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The Speaker:

DR. RICHARD M. STEINER
Minister, First Unitarian Church

The Topic:

"Education in the Next Generation"

A lifetime of interest in education will be drawn upon for our popular past-president's appraisal of what our schools are doing to our youngsters today.

Dr. Steiner is the father of two sons educated in the Portland school system. He has taught English both at Washington State and at Bradley in Peoria, Ill. He has been the minister of the First Unitarian Church for the past nineteen years. His Master's Degree in English was obtained at the University of Michigan following his study at the Chicago Theological Seminary, University of Chicago.

Dr. Steiner has served as director, second vice-president and president of the City Club before beginning his present term as a member of the Board of Governors.

How about tomorrow's education? We feel sure Dr. Steiner's discussion will be as surprising as it will be vital.

ELECTED TO MEMBERSHIP

CHARLES GILMAN DAVIS, Architect.
Proposed by Robert W. Fritsch.

KENNETH H. KNOX, General Clerk, American-Associated Ins. Co's.
Proposed by H. Clay Myers, Jr.

EDWARD J. SUMMERS, Assistant Cashier, First National Bank of Portland.
Proposed by Roger W. Otto.

"To inform its members and the community in public matters and to arouse in them a realization of the obligations of citizenship."
The Board of Governors, in approving the Zoning Report for publication, concluded that no membership vote will be called for on this report, contrary to usual custom, inasmuch as the proposed ordinance on which the report is based has been withdrawn for further study and revision. However, the Board felt that the findings of the committee will be of aid to those interested in revision of the zoning ordinance and will furnish constructive information to the community as a whole.

Sufficient copies of the Proposed Zoning Ordinance examined by this committee will be available at the March 20th meeting so that every member who desires one may have a copy, and a supply of the ordinances will be kept at the club offices also.

REPORT ON

PROPOSED ZONING ORDINANCE

FOR PORTLAND

Preamble — The Committee, assigned to study the proposed Zoning Ordinance for Portland, Oregon, had accomplished much of its work when it was informed that the City Planning Commission will not present the Proposed Zoning Ordinance in its present form to the City Council for passage but instead expects to modify the Ordinance in the light of suggestions and criticisms from many sources.

Considerable time may elapse before a modified Ordinance is completed. Rather than disregard the results of its study and discontinue its efforts until such time as the Ordinance is revised, the Committee has concluded its work with the attached report.

This report varies from the usual form in that it does not contain a recommendation for or against adoption of the proposed Ordinance. Such a recommendation would serve no function at this time. Instead, the report contains a number of suggestions which the Committee believes ought to be considered by those engaged in revising the Ordinance. The suggestions in this report are based upon criticisms of the proposed Ordinance voiced by individuals and organizations, and partly upon information received from officials of other cities. Although we do not consider ourselves to be authorities on zoning, the Committee, nevertheless, has endeavored to evaluate the criticisms which have been brought to its attention and has made a conscientious effort to analyze a substantial quantity of material on zoning. Hence, we believe that our suggestions will be of value to persons interested in Portland's zoning problems and will provide a basis for the evaluation of the revised Zoning Ordinance when it is subsequently presented.

Scope of Study — A Comprehensive Zoning Ordinance and Master Map of land use districts for Portland indorsed by the Portland Planning Commission was first released for public consideration on May 12, 1951. The proposed Ordinance has not been formally considered by the Council of the City of Portland, but has been studied by individual Council members and by many other persons and organizations. Some of them have suggested changes in the Ordinance. After considering these suggestions, the Portland City Planning Commission undertook in the Fall of 1952 to revise the proposed Ordinance and Master Map.

In conducting its study of the proposed Ordinance, the Committee of the City Club sent questionnaires to 38 cities, each with a population of more than 300,000. In response to the questionnaires, voluminous data were received from Planning Commissions, Chambers of Commerce, Realty Boards and Associations of Architects throughout the nation, and these have been studied by the Committee. The Committee held hearings at which proponents and opponents presented their views. Careful consideration was given to the complaints and suggested changes which had been sent to the Planning Commission pertaining both to the zoning districts on the Master Map and the text of the proposed Ordinance.

This report is divided into three parts: first, the extent of need in Portland for a new Comprehensive Zoning Ordinance; second, the modifications which should be made in the proposed Ordinance to fit the needs of Portland; and third, conclusions and recommendations.
PART I

The Need for a Comprehensive Zoning Ordinance in Portland

All phases of zoning have, within the past three decades, received widespread public acceptance although zoning to some extent involves the subordination or limitation of privileges and freedoms of individuals. Presumably the rights which people are willing to forego in zoning are more than offset by the added economic security thereby attained.

The first comprehensive zoning ordinances were enacted in New York City in 1916 and in St. Louis in 1918. These early ordinances were challenged in the courts and although the St. Louis ordinance was declared unconstitutional by the State Supreme Court in 1923, the New York ordinance was upheld on the premise that the entire community would be benefited and that the individual property owners would be compensated by sharing the over all benefits. The decision that the New York Ordinance was constitutional led to the enactment of similar ordinances by many cities.

