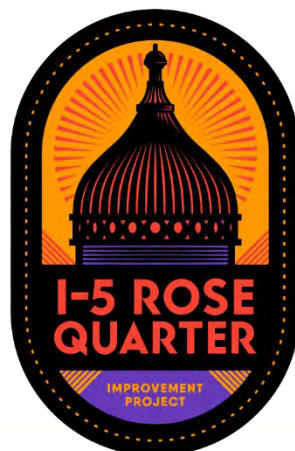


# LAND USE SUPPLEMENTAL TECHNICAL REPORT

Oregon Department of Transportation  
August 5, 2022



## Contents

1.0 Introduction .....	2
2.0 Build Alternative Design Changes .....	2
2.1 Design Process .....	2
2.2 Project Area .....	5
2.3 I-5 Mainline Improvements Changes.....	6
2.4 Highway Cover Changes.....	7
2.5 Related Local System Multimodal Improvements Changes .....	9
3.0 Regulatory Framework.....	10
4.0 Methodology and Data Sources.....	11
4.1 AREA OF POTENTIAL IMPACT .....	11
5.0 Affected Environment .....	11
6.0 Environmental Consequences.....	12
6.1 No-Build Alternative .....	12
6.1.1 Direct Impacts.....	12
6.1.2 Indirect Impacts.....	12
6.2 Revised Build Alternative.....	12
6.2.1 Direct Impacts.....	12
6.2.2 Indirect Impacts.....	16
6.3 Cumulative Effects.....	19
6.4 Compliance with Applicable State, Regional, and Local Transportation and Land Use Laws, Plans, and Policies.....	20
6.4.1 Oregon Statewide Planning Program State Transportation System Plan .....	20
6.4.2 City of Portland Code.....	21
6.5 Conclusion.....	22
7.0 Avoidance, Minimization, and Mitigation Measures.....	23
8.0 Preparers.....	23
9.0 References.....	24



## Tables

Table 1 Conversion to Transportation Use by Land Use Zone .....	14
Table 2 Zoning Characteristics of Revised Cover Area .....	17

## Figures

Figure 1 Hybrid 3 Highway Cover Design Concept .....	4
Figure 2 Previous and Current Project Area .....	6
Figure 3 Building Parameters on the Cover .....	8
Figure 4 Major Local System Multimodal Design Changes .....	10
Figure 5 Land Use and Land Converted to Transportation Use .....	13
Figure 6 Highway Cover Design Changes .....	15
Figure 7 Revised Cover Area City of Portland Zoning .....	18



---

# Executive Summary

This technical report supplements the Land Use Technical Report (ODOT 2019) with an evaluation of the land use impacts of the Revised Build Alternative. This Land Use Supplemental Technical Report concentrates on how the design updates under the Revised Build Alternative would impact land uses and consistency with land use and transportation plans in the Area of Potential Impact (API) compared to the No-Build Alternative. This report also includes a summary of the minor updates to land use existing conditions and planning goals and policies using the most recent available data.

The Revised Build Alternative design changes most important to land use analysis are the expansion of the project area in some areas to reflect advancement of the project engineering, the expansion of the highway cover along with the ability of the cover to support development between three-story and six-story buildings, and changes to areas needed for conversion to transportation use.

The analysis concludes that the Revised Build Alternative would:

- have approximately 80,459 square feet of direct conversion of other land uses to transportation use, which is 30,340 square feet less than the Build Alternative, while the No-Build Alternative would have no conversion;
- connect neighborhoods and uses across I-5 by introducing the highway cover, while the No-Build Alternative would not allow increased connection across I-5;
- introduce a 7.1-acre highway cover, which is 3.1 acres larger than the Build Alternative and includes 4 acres of land that can be developed, while the No-Build Alternative would introduce no highway cover or new buildable land; and
- continue to be in compliance with applicable laws, plans, and policies, while the No-Build Alternative would not be in compliance.

---

# 1.0 INTRODUCTION

The I-5 Rose Quarter Improvement Project (Project) Environmental Assessment (EA) was released in February 2019. The Federal Highway Administration (FHWA) published a Finding of No Significant Impact (FONSI) and Revised EA (REA) for the Build Alternative on November 6, 2020. Since the issuance of the FONSI, the Oregon Department of Transportation (ODOT) has made changes to the design of the Build Alternative (“Revised Build Alternative”) and re-evaluated the changes in the context of the FONSI/REA. At the conclusion of the re-evaluation, FHWA and ODOT agreed that the design changes require additional analyses beyond what was presented in the REA, and FHWA rescinded the FONSI on January 18, 2022. This technical report supplements the Land Use Technical Report (ODOT 2019) with an evaluation of the land use impacts of the Revised Build Alternative compared to the No-Build Alternative and Build Alternative compared to the No Build Alternative and Build Alternative.

## 2.0 BUILD ALTERNATIVE DESIGN CHANGES

Changes to the Build Alternative include modification to the highway cover design and changes associated with advancements in other elements of the project design, some of which require expansion of the Project Area. This section describes the highway cover design changes and design changes that resulted from advancements in project engineering. The evaluation of these changes is presented in Section 6.2 of this supplemental technical report.

### 2.1 DESIGN PROCESS

Through 2021, ODOT facilitated an Independent Highway Cover Assessment, as directed by the Oregon Transportation Commission, that engaged the Project’s advisory committees and community members in a series of collaborative workshops to explore the design opportunities for the highway cover. The purpose of the Independent Highway Cover Assessment was to understand stakeholder goals and objectives within the Project Area, generate potential highway cover scenarios, and assess the impacts and benefits of these scenarios. The Independent Highway Cover Assessment team worked directly with local community members from the historic Albina neighborhood to understand how the highway cover design concepts might best serve the historic Albina community. The Project’s Historic Albina Advisory Board (HAAB), Executive Steering Committee (ESC) and the Community Oversight Advisory Board (COAC) also provided input as part of the Independent Highway Cover Assessment process. These sessions explored potential opportunities for economic development in the Albina community and the highway cover design concepts.

