

DATE: March 31, 2023
FROM: Julie Ocken
RE: **Update Packet #206 – West Portland Town Center Plan; EV Ready Code; Shelter to Housing Continuum Part 2**

The attached Code Update Pages include three projects (as noted with Ordinance Numbers and staff contacts):

- WPTC Plan (Ord. No. 191079): Joan Frederiksen
- EV Ready Code (Ord. No. 191164): Phil Nameny
- Shelter to Housing Continuum Part 2 (Ord. No. 191171): JP McNeil

Chapter	Remove Pages	Insert Pages	Changed because of
List of Chapters	All	All	WPTC
TOC	3-6	3-8	WPTC, typo
33.110	19-20, 25-30, 49-50	19-20, 25-30, 49-50	EV Ready, typo
33.120	13-16, 53-64	13-16, 53-66	EV Ready
33.130	9-12, 49-50	9-12, 49-50	EV Ready
33.140	7-8, 39-40	7-8, 39-40	WPTC
33.150	9-10	9-10	typo
33.224	All	All	EV Ready
33.258	9-16	9-16	EV Ready
33.266	1-44	1-44	EV Ready
33.279	All	All	EV Ready
33.281	3-6	3-8	EV Ready
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33.296	5-6	5-6	S2HC2
33.420	3-6, 37-38	3-6, 37-38	EV Ready
500s Content Page	All	All	WPTC
33.510	61-68	61-68	EV Ready
33.561	1-2	1-2	typo
33.595	(new chapter)	All	WPTC (new chapter)
33.815	All	All	WPTC, EV Ready, S2HC2
33.820	All	All	S2HC2
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

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	CI1	Campus Institutional 1	33.150
	CI2	Campus Institutional 2	33.150
	CR	Commercial Residential	33.130
	CM1	Commercial/Mixed Use 1	33.130
	CM2	Commercial/Mixed Use 2	33.130
	CM3	Commercial/Mixed Use 3	33.130
	CX	Central Commercial	33.130
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	EG2	General Employment 2	33.140
	EX	Central Employment	33.140
	IG1	General Industrial 1	33.140
	IG2	General Industrial 2	33.140
	IH	Heavy Industrial	33.140
	IR	Institutional Residential	33.150
	OS	Open Space	33.100
	R2.5	Residential 2,500	33.110
	R5	Residential 5,000	33.110
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	R10	Residential 10,000	33.110
	R20	Residential 20,000	33.110
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	RMP	Residential Manufactured Dwelling Park	33.120
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x	Portland International Airport Noise Impact Overlay Zone	33.470	
z	Constrained Sites Overlay Zone	33.418	

Special	(XX)	Comprehensive Plan Map Designation	Comp. Plan
	• • • •	Areas of difference between current zoning and Comprehensive Plan Map Designation	All
	▨▨▨▨▨▨▨▨▨▨	Plan Districts	33.500s
	▨▨▨▨▨▨▨▨▨▨	Historic and Conservation Districts	33.445
	▨▨▨▨▨▨▨▨▨▨	Natural Resource Management Plans	NRMP documents
	★ ★ ★	Major Public Trails	33.272
	●	Historic Landmarks	33.445
	▲	Conservation Landmarks	33.445

Table 110-5	
Maximum Building Coverage Allowed in the RF through R2.5 Zones	
Lot Size	Maximum Building Coverage
Less than 3,000 sq. ft.	50% of lot area
3,000 sq. ft. or more but less than 5,000 sq. ft.	1,500 sq. ft. + 37.5% of lot area over 3,000 sq. ft.
5,000 sq. ft. or more but less than 20,000 sq. ft.	2,250 sq. ft. + 15% of lot area over 5,000 sq. ft.
20,000 sq. ft. or more	4,500 sq. ft. + 7.5% of lot area over 20,000 sq. ft.

33.110.227 Trees

Requirements for street trees and for on-site tree preservation, protection, and overall tree density are specified in Title 11, Trees. See Chapter 11.50, Trees in Development Situations.

33.110.230 Main Entrances

A. Purpose. These standards:

- Work with the street-facing facade and garage standards to ensure that there is a physical and visual connection between the living area of the residence and the street;
- Enhance public safety for residents and visitors and provide opportunities for community interaction;
- Ensure that the pedestrian entrance is visible or clearly identifiable from the street by its orientation or articulation; and
- Ensure a connection to the public realm for development on lots fronting both private and public streets by making the pedestrian entrance visible or clearly identifiable from the public street.