The original ordinances adopted by many cities were amended piecemeal for some twenty or thirty years, but, in 1942, these cities began to consider and adopt completely rewritten zoning ordinances designed to deal with the changes which had taken place in the intervening years. This trend was impeded by World War II, but following the war many major cities renewed efforts to prepare and obtain adoption of suitable zoning ordinances, as indicated below:

<table>
<thead>
<tr>
<th>City</th>
<th>Date of Original Ordinance</th>
<th>Date Extensively Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>1916</td>
<td>Pending</td>
</tr>
<tr>
<td>St. Louis</td>
<td>1918</td>
<td>1950</td>
</tr>
<tr>
<td>Milwaukie</td>
<td>1920</td>
<td>Pending</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>1921</td>
<td>1946</td>
</tr>
<tr>
<td>San Francisco</td>
<td>1921</td>
<td>Pending</td>
</tr>
<tr>
<td>Detroit</td>
<td>1922</td>
<td>1940</td>
</tr>
<tr>
<td>Indianapolis</td>
<td>1922</td>
<td>1950</td>
</tr>
<tr>
<td>Pittsburgh</td>
<td>1923</td>
<td>Pending</td>
</tr>
<tr>
<td>Chicago</td>
<td>1923</td>
<td>1942</td>
</tr>
<tr>
<td>Columbus</td>
<td>1923</td>
<td>Pending</td>
</tr>
<tr>
<td>Toledo</td>
<td>1923</td>
<td>Pending</td>
</tr>
<tr>
<td>Seattle</td>
<td>1923</td>
<td>Pending</td>
</tr>
<tr>
<td>Kansas City</td>
<td>1923</td>
<td>1951</td>
</tr>
<tr>
<td>Boston</td>
<td>1924</td>
<td>Pending</td>
</tr>
<tr>
<td>Minneapolis</td>
<td>1924</td>
<td>Pending</td>
</tr>
<tr>
<td>Portland</td>
<td>1924</td>
<td>Pending</td>
</tr>
<tr>
<td>Winnipeg</td>
<td>1928</td>
<td>1950</td>
</tr>
<tr>
<td>New Orleans</td>
<td>1929</td>
<td>Pending</td>
</tr>
<tr>
<td>Cleveland</td>
<td>1929</td>
<td>1944</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>1933</td>
<td>Pending</td>
</tr>
</tbody>
</table>

As a result of these developments there has been a trend toward uniformity of zoning techniques although there still are some wide variances among the major cities. Planners of city development have gained a professional status and freely exchange ideas and experiences; and, as a result, the people in many cities have accepted comprehensive zoning plans to influence and coordinate the trend of development of the business and home life in those cities.

Reports prepared by the city governments of other cities show that comprehensive zoning accomplishes orderly and coordinated growth and development. If zoning accomplishes its objectives, people live in residential areas that are protected from incompatible development; people are served by conveniently located stores, schools, parks and recreational facilities; factories and warehouses are established in appropriate locations; and people travel to destinations in buses or private vehicles over streets and thoroughfares which are not congested and upon arrival they can conveniently park their automobiles.

It is accepted by practically all large cities, with insignificant exceptions, that comprehensive zoning and long-term planning are necessary. A city that is likely to have rapid growth of population and business activity is more in need of a comprehensive zoning plan than one that expects changes and developments to occur slowly. A rapidly-growing city without a comprehensive plan might easily allow disorganized development which could be costly to rectify.

The history of zoning in Portland has been similar to the national pattern. In Novem-
ber 1920, the voters of Portland rejected a proposed zoning ordinance, and it was not until November, 1924 that Portland's first zoning ordinance was adopted. That ordinance merely classified land into four use categories; single-family dwellings, multiple-family dwellings, commercial, and industrial. A Code was adopted in 1932 specifying the terms under which building permits may be issued for the construction of new housing. As early as 1910 a Fire Code had been adopted pertaining to the construction methods required to minimize fire hazards.

In 1946, the City Council, believing that the original zoning ordinance was no longer suitable, employed Earl Mills, Consultant, nationally recognized zoning authority, to prepare, in conjunction with the Portland City Planning Commission, a new Comprehensive Zoning Ordinance and Master Map. As a result, the proposed Zoning Ordinance was completed in 1948, but the Planning Commission continued to study the problems until 1951, when the Ordinance was presented to the people of Portland.

No one knows how fast Portland may grow. However, estimates have been made that indicate a fifty per cent growth during the next two decades (Population Projections for the Pacific Northwest States and Region 1960 and 1975, Columbia Basin Inter-Agency Committee, July 21, 1952). Many factors would be involved in planning for growth of that magnitude over a span of twenty years. Because of the expected rapid changes in population, in industrial activity, transportation facilities and other economic factors in the future, it seems clear that an appropriate comprehensive zoning plan should be adopted in Portland.

To assist the reader in forming a mental picture of what may be some of the impacts of future developments based upon this anticipated growth, a few historical facts and predictions are presented.

(A) Population — Past, present and future population figures, assuming a fifty per cent growth in the Portland area during the next two decades, are as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>1930</th>
<th>1940</th>
<th>1950</th>
<th>1970 est.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multnomah County</td>
<td>338,241</td>
<td>355,099</td>
<td>471,527</td>
<td>650,000</td>
</tr>
<tr>
<td>Clackamas County</td>
<td>46,205</td>
<td>57,130</td>
<td>86,716</td>
<td>150,000</td>
</tr>
<tr>
<td>Washington County</td>
<td>30,275</td>
<td>39,194</td>
<td>61,269</td>
<td>130,000</td>
</tr>
<tr>
<td>Portland—within city limits</td>
<td>301,815</td>
<td>305,394</td>
<td>373,628</td>
<td>560,000</td>
</tr>
<tr>
<td>Portland and suburbs, estimated</td>
<td>360,000</td>
<td>400,000</td>
<td>550,000</td>
<td>800,000</td>
</tr>
</tbody>
</table>

Approximately one-fourth of the Portland and suburban population is outside the city limits. In the past decades, after the population has grown sufficiently in the outlying areas, the city limits have been expanded. This trend probably will continue.

