




CITY OF PORTLAND, OREGON
BUREAU OF
Planning

 **PORT OF PORTLAND**
Possibility. In every direction.

City's Early Proposal and Land Use Plan

May 20, 2008

A photograph of an airport control tower on the left and a commercial airplane in flight on the right, set against a backdrop of a large, snow-capped mountain peak under a blue sky with scattered clouds.

AIRPORT FUTURES

CHARTING A COURSE FOR PDX

Purpose

- Introduce City Land Use Plan
- PAG agreement with subcommittee recommendation to narrow options
- PAG input on issues for selecting regulatory framework for City Planning Commission consideration

Background

Why?

- PDX is currently a conditional use in industrial zone
- Strong regional economic expansion in 1990s raised community concerns over growth
- 1999 City – Port joint resolution to change from “Conditional Use” to “Allowed Use”
- Memorialized in 2002, 2004, and 2007 Agreements

Major Deliverables

- Port Master Plan Update
- City Land Use Plan
 - Comprehensive Plan amendments
 - Development code language
 - Plan amendment process
 - Ongoing public involvement
- Agreements
 - Memorialize and act on good ideas

2007 2008 2009 2010

Forecasting

2000 Master Plan and Follow-on Studies

Facility Requirements & City Early Proposal

City and Port Adoption

Kick-off & Goal Setting

Airport Layout Alternative and City Land Use Plan

Sep Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr

Tour #1 #2 #3 #4 #5 #6 #7 #8 #9 #10 #11 #12 #13 #14 #15 #16 #17 #18 #19

Planning Advisory Group Meetings

Part 1

Part 2

Land Use – Parts 1 and 2



Part 1 – PAG review **PRELIMINARY**:

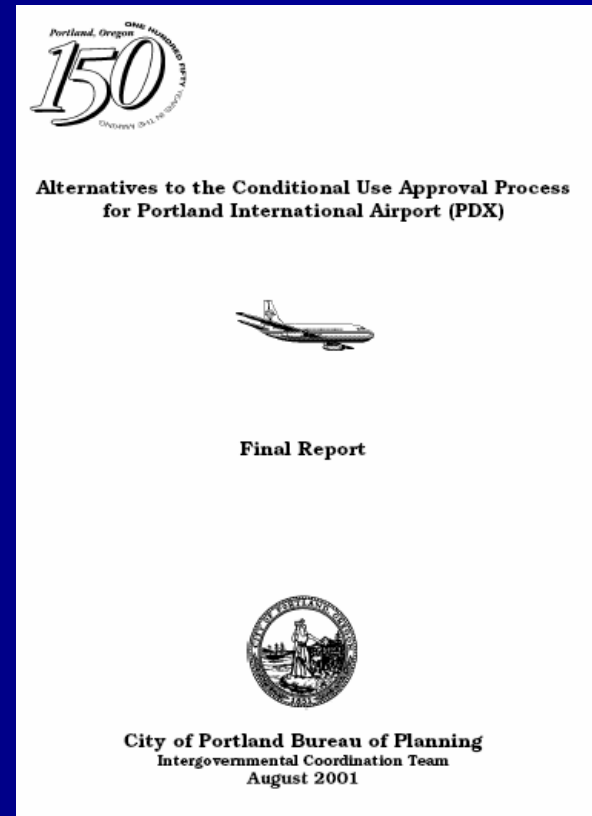
- proposal for regulating the airport (airport zone vs. plan district)

Part 2 – PAG reviews **DETAILED**:

- City land use alternatives based on preferred airport layout (trigger points - development review - mitigation measures)
- City policy amendments, development code language, and agreements

7 Regulatory Options

- Current conditional use
- Development agreement
- Impact mitigation plan
- Specific development plan
- Airport zone
- Plan district
- Modified conditional use