---

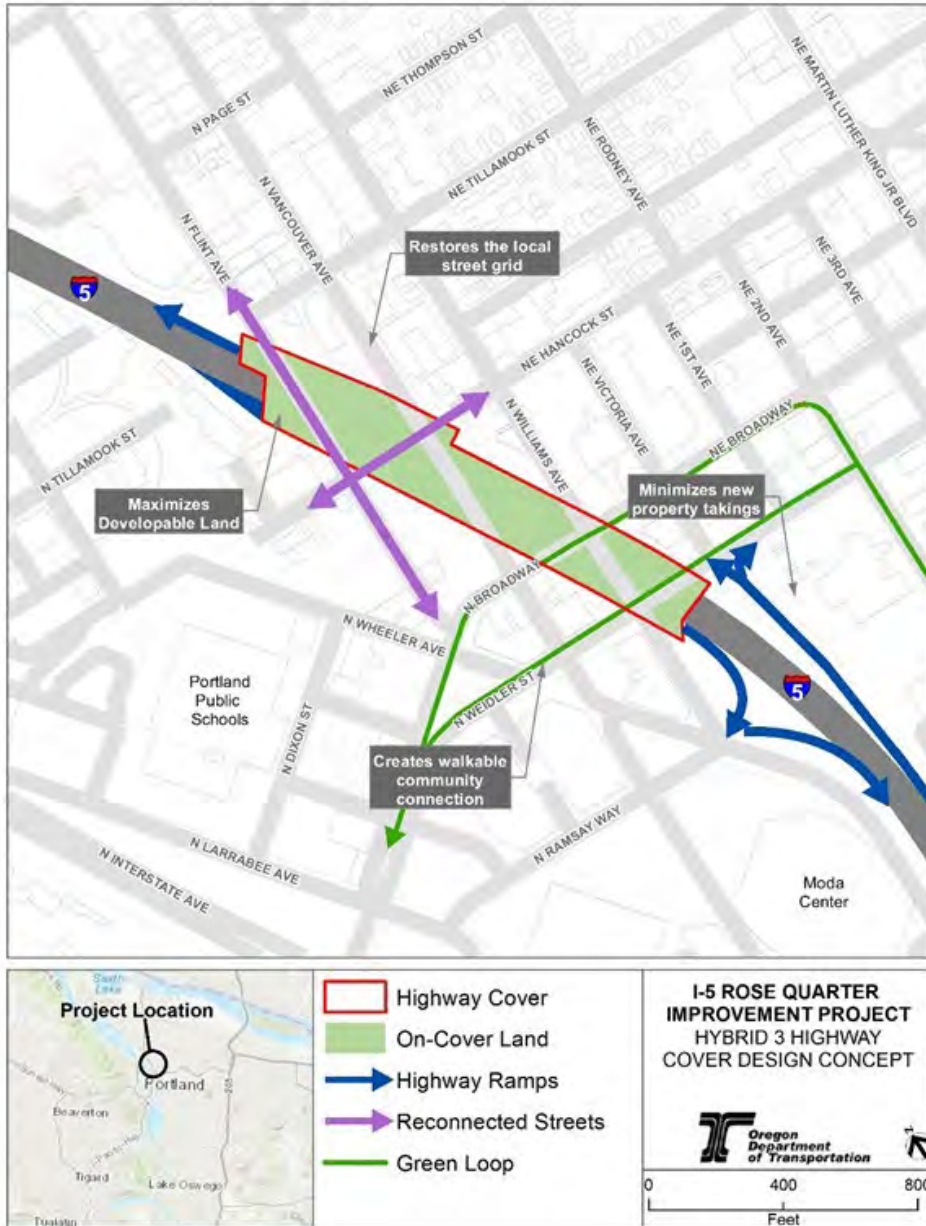
In July 2021, Oregon Governor Brown convened a series of meetings with Project stakeholders and community organizations to discuss the design concepts developed in the Independent Highway Cover Assessment. In August 2021, the HAAB—as supported by the ESC and the COAC, and through the Governor-led process—recommended “Hybrid 3” as the preferred highway cover design concept (Figure 1). The Hybrid 3 highway cover design concept represents a proposed community solution to maximize developable space on a single highway cover. The Hybrid 3 highway cover design concept maintains the commitment for the Project to create opportunities for the local community to grow wealth through business ownership and long-term career prospects through the Project’s Disadvantaged Business Enterprise and workforce program. Following the community and stakeholder recommendations, in September 2021, the Oregon Transportation Commission directed ODOT to advance further evaluation of the Hybrid 3 highway cover design concept, with conditions related to the Project’s funding process and other technical analyses.

In January 2022, Governor Brown entered into a Letter of Agreement with the City of Portland, Metro, and Multnomah County that demonstrated their shared understanding and collective support for the Hybrid 3 concept as part of the Project. The Letter of Agreement specifically highlights the desire to connect the Lower Albina neighborhood, create buildable space, and enhance wealth-generating opportunities for the community, while simultaneously addressing the area’s transportation needs. Additionally, the Letter of Agreement supports the development of a process to define the future development vision for what could ultimately be built on top of the highway cover upon Project completion – this process is referred to as a Community Framework Agreement. The Letter of Agreement states that the City of Portland will lead a Community Framework Agreement process and that it should be between the City of Portland, ODOT, other state agencies and local jurisdictions as necessary, with the participation of organizations that represent the Albina community and Black residents. Any future real estate or open space development on top of the cover would require executing long-term air rights and lease agreements, and that any such actions or decisions are subject at all times to applicable local, state, and federal laws including but not limited to land use and NEPA processes.

In June 2022, ODOT and the City of Portland executed an Intergovernmental Agreement (IGA), building upon the January 2022 Letter of Agreement. The IGA further states that the City will lead the future highway cover land use, programming and development processes and development of a Community Framework Agreement, in consultation with the ODOT to ensure the highway, local streets and resulting land parcels within the Project are coordinated. As such, ODOT would construct the highway cover as part of the Project and the City of Portland would lead the process to define what is ultimately built on the new land created by the Project’s highway cover. In the IGA, both ODOT and the City agreed that ODOT will retain ownership of the highway cover structure and the new developable area created on the highway cover structure upon Project completion.

The sections below describe the highway cover design changes and the design changes that resulted from advancements in project engineering and are incorporated into the Revised Build Alternative.

Figure 1 Hybrid 3 Highway Cover Design Concept



This section describes the highway cover design changes and design changes that resulted from advancements in project engineering and are incorporated into the Revised Build Alternative.

---

## 2.2 PROJECT AREA

The Project Area is defined as the area within which improvements are proposed, including where permanent modifications to adjacent parcels may occur and where potential temporary impacts from construction activities could result. As Project design information advanced, some changes required expansion of the Project Area presented in the REA and FONSI, and in one location the Project Area was reduced (Figure 2). In total, approximately 8.7 acres would be added to the Project Area. The changes are as follows, with letter references to the areas shown in Figure 2:

- A: Utility conflicts with Light Rail Transit (LRT) along NE Holladay Street between N Interstate Avenue and NE Martin Luther King Jr. Boulevard required expanding the Project Area by 1.9 acres to include additional overhead utility relocations (label A in Figure 2).
- B: An existing parking (known as Aegean Lot) south of N Interstate Avenue and the Broadway Bridge may be used for contractor staging during construction and is added to the Project Area (label B, Figure 2). ODOT identified this 4.3-acre construction staging area for contractor use based on its location, size, and suitability recognizing that, because of the urban setting and high-density land development in the construction area, it would be difficult for a construction contractor to find the space needed near or next to the project work areas for equipment staging, material storage, and the required co-location space for the contractor/construction personnel. This location meets all of the Project requirements: large level open space, proximity to the project work areas, and access for staging/storage of materials and equipment. Any materials stored in the area and site runoff would be subject to the same regulations as required throughout the project site.
- C: The southern end of the Project Area is expanded by 2.4 acres to include the portion of I-5 south of the Burnside Bridge proposed for a retrofit of the existing bridge rail, restriping the existing freeway, and installation of new guide signs (label C, Figure 2).
- D: At the northernmost end of the Project Area, a 1.1-acre area of ODOT right of way along the I-5 shoulders is now included in the Project Area for fiber optic conduit (label D, Figure 2).
- E: In one location, the Project Area was reduced by 1.0 acre. A parking lot west of the intersection of NE Clackamas Street and NE 2<sup>nd</sup> Avenue is no longer needed for the Project due to the removal of the Clackamas Bicycle and Pedestrian Crossing (label E, Figure 2).



Figure 2 Previous and Current Project Area.