(B) Construction of new buildings — In the past 32 years permits have been issued in Portland for the construction of 62,388 privately-owned dwelling units of which 47,149 units were single-family residences and 15,239 units were duplexes and apartments. For construction or remodeling of hotels, office buildings, stores, warehouses, and factories, some 2,559 permits have been issued in the decade 1942-51 with a value of $62 million.

Some 50,000 to 75,000 new dwelling units may have to be constructed in Portland and suburbs during the next two decades. This is based upon the expected population increase and the average size of household of 2.88 persons (the number shown in the 1950 census for Multnomah County).

The construction of buildings for trade and industry also will go forward to provide working space for employees and shopping space for customers. From 24 to 30 square feet of floor area in retail stores are needed for each resident so that during the next two decades approximately 6 to 7½ million square feet of floor area may be added (Business Action For Better Cities, U. S. Chamber of Commerce, 1952, page 47). It is characteristic that approximately fifty per cent of the total retail business is done in the central or downtown business district in cities with a population of 250,000 to 500,000. In cities of 500,000 to 1,000,000 approximately forty per cent of the retail business is done in the central business district. If Portland follows the usual pattern much of the new construction of retail establishments may be in cluster shopping centers located away from the downtown business districts.

(C) Vehicular traffic trends — The public transportation system, the volume of private motor vehicles, and the off-street parking problems have a significant place in city planning. The motor vehicle registration in Multnomah, Clackamas and Washington Counties combined climbed from 171,853 in 1941 to 266,384 in 1951. But, the number of passengers carried by the Portland public transportation system has decreased each year, the 1951 volume being less than one-half that of 1944. The number of revenue pas-
sengers in 1951 was only twelve per cent larger than the volume in 1939, although during this period the population in Multnomah County had increased thirty-eight per cent.

The number of people entering downtown Portland daily in 1950 was 7½ per cent smaller than in 1946, but there were eighteen per cent more motor vehicles entering downtown Portland in 1950 than in 1946. There were 220,000 motor vehicles crossing the seven Willamette River bridges daily in 1952. This was twenty-two per cent more than the 180,000 in 1946 and 31 per cent more than the 167,000 in 1931.

(D) Retail trade trends in Portland — In zoning the districts for commercial use consideration usually is given to many factors, including characteristics of retail trade and customer preference. In the period from 1939 to 1948, the number of retail stores in Portland decreased from 4,800 to 4,642; but outside of Portland in Multnomah County, the number increased from 576 to 759. The trend inside the city was toward fewer, but larger stores. Although the number of stores in Portland decreased, their combined sales increased from $184 million to $375 million. Outside of Portland in Multnomah County, sales increased from $7 million to $48 million. The 1951 volumes of retail sales in department stores in Portland were more than three times the pre-World War II levels.

(E) Schools — The planning of future educational facilities is an integral part of zoning. Adequate facilities must be provided so that the youth of Portland and suburbs may receive an education. In planning school facilities, the factors usually considered include population shifts, birth rates, transportation facilities, and others.

In Multnomah County the enrollment in grade schools dropped from 44,285 in 1930 to 36,688 in 1939, but the enrollment in high schools increased from 15,882 to 18,981 in this same period. From 1939 to 1951, the enrollment in grade schools increased from 36,688 to 55,255 while the enrollment in high schools decreased from 18,981 to 16,707. In Washington and Clackamas Counties the enrollments in grade and high schools have climbed steadily. In the three Counties combined the 1951 enrollment of 77,645 in elementary schools and 23,748 in high schools may climb 35 to 50 per cent during the next twenty years. For increases such as these, many new schools, grounds and buildings have to be planned.

PART II

Suggested modifications to the Proposed Zoning Ordinance

There are two major parts to the proposed Zoning Ordinance: the text, and the Master Map of the City showing the respective land use districts. In the following paragraphs modifications are suggested for the text, section by section; but the comments in regard to Master Map are more general, for the reason that it was impractical for this Committee to study the zone classification of each parcel of land.

(A) Index and table of contents — The proposed Ordinance does not contain an index or table of contents. Many of the recently adopted comprehensive zoning ordinances for other cities contain a very detailed index. A carefully prepared index, if made a part of the Ordinance, would have many uses.

(B) Article 1. Definitions — This article should be enlarged to include a definition of every term or word which might otherwise cause confusion in the administration of the proposed Ordinance. Some of the words for which definitions have not been but should be included are billboard, poster-panel, sign, hotel-apartment, tourist camp, tourist court, tourist home, trailer, junk yard, and many others. In addition, many of the businesses permitted in the local commercial districts should be clearly defined, inasmuch as these establishments often may be adjacent to single-family dwellings. Furthermore, some of the types of businesses permitted in other commercial or industrial zones probably should be defined, to avoid misunderstandings later.

(C) Article 2. Violation, Penalty and Saving Clause — The penalty provisions of the proposed Ordinance are common to the ordinances of some other cities and are substantially the same as those in the present ordinance.