B. Where these standards apply.

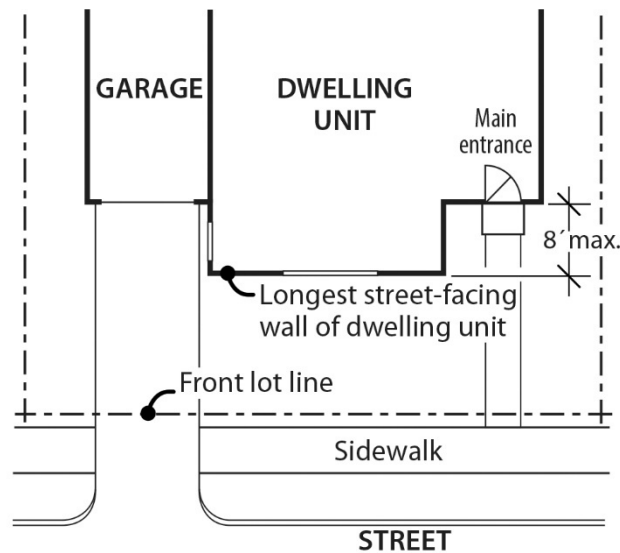
1. The standards of this section apply to all residential structure types in the R10 through R2.5 zones except accessory dwelling units;
2. Where a proposal is for an alteration or addition to existing development, the standards of this section apply only to the portion being altered or added;
3. On sites with frontage on both a private street and a public street, the standards apply to the site frontage on the public street. On all other sites with more than one street frontage, the applicant may choose on which frontage to meet the standards;
4. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more is exempt from these standards;
5. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from these standards; and
6. Development on lots where any portion of the lot is in the special flood hazard area is exempt from the standard in Subsection D.

C. Location. At least one main entrance for each structure must:

1. Be within 8 feet of the longest street-facing wall of the dwelling unit; and

2. Either:
 - a. Face the street. See Figure 110-5;
 - b. Be at an angle of up to 45 degrees from the street; or
 - c. Open onto a porch. See Figure 110-6. The porch must:
 - (1) Be at least 25 square feet in area;
 - (2) Have at least one entrance facing the street; and
 - (3) Have a roof that is:
 - No more than 12 feet above the floor of the porch; and
 - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with a trellis or other open material if no more than 70 percent of the area of the material is open.
- D. **Distance from grade.** The main entrance that meets Subsection C must be within 4 feet of grade. For the purposes of this Subsection, grade is the average grade measured at the outer most corners of the street facing façade. See Figure 110-7.

Figure 110-5
Main Entrance Facing the Street



coverage of the smallest primary structure, or 900 square feet, whichever is greater.

4. Additional development standards. The following additional standards apply to detached covered accessory structures and connected covered accessory structures that are more than 15 feet high. Additions to existing structures that do not meet a standard are exempt from that standard.
 - a. Exterior finish materials. The exterior finish materials must meet one of the following:
 - (1) The exterior finish material must be the same in type, size and placement as the exterior finish material of a primary structure; or
 - (2) Siding must be made from wood, composite boards, vinyl or aluminum products, and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6 inches or less in width.
 - b. Roof Pitch. The pitch of the roof with the highest ridgeline-must meet one of the following:
 - (1) The pitch of the roof with the highest ridgeline must be the same as the pitch of the roof with the highest ridgeline of a primary structure; or
 - (2) The pitch of the roof with the highest ridgeline must be at least 6/12.
 - c. Trim. The trim must meet one of the following:
 - (1) The trim must be the same in type, size, and location as the trim used on a structure; or
 - (2) The trim around all windows and doors must be at least 3 ½ inches wide.
 - d. Windows. The windows on all street facing facades must meet one of the following:
 - (1) The windows must match those on the street facing facade of a primary structure in orientation (horizontal or vertical); or
 - (2) Each window must be square or vertical – at least as tall as it is wide.
 - e. Eaves. The eaves must meet one of the following:
 - (1) The eaves must project from the building walls the same distance as the eaves on a primary structure;
 - (2) The eaves must project from the building walls at least 1 foot on all elevations; or
 - (3) If the primary structure has no eaves, no eaves are required.