### 2.3 I-5 MAINLINE IMPROVEMENTS CHANGES

The Build Alternative included relocation of the I-5 southbound on-ramp at N Wheeler Avenue to N/NE Weidler Street at N Williams Avenue via the new Weidler/Broadway/Ramsay highway cover, construction of auxiliary lanes and full shoulders (12 feet in width) on I-5 between I-405 and I-84 in both directions, and associated improvements to I-5 through the Project Area. The Revised Build Alternative includes the following changes to those elements of the Build Alternative:

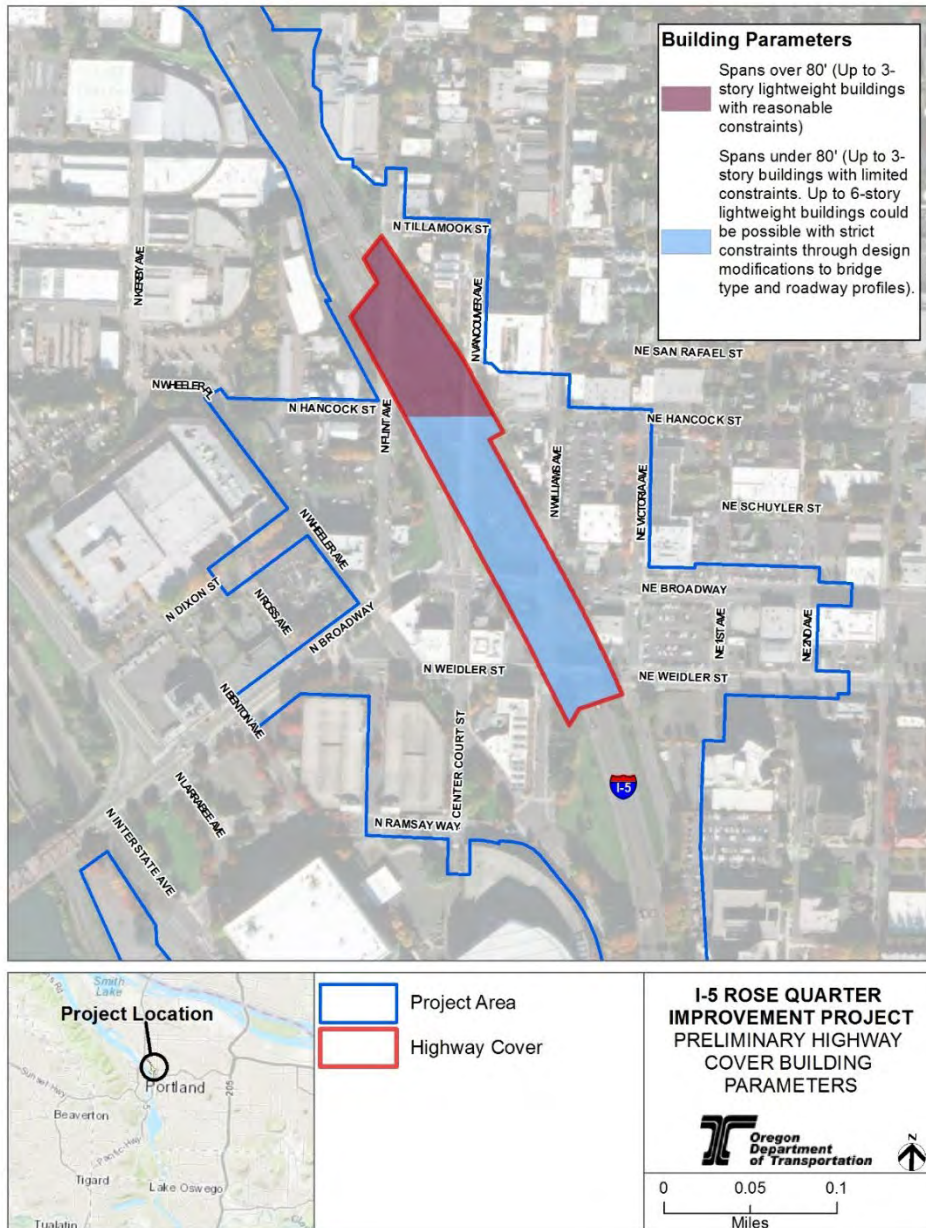
- 
- Move the I-5 southbound exit ramp termini from N Broadway to N Williams Avenue at NE Wheeler Avenue.
  - Reduce the freeway median shoulder through the entire Project Area, from 12 feet to 8 feet (4 to 5 feet within highway cover). The outside shoulder width of 12 feet remains unchanged.
  - Relocate Noise Wall 24 from N Commercial Avenue near Harriet Tubman Middle School to attach to Walls 1 and 2 along the east edge of I-5.
  - Keep the I-5 southbound entrance ramp from NE Wheeler Avenue/N Williams Avenue/N Ramsay Way on the existing alignment rather than relocate it to parallel N Williams Avenue.
  - On I-5 south of the Burnside Bridge: retrofit existing bridge rail, restripe freeway in both the northbound and southbound directions, and install new guide signs on an existing sign structure in the southbound direction.

## 2.4 HIGHWAY COVER CHANGES

The Build Alternative included the construction of two highway cover structures over I-5 for roadway crossings and other purposes. The Revised Build Alternative based on Hybrid 3 (see Figure 1), includes the following changes to the highway covers:

- Provide one continuous highway cover over I-5 rather than separate covers at the existing N Flint Avenue, NE Weidler Street, NE Broadway, N Williams Avenue, and the N Vancouver Avenue overcrossings.
- Expand the limits of the highway cover by approximately 35 feet to the west, and approximately 400 feet to the north.
- Design and construct the highway cover to accommodate multi-story buildings. Due to span length and site constraints, design would constrain building size, location, type, and use on portions of the cover (Figure 3). Generally, buildings up to three stories could be accommodated throughout the highway cover. Buildings of up to six stories could be accommodated where span lengths are shorter than 80 feet with strict design constraints.

Figure 3 Building Parameters on the Cover



Future development on the highway cover would follow a community process according to the City-led Community Framework Agreement, as described in Section 2.1. ODOT anticipates this process could continue past completion of cover construction.

As part of the Project, ODOT anticipates programming interim uses on the highway cover for the time period between Project completion and when the City-led development process would be implemented. Upon Project completion, the added surface space created by the highway cover over I-5 could provide an opportunity for new and modern bicycle facilities, making the area more connected, walkable and bike friendly. It could also provide opportunity for various potential types of public spaces, to be precisely determined during the Project's

---

final design phase and through robust community engagement, consisting of one or more of the following types of uses:

- Landscaped areas for active and passive recreation and/or to provide a buffer, backdrop and visual comfort, such as gardens, lawns or planter beds.
- Plazas and hardscaped open space for active and passive recreation, such as courts, plazas, splash pads, picnic areas, and community gathering spaces.
- Interpretive signage, historical markers, landmarks and other areas of historical recognition and narrative such as art pieces and other historical signage/kiosks and pavement focused on the historic Albina community.
- Temporary and lightweight vertical features to support episodic, mobile commercial activities such as a food market shed, eating pavilion, food carts, or picnic venues.

These features may be removed upon implementation of the development determined by the community process or may be incorporated into that development.