(D) Article 3. Administration, and Article 4. City Planning Commission — Article 3 might well be entitled "Enforcement." The responsibility of enforcing the proposed Zoning Ordinance is delegated to the Bureau of Buildings. Article 4 contains the following sentence: "The Commission shall have a secretary who shall be an employee of the department having jurisdiction over the Bureau of Buildings." The duties of the secretary are not fully defined. In actual practice he is now the Director of Planning. Also, no provision is made for the organizational setup of other employees in the City Planning Commission. It is not clear what "department" is referred to here. The intent presumably
is to have all this related activity in one department but no other provision is made for integrating the work of the Planning Commission and the Bureau of Buildings. Under the City Charter the Mayor can assign a Bureau to any one of the five Departments under jurisdiction of a Councilman (Commissioner).

(E) Article 5. Interpretation, Adjustments and Variances by the Commission — This Article provides for consideration by the City Planning Commission of adjustments to and variations from the letter of the Ordinance in certain listed cases. It is specified that the Planning Commission is to refer to the City Council for decision each individual application for adjustment to the Ordinance. The City Council should not be burdened with every such adjustment or variance. Many cities have a Board of Adjustment which handles and decides such cases with appeal available to the City Council. Such a procedure, coupled with the refusal of the Council to reverse the Board of Adjustment except in unusual cases, should in time reduce the burden on the Council and probably make for a more uniform policy of enforcement.

Articles 6 through 16 establish the various zoning districts, and the regulations that are to be applicable to each. Our comments and suggestions are as follows:

(F) Article 6. Districts — In the proposed Zoning Ordinance, all the zoned land in the city has been classified into one of ten districts, as follows:

- R 1 One-family District
- R 2 Multiple-family District
- R 3 Multiple-family District
- R 4 Multiple-family District
- C 1 Local Commercial District
- C 2 General Commercial District
- C 3 General Commercial District
- CM Central Business District
- M 1 Light Industrial District
- M 2 Heavy Industrial District

The Planning Commission has prepared diagrams illustrating the use limitations in each zoning district, which diagrams do much to dispel the confusion attendant on the Ordinance. These diagrams, if incorporated in the Ordinance, would be of great assistance in explaining the Ordinance both before and after adoption. Similar diagrams have been used in ordinances of other cities.

(G) Article 7. Regulations for R 1 One-Family District — The principal use permitted in this District is the single-family residence; which, however, may be occupied by as many as eight unrelated persons. The number of unrelated occupants should be reduced to five. If any more than five unrelated persons live in a house, it has the objectionable features of a boarding house and should be so classified. This would be in accord with recently adopted ordinances in other cities.

Consideration should be given to setting forth all the accessory uses pertaining to this District in this Article, instead of in several other Articles. Provisions pertaining to this District are also contained in Articles 17, 18, 20 and 21 to which reference is made in this Article 7. These extensive cross references are confusing and could lead to difficulties in obtaining public approval of the Ordinance and make administration more complex. A thorough study should be made of ordinances in other cities to determine the advantages of eliminating these cross references and to clarify the text describing the provisions pertaining to each district.

(H) Articles 8, 9 and 10. Regulations for R 2, R 3 and R 4 Multiple-family Districts — Consideration should be given to revising these Articles so that they include all the provisions applying to these Districts which are now contained in Articles 17, 18, and 20 pertaining to accessory buildings, parking space and name plates.

(I) Article 11. Regulations for C 1 Local Commercial District — Businesses commonly referred to as neighborhood stores and shops are permitted in the C 1 District. If this Article were renamed Neighborhood Commercial District, such a title would be more appropriate and add clarity. Furthermore, as this District is usually a relatively small area surrounded by residential Districts, this Article and the definitions pertinent thereto should be drawn to restrict the size and extent of such businesses. For example, under the present provisions of this Article, commercial buildings three stories in height may be erected in such a District. This appears to be too much latitude. In our opinion the height should be limited to one story in order to protect adjacent residential owners.

(J) Article 18. Regulations for C 2 General Commercial District — If this Article were renamed Community Trade District, Community Business District or Retail-Whole-
sale District, the title would be more descriptive. Nearly any kind of retail, wholesale
or service business may be established in a C 2 District. The bulk of these districts adjoin
residential districts and in some cases there may not be sufficient protection of the resi-
dents. For example, an auto service station is required to have a wall at least six feet
high when adjoining a residential district, but the service station owner does not have
to obtain the consent of the abutting owner. The Article should be amended to require
the obtaining of permission from adjoining residential property owners for certain of the
more noxious uses permitted in this District.

The establishment of a cluster shopping center containing department and other
stores higher than three stories would not be permitted in this zone. While Portland does
not yet have such suburban shopping centers, many have been established in recent years
in other cities. As a consequence, some cities have found it necessary to amend their
zoning ordinances to include a district specifically for suburban shopping centers. It may
be advisable to include such a district in Portland's proposed Zoning Ordinance. There
has been a sharp trend toward these shopping centers and away from the shoestring type
of commercial districts of the kind common to some of the arterial streets in Portland.

It has been recommended by the Chamber of Commerce and by The Portland Realty
Board that all the shoestring commercial zones be widened to 200 feet on each side of
the street. If this were done it would subject the residential property on two additional
streets to the hazard of heavy undesirable commercial development. It seems better not
to widen these strips inasmuch as to do so may imperil the property of too many residents.
Provisions are made in the proposed Ordinance for extending any district upon applica-
tion. If a commercial business desires to expand the building area or the parking space
it will be possible for permission to be granted for such a change, if the enlargement
would not be especially offensive to residential property owners. Such individual changes
will be less likely to work hardship on adjoining residential property owners than a
blanket widening of these strips.