- D. Detached uncovered vertical structures.** Detached uncovered vertical structures are items such as flag poles, trellises, arbors and other garden structures, play structures, antennas, satellite receiving dishes, detached structures that hold electric vehicle chargers, and lamp

posts. The following standards apply to detached uncovered vertical structures. Fences are addressed in 33.110.275:

1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is 20 feet:
 - a. Antennas, utility power poles, and public safety facilities are exempt from the height limit.
 - b. Flagpoles are subject to the height limit of the base zone for primary structures.
 - c. Detached small wind turbines are subject to the standards of 33.299, Wind Turbines.
2. Setbacks. Except as follows, detached uncovered vertical structures are subject to required building setbacks:
 - a. Detached uncovered vertical structures that are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet are allowed in required building setbacks.
 - b. A single arbor structure that is up to 6 feet wide, up to 3 feet deep, and up to 8 feet tall is allowed in the front setback. The arbor must allow for pedestrian access under its span.
 - c. Flagpoles are allowed in required building setbacks.
 - d. In the R7, R5, and R2.5 zones, detached uncovered vertical structures that exceed the allowances of Subparagraph 2.a are allowed in side and rear setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
 - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet;
 - (3) The structure is no more than 10 feet high;
 - (4) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening; and
 - (5) The structure does not have a rooftop deck.
3. Additional standard for detached uncovered vertical structures that hold electric vehicle chargers. In addition to Paragraphs 1. and 2. above, a detached uncovered vertical structure that holds at least a Level 2 electric vehicle charger must be located so that the electric vehicle charger is within 5 feet of a vehicle area.

- E. Detached uncovered horizontal structures.** Uncovered horizontal structures are items such as decks, stairways, swimming pools, hot tubs, tennis courts, and boat docks not covered or enclosed. The following standards apply to detached uncovered horizontal structures.
1. Height. The maximum height allowed for all detached uncovered horizontal structures is 20 feet.
 2. Setbacks. Except as follows, detached uncovered horizontal structures are subject to required buildings setbacks:
 - a. Detached uncovered decks, ramps, and stairways that are more than 2-1/2 feet above the ground may extend into a required building setback up to 20 percent of the depth of the setback. However, the deck or stairway must be at least three feet from a lot line.
 - b. Structures that are no more than 2-1/2 feet above the ground are allowed in required building setbacks.
- F. Detached mechanical equipment.** Detached mechanical equipment includes items such as heat pumps, air conditioners, emergency generators, radon mitigation components, and water pumps. Generally, detached mechanical equipment will not be attached to a building but may have components such as ventilation or electrical systems attached to the primary structure. The following standards apply to detached mechanical equipment:
1. Height. The maximum height allowed for all detached mechanical equipment is 20 feet.
 2. Setbacks. Except as follows, detached mechanical equipment is subject to required buildings setbacks. Detached mechanical equipment is allowed in side or rear building setbacks if all of the following are met:
 - a. The equipment is no more than 5 feet high; and
 - b. The equipment is screened from adjoining lots by walls, fences or vegetation. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening.

33.110.250 Additional Development Standards for Garages

A. Purpose. These standards:

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
- Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing garages from blocking views of the street from inside the residence.

B. Existing detached garages.

1. Rebuilding. A detached garage that is nonconforming due to its location in a setback, may be rebuilt on the footprint of the existing foundation, if the garage was originally constructed legally. In this case, the rebuilt garage may be no more than 15 feet high, and the garage walls may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The rebuilt garage is not required to comply with other standards of this chapter.
2. Additions. An addition may be made to an existing or rebuilt detached garage that is nonconforming due to its location in a setback as follows:
 - a. The expanded garage complies with all other standards of this chapter; or
 - b. The combined size of the existing foundation and the addition is no larger than 12 feet wide by 20 feet deep. In this case, the garage may be no more than 15 feet high, and the walls of the addition may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The expanded garage is not required to comply with other standards of this chapter.

C. Length of street-facing garage wall.

1. Where these regulations apply. Unless exempted by Paragraph C.2, the regulations of this subsection apply to garages in the R10 through R2.5 zones.
2. Exemptions.
 - a. Development on flag lots, and development on lots that slope up or down from the street with an average slope of 20 percent or more-are exempt from the standards of this subsection.
 - b. Subdivisions and PUDs that received Preliminary Plan approval between September 9, 1990, and September 9, 1995, are exempt from the standards of this subsection.
 - c. On corner lots, only the street-facing garage wall that contains the garage door must meet the standards of this subsection.
3. Standards.
 - a. Garages that are accessory to houses. For garages that are accessory to houses and manufactured homes, the length of the-garage wall facing the street may be up to 50 percent of the length of the-street-facing building-façade. See Figure 110-8. Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that façade.
 - b. Garages that are accessory to attached houses. The following standards apply to garages that are accessory to attached houses:
 - (1) The length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. See Figure 110-8. When all the units are 22 feet wide or wider, the standard applies to the street-facing

façade of each unit. In all other situations, the standard applies to the total length of the street-facing façades; and