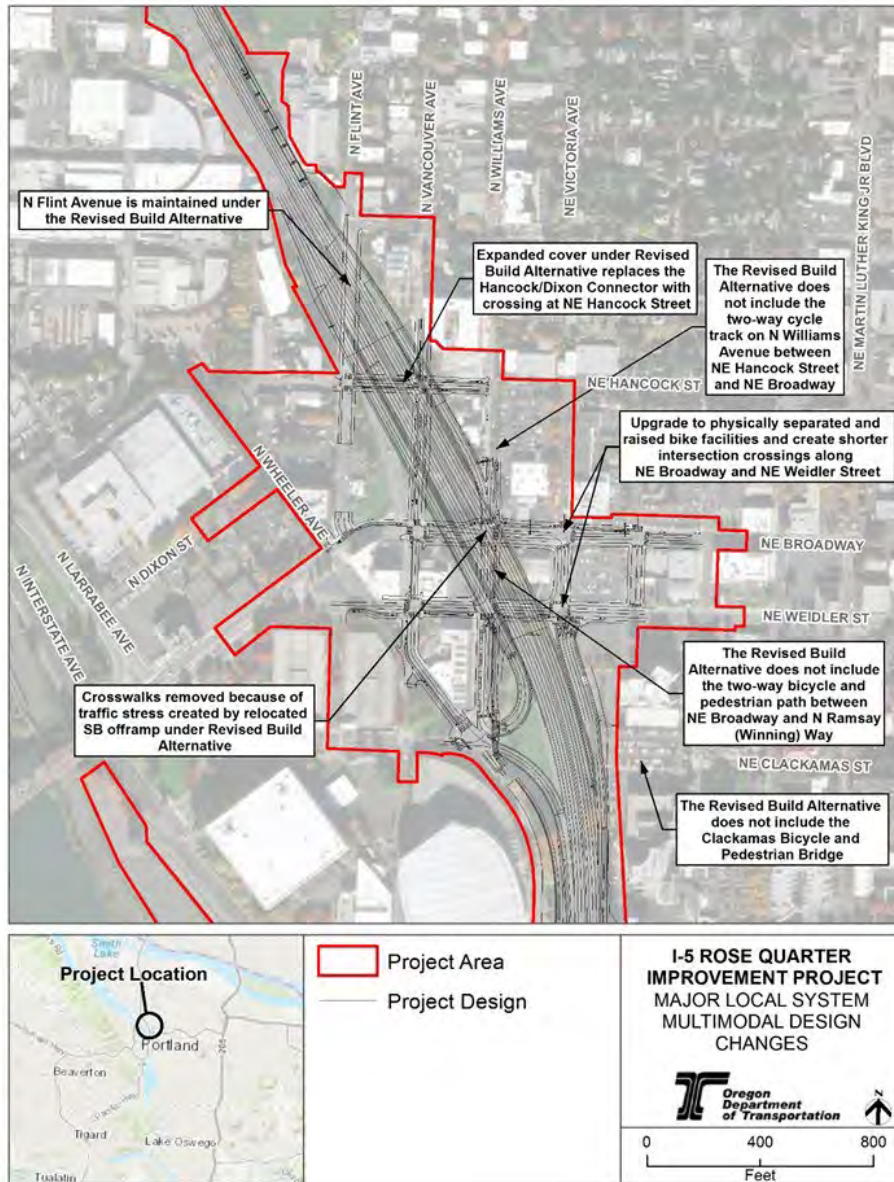
## 2.5 RELATED LOCAL SYSTEM MULTIMODAL IMPROVEMENTS CHANGES

The Build Alternative included construction of a new bicycle and pedestrian bridge over I-5 at NE Clackamas Street and other local street improvements. The Revised Build Alternative includes the following changes to these improvements to accommodate the Hybrid 3 design concept and related changes in traffic patterns (see Figure 4 below):

- Remove the Clackamas Bicycle and Pedestrian Crossing from the Build Alternative.
- Construct wider sidewalks and bike lanes at sidewalk level and physically separate from the roadway with a curb and provide protected bike signal phases at multiple intersections along NE Broadway and NE Weidler Street.
- Connect N Flint Avenue across I-5 from NE Tillamook Street to N Hancock Street and terminate it at N Broadway.
- Remove the NE Hancock Street overcrossing of I-5 from N Williams Avenue to N Dixon Street as proposed in the Build Alternative. NE Hancock Street would be extended across I-5 and reconnect to NE Hancock Street west of N Flint Avenue as part of the expanded highway cover.
- Remove the two-way cycle track on N Williams Avenue between NE Hancock Street and NE Broadway and a two-way bicycle and pedestrian path between NE Broadway and N Ramsay Way from the design and instead convert the on-road bike lane to a protected bike lane, with a transition to the existing on-road bike lane south at or near NE Hancock Street.

- Close the crosswalks across NE Broadway on the west side of N Williams Avenue and the crosswalk across N Williams north of NE Weidler Street.

Figure 4 Major Local System Multimodal Design Changes



### 3.0 REGULATORY FRAMEWORK

There are no changes to the regulatory framework guiding land use and transportation system planning applicable to the Project.

---

## 4.0 METHODOLOGY AND DATA SOURCES

There are no changes to the methodology used to identify and analyze land use impacts.

### 4.1 AREA OF POTENTIAL IMPACT

Data used for the analysis is 2021 land use information from Metro geographic information system (GIS), which replaces the 2017 land use Metro GIS data used in the 2019 Land Use Technical Report. The land use area of potential impact is expanded to include the Project Area changes identified in Figure 2. Information was also gathered from revised or updated versions of applicable state, regional, and local transportation and land use laws, plans, and policies as described in Section 6.4.

## 5.0 AFFECTED ENVIRONMENT

Figure 5 displays updated 2021 land use data in the vicinity of the highway cover. The 2021 data shows the large area west of I-5 and north of N Broadway and the Veterans Memorial Coliseum, Moda Center, Oregon Convention Center, Harriet Tubman School, and Emanuel Hospital as commercial land use. The 2017 data identified these areas as industrial and public/semi-public use. The developed uses occupying these areas has not changed since the 2019 Land Use Technical Report; rather the difference in mapping is due to the Metro GIS data source altering the categorization of the use.

The City of Portland comprehensive plan designations are largely the same between 2017 mapped designations and 2021 mapped designations with a few individual changes. A few parcels on east side of I-5 have been changed from various multi-dwelling designations to a designation for mixed uses in an urban area. These include the Harriet Tubman School and areas immediately west of the school, west of Lillis Albina Park, and the west side of N Williams Avenue. There were no comprehensive plan designation changes west of I-5.

The additional Project Area shown on Figure 2 is nearly all within public right of way; however, the Project Area labeled as area B, located at 1225 N Thunderbird Way, is a new construction staging site located on a private parcel currently paved as a surface parking lot, with no vertical development or buildings. Figure 5 shows this area as undeveloped because surface parking lots are included in the undeveloped category by Metro. It should be noted that the City of Portland Zoning Code defines surface parking and any improved land as developed (Portland Zoning Code (PZC) 33.910.030 Definitions, Development, page 910-5).

One additional land use change to note is at 84 NE Weidler, located at the corner of NE Weidler Avenue and the I-5 northbound off ramp. This location, owned by Prosper Portland, previously consisted of paved surface parking with no vertical development or buildings, and is identified

---

as undeveloped in both the 2017 data and the 2021 data. Prosper Portland began site preparations in June 2021 and moved the BIPOC Village<sup>1</sup>, a 38-resident temporary tiny house shelter village, to the site in July 2021. Prosper Portland has an agreement with the City of Portland to operate the village at this site through June 2023 with the possibility to extend the use through June 2024. The Project Team has been in communication with the City of Portland and Prosper Portland regarding the intended start of construction in 2023 (A Home for Everyone 2021).

## 6.0 ENVIRONMENTAL CONSEQUENCES

### 6.1 NO-BUILD ALTERNATIVE

#### 6.1.1 Direct Impacts

---

As described in the 2019 Land Use Technical Report, the No-Build Alternative would not have any direct land use impacts, because no non-transportation land uses would be acquired and converted to transportation use.

#### 6.1.2 Indirect Impacts

---

As described in the 2019 Land Use Technical Report, the No-Build Alternative would indirectly impact land use within the API because not implementing the Rose Quarter Improvements Project would be inconsistent with the City of Portland's Central City 2035 Plan. The Central City 2035 Plan includes a multi-modal mixed-use area that includes the Project in the plan. The No-Build would not support the planned re-zonings allowing higher levels of employment and population density that generate higher traffic volumes, and thus the City of Portland would need to limit allowed development within the API.