(K) Article 13. Regulations for C 3 General Commercial District — This District
would be more properly entitled Commercial-Limited Manufacturing District, as many
of the less offensive types of manufacturing and processing are permitted in this District.
It is true that modern plant construction and the newer processes in many industries
tend to eliminate some of the obnoxious characteristics of processing; but many objec-
tions remain. Therefore as these C 3 zones are located in many parts of Portland, it will
be possible for some offensive manufacturing businesses, and for ten-story buildings to
be so located as to be adjoining residential property.

It may be appropriate for the City Planning Commission to study the feasibility of
creating a separate limited manufacturing district with appropriate safeguards to protect
adjoining residential owners.

(L) Article 14. Regulations for C M General Commercial District — If the title to
this Article were Downtown Business District or Downtown Commercial District, it would
more accurately describe the district, inasmuch as it applies solely to the downtown
area of Portland.

(M) Article 15, Regulations for M 1 Light Industrial District — Changing processes
in industries often eliminate smoke, steam, noise and odors so that some factories do
not require the same restrictions as others. Hence, it may be desirable to include in this
Article a paragraph to the effect that certain plants of the type included in the M 2
District may receive special permission to be in an M 1 District, if their smoke, noise, and
other offensive characteristics are eliminated through special plant construction.

The following industries ought to be added as recommended by the Chamber of Com-
merce to the list of businesses permitted in an M 1 District: Bags, cotton and burlap
manufacturing; lumber remanufacturing; machinery manufacturing; paper fabricated
products manufacturing; plywood manufacturing; tool & die works.

There would seem to be no valid reason for allowing the construction of new family
dwellings in this District. They are excluded from the M 2 District. Other cities have
found it advisable to exclude the construction of residences from all industrial areas.

A paragraph should be added similar to Article 16, Section 6-1601, sub paragraph
32, for the purpose of affording protection to adjoining residences from blacksmith shops
and machine shops with drop and power-driven hammers and other such activities with
obnoxious noises.

(N) Article 16. Regulations for M 2 Heavy Industrial District — Some of the heavy
industries are definitely of a nuisance type and, hence, a further restriction requires
special approval before their establishment in the M 2 District. This restriction might be
even more clearly drawn by creating an M 3 Unrestricted Industrial District, requiring
regulations different from those for the M 2 Heavy Industrial District, as do some other cities. If areas were specifically zoned for unrestricted industrial uses, persons interested in establishing such businesses could make plans without having to apply for special permission.

(O) Article 17. Location of Accessory Building on Lot — Consideration should be given to the elimination of those portions which apply to residential zones and if possible the elimination of the entire Article and the incorporation of its terms under Articles 7 and 8, pertaining to One-family and Multiple-family Districts, and other appropriate Articles. By avoiding the cross references contained in the proposed Zoning Ordinance and by bringing together all the terms pertaining to each District, the Ordinance would be more readily understood and more easily interpreted.

(P) Article 18. Parking Area, Requirements — This Article provides the requirements for parking space in each of the ten zoning districts, except the C-M Central Business District. Consideration should be given to the elimination of this Article and the incorporation of its terms and provisions, subject to minor variations, in Articles 7 to 13, inclusive. Thus, the cross references contained in these Articles would be eliminated and the Articles describing the respective Districts would contain all the provisions pertaining to each District.

The parking limitations should also be changed in some respects. For instance, where the parking requirement is measured by the number of employees, it should be specified that it applies to the number of employees per shift, so that an industrial plant operating on a two shift or three shift basis would not be required to have any more parking space per employee than a plant operating on only one shift. The parking requirements for commercial buildings, and to some extent, industrial buildings, should be related to the number of customers instead of to the floor area of the buildings. In other words, a grocery store should have more parking space in proportion to the floor area than a wholesale machinery establishment which may have considerably fewer customers in proportion to the floor area.

Portland's most serious parking problems exist in the downtown district to which the parking restrictions do not apply. Certainly further consideration should be given to this matter for the reason that it does not seem to be equitable to require parking space in other Districts and not to require comparable space in this District.

(Q) Article 19. Loading Areas — In line with previous recommendations consideration should be given to the elimination of this Article and the insertion of the terms thereof, subject to certain revisions, in Articles 9 to 14, inclusive, pertaining to Multiple-family Districts, Commercial Districts and Industrial Districts.

The loading space needed often does not have a direct relationship to the areas of floor space in the building. Instead, other factors, such as method of shipment and type of business, may be more important. The turnover of merchandise and the types of vehicles commonly used to move the merchandise to or from a building may have closer relationship to the space required for loading than the floor area of the building. Certain types of businesses, having a rapid turnover of merchandise in proportion to the floor area, need more loading space than businesses in which the merchandise turns over slowly. Furthermore, the vehicle loading space requirements of businesses shipping by rail may vary considerably from businesses shipping by truck. Hence, further study should be given to the terms of this restriction so that the loading space requirements may be more realistic.

Where it is impractical economically to expand the loading space in the downtown district, it may be advisable to consider restricting shipping and receiving to night hours. Furthermore, consideration should also be given to restricting the size of the vehicles used for shipping and receiving in the downtown district.

Other cities are studying the feasibility of applying the parking and loading space restrictions to existing as well as to new businesses, on the theory that traffic congestion has arisen because the existing businesses had not anticipated the need for such facilities.