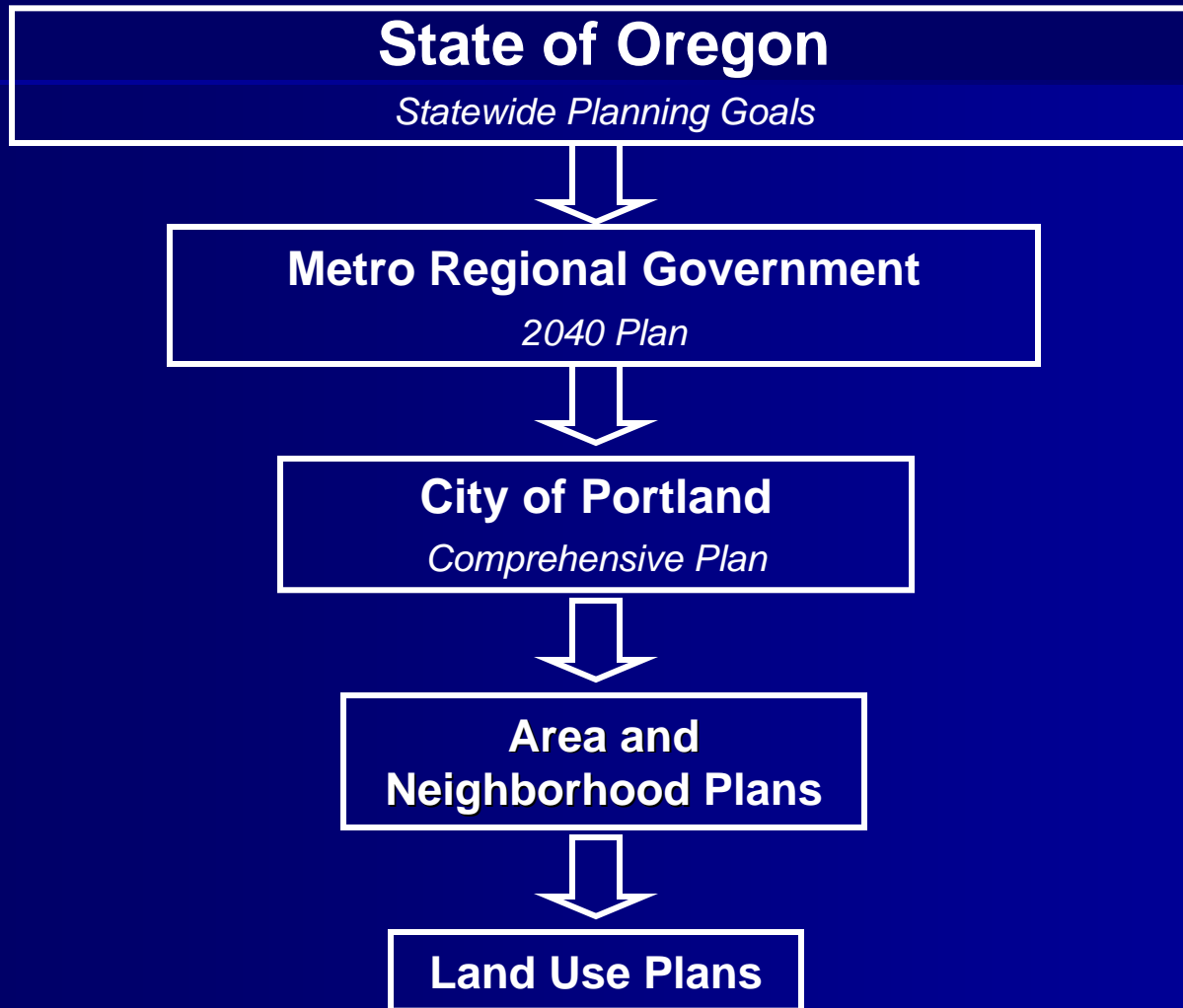




***WHAT EVERY CITIZEN SHOULD KNOW
ABOUT LAND USE PLANNING IN PORTLAND***



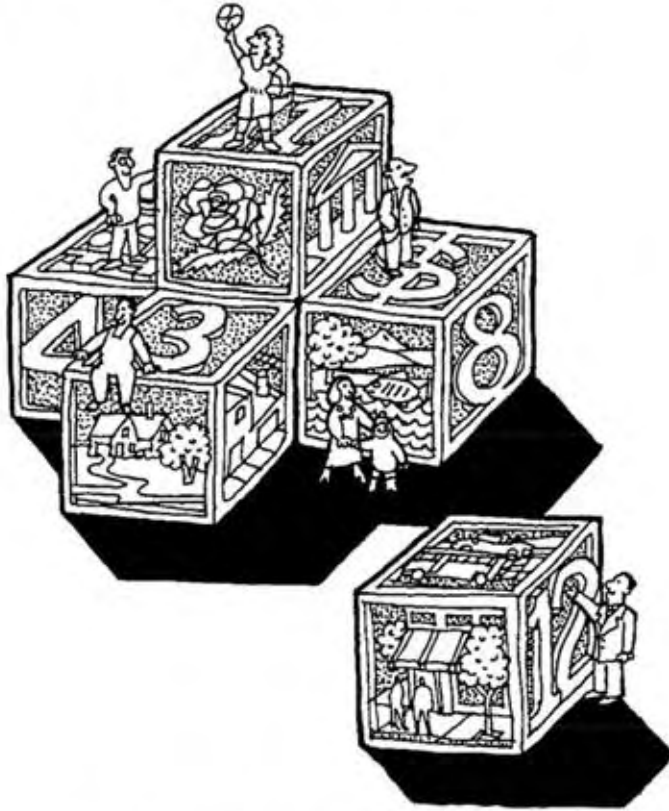
Land Use Planning and Framework



Portland's Land Use Planning Elements:

- Comprehensive Plan
- Land Use, System and Natural Resource Plans
- Transportation Plan