### 6.2 REVISED BUILD ALTERNATIVE

#### 6.2.1 Direct Impacts

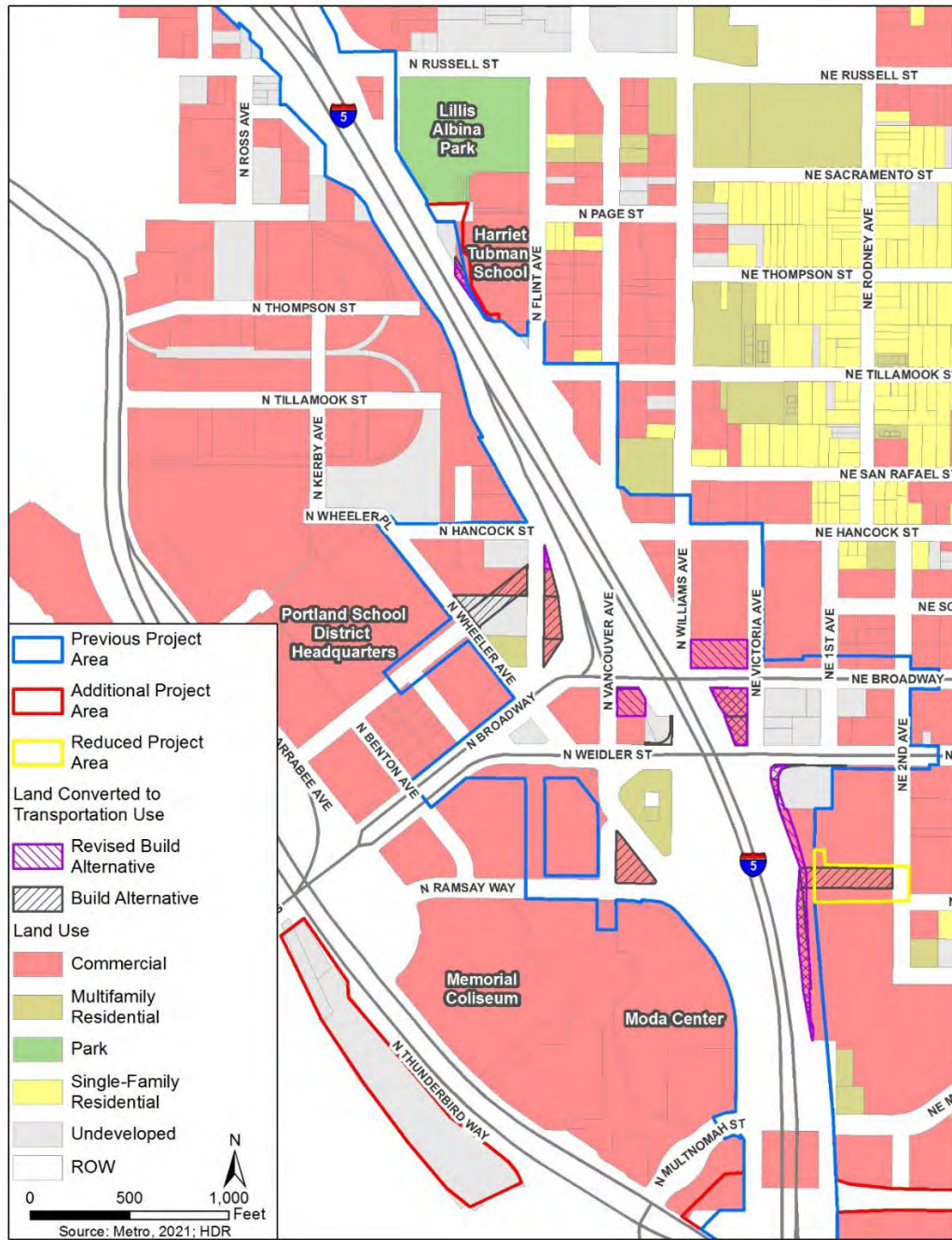
---

Direct land use impacts of roadway projects generally result when land is acquired and converted to right-of-way (ROW), making the use transportation. Figure 5 shows the location of the land that would be acquired and converted to transportation use under the Revised Build Alternative compared to the Build Alternative. Some parcels are shown as being needed under both the Revised Build Alternative and the Build Alternative, however parcels shown as needed only for the Build Alternative would no longer be converted to transportation use with the Project. No lands would be converted to transportation use under the No-Build Alternative.

---

<sup>1</sup> BIPOC Village is the official name for this village site. BIPOC is an acronym for Black, Indigenous, and People of Color, and this village is intended to serve people within those communities.

Figure 5 Land Use and Land Converted to Transportation Use



The Revised Build Alternative would result in the conversion of approximately 80,459 sq. ft. of land to transportation use as shown in Table 1.



Table 1 Conversion to Transportation Use by Land Use Zone

LAND USE	BUILD ALTERNATIVE (SQ FT)	REVISED BUILD ALTERNATIVE (SQ FT)	NO-BUILD ALTERNATIVE (SQ FT)
<b>Commercial Use (2021)</b>	106,443	80,459	0
Commercial Use (2017)	81,626		
Industrial Use (2017)	7,349		
Public Use (2017)	17,468		
<b>Undeveloped (2017 &amp; 2021)</b>	4,356	0	0
<b>Total</b>	<b>110,799</b>	<b>80,459</b>	<b>0</b>

<sup>a</sup> Areas mapped as Commercial Use in 2021 were mapped as Commercial, Industrial, or Public Use in 2017. This table sums the conversion areas from 2017 in Commercial, Industrial, and Public together into Commercial in 2021 to facilitate comparison.

The No-Build would not convert any land to transportation use. Compared to the Build Alternative, the Revised Build Alternative would convert approximately 30,340 sq. ft. less land to a transportation use.

As with the Build Alternative, acquisitions with the Revised Build Alternative would need to be evaluated for non-conforming development as the design progresses and may require land use reviews to be out of conformance with a development standard. All permanent acquisitions either result in the removal of the buildings that occupy the affected land parcel or are of land not occupied by a building. The scale of subsequent development of parcel remnants would be reduced, but the types of allowed uses would not change.

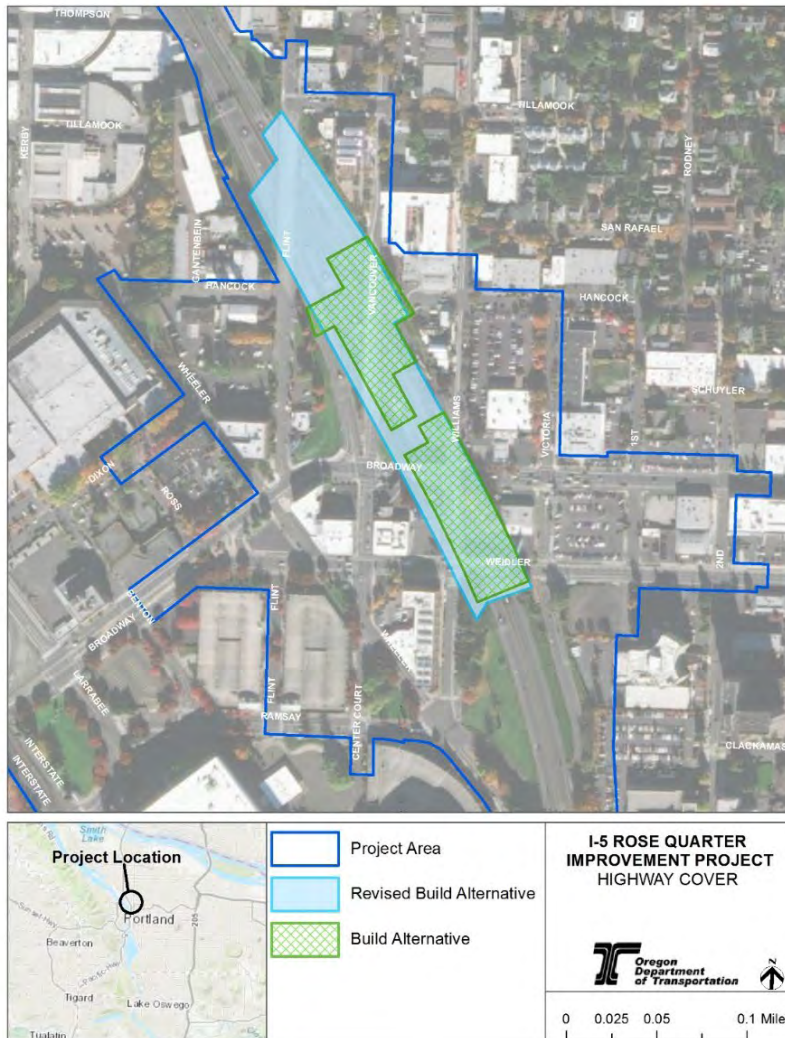
The Revised Build Alternative would require a small conversion acquisition along the west edge of the Prosper Portland BIPOC Village at 84 NE Weidler Avenue. The impact area is slightly smaller than originally proposed, but the impact has changed because the site is now occupied as a shelter instead of a vacant surface parking lot. The lease for BIPOC Village operations on the Prosper Portland parcel expires in Summer 2024, approximately 1 year after construction is scheduled to begin; however, construction will not occur adjacent to the BIPOC Village location until after Summer 2024. BIPOC Village will not be operating within the Prosper Portland parcel and the project will have no impact to BIPOC Village operations. There would be no impact to this use under the No-Build Alternative.