(R) Article 20. General Provisions — A part of the terms of this Article probably should be included in the Article on Definitions, and it may be desirable to include the portion of this Article containing limitations on name plates and signs in the Articles dealing with Residential Districts.

In the proposed Zoning Ordinance the name plate and sign restrictions pertain only to Residential Districts. Consideration should be given to having appropriate limitations on the use of signs in Commercial and Industrial Districts. Some cities not only have limitations on signs and billboards, but collect fees for permission to erect, repaint, repaper or repair them. The over-use of unsightly billboards throughout a city may impair the public safety, health and general welfare of the community. Modern zoning practices limit the size, projection and location of signs, billboards and poster panels.
Recently Los Angeles and Atlanta have restricted billboards on expressways. Denver has a restrictive ordinance prohibiting billboards and advertising in the city's civic center area.

(S) **Article 21. Exceptions**—Consideration should be given to clarifying portions of this Article, and those exceptions dealing with height, yards, and density of uses should be incorporated in the appropriate Articles 7 to 14, inclusive, covering each District. With such clarification the Ordinance would be more easily understood. Its present form is complex and difficult to interpret. Simplification could best be accomplished at the outset, thereby avoiding much unwarranted confusion in administration and enforcement.

(T) **Article 22. Non-conforming Buildings and Uses**—The Staff of the Planning Commission is rewriting this Article. When rewritten, it will probably contain provisions somewhat comparable to the Sections of the present Code pertaining to non-conforming buildings and uses. The ordinance in force provides that properties having a non-conforming use may not be altered except to conform to the regulations; non-conforming buildings damaged by fire to the extent of 75 per cent of the cost of replacement may not be rebuilt; and additions to buildings having a non-conforming use are subject to local option requirements.

These methods are not sufficiently effective. Specific provisions in regard to non-conforming buildings and uses similar to those in the proposed Zoning Ordinance should be retained, but with some modification to alleviate hardship cases. This modification could be in the form of lengthening the period in which the non-conforming use is allowed, or by providing for repayment from assessments against benefited property owners. Other cities have found it essential to have definite restrictions covering non-conforming uses and buildings as an aid to the enforcement of zoning.

Unless zoning is equitably enforced to prevent violators from having advantages over persons who voluntarily conform to the restrictions, the benefits of zoning may be lost. Enforcement of restrictions on non-conforming buildings and uses is supported by the courts. For example, the Supreme Court of the State of Washington handed down a decision on March 27, 1892, in which the property owner was denied the right to rebuild a gasoline service station which had been a permitted non-conforming building and use. (State of Wn. vs. Cain 242 P2d 505.)

(U) **Article 25. District Changes and Amendments; and Article 26. setback Lines.**—The procedures in these Articles should be changed, as was suggested in Part II, Paragraph (E) of this report, to relieve the Council of the burdensome duty of considering each application. This responsibility should be delegated to a Board with the right of appeal to the Council.

(V) **The Proposed Master Map of Portland**—The zoning of land into use-districts is a never-ending process. Obsolescence of older buildings, plus shifts in trends of business development and new developments, necessitate the rezoning of single parcels of land and of entire districts. These changes in land-use classifications are usually recorded on a Master Map which shows the land-use districts throughout the City. Such Master Maps, which normally constitute an integral part of a zoning program, facilitate the visualization of the plan of development for the entire City. One of these maps of Portland is contained in the proposed Zoning Ordinance.

The Committee has not attempted to judge whether or not the land-use classification as shown on the Master Map is appropriate for each piece of property. Even if all property were correctly zoned as of today, this would not be true tomorrow. As conditions change, re-zoning is required for certain pieces of property, particularly in parts of the city which are undergoing a transition. However, it is important that such re-classifications be made in accordance with the probable long-term trends and not as spot or isolated changes for the benefit of one property owner and to the detriment of adjoining property owners. The procedure set forth in the Ordinance, subject to minor modification, appropriately provides for changing land classifications in accordance with the needs; hence proper re-zoning can be accomplished as conditions warrant.

If the Master Map (together with the proposed Zoning Ordinance) had been adopted in the form in which it was published in 1951, it would have automatically changed the classifications of a substantial share of all properties in the City. Many individual property owners might not have known of the change of the zoning of their property as there was no notice sent to each property owner. If an owner had been dissatisfied, he would have had to file an application and pay a fee in accordance with the prescribed procedure, to attempt to have his property re-classified as desired. Proper precautions should be taken to see that all affected property owners are made aware of the impending enactment of this Ordinance before the Council adopts the map. This may be accomplished by widespread advertising, area meetings, or some other such means.

In the interim, since publication of the Master Map in 1951, a substantial number of
property owners have requested changes in the classifications of their properties from those in the proposed map, and many changes have resulted. Most of those changes consisted of the re-instatement of commercial classifications for properties originally so classified, but which had been zoned residential by the Master Map.