COMPREHENSIVE PLAN GOALS AND POLICIES



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PORTLAND, OREGON

Adopted: October 1980
Latest Revision: July 2004

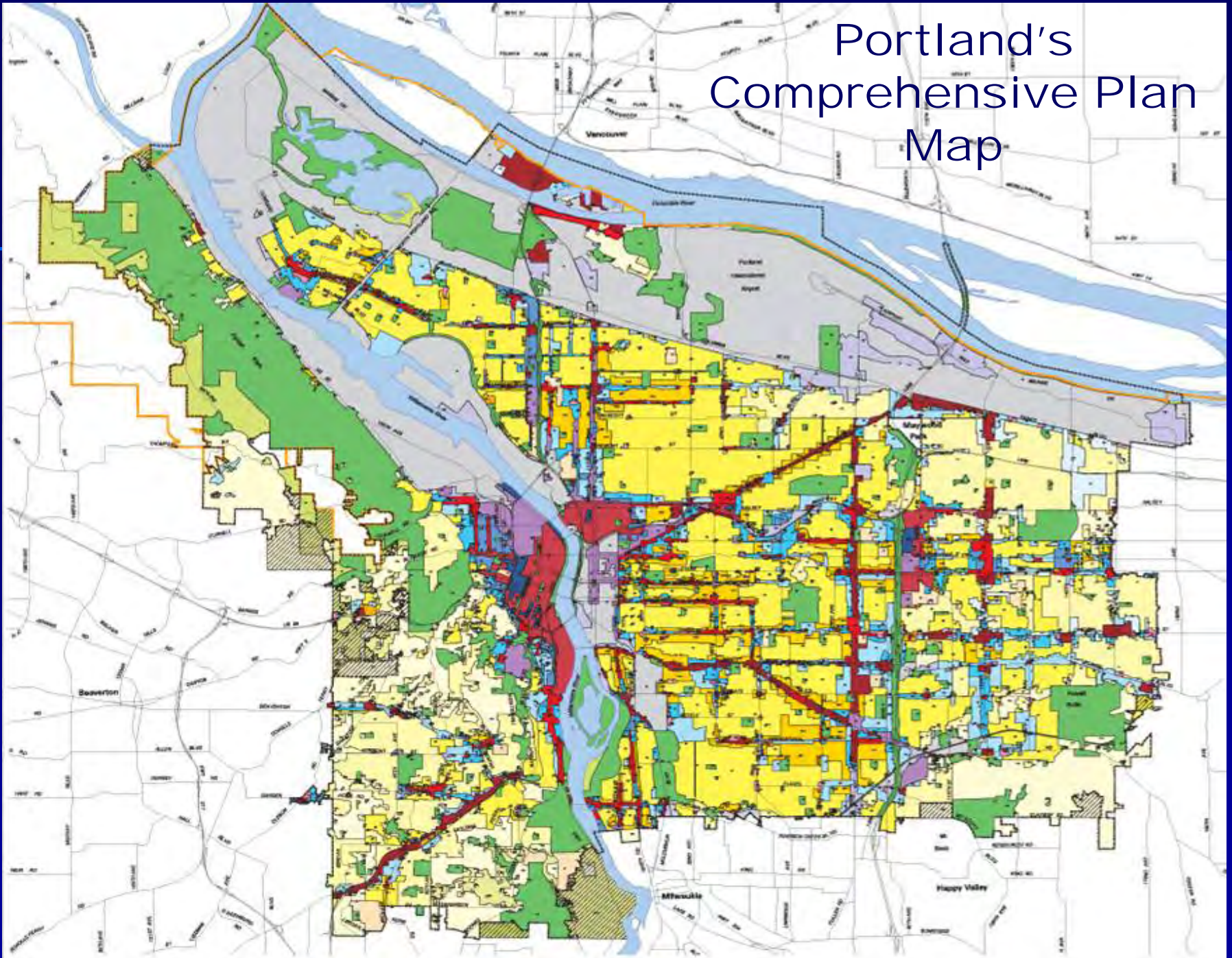
Portland's Comprehensive Plan

- Adopted in 1980, updated periodically
- Guides future development of the city
- 20 year horizon

Understanding Maps and Code

- Base Zone and Comprehensive Plan Map
- Overlay Zones
- Plan Districts, other special districts
- Hierarchy of regulations

Portland's Comprehensive Plan Map



Zoning: Base Zones

<u>Symbol</u>	<u>Full Name</u>	<u>Symbol</u>	<u>Full Name</u>
OS	Open Space	CN2	Neighborhood Commercial 2
RF	Residential Farm/Forest	CO1	Office Commercial 1
R20	Residential 20,000 (sf)	CO2	Office Commercial 2
R10	Residential 10,000 (sf)	CM	Mixed Commercial/Residential
R7	Residential 7,000 (sf)	CS	Storefront Commercial
R5	Residential 5,000 (sf)	CG	General Commercial
R2.5	Residential 2,500 (sf)	CX	Central Commercial
R3	Residential 3,000 (14.5-21 DU/Ac)	EG1	General Employment 1
R2	Residential 2,000 (21.8 – 32 DU/Acre)	EG2	General Employment 2
R1	Residential 1,000 (43 - 65 DU/Acre)	EX	Central Employment
RH	High Density Residential	IG1	General Industrial 1
RX	Central Residential	IG2	General Industrial 2
IR	Institutional Residential	IH	Heavy Industrial
CN1	Neighborhood Commercial 1		