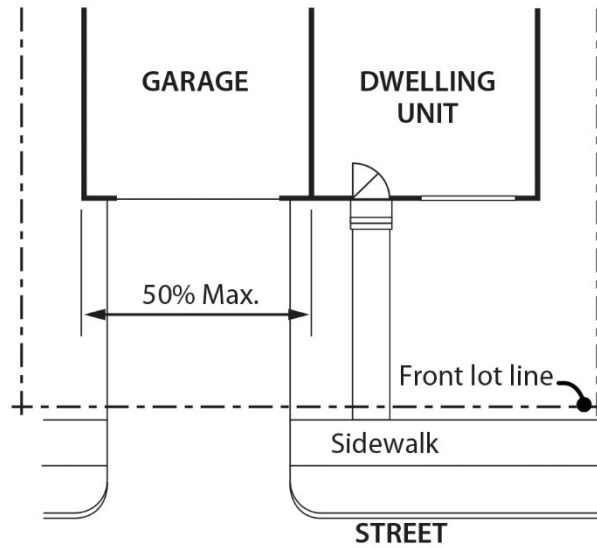
- (2) When the attached house structure is made up of more than three attached houses and at least one attached house is less than 22 feet wide, at least 50 percent of the total length of the street-facing façades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.
- c. Garages that are accessory to duplexes, triplexes, and fourplexes. The following standards apply to garages that are accessory to duplexes, triplexes, and fourplexes:
- (1) The length of the garage wall facing the street may be up to 50 percent of the total length of the street-facing building façades. See Figure 110-8. Where the total length of the street-facing façades is less than 22 feet long, an attached garage is not allowed; and
 - (2) For a fourplex, at least 50 percent of the total length of the street-facing building façades must be without garage, and the 50 percent length without garage must be contiguous. See Figure 110-9.

D. Street lot line setbacks.

1. Where this standard applies. The standard of this paragraph applies to garages in the R10 through R2.5 zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
2. Exemptions.
 - a. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.
 - b. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.
 - c. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located.
3. Standard. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit. See Figure 110-10.
4. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:
 - a. The street-facing garage wall is 40 percent or less of the length of the building facade; and
 - b. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 110-11. The porch must meet the following:
 - (1) The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;

- (2) The porch must have a solid roof; and
- (3) The roof may not be more than 12 feet above the floor of the porch.

Figure 110-8
Length of Street-Facing Garage Wall



- e. Retaining walls on sites where any portion of the site is in an environmental overlay zone.

C. Standards.

1. Retaining walls are limited to 4 feet in height measured from the bottom of the footing, as shown in Figure 110-16.
2. Retaining walls must be set back at least 3 feet from other street-facing retaining walls, as shown in Figure 110-16. The 3 foot setback area must be landscaped to at least the L2 standard, except that trees are not required. A wall or berm may not be substituted for the shrubs.

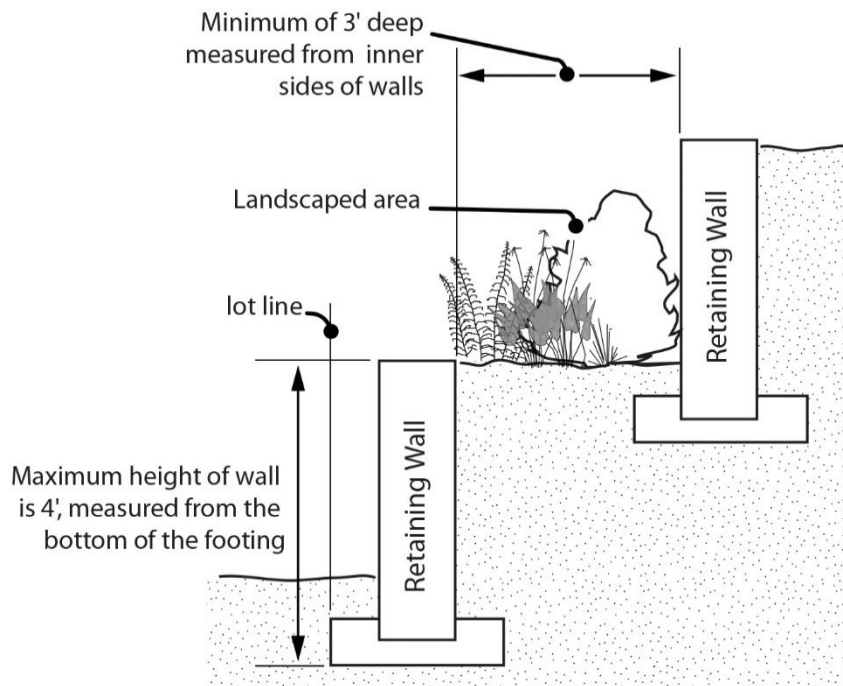
33.110.285 Demolitions

- A. Generally.** Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.
- B. Historic resources.** Demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.