The Revised Build Alternative includes a 3.7-acre paved parking lot located at 1225 N Thunderbird Way as a new potential construction staging area site. This use would be temporary and is not considered a conversion to transportation use or a permanent acquisition. See the I-5 Rose Quarter Improvements Project Right of Way Supplemental Technical Report for

a more detailed description of property acquisitions and temporary and permanent easements required by the Project. This property would not be impacted under the No-Build Alternative.

The highway cover design of the Revised Build Alternative would have an area of approximately 7.1 acres, which is approximately 3.1 acres larger than the Build Alternative (Figure 6). In addition, the modified cover design would accommodate buildings up to six stories, whereas the Build Alternative covers were planned to accommodate up to one-story buildings, primarily as part of public spaces. The buildable area of the Revised Build Alternative cover (approximately four acres) would be subject to City of Portland zoning and long-range planning requirements and goals. The Project does not include future uses on the cover; however potential future uses are considered in the 6.4 Indirect Impacts. The No-Build Alternative would not include a highway cover and would not introduce any new buildable lands.

Figure 6 Highway Cover Design Changes



---

Compared to the No-Build Alternative (which would have no conversion of land), the Revised Build Alternative would convert 80,459 square feet of land to transportation use but would also introduce approximately 4 acres of land available for new development. This would result in a reduction in land conversion compared to the Build Alternative and allows for an expansion of new buildable land. Under the Revised Build Alternative, the Project would continue to have no significant direct impact to land use with the Revised Build Alternative. Potential future uses are considered in the 6.4 Indirect Impacts

### 6.2.2 Indirect Impacts

---

Similar to the Build Alternative, the Revised Build Alternative would not affect land use in ways that are contrary to planned land use and would not have growth-inducing impacts that are contrary to planned land use. The City of Portland's Central City 2035 Plan and 2020 update of its Transportation System Plan (TSP) continue to include the Project.

With the changes to the highway cover design, the Revised Build Alternative would add approximately 4 acres of buildable land capable of supporting three- to six-story buildings to the API, whereas the covers of the Build Alternative did not add buildable land (with the exception of one-story buildings as part of public spaces). Approximately 2.8 acres would support up to six-story buildings, while approximately 1.2 acres would support up to three-story buildings (see Figure 3). This is an increase in both area and potential use intensity compared to both the No-Build and Build Alternative. The new cover area would be subject to land use laws including any future City of Portland land use designations or standards and subject review and approval for any future development or interim use and development. Only those temporary uses allowed in PZC 33.296 Temporary Activities are allowed to not meet zoning code standards. The City of Portland may elect to re-evaluate zoning within the new buildable land area. Figure 7 shows the current zoning of the highway cover area. Most of the added buildable land (2.7 acres) is zoned Central Commercial (PZC 33.130) and Central Employment (PZC 33.140) with the Design Overlay (PZC 33.420) zone. The remaining approximately 1.5 acres of additional buildable land is in Commercial Mixed Use (PZC 33.130) and General Employment (PZC 33.140) zones. The new buildable land area is also within the Central City Plan District (PZC 33.510). Table 2 shows the general characteristics and requirements of these zones. Actual implementation of development standards can vary through application of base zones, overlay zones, and plan districts at any one site.

Table 2 Zoning Characteristics of Revised Cover Area

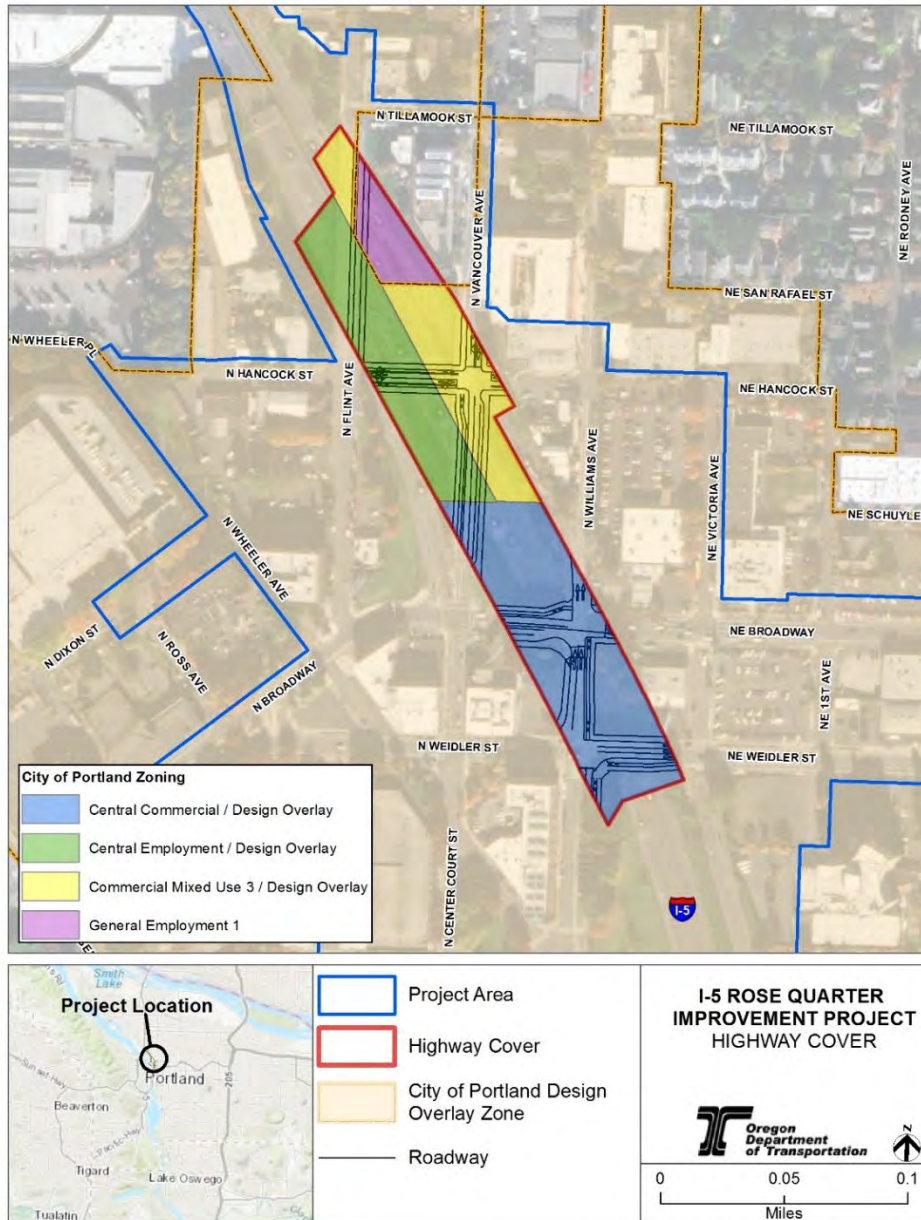
ZONE	PURPOSE & USES	FLOOR AREA RATIO (FAR) <sup>a</sup>	OTHER
Central Commercial	High density commercial, pedestrian oriented, retail, services, office space, household living, institutional	Maximum 4:1	Maximum Building Coverage 100%, maximum height is 75+
Central Employment	High density commercial, light industrial, institutional, residential, office	Maximum 4:1	Maximum Building Coverage 85%, maximum height is 65+
Commercial Mixed Use	Intended for large-scale, commercial mixed uses with 6-7 story buildings. Uses include retail, office, household living, institutional, and limited industrial	Maximum 3:1	Maximum Build Coverage 85% or 100%, maximum height 35 feet to 75 feet, minimum 1 residential unit per 1,000 square feet of site area
General Employment	Promotes office, industrial, institutional, vehicle services, and other similar uses usually in areas with smaller lots and a grid pattern	Maximum 3:1	Maximum Building Coverage 85%, maximum height 45 feet
Design Overlay	Promotes conservation, enhancement, vitality of special scenic, architecture, or cultural value. Ensures compatibility with existing neighborhoods.	N/A	Project is within the Lloyd District Design Subdistrict of the Central City Plan District
Central City Plan District	Implements the Central City 2035 Plan. Encourages high density urban uses, foster transit-supportive development and pedestrian and bicycle-friendly streets	Maximums 3:1, 4:1, 6:1, and 12:1	Many considerations apply to development in this plan district. Setbacks, development standards, including bonus height and FAR, parking, etc. depend on proposed development. See PZC 33.510 for details.