At the instigation of this Committee, data has been assembled from records in the Planning Commission and from other sources to show the area of land used for each purpose in Portland. In general the land-use pattern for Portland conforms to the following tabulation:

<table>
<thead>
<tr>
<th>Zones</th>
<th>Portland 1934 (per cent)</th>
<th>Portland 1947 (per cent)</th>
<th>Average Land Use In Eleven Cities (per cent)</th>
<th>Land Use In Minneapolis 1949 (per cent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R 1 One-Family</td>
<td>37.3%</td>
<td>36.1%</td>
<td>32.5%</td>
<td>33.4%</td>
</tr>
<tr>
<td>R 2 Two-Family</td>
<td>0.9</td>
<td>1.1</td>
<td>4.4</td>
<td>6.6</td>
</tr>
<tr>
<td>R 3 4 Multiple-Family</td>
<td>1.3</td>
<td>1.6</td>
<td>3.3</td>
<td>3.8</td>
</tr>
<tr>
<td>C 1 Local Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C 2 Commercial</td>
<td>2.7</td>
<td>2.5</td>
<td>3.3</td>
<td>0.8</td>
</tr>
<tr>
<td>C 3 Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CM Central Business</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M 1 Light Industrial</td>
<td>4.1</td>
<td>1.7</td>
<td>6.9</td>
<td>2.1</td>
</tr>
<tr>
<td>M 2 Heavy Industrial</td>
<td></td>
<td>4.9</td>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td>Streets</td>
<td>38.9</td>
<td>36.5</td>
<td>27.0</td>
<td>29.3</td>
</tr>
<tr>
<td>Parks</td>
<td>5.0</td>
<td>6.1</td>
<td>8.0</td>
<td>8.6</td>
</tr>
<tr>
<td>Schools</td>
<td>1.6</td>
<td>1.6</td>
<td></td>
<td>1.1</td>
</tr>
<tr>
<td>Public &amp; Semi-Public</td>
<td></td>
<td>1.0</td>
<td></td>
<td>0.5</td>
</tr>
<tr>
<td>Churches - Institutions</td>
<td>3.0</td>
<td>0.3</td>
<td>9.8</td>
<td>0.7</td>
</tr>
<tr>
<td>Golf Courses</td>
<td>1.3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemeteries</td>
<td>0.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Railroad Property</td>
<td>5.2</td>
<td>4.7</td>
<td>4.8</td>
<td>5.4</td>
</tr>
<tr>
<td>Total Land Used</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

A current study of the uses of land and classifications of land into zones with accompanying maps would provide the public with needed information in regard to the problems involved in city planning and zoning. Unless the people fully understand the objectives of zoning, it is not likely that the attempts to modernize the Zoning Ordinance will be successful.

Although various local organizations have suggested that the Planning Commission expand the areas zoned for commercial and industrial uses, there is a considerable amount of vacant area in each of these zones. As it is easier to down-zone than to up-zone, there is a reasonably sound basis for the classifications which have been proposed, subject to minor changes now under consideration by the Planning Commission.

Certain unrealistic zoning conditions existing in Portland at the present time should be corrected. No basic changes in the general pattern of zoning have been made at the instigation of the Planning Commission since the City was originally zoned in 1924, but, of course, individual property owners have requested and received new zone classifications. These changes are illustrated by special studies which were made in 1934 and 1947.

When constructing or selling single-family dwellings, owners have found they could arrange more favorable financing if the dwellings were located in a single-family zone. Hence, many property owners have had their property up-zoned. From 1934 to 1947, a total of 3,664 acres were rezoned from multiple- to single-family use, reducing the acreage of the multiple-family districts from 14,779 in 1934 to 11,115 in 1947. The Proposed Zoning Ordinance would have further reduced it to 5,139 acres, but only 690 acres
were actually in use in 1947 for this purpose. Despite those rectifications of the original over-zoning of the multiple-family district and the proposed reduction, many single-family dwellings would still have been located in the lower zones under the Proposed Zoning Ordinance. However, the Committee recognizes that it is impracticable to overcome such conditions completely.

The original over-zoning for commercial use was partially corrected by property owners requesting rezoning for single-family use, reducing the acreage from 4,808 in 1934 to 4,718 in 1947. The Proposed Zoning Ordinance and Master Map would have further rectified this situation by reducing the commercial zones to 888 acres, which area was larger than the 645 acres actually used for this purpose. As some commercial businesses were in lower zones and some dwellings were in the commercial zones, the vacant land in the commercial zones would have totaled 157 acres in 1947 even if the Proposed Zoning Ordinance had been adopted. These and other figures are shown in the following tabulation:

<table>
<thead>
<tr>
<th>Zones</th>
<th>Developed Area (acres)</th>
<th>Vacant Area (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R 1 One-Family</td>
<td>6,065 9,819 16,740</td>
<td>9,879 9,193 13,310</td>
</tr>
<tr>
<td>R 2 Multiple-Family</td>
<td>2,251 218 278</td>
<td>521</td>
</tr>
<tr>
<td>R 3 Multiple-Family</td>
<td>14,779 11,115 2,263</td>
<td>383</td>
</tr>
<tr>
<td>R 4 Multiple-Family</td>
<td>625 ( ) ( )</td>
<td>123</td>
</tr>
<tr>
<td>C 1 Local Commercial</td>
<td>141 ( ) ( )</td>
<td>11</td>
</tr>
<tr>
<td>C 2 Commercial</td>
<td>4,808 4,718 485</td>
<td>644 645 118</td>
</tr>
<tr>
<td>C 3 Commercial</td>
<td>126 ( ) ( ) ( )</td>
<td>28</td>
</tr>
<tr>
<td>CM Central Business</td>
<td>136 ( ) ( )</td>
<td></td>
</tr>
<tr>
<td>M 1 Light Industrial</td>
<td>2,737 2,737 2,944</td>
<td>978 432 867</td>
</tr>
<tr>
<td>M 2 Heavy Industrial</td>
<td>3,483 ( ) ( )</td>
<td>1,256 1,617</td>
</tr>
<tr>
<td>Streets</td>
<td>9,275 9,275 9,300</td>
<td>9,275 9,300</td>
</tr>
<tr>
<td>Parks</td>
<td>1,177 1,177 1,539</td>
<td>1,177 1,539</td>
</tr>
<tr>
<td>Schools</td>
<td>390 390 410</td>
<td>390 410</td>
</tr>
<tr>
<td>Public and Semi-Public</td>
<td>263 ( ) ( )</td>
<td>263</td>
</tr>
<tr>
<td>Churches-Institutions</td>
<td>721 721 74</td>
<td>721 74</td>
</tr>
<tr>
<td>Golf Courses</td>
<td>331 ( ) ( ) ( )</td>
<td>331</td>
</tr>
<tr>
<td>Cemeteries</td>
<td>157 ( ) ( ) ( )</td>
<td>157</td>
</tr>
<tr>
<td>Railroad property</td>
<td>1,226 1,226 1,184</td>
<td>1,226 1,184</td>
</tr>
<tr>
<td>Water</td>
<td>2,345 2,345 2,345</td>
<td>2,345 2,345</td>
</tr>
<tr>
<td>Total Area</td>
<td>43,523 43,523 44,797</td>
<td>23,819 25,474 19,704</td>
</tr>
</tbody>
</table>