33.110.290 Nonconforming Development

Existing developments that do not conform to the development standards of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations.

**Figure 110-16
Retaining Walls**



33.110.292 Parking and Loading

For parking and loading regulations, see Chapter 33.266, Parking, Loading, and Transportation and Parking Demand Management.

33.110.295 Signs

The sign regulations are stated in Title 32, Signs and Related Regulations.

33.110.296 Recycling Areas

Requirements for recycling areas are regulated by the Bureau of Planning and Sustainability. See Section 17.102.270, Businesses and Multifamily Complexes Required to Recycle, of the Portland City Code.

(Amended by: Ord. No.165376, effective 5/29/92; Ord. No. 165594, effective 7/8/92; Ord. No. 166313, effective 4/9/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 168698, effective 4/17/95; Ord. No. 169324, effective 10/12/95; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 171879, effective 2/2/98; Ord. No. 173533, effective 8/2/99; Ord. No. 173593, effective 9/3/99; Ord. No. 173729, effective 9/9/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174378, effective 5/26/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 177643, effective 7/10/03; Ord. No. 177701, effective 8/30/03; Ord. No. 177975, effective 11/14/03; Ord. No. 178045, effective 12/10/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178927, effective 12/31/04; Ord. No. 179092, effective 4/1/05; Ord. Nos. 179980 and 179994, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183598, effective 4/24/10; Ord. No. 183750, effective 6/4/10; Ord. No. 184016, effective 08/20/10; Ord. No. 184235, effective 11/26/10; Ord. No. 185412, effective 6/13/12; Ord. No. 185915, effective 5/1/13; Ord. No. 186639, effective 7/11/14; Ord. No. 186736, effective 8/29/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15. Ord. No. 187471, effective 1/1/16; Ord. No. 188142, effective 1/13/17; Ord. No. 188259, effective 3/31/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189488, effective 12/2/19; Ord. No. 189807, effective 12/18/19; Ord. No. 190093, effective 9/11/20 and 8/1/2021; Ord. No. 190380, effective 4/30/21 and 8/1/2021; Ord. No. 190851, effective 6/30/22; Ord. No. 190978, effective 8/31/22; Ord. No. 191164, effective 3/31/23.)

Table 120-3 Summary of Development Standards in Multi-Dwelling Zones						
Standard	RM1	RM2	RM3	RM4	RX	RMP
Step-down Height (see 33.120.215.B.2 - Within 25 ft. of lot line abutting RF-R2.5 zones - Within 15 ft. of lot line across a local service street from RF – R2.5 Zones	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
	35 ft.	45 ft.	45 ft.	45 ft.	45 ft.	35 ft.
Minimum Setbacks - Front building setback - Side and rear building setback. - Garage entrance setback (See 33.120.220)	10 ft.	10 ft.	10 ft.	5 ft.	0 ft.	10 ft.
	5 ft. [1]	5 ft. [1]	5/10 ft. [1]	5/10 ft. [1]	0 ft.	10 ft.
	18 ft.	5/18 ft.	5/18 ft.	5/18 ft.	5/18 ft.	18 ft.
Maximum Setbacks (See 33.120.220) Transit Street or Pedestrian District	20 ft.	20 ft.	20 ft.	10 ft.	10 ft.	NA
Max. Building Coverage (See 33.120.225)	50% of site area	60/70% of site area	85% of site area	85% of site area	100% of site area	50% of site area
Max. Building Length (See 33.120.230)	Yes	Yes	No	No	No	Yes
Min. Landscaped Area (See 33.120.235)	30% of site area	20% of site area	15% of site area	15% of site area	none	30% of site area
Required Outdoor Areas (See 33.120.240)	Yes	Yes	Yes	Yes	No	See 33.251

Notes:

[1] See 33.120.220.B.2 for Eastern Pattern Area special rear building setback.

