

## 162 - Residential Development and Compatibility Issue Paper

**Topic:**

Development Transitions (#162)

**Issue:**

Development impacts and buffering between residential and commercial and employment zones.

**Problem Statement:**

In many situations throughout Portland, low-density single and multi-dwelling zones directly abut or are proximate to property zoned for commercial, employment and industrial land uses. Even when development in the commercial and employment zones is relatively low scale and potentially consistent with height allowances of adjacent residential zones, impacts of these uses (light, noise, odors, etc.) may be felt by the adjacent residential uses. Residents adjacent to these uses have raised concerns about these impacts.

**Background:**

Portlanders benefit by living in a vibrant city in which many residents live relatively close to community-serving retail and services, and employment opportunities. This proximity allows for use of multiple transportation modes, and can reduce travel times, compared to other places where uses are more separated. However, residents who live adjacent and proximate to commercial, employment and industrial uses at times experience the noise, lighting, and odor impacts of these uses due to site design issues or limited mitigation for features such as outdoor lighting, drive-through facilities, parking and vehicle areas, outdoor patios or decks, exhaust vents or outdoor cooking facilities, etc.

The Portland Comprehensive Plan includes several policies that directly or indirectly address this issue, including: Policy 2.11, Commercial Centers, which supports strong commercial areas that are compatible with surrounding areas; Policy 2.15, Living Closer to Work, which calls for reducing VMT and locating housing closer to employment centers; Policy 2.22, Mixed Use, which calls for mixed use areas to serve as transitions/buffers; Policy 2.23, Buffering, which calls for additional landscaping and access limitation mitigation measures in some situations; and Policy 5.9, Protection of Non-industrial Lands, which calls for addressing adverse impacts of industrial activities and development.

Portland has addressed the issue of impacts between uses and zones in a few ways: 1) zoning transitions; 2) landscaping/buffering requirements in the zoning code; 3) off-site impact codes. Where possible, zones transition from lower to higher intensities or to mixed-use areas to buffer residential uses from the impacts of industrial, employment and some commercial uses. In some cases, residential zones directly abut or are proximate to higher intensity commercial or employment zones and uses. In these cases, the Portland zoning code provides setbacks, landscaping, screening and buffering requirements to address some aspects of these situations.

In terms of landscaping, the zoning code generally requires lot line landscaping of non-residential zones that abut residential zones. Landscaping is mostly a visual screening tool, although it can also mitigate some other impacts if designed for this purpose. Adjacent to residential zones, the maximum code requirement is 5 feet of landscaping at the lot line at the L3 level for all Commercial zones and the EG1, EX and IG1 zones; the requirement is 10 feet at the L3 standards for EG2, IG2 and IH zones. Some zones also require 15% of the site to be landscaped which may also help mitigate impacts. In addition, the zoning code requires landscaping and screening of on-site parking and service areas abutting residential zones to the same L3 and dimensional standard. Generally, the L3 standard is intended to form a screen 6 feet in height through use of evergreen shrubs or a masonry wall; it also requires trees and ground cover plants.

In addition to base-zone landscaping requirements, the Buffer (b) overlay zone has been applied to areas - generally along lot lines abutting residential uses - where additional impact mitigation and

separation of uses is desired. The mitigation/separation is achieved by increasing setbacks, requiring additional landscaping, and restricting signs and motor vehicle access. In some cases, the buffer overlay also requires additional information and proof of mitigation for uses that may cause off-site impacts and nuisances. Generally, the Buffer overlay zone requires a 10 foot L3 landscaped setback on lot lines across a local street and rear lot lines abutting residential zones. In Employment and Industrial zones, it requires a 20-foot L3 landscaped setback on all lot lines. The buffer overlay has not been applied uniformly across the city, and is applied less frequently in urban zones (CS, CM, CX, and EX) that do not allow for exterior storage or work areas.

Zoning code section 33.262, Off-Site Impacts, addresses Noise, Vibration, Odor and Glare issues. Of these, Noise is addressed in Title 18 of Portland City Code.

#### **Challenges/Issues:**

Goals of the Portland Plan include creating a healthy, connected city with a strong economy - one that provides opportunities to meet daily needs nearby, and fosters a healthful environment. Key to this is supporting convenient mixed-use centers and commercial corridors, and nearby employment. However, as the mixing and proximity of uses increases, potential impacts between them may also increase. How can the city foster convenient neighborhoods with nearby services while maintaining livability, particularly for those residents that are in mixed-use development or are proximate to commercial and employment land uses?

- 1) The Comprehensive Plan has policies that encourage infill development along transit streets etc. but fewer policies that address compatibility between residential and non-residential uses.
- 2) Many commercial sites are located along arterial streets and have minimal lot depth in which to buffer/mitigate impacts to adjacent or proximate residentially-zones areas. The standards of the buffer overlay zone present challenges for smaller lots on commercial corridors.
- 3) Mitigation and buffering is generally accomplished through lot-line landscaping where residential uses abut non-residential zones. This may not be an effective tool for some impacts.
- 4) In cases where commercial and employment zones abut higher intensity residential zones, the scale of residential development may intensify the impacts between uses, as it may be difficult to provide screening for upper-story units, and the number of units affected is greater.
- 5) Sometimes impacts can be better addressed when a development is subject to a review process. In some areas the design overlay is applied. However, in many areas there are no discretionary reviews - development is checked only for compliance with development standards.

#### **Health Connection:**

- Health studies have shown that people may benefit when they live in areas where goods and services are convenient and in walking distance from residential areas. However, many parts of Portland are still auto-accommodating and lack pedestrian oriented retail and services
- The impacts of abutting or proximate commercial or employment/industrial uses - vehicle noise and pollution, operating noise, light, late-night activity, etc. - may have health implications.

#### **Equity Connection:**

- Consider the potential for unintended consequences for any policy direction or approach.

#### **Expected Outcomes:**

Development and/or revision of policy, possibly implemented through amendments to the zoning code.