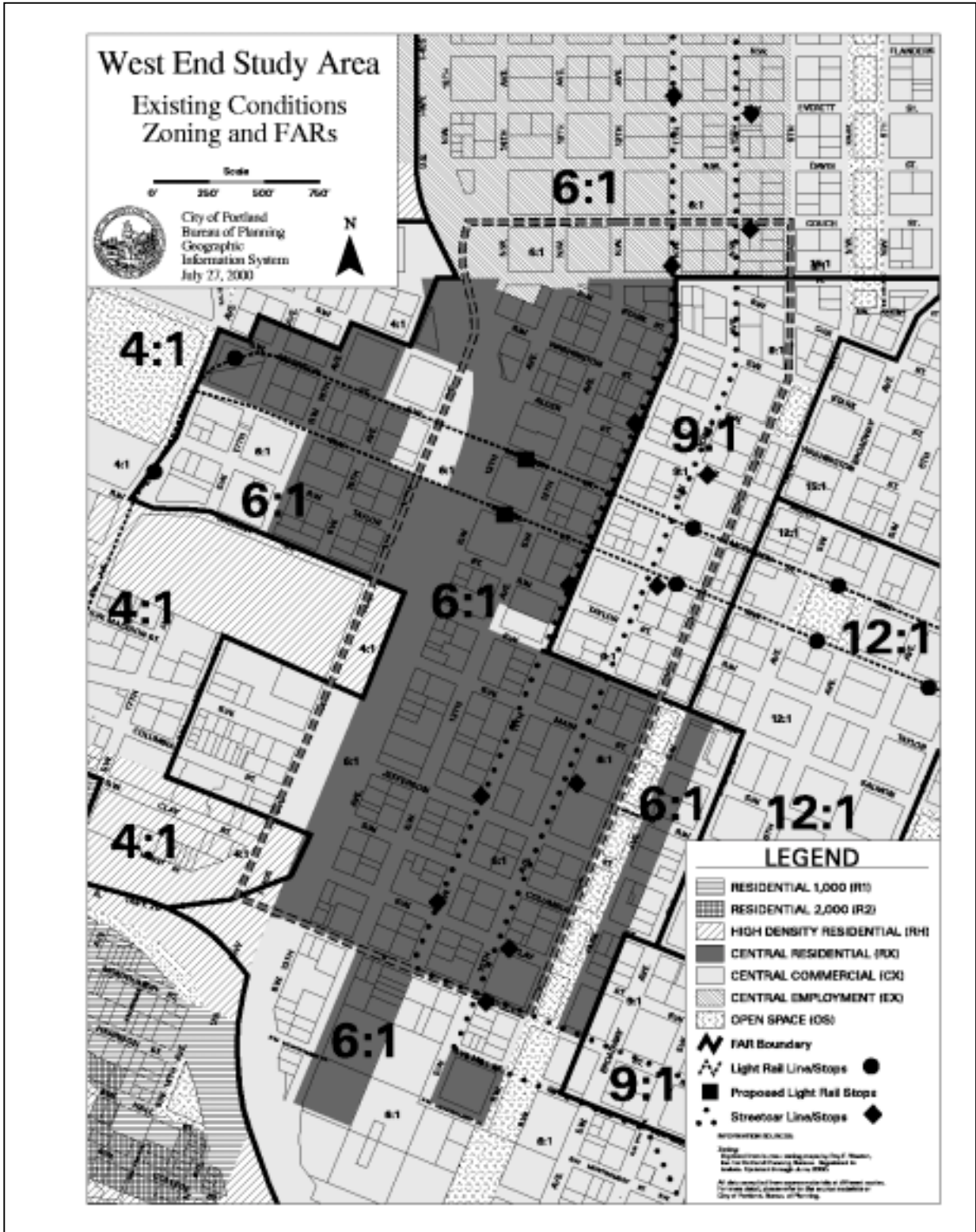
The recommendation builds on the policy framework of *Downtown, Central City*, and *Downtown Community Association Residential* plans. The limited financial and temporal resources devoted to the West End project have therefore been able to build on these adopted plans.

There is the potential for significant redevelopment within the West End during the coming decades. Both the City Council and Planning Commission take this into account, and both envision an infill development strategy instead of a redevelopment strategy. The distinction is clear – a majority of the blocks depicted on the map include buildings that are unlikely to redevelop – the strategy recognizes the importance that those buildings remain, while simultaneously encouraging redevelopment where suitable.

The Existing Condition: Comprehensive Plan and Zoning Designations

The map on the opposite page portrays the West End's zoning pattern before February 1, 2002. The district's dominant zone is Central Residential (RX), which covers about three-quarters of the area. The northeast quarter of the district is zoned Central Commercial (CX), as an extension of the Downtown office and retail core immediately to the east. Areas north of West Burnside Street and two properties immediately south of it are zoned Central Employment (EX). The South Park Blocks and O'Bryant Square at the eastern edge of the study area are zoned Open Space (OS). The entire West End also carries the Design (d) overlay, requiring design review as part of the development process.

Existing West End Comprehensive Plan and Zoning maps



Amendments to Today's Zoning Pattern

The map on the opposite page depicts the changes to existing zoning that Council considered on January 10, 2002. The adopted zoning pattern is portrayed in the map on the page that follows.

Amendments to Today's Zoning Pattern



Adopted West End Comprehensive Plan and Zoning maps

The results of City Council's January 10, 2002 actions regarding Comprehensive Plan and Zoning maps are depicted on the page at right. Changes go into effect February 1, 2002.

Adopted West End Zoning and Comprehensive Plan maps