33.120.210 Floor Area Ratio

- A. Purpose.** Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a site. FARs provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with the height, setback, and building coverage standards to control the overall bulk of development.
- B. FAR standard.** The maximum floor area ratios are stated in Table 120-3 and apply to all uses and development. In the RM4 zone the maximum FAR is 4 to 1, except in Historic Districts and Conservation Districts, where the maximum FAR is 3 to 1. Floor area ratio is not applicable in the RMP zone. There is no maximum limit on the number of dwelling units within the allowable floor area, but the units must comply with all building and housing

code requirements. Additional floor area may be allowed through bonus options described in Section 33.120.211, or transferred as described in Subsection D. Maximum FAR does not apply to one alteration or addition of up to 250 square feet when the alteration or addition is to a primary structure that received final inspection at least 5 years ago. This exception is allowed once every 5 years. Adjustments to the maximum floor area ratios are prohibited. Floor area does not include the following:

1. Floor area for structured parking when at least 50 percent, or 6, of the parking spaces in the structure, whichever is greater, have at least a Level 2 charger adjacent to the space, up to a maximum of 0.5 to 1;
2. Floor area for required long term bicycle parking that is not located in a dwelling unit, up to a maximum of 0.5 to 1; and
3. Floor area for indoor common area used to meet the requirements of Section 33.120.240.

C. Maximum increase in FAR. An increase in FAR using bonuses and transfers of more than is stated in Table 120-5 is prohibited. This total FAR includes FAR transferred from another site, and any additional FAR allowed from bonus options.

D. Transfer of FAR. FAR may be transferred from one site to another subject to the following:

1. Sending site. FAR may be transferred from:
 - a. A site where all existing dwelling units are affordable to those earning no more than 60 percent of the area median family income. In order to qualify for this transfer, the applicant must provide a letter from the Portland Housing Bureau certifying that this affordability standard and any administrative requirements have been met. The letter must be submitted before a building permit can be issued for the development, but is not required in order to apply for a land use review;
 - b. A site where trees that are at least 12 inches in diameter are preserved. The maximum amount of floor area that may be transferred for each preserved tree is indicated in Table 120-4, however the maximum amount of FAR that can be transferred may not exceed the total amount of unused FAR on the site. This transfer provision does not apply to dead, dying or dangerous, or nuisance trees. To qualify for this transfer, a report is required from the City Forester or a certified arborist documenting that the trees to be preserved are not nuisance trees and are not dead, dying or dangerous; or
 - c. A site that contains a Historic or Conservation Landmark or a contributing resource in a Historic or Conservation District. Sites that are eligible to send floor area through this transfer are allowed to transfer:
 - (1) Unused FAR up to the maximum FAR allowed by the zone; and
 - (2) An additional amount equivalent to 50 percent of the maximum FAR for the zone. To qualify to transfer this additional amount of FAR, the Bureau of Development of Services must verify that the landmark or contributing resource on the site meets one of the following:

- If the building is classified as Risk category I or II, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the American Society of Civil Engineers (ASCE) 41- BPOE improvement standard as defined in City of Portland Title 24.85;
 - If the building is classified as Risk category III or IV, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the ASCE41- BPON improvement standard as defined in City of Portland Title 24.85; or
 - The owner of the landmark or contributing resource has entered into a phased seismic agreement with the City of Portland as described in Section 24.85.
2. Receiving site. The transfer must be to a site zoned RM1, RM2, RM3, RM4, RX, CM1, CM2, CM3, or CE outside of the Central City plan district. Transferring to a site zoned RMP is prohibited. Transferring to a site where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District has been demolished within the past ten years is prohibited unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure on the site that was demolished was an accessory structure, or the demolition was approved through demolition review.
 3. Maximum increase in FAR. An increase in FAR on the receiving site of more than 1 to 1 from a transfer is prohibited. In addition, the total FAR on the receiving site, including FAR from transfers and bonuses, may not exceed the overall maximum FAR with other bonuses stated in Table 120-5.
 4. Covenants. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and is attached to, and recorded with, the deeds of both the site transferring and the site receiving the density. The covenant must reflect the respective increase and decrease of potential FAR. In addition, the covenant for the site where trees will be preserved must:
 - (a) Require that all trees be preserved for at least 50 years; and
 - (b) Require that any tree covered by the covenant that is dead, dying or dangerous be removed and replaced within a 12-month period. The trees must be determined to be dead, dying, or dangerous by the City Forester or a certified arborist. If a tree covered by the covenant is removed in violation of the requirements of this Section, or is dead, dying, or dangerous as the result of a violation, Tree Review is required.

Table 120-4				
Transferable Floor Area for Tree Preservation in Multi-Dwelling Zones				
Diameter of Tree Preserved	Transferable Floor Area for Each Tree (by zone)			
	RM1	RM2	RM3	RM4 & RX
12 to 19 inches	1,000 sq. ft.	1,500 sq. ft.	2,000 sq. ft.	4,000 sq. ft.
20 to 35 inches	2,000 sq. ft.	3,000 sq. ft.	4,000 sq. ft.	8,000 sq. ft.
36 inches or greater	4,000 sq. ft.	6,000 sq. ft.	8,000 sq. ft.	16,000 sq. ft.

