

CITY OF PORTLAND PLANNING FOR MONTGOMERY PARK REDEVELOPMENT AND  
METRO UGMFP TITLE 4 LAND USE RESTRICTIONS IN THE AREA

---

Date: July 5, 2024  
Department: Planning, Development &  
Research  
Meeting Date: July 23, 2024

Prepared by: Glen Hamburg, Associate  
Regional Planner, Metro  
(glen.hamburg@oregonmetro.gov)

Presenters: Glen Hamburg, Associate  
Regional Planner, Metro; Patricia  
Diefenderfer, Chief Planner, City of  
Portland

---

### **ISSUE STATEMENT**

The City of Portland is considering an extension of streetcar service through, and associated land use changes in, the roughly 74-acre Montgomery Park area south of NW Nicolai St, north of NW Vaughn St, and west of Hwy 30. The City's land use proposal, known as the "Montgomery Park Area Plan" (MPAP), seeks to transition the area around the former ESCO steel foundry into a new transit-oriented, mixed-use district that supports job growth and housing development with a focus on equity and affordability. These City efforts follow from Federal Transit Administration (FTA) funded Metro grants to study the impacts of possible transit system expansions. More information about the streetcar service extension proposal and MPAP are provided by the City in Attachment C and will be addressed during the July 23 work session.

Metro regulations in Urban Growth Management Functional Plan (UGMFP) Title 4, *Industrial and Other Employment Areas*, require the City to prohibit/limit certain public, recreational, commercial, and service uses in the Montgomery Park area. However, such uses, if allowed by Metro, may be supportive of future residential land uses and facilitate the development of transit-oriented complete communities in an underdeveloped but central area of the region, and advance other Regional Framework Plan (RFP) policies.

Removing Metro's Title 4 prohibitions/limitations would require an ordinance of the Metro Council amending the "Title 4 Map" (Attachment A) to no longer designate the Montgomery Park area as a "Regionally Significant Industrial Area" (RSIA) or "Employment Area".

### **ACTION REQUESTED**

Metro staff are seeking direction from the Metro Council on whether to propose an ordinance later this year to amend the Title 4 Map. The possible amendments would allow the City to permit land uses in the Montgomery Park area that would otherwise be prohibited or limited by Title 4, including:

- Schools, places of assembly (e.g., community centers and places of worship), and parks; and

- Retail commercial and professional service uses, such as grocery stores, medical and dental offices, and banks.

## **IDENTIFIED POLICY OUTCOMES**

If the City were to extend streetcar service through the Montgomery Park area and permit residential land uses in the area, amending the Title 4 Map and allowing the City to also permit schools, places of assembly, parks, retail commercial, and professional service uses in the area could help advance the following RFP policies:

- 1.1.1 Ensure and maintain a compact urban form within the UGB.
- 1.1.3 Facilitate infill and re-development [...] to use land and urban services efficiently, to support public transit, to promote successful, walkable communities, and to create equitable and vibrant communities.
- 1.1.7 Promote excellence in community design.
- 1.1.8 Promote a compact urban form as a key climate action strategy to reduce greenhouse gas emissions.
- 1.8.1 Identify and actively address opportunities for and obstacles to the continue development and redevelopment of existing urban land using a combination of regulations and incentives to ensure that the prospect of living, working, and doing business in those locations remains attractive to a wide range of households and employers.
- 1.10.1 Support the identity and functioning of communities in the region through:
  - c. Ensuring that incentives and regulations guiding the development and redevelopment of the urban area promote a settlement pattern that:
    - ii. Makes biking and walking the most convenient, safe, and enjoyable transportation choices for short trips, encourages transit use, and reduces auto dependence and related greenhouse gas emissions.
    - iii. Provides access to neighborhood and community parks, trails, schools, walkways, bikeways, and other recreational and cultural areas and public facilities.
    - iv. Reinforces nodal, mixed use, neighborhood-oriented community designs to provide walkable access to a mix of destinations to support meeting daily needs, such as jobs, education, shopping, services, transit and recreation, social, and cultural activities.

- v. Includes concentrated, high-density, mixed-use urban centers developed in relation to the region's transit system.
- vi. Is responsive to needs for privacy, community, sense of place, and personal safety in an urban setting.

## **POLICY QUESTIONS**

1. Does the Council have concerns about the City authorizing schools, places of assembly, parks, retail commercial, and professional service uses in the Montgomery Park area?
2. If the City were to extend streetcar service through and authorize residential land uses in the Montgomery Park area, does the Council believe that allowing the above-listed land uses in the area could better achieve certain polices of the RFP?
3. Should Metro staff draft an ordinance for Council consideration this year to amend the Title 4 Map in order for the City to authorize the above-listed land uses in the Montgomery Park area?

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Metro council can direct staff to propose an ordinance removing Title 4 prohibitions/limitations (e.g., on the above-listed land uses) in the Montgomery Park area in order to better achieve certain polices of the RFP. They could also request additional information.