<sup>a</sup> FAR bonus options are available in many of the applicable zones, depending on many factors. FARs listed are the basic maximums.

The current zoning characteristics of the cover area represent high density commercial, employment, and residential uses with large buildings (Figure 7). Parking requirements vary depending on use type. The Project design limitation of a maximum of six stories for new construction is consistent with the Central Commercial zone that allows up to 75 feet in height

(approximately 6 stories) and exceeds the maximum height in the Commercial Mixed Use and General Employment zones.

Figure 7 Revised Cover Area City of Portland Zoning



In the vicinity of the Project, providing the revised cover over I-5 would connect the Rose Quarter area to the Lloyd Center area by spanning the visual and physical barrier of I-5 between the neighborhoods, similar to the Build Alternative. The added surface space would provide an opportunity for new and modern bicycle and pedestrian facilities and public spaces when

---

construction is complete, making the area more connected, walkable, and bike friendly. The Revised Build Alternative adds the opportunity to develop the revised cover area with up to six-story buildings in addition to public spaces.

Once developed within the potential foreseeable development standard boundaries of commercial/ employment/ residential uses, this new development would extend the urban feel of the area, consistent with existing and allowed surrounding development. Parking requirements and transportation impacts for new development are reviewed and conditioned by the City of Portland at the time of development. There could be an increased demand for parking and local increase in traffic from new development. Depending on use types and densities, traffic increases could vary widely and cannot be accurately anticipated at this time. Traffic impact analysis and impact mitigation by developers would be required through City of Portland development review. If the City undertakes a rezoning process for the new buildable land, part of that process would include modelling for mobility under the Transportation Planning Rule 12.660.0060.

Compared to the No-Build, the Revised Build Alternative adds approximately four acres of buildable land with the potential to provide central city urban development consistent with density and employment goals, while the No-Build would not increase buildable land and would continue to constrain development due to continuing traffic congestion and mobility conditions at the I-5 and Broadway/Weidler interchange area (ODOT 2019).

### 6.3 CUMULATIVE EFFECTS

The 2019 Land Use Technical Report indicated that the inclusion of the Project in the City of Portland TSP and Central City 2035 Plan considered the impacts of the Project combined with past, present, and foreseeable transportation improvements and land development; therefore, the City has already considered cumulative impacts of the Project as part of the planned transportation system that supports planned land uses in the API. The Revised Build Alternative has fewer direct land use conversion impacts than the Build Alternative and continues to achieve the transportation goals of the Project. As such, the Revised Build Alternative cumulative effects were also considered under the City of Portland's transportation and land use planning processes to adopt the TSP and Central City 2035 Plan (City of Portland 2020a; City of Portland 2020c).

The indirect impact of future development on the approximately 4 acres of new buildable land was not part of the Project when the City of Portland adopted the TSP and Central City 2035 Plan. Supporting buildings of up to six stories is consistent with current zoning for most of the expanded cover area. Any future development would be subject to City of Portland zoning requirements (PZC 33.10.030; City of Portland 2020b). The expanded buildable cover would allow for the neighborhoods to connect across I-5.

---

There are no other known or reasonably foreseeable projects that create new buildable land in the area. Based on the information above, no significant cumulative effects are anticipated.

Compared to the No-Build Alternative, the Revised Build Alternative, like the Build Alternative is consistent with the Central City 2035 Plan multi-modal planning area designation.

## 6.4 COMPLIANCE WITH APPLICABLE STATE, REGIONAL, AND LOCAL TRANSPORTATION AND LAND USE LAWS, PLANS, AND POLICIES

The 2019 Land Use Technical Report (ODOT 2019) provided a detailed analysis of how the Build Alternative complied with the applicable state, regional and local transportation and land use laws, plans, and policies. Further, it described that the No-Build Alternative is not in compliance with these regulations because it would not include the Project. This section indicates where any applicable changes have occurred since the 2019 Land Use Technical Report was issued in the laws, plans, and policies and focuses on how changes to the Revised Build Alternative affect compliance.

### 6.4.1 Oregon Statewide Planning Program State Transportation System Plan

---

ODOT projects must comply with the policies in the Oregon Transportation Plan (OTP), which include the Oregon Transportation, Aviation, Bicycle and Pedestrian, Freight, Highway, Public Transportation, Rail, Transportation Options, and Transportation Safety Action Plans (ODOT 1999; ODOT 2006). The OTP plans with provisions applicable to the Project are the Transportation, Highway, and Bicycle and Pedestrian Plans.

When the Oregon Transportation Commission adopted the Facility Plan: I-5 Broadway/Weidler Interchange Improvements in 2012, it adopted findings of facility plan compliance with the OTP plans (ODOT 2012). In addition, the adoption of the facility plan made it part of the Oregon Highway Plan. The I-5 Rose Quarter Improvements Project EA found that because the Build Alternative would implement the facility plan, the Project also complied with the plans as of 2012. As discussed below, the Revised Build Alternative does not include all bicycle and pedestrian facilities envisioned in the Facility Plan, but it provides expanded facilities within the Project Area.

The Oregon Bicycle and Pedestrian Plan includes a policy directly applicable to the Project. Strategy 1.1G states, “Where pedestrian or bicycle crashes have occurred, or where there are significant safety risk factors, consider safety countermeasures whenever a road is built, rebuilt, relocated, or reconstructed.” (ODOT 2016: 31). The Revised Build Alternative no longer includes the following three components that are included in the Facility Plan that address this strategy:

- Two-way cycle track on N Williams Avenue between NE Hancock Street and NE Broadway and two-way bicycle and pedestrian path between NE Broadway and N Ramsay Way (ODOT 2012: Appendix C, 53).
- Pedestrian and bicycle crossing of I-5 at NE Clackamas Street (ODOT 2012: Appendix C, 54).
- New pedestrian/bicycle connection between the N Flint Avenue/N Tillamook Street intersection to the proposed new I-5 overcrossing at N/NE Hancock Street (ODOT 2012: Appendix A, 11).

The Revised Build Alternative does include the following components that are included in Facility Plan and would continue to support the Oregon Bicycle and Pedestrian Plan policy:

- Improved bicycle lanes, sidewalks, and protected, marked crossings along NE Broadway, NE Weidler Street, and N Vancouver Avenue (ODOT 2012: Appendix A, 11).
- Connect N Flint Avenue across I-5 from NE Tillamook Street to N Hancock Street and terminate it at N Weidler Street (under the Build Alternative a new pedestrian/bicycle connection would have been constructed between N Flint Avenue/N Tillamook Street intersection to the proposed new I-5 overcrossing at N/NE Hancock Street/N Flint Avenue).
- Connect NE Hancock Street across I-5 from Vancouver Street to N Flint Avenue with the expanded highway cover (under the Build Alternative NE Hancock Street overcrossing of I-5 would connect to N Dixon Street).