*Proposed Zoning Ordinance and Master Map.

Source: City Planning Commission.

The Planning Commission should assemble and have available accurate figures on the acreages of land zoned, in-use and vacant in order that interested persons may be informed on these matters. Such information presented by appropriate maps and charts would answer many questions. Comprehensive material of this type has been presented with new ordinances in other cities and, if done here, would assist in bringing about the adoption of a new zoning ordinance.

**PART III**

**Conclusions and Recommendations**

The Committee believes that the present zoning laws should be substantially changed in order to provide the City of Portland with the necessary tools to channel properly its anticipated growth. The Committee further believes that the proposed Comprehensive Zoning Ordinance, which has been the subject of this study, would be adequate for this purpose if it were modified according to the suggestions set forth herein.

Respectfully submitted:

H. STEWART TREMAINE
RUDIE WILHELM, JR.
LLOYD B. WILLIAMS
LEWIS G. PRICHARD, Chairman

Approved by James Hamilton, Section Chairman, Planning and Public Works, for transmittal to the Board of Governors. Received by the Board of Governors February 16, 1953, and ordered printed and submitted to the membership for its information.
PROPOSED FOR MEMBERSHIP
AND APPROVED BY THE
BOARD OF GOVERNORS

If no objections are received by the Executive Secretary prior to April 3, 1953, the following applicants will be elected:

GEORGE E. FRASER, Attorney, Hart, Spencer, McCulloch, Rockwood & Davies.
Proposed by William W. Wyse.

MASAYUKI HARIGAI, Consul for Japan.
Proposed by James McDonald.

RICHARD E. PAUL, Law Clerk, Koerner, Young, McCulloch & Dezendorf.
Proposed by H. Clay Myers, Jr.

OFF-THE-JOB EMPLOYMENT
OF CITY EMPLOYEES DISCUSSED

Cities should have definite policies controlling off-the-job employment of city employees, according to a committee report of the city manager department of the League of California Cities.

The International City Managers' Association reports the committee found that 29 of California's 69 council-manager cities restrict outside employment to some extent. Thirteen of these 29 cities are over 50,000 population.

Outside employment, according to the committee, should be considered as a special privilege, not as a right, and should be viewed in the same light as any other outside activities which affect the employee's efficiency on the job, such as recreation, social activities, or private home building.

Some types of outside employment are incompatible with city employment, as in the case of a policeman who operates a private detective agency or works in a tavern. Uniformed employees and public works employees may be needed to meet emergencies during off-duty hours and should be available for calls to duty.

However, if wages for city employment are below those in private industry, a policy restricting outside work becomes difficult to enforce. The city may be able to keep its employees only because they can work elsewhere in their spare time.

VIRGINIA HIGHWAY DEPARTMENT
USES TREES IN ACCIDENT
PREVENTION PROGRAM

Virginia's state department of highways is spending $30,000 a year to plant trees along the highways as an investment in accident prevention, the American Public Works Association reports.

Trees planted in the center strip of a divided highway are said to break the headlight glare from approaching automobiles. Properly placed trees also reduce the glare of the sun, particularly on east-west highways.

According to the highway department's landscape engineer, trees can be used to outline curves in the highway or to outline the approaches to a bridge. Trees are also used to good advantage in backgrounding a simple highway sign.

Serving as a safety factor with aesthetic appeal, trees break the monotony of the open highway and, at the same time, provide a spot of shade where the weary Motorist can stop to cool off on hot days.

TOLL ROADS MORE
SUCCESSFUL IN AREAS
OF HIGH POPULATION

Toll roads are more likely to be successful in areas of high population density and traffic density, according to the American Society of Planning Officials.

The Society said that although toll roads are unquestionably successful in the eastern states, their possibilities as successful ventures seem to become more doubtful in the western states where population and traffic densities are light.

Both the New Jersey turnpike and the latest extension of the Pennsylvania turnpike have brought in much more revenue than expected. The turnpike between Denver and Boulder, Colo., also has brought in more revenue than was anticipated.

The Colorado State Highway commission, however, has stated that it is not at present considering any additional toll roads, nor will it consider any additional toll roads unless the need becomes evident.