## **STAFF RECOMMENDATIONS**

No recommendation at this time.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

- **How does this advance Metro's climate action goals?**  
According to the RFP, the outcomes and characteristics of a successful region include: people living, working, and playing in vibrant communities where their everyday needs are easily accessible; people having safe and reliable transportation choices that enhance their quality of life; and the region being a leader in minimizing contributions to global warming. As noted above, Metro's RFP also contains land use policies that aim to promote a compact urban form, as well as walking, biking, and transit use, to reduce greenhouse gas emissions. Similarly, Metro's Climate Smart Strategy includes policies to make transit convenient, frequent, accessible, and affordable and make biking and walking safe, reliable, and connected.
- **Known Opposition/Support/Community Feedback**  
Metro staff are awaiting Metro Council direction before proposing an ordinance to amend the Title 4 Map. An ordinance would require a public hearing preceded by

consultation with the Metro Technical Advisory Committee (MTAC) and the Metro Policy Advisory Committee (MPAC).

The City's MPAP proposal, however, followed years of community engagement activities led by the City, including in-person and virtual open houses, surveys, printed mailers, and dedicated outreach to Community Based Organizations and representatives of underserved communities. The City's Planning Commission held a public hearing on the plan on May 23, 2024. The hearing saw a range of testimony, including from property owners and business operators in the area, and other interested parties. While the opinions expressed in the testimony were varied, testimony included advocacy for any residential uses in the area to be paired with certain retail commercial uses (e.g., a grocery store), a community center, and a park, particularly a park serving the wider Northwest Portland area. The Planning Commission is scheduled to vote on a recommendation to the City Council in July.

- **Explicit list of stakeholder groups and individuals who have been involved in policy development.**

As noted above, Metro staff are awaiting Metro Council direction before proposing an ordinance to amend the Title 4 Map. If the Metro Council supports such an ordinance being proposed, it would be formally considered by MTAC and MPAC before a public hearing with the Metro Council.

- **Legal Antecedents**

UGMFP Title 4 seeks to: provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in designated Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas; provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations; and protect the capacity and efficiency of the region's transportation system for the movement of goods and services. Per Subsection 3.07.450(a), the Title 4 Map is the official depiction of RSIAs, Industrial Areas, and Employment Areas.

The Title 4 Map is not a static document. It has been amended on more than a dozen occasions in the last few decades by different Metro Code authorized processes applicable in different circumstances. Subsection 3.07.450(g) states that the Metro Council may amend the Title 4 Map by ordinance at any time to make corrections in order to better achieve the policies of the RFP.

Approximately 42 acres of the MPAP area are currently designated RSIA on the Title 4 Map. Section 3.07.420 has requirements for local governments to include measures in their land use regulations that limit in RSIAs the size and location of new buildings for retail commercial uses and professional services that cater to daily customers "to ensure that they serve primarily the needs of workers in the area." The section also requires local governments to restrict certain land uses in RSIAs, including: retail commercial uses that occupy more than 3,000 square feet of

sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development, with some exceptions; and schools, places of assembly larger than 20,000 square feet, and parks intended to serve people other than those working or residing in the RSIA.

In addition, approximately 17 other acres of the MPAP area are designed Employment Areas on the Title 4 Map. Section 3.07.440 has requirements for local governments to limit new and expanded commercial retail uses in Employment Areas to those that are “appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.” It also requires restrictions on certain land uses in Employment Areas, including retail commercial uses with more than 60,000 square feet of leasable area in a single building, or with a total of more than 60,000 square feet of retail sales area on a single lot/parcel, or on contiguous lots/parcels, including those separated only by right-of-way.

- **Anticipated Effects**

If so directed by the Metro Council, Metro staff would prepare an ordinance to amend the Title 4 Map in order to remove Metro’s prohibitions/limitations on certain non-industrial uses in the Montgomery Park area in order to better achieve certain policies of the RFP.

- **Financial Implications (current year and ongoing)**

There is no significant budget impact. Metro staff would prepare the necessary legislation and associated materials, and present them to MTAC, MPAC, and the Metro Council.

## **BACKGROUND**

This work session will be the first time the topic of amending the Title 4 Map to align with the City’s streetcar serve extension and MPAP projects is brought before the Metro Council.

## **ATTACHMENTS**

- A. UGMFP Title 4 Map
- B. Aerial close-up of Title 4 Map designations in MPAP Area
- C. July 5, 2024 Memo from City of Portland Bureau of Planning & Sustainability (BPS)

- **Is legislation required for Council action?**  Yes  No

An ordinance will be needed to amend the Title 4 Map. That legislation will be drafted only if so directed by the Metro Council at this work session.

- **If yes, is draft legislation attached?**  Yes  No

- **What other materials are you presenting today?**

Metro staff will show a PowerPoint at the work session.