The Transportation Safety Action Plan includes Policy 2.3, which applies to the Project. The policy, updated from 2016 states, “Plan, design, construct or improve, operate, and maintain the transportation system to achieve healthy, livable, and equitable communities and eliminate fatalities and serious injuries for all Oregon travelers” (ODOT 2021). Addressing safety issues continues to be a principal purpose of the Project. The Revised Build Alternative continues to be in compliance with the Transportation Safety Action Plan because it is designed to improve I-5 functionality, local street connections, and bike and pedestrian connections.

Based on the above analysis, the Revised Build Alternative complies with the OTP and applicable plans.

#### 6.4.2 City of Portland Code

Project improvements would be subject to City of Portland design review if they fall within one of four categories: (1) new development (PZC 33.420.041.A); (2) exterior alterations to existing development (PZC 33.420.041.B); (3) non-standard improvements in the public right-of-way “such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping” that the City Engineer has not approved (PZC 33.420.041.C); and (4) in instances when the “City Council requires design review of a proposal because it is considered to have major design significance to the City” (PZC 33.420.041.F). ODOT would obtain design review from the City if the improvements are not exempt.



---

The City of Portland has revised their zoning code to include River Overlay Zones (Title 33, Chapter 33.475) that would apply to changes to the ramp from I-5 southbound to I-84 and potential utility line relocations, in place of the Greenway Overlay Zones (Title 33, Chapter 33.440) that were discussed in the 2019 Land Use Technical Report. Provisions in the River Overlay Zones implement the Central City 2035 Plan and River Plan / South Reach<sup>2</sup> and have a similar purpose to those in the Greenway Overlay Zones that previously applied. Final design of the ramp improvements and utility relocations would determine if the Project qualifies for an exemption from the provisions.

The Revised Build Alternative includes a new staging site southwest of the Memorial Coliseum at 1225 N Thunderbird Way (See area B on Figure 2) that is also designated with the River Overlay Zone, River General, as well as a Design Overlay. The River Overlay Zone requires a 50-foot river setback landward from the top of bank and landscaping in specific designated areas, depending on existing and proposed development and ground disturbing activities are required to comply with PZC 33.475.245 Archaeological Resources Protection. The staging site is paved, and use of the site would not include permanent structures or ground disturbing activities. Any permanent alterations may require design review. There is no substantial change to how these codes would apply to the Project, and it is not possible to identify exact reviews or restrictions until further design is completed.

PZC 33.296, Temporary Activities, would apply to construction staging and stockpiling at 1225 N Thunderbird Way. PZC 33.296.030.F Construction Activities contains specific regulations for construction parking and construction staging areas. An adjustment review may be required for staging areas located more than 500 feet from the construction site. Staging areas lasting longer than three years are considered permanent and are subject to regulations for permanent uses.

City of Portland Code Title 17, Public Improvements, would continue to apply to Project improvements within City of Portland ROW as described in the 2019 Land Use Technical Report.

Use of properties for construction staging would require review by the City of Portland Bureau of Development Services and approval of a zoning permit. The addition of the potential staging site does not change the Project's compliance status.

## 6.5 CONCLUSION

The analysis in this memo has shown the Revised Build Alternative would:

---

<sup>2</sup> The River Plan / South Reach project will update the Willamette Greenway Plan (1987). The plan will establish a renewed 20-year vision, update existing policies and regulations, identify implementation actions and prioritize future investments. Documents can be found here: <https://www.portland.gov/bps/river-plan/south-reach/project-documents>.

- have approximately 80,459 square feet of direct conversion of land to transportation use, which is 30,340 square feet less than the Build Alternative, while the No-Build Alternative would have no conversion;
- connect neighborhoods and uses across I-5 by introducing the highway cover, while the No-Build Alternative would not allow increased connection across I-5;
- introduce a 7.1-acre highway cover, which is 3.1 acres larger than the Build Alternative and includes 4 acres of land that can be developed for uses other than public spaces, while the No-Build Alternative would introduce no highway cover or new buildable land;
- continue to be in compliance with applicable laws, plans, and policies, while the No-Build Alternative would not be in compliance.

Based on these findings, the Revised Build Alternative would have no significant effects to land use and complies with applicable land use and transportation plans.

## 7.0 AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

The 2019 Land Use Technical Report stated that no avoidance, minimization, or mitigation measures are needed to comply with the state and regional land use laws, plans, and policies and the City of Portland Comprehensive Plan. Further, it stated that if the Project is determined to be subject to the City of Portland Design Overlay Zone or review under the Willamette River Greenway Overlay Zone (now River Overlay Zone in this location), mitigation measures may be necessary in order to comply with zoning code requirements. Based on the analysis in this memo, these conclusions remain valid for the Revised Build Alternative.

## 8.0 PREPARERS

NAME	DISCIPLINE	EDUCATION	YEARS OF EXPERIENCE
JENNIFER HUGHES	LAND USE	<ul style="list-style-type: none"> <li>• Bachelor of Science, Physical Geography</li> <li>• Master of Urban and Regional Planning</li> </ul>	20

---

## 9.0 REFERENCES

- A Home for Everyone. 2021. C3PO Villages Relocation: Resources and FAQ. Available: <https://ahomeforeveryone.net/c3po> (accessed January 2022)
- City of Portland. 2020a. Central City 2035 Plan, Re-Adoption Draft, including Amendments to the Transportation System Plan. April 2020. Available: <https://www.portland.gov/bps/cc2035/cc2035-documents#toc-cc2035-as-adopted-plan> (accessed December 2021)
- City of Portland. 2020b. City of Portland Code Title 33, Planning and Zoning, Chapter 33.10 Legal Framework and Relationships, Chapter 33.440 Greenway Overlay Zones, and Chapter 33.475 River Overlay Zones.
- City of Portland. 2020c. Portland 2035 Transportation System Plan, Appendix A: TSP Projects and Programs. March 2020. Available: [https://www.portland.gov/sites/default/files/2020-05/appendix-a.tsp\\_03.06.2020.pdf](https://www.portland.gov/sites/default/files/2020-05/appendix-a.tsp_03.06.2020.pdf) (accessed December 21, 2021)
- ODOT (Oregon Department of Transportation). 1999. Oregon Highway Plan, As Amended. Available: <https://www.oregon.gov/odot/Planning/Documents/OHP.pdf> (accessed December 2021)
- ODOT. 2006. Oregon Transportation Plan (OTP). Available <https://www.oregon.gov/ODOT/Planning/Pages/Plans.aspx> (accessed December 2021).
- ODOT. 2012. Facility Plan: I-5 Broadway/Weidler Interchange Improvements. October. Available: <https://efiles.portlandoregon.gov/Record/5252253/> (accessed December 2021)
- ODOT. 2016. Oregon Bicycle and Pedestrian Plan. Adopted May 19, 2016. Available: <http://www.oregon.gov/ODOT/Planning/Documents/OBPP.pdf> (accessed December 2021)
- ODOT. 2019. I-5 Rose Quarter Improvements Project Land Use Technical Report.
- ODOT. 2021. Transportation Safety Action Plan. 2021. Available: [https://www.oregon.gov/odot/Safety/Documents/2021\\_Oregon\\_TSAP.pdf](https://www.oregon.gov/odot/Safety/Documents/2021_Oregon_TSAP.pdf)
- Portland Public Schools (PPS). 2021. Long Range Facility Plan, Volume 2: Site Summaries. Available: <https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/58/2021%20LRFP%20-%20VOL%202.pdf>