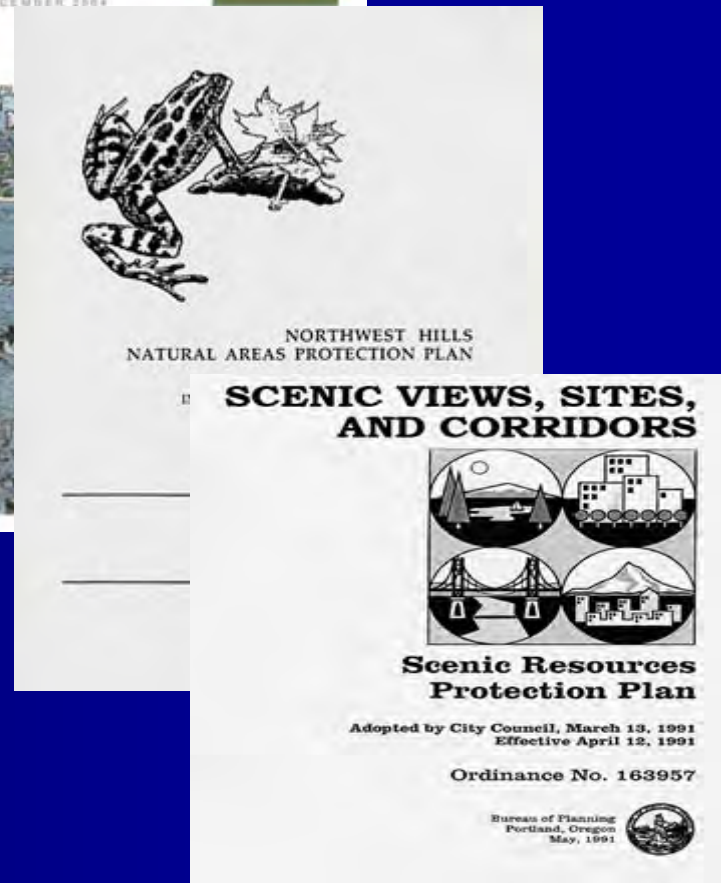
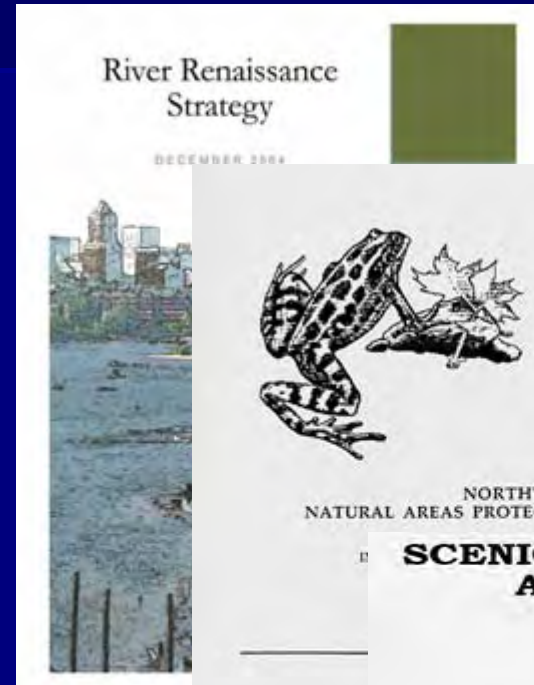
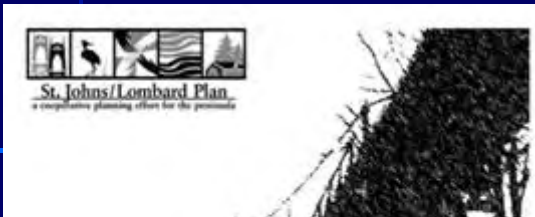
Separating Incompatible Land Uses

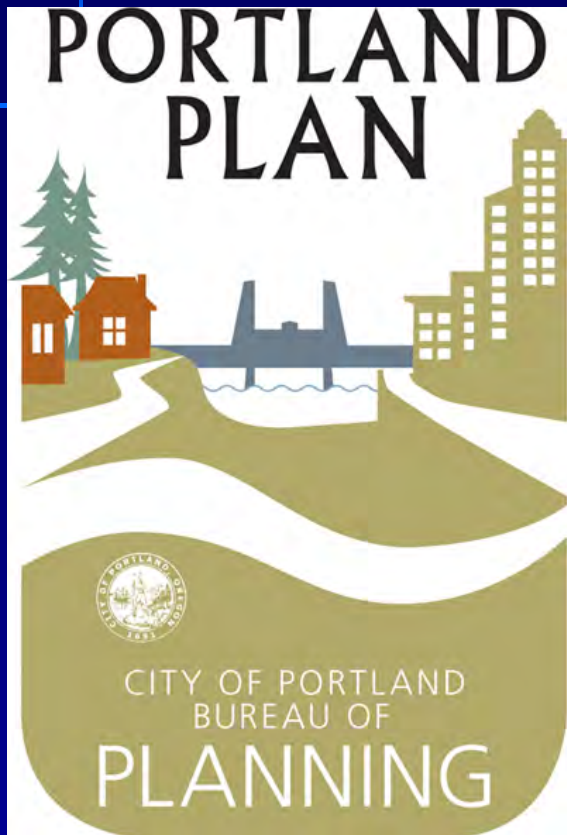
Use Categories	IG2	EG2
Residential	N	N
Commercial	L	L
Industrial	Y	Y
Institutional	Y & N	Y & N
Other		
- Aviation and Surface Passenger Terminals	CU	CU

Zoning: Overlays

<u>Symbol</u>	<u>Full Name</u>	<u>Symbol</u>	<u>Full Name</u>
a	Alternative Design Density	c	Environmental Conservation
b	Buffer	p	Environmental Protection
d	Design	j	Main Street Node
g	Greenway River General	m	Main Street Corridor
i	Greenway River Industrial	h	Aircraft Landing
n	Greenway River Natural	x	Portland International Airport Noise Impact
q	Greenway River Water Quality	s	Scenic Resource
r	Greenway River Recreation	t	Light Rail Transit Station
f	Future Urban	No Symbol	Historic Resource Protection ₁₆

Land Use Plan consistent with Adopted Land Use, System and Natural Resource Plans

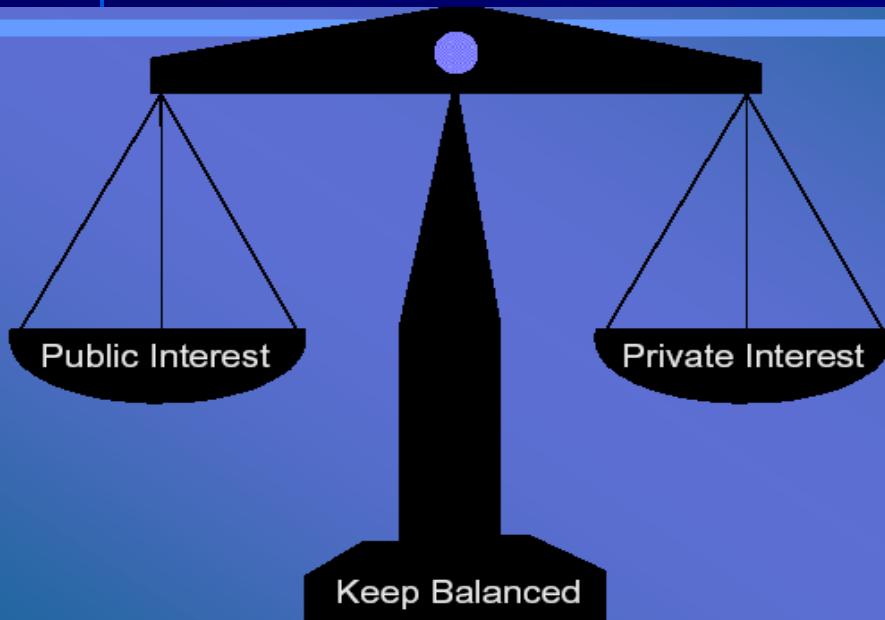




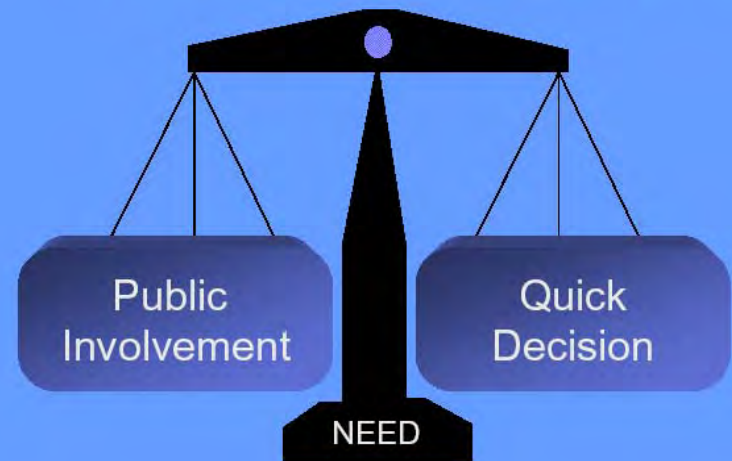
2007 - 2010

- Comprehensive Plan Update
 - Urban Form Plan
 - Citywide Systems Plan
 - Comprehensive Plan Policies
- Central City Plan Update
- Economic Development Strategy
- Sustainability Goals and Strategy

Two Frameworks: Legislative and Quasi-Judicial



Process Types Balance



Both Frameworks Balance Interests and Issues

Both have role in City Land Use Plan

Framework 1: Quasi-Judicial Land Use Review Process

- Is a Land Use Review
- Applies existing laws or policies to specific situation
- Based on state law with review practices similar to court procedures
- Review bodies appointed by City Council and occasionally City Council makes the final decision
- **Conditional Use is a Type III Review**

City of Portland
Bureau of Development Services
Land Use Review Division

1800 SW 4th Pl, 4th Fl, Suite 4000
Portland, Oregon 97204
Telephone: 503-823-7000
FAX: 503-823-9600
www.ci.portland.or.us

Date: May 24, 2005
To: Interested Parties
From: Kathleen, Rules & Land Use Review 503-823-7043

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed for a neighborhood. The proposed development requires a decision review. The proposal requires project information on how to respond to this notice and a decision. A copy of the application is attached. It contains the staff report and the case. Please call us if you have questions regarding the proposal. Please contact the applicant if you have questions regarding any future development on the site.

Development is published for review within 15 days. You need to review your comments and submit them by 5:00 p.m. on May 28, 2005. Please call us if you have questions about the review. Also, include the Case File Number: LU 03-000000 AD in your letter. It is attached to this letter to the City of Portland.

CASE FILE NUMBER: LU 03-000000 AD

Applicant: Empty Box
151 Montgomery Lane
Portland, OR 97204

Representative: Royce & Kathleen Tompkins, M
100 International Avenue
Portland, OR 97209

Site Address: 151 Montgomery Lane

Legal Description: 107 1800 OKE, Empty Box
Parcel ID No: 200741 001
Zone ID No: CU 100 CD 01000
Quarter Section: 523

High School: Eng-Fish
Business District: Commercial District
District Condition: Early Fall Out

Plan District: Empty Box
Other Designations: Downtown Hill, Historic District

Setting: 100 Empty Box, Empty Box

Case Type: Administrative
Procedure: Type II, Administrative Decision, with appeal to the Administrative Committee

Proposal: The applicant is proposing construction of a 10,000 square foot addition to the existing 100 room building on this site. The BOD requires a structure to be attached

Examples of Quasi-Judicial Projects

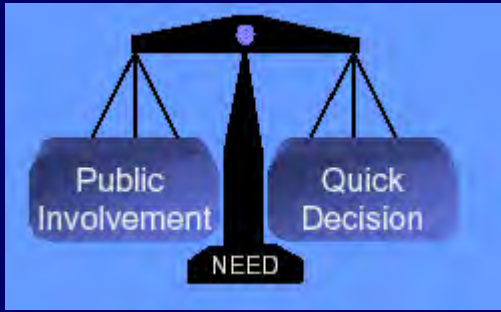
Examples:

- Exceptions to code standards
- Design review
- Anything not allowed outright
- Land divisions
- **Conditional Use Master Plan**

Framework 2: Legislative



- Not a land use or development review
- Creates new laws
- Planning Commission review
- City Council decision
- Both Plan District and Airport Zone require legislative action

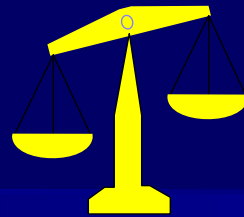


Type I

Type II

Type Ix

Type III



Public Notice



120 Day Rule



Decision by Planner



Staff
Recommends to
Hearing Body

Local Appeal



Pre-App Conference



Hearing Required



Decisions and Appeals



Nondiscretionary Staff Decision

Discretionary Staff Decision

Hearings Officer Decision

City Council Decision

Land Use Board of Appeals

Circuit Court

OR Supreme Court

US Supreme Court

- What issues can be appealed?
- When is record closed?
- What is standard of review?

Does City Have Authority to Limit Airport Growth?

- Gray area in State and Federal regulations
- City authority (land use and zoning, development, housing)
 - City and Port agree that City permits are required for buildings or roads
- FAA Authority (airspace, flight operations)
- Airport proprietor rights assumption
- Undecided preemption issues
 - Policies to limit airport growth
 - City approval for runway and taxiway projects
- These are issues regardless of option selected

Question for PAG

Do you agree with subcommittee recommendation to focus on Airport Zone and Plan District?

- Current conditional use
- Development agreement
- Impact mitigation plan
- Specific development plan
- ☑ Airport zone
- ☑ Plan district
- Modified conditional use

Why consider alternatives to Conditional Use?

- City-Port IGA says make PDX an allowed use
- Status quo does not work well for City, Port, or community
- Conditional Use typical of churches, universities, and hospitals
- Lacks specifics
- Lacks flexibility
- Decisions before hearings officer, not elected officials

PAG Vision and Values

Our **vision** is a PDX Master Plan and a City of Portland Land Use Plan that:

- 1) Allows the **City** to address the complex issues associated with PDX and their potential impacts,
- 2) Provides the **Community** with a greater opportunity to influence airport planning and development, and
- 3) Provides the **Port** with flexibility to respond to changing circumstances in airport development.

Subcommittee Recommendation

- Both Airport Zone or Plan District achieve PAG vision
- Other alternatives either too limiting or too complex
- Not enough information to choose between Plan District and Airport Zone

Airport Zone

- Recommended by Regional Air Transportation Demand Task Force
- Airport is basic City function – should be allowed by right
- Simple concept worth exploring

Plan Districts

- Address concerns unique to an area where other regulations cannot achieve desired results
- Apply additional regulations or apply exemptions to base zone

Two Alternatives

Airport Zone

Pros

- Achieves PAG vision
- Simple to administer

Cons

- Less flexible
- Creates issues for non airport uses
- Difficult to create

Plan District

Pros

- Achieves PAG vision
- More flexible

Cons

- Slightly more difficult to administer

Question for PAG

- Do you agree with subcommittee recommendation to focus on Airport Zone and Plan District?

Question for PAG

- Are we missing any considerations for the subcommittee to consider when they make its recommendation to pursue either Airport Zone or Plan District?

Plan District or Airport Zone?

<i>Considerations</i>	<i>Conditional Use</i>	<i>Airport Zone</i>	<i>Plan District</i>
Allowed Uses	No	Yes	Yes
Development Review	Type III only	Type I - IV	Type I - IV
Amendment Process	Type II or III	Type I - IV	Type I - IV
Mitigation Requirements	Yes	Yes	Yes
Notice Requirements	Yes	Yes	Yes
On-going Public Involvement	No	Yes	Yes
Noise and Environmental Overlay Amendments	No	Yes	Yes
Planning Horizon	10 years	No limit	No limit
Off-Airport Properties	No	No	Yes
Code Complexity	No	Yes	No
Difficult to Administer	Yes	Staff preference	Staff preference

Question for PAG

- Are we missing any considerations for the subcommittee to consider when they make its recommendation to pursue either Airport Zone or Plan District?

Next Steps


- PART 1: Land Use / Transportation Subcommittee meets next month to select recommended framework
- PAG considers recommendation in July
- Planning Commission meets late summer for early input on options
- PART 2: Detailed discussion of City Land Use Plan elements starting in late 2008

Part 2: PAG recommendations will be made on:

	City Land Use Plan	Agreements
<i>Comprehensive Plan</i> Policies and Objectives	✓	
Environmental, Noise and Height Overlays	✓	
Development code (e.g. what is by right, what requires reviews)	✓	
Mitigation requirements	✓	
City Plan amendment process	✓	✓
Ongoing public involvement	✓	✓
Good ideas “bucket”	✓	✓



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Possibility. In every direction.



AIRPORT FUTURES

CHARTING A COURSE FOR PDX