33.120.211 Floor Area Bonus Options

- A. Purpose and description.** The bonus options allow additional floor area as an incentive for development that includes affordable housing, family-sized units, or units that are physically accessible to people of all abilities. The bonus options are designed to allow additional development intensity in a manner that is consistent with the purposes of the multi-dwelling zones.
- B. General floor area bonus regulations.**
1. The floor area bonus options in this section are only allowed in the RM1, RM2, RM3, RM4, and RX zones outside the Central City and Gateway plan districts. Sites where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District has been demolished within the past ten years are not eligible to use bonus options unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure on the site that was demolished was an accessory structure, or the demolition was approved through demolition review.
 2. More than one bonus may be used up to the overall maximum per site stated in Table 120-5. Adjustments to the maximum amount of floor area obtainable through bonuses are prohibited.
 3. The increment of additional FAR allowed per bonus is stated in Table 120-5 and described in Subsection C.
 4. The bonus option standards must be met in full to receive the bonus.

- (1) The trim must be the same in type, size, and location as the trim used on the primary structure; or
 - (2) The trim around all windows and doors must be at least 3 ½ inches wide.
- d. Windows. The windows on all street facing facades of the detached covered accessory structure must meet one of the following:
- (1) The windows must match those on the street facing façade of the primary structure in orientation (horizontal or vertical); or
 - (2) Each window must be square or vertical – at least as tall as it is wide.
- e. Eaves. The eaves on the detached covered accessory structure must meet one of the following:
- (1) The eaves must project from the building walls the same distance as the eaves on the primary structure;
 - (2) The eaves must project from the building walls at least 1 foot on all elevations; or
 - (3) If the primary structure has no eaves, no eaves are required.
- D. Detached uncovered vertical structures.** Vertical structures are items such as flag poles, trellises, arbors, and other garden structures, play structures, antennas, satellite receiving dishes, detached structures that hold electric vehicle chargers, and lamp posts. The following standards apply to uncovered vertical structures. Fences are addressed in Section 33.120.285 below:
1. Height. Except as follows, the maximum height allowed for all detached uncovered vertical structures is the maximum height of the base zone. The maximum height allowed for detached uncovered vertical structures that are accessory to a house, attached house, duplex, attached duplex or manufactured home on an individual lot is 20 feet:
 - a. Antennas, utility power poles, and public safety facilities are exempt from height limits.
 - b. Flagpoles are subject to the height limit of the base zone for primary structures.
 - c. Detached small wind turbines are subject to the standards of 33.299.
 2. Setbacks. Except as follows, detached uncovered vertical structures are subject to the required building setbacks:
 - a. Detached uncovered vertical structures that are no larger than 3 feet in width, depth, or diameter and no taller than 8 feet are allowed in required building setback.
 - b. A single arbor structure that is up to 6 feet wide, up to 3 feet deep, and up to 8 feet tall is allowed in a front setback. The arbor must allow for pedestrian access under its span.
 - c. Flagpoles are allowed in required building setbacks.

- d. Detached uncovered vertical structures that exceed the allowances of Subparagraph 2.a are allowed in side and rear setbacks if all of the following are met:
 - (1) The structure is at least 40 feet from a front lot line, and if on a corner lot, at least 20 feet from a side street lot line;
 - (2) The structure's footprint has dimensions that do not exceed 24 feet by 24 feet; and
 - (3) The structure is no more than 10 feet high;
 - (4) The portion of the structure within the setback must be screened from adjoining lots by a fence or landscaping, unless it is enclosed within the setback by a wall. Screening is not required for enclosed structures. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening; and
 - (5) The structure does not have a rooftop deck.
 3. Additional standard for detached uncovered vertical structures that hold electric vehicle chargers. In addition to Paragraphs 1. and 2. above, a detached uncovered vertical structure that holds at least a Level 2 electric vehicle charger must be located so that the electric vehicle charger is within 5 feet of a vehicle area.
- E. Detached uncovered horizontal structures.** Uncovered horizontal structures are items such as decks, stairways, swimming pools, hot tubs, tennis courts, and boat docks not covered or enclosed. The following standards apply to detached uncovered horizontal structures:
1. Height. In general, the maximum height allowed for detached uncovered horizontal structures is the maximum height of the base zone. The maximum height allowed for detached uncovered horizontal structures that are accessory to a house, attached house, duplex, attached duplex or manufactured home on an individual lot is 20 feet.
 2. Setbacks. Except as follows, detached uncovered horizontal structures are subject to the required building setbacks:
 - a. Detached uncovered decks, ramps, and stairways that are more than 2-1/2 feet above the ground may extend into a required building setback up to 20 percent of the depth of the setback. However, the deck or stairway must be at least three feet from a lot line.
 - b. Structures that are no more than 2-1/2 feet above the ground are allowed in all building setbacks.
- F. Detached mechanical equipment.** Mechanical equipment includes items such as heat pumps, air conditioners, emergency generators, radon mitigation components, and water pumps. Generally, detached mechanical equipment will not be attached to the building but may have components such as ventilation or electrical systems attached to the primary structure. The following standards apply to detached mechanical equipment:

1. Height. In general, the maximum height allowed for detached mechanical equipment is the maximum height of the base zone. The maximum height allowed for detached mechanical equipment that is accessory to a house, attached house, duplex, attached duplex or manufactured home on an individual lot is 20 feet.
2. Setbacks. Except as follows, detached mechanical equipment is subject to required building setbacks. Detached mechanical equipment accessory to a house, attached house, duplex, attached duplex, manufactured home, triplex, or fourplex on an individual lot is allowed in side or rear building setbacks if all of the following are met:
 - a. The equipment is no more than five feet high; and
 - b. The equipment is screened from adjoining lots by walls, fences or vegetation. Screening must comply with the L3 or F2 standards of Chapter 33.248, Landscaping and Screening.

33.120.283 Additional Development Standards for Structured Parking and Garages

A. Purpose. These standards:

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of residential buildings and the street;
- Ensure that the location and amount of the living areas of residential buildings, as seen from the street, are more prominent than structured parking or garages;
- Prevent structured parking and garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing structured parking and garages from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing structured parking and garages from blocking views of the street from inside the residence.

B. Additional regulations. The regulations of this Section apply in addition to those of 33.120.280, Accessory Structures.

C. Existing detached garages.

1. Rebuilding. A detached garage that is nonconforming due to its location in a setback may be rebuilt on the footprint of the existing foundation, if the garage was originally constructed legally. In this case, the rebuilt garage may be no more than 15 feet high, and the garage walls may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The rebuilt garage is not required to comply with other standards of this chapter.
2. Additions. An addition may be made to an existing detached garage that is nonconforming due to its location in a setback as follows:
 - a. The expanded garage meets all other standards of this chapter; or
 - b. The combined size of the existing foundation and the addition is no larger than 12 feet wide by 20 feet deep. In this case, the garage is no more than 15 feet

high, and the walls of the addition may be no more than 10 feet high, excluding the portion of the wall within a gable. Decks are not allowed on the roof of the garage. The expanded garage is not required to comply with other standards of this chapter.

D. Length of street-facing garage or structure parking wall.

1. Where these regulations apply. The regulations of this subsection apply to structured parking and garages in multi-dwelling zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
2. Exemptions.
 - a. Development on flag lots and development on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from the standard of this Subsection.
 - b. Garages and structured parking that are located more than 40 feet from a street lot line and sites where all parking access is from a shared court are exempt from the standards of this Subsection.
 - c. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from the standard of this subsection.
 - d. Structured parking where the elevation of the floor is 4 feet or more below the lowest elevation of an adjacent right-of-way is exempt from the standards of this Subsection.
 - e. On corner lots:
 - (1) Garages. On corner lots, only one street-facing garage wall that contains the garage door must meet the standards of this Subsection.
 - (2) Structured parking. On corner lots, only one street-facing facade of a building with structured parking must meet the standards of this Subsection. For sites with more than one street frontage, the standards of this Subsection must be met along the street with the highest transit street classification. If two or more streets have the same highest transit street classification, then the standards must be met on the longest street-facing façade located within 40 feet of a street lot line. If two or more streets have the same highest transit street classification and the street-facing facades are the same length, the applicant may choose on which of those streets to meet the standards.
3. Standards.
 - a. Garages that are accessory to houses. For garages that are accessory to houses or manufactured homes, the length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. See Figure 120-13. Where the street-facing facade is less than 22 feet long, an attached garage is not allowed as part of that facade.

- b. Garages that are accessory to attached houses. The following standards apply to garages that are accessory to attached houses and attached duplexes:
 - (1) The length of the garage wall facing the street may be up to 50 percent of the length of the street facing building façade. See Figure 120-12. When all the units are 22 feet wide or wider, the standard applies to the street-facing façade of each unit. In all other situations, the standard applies to the total length of the street-facing facade; and
 - (2) When the attached house structure is made up of more than three attached houses and at least one attached house is less than 22 feet wide, at least 50 percent of the total length of the street-facing facade must be without garage, and the 50 percent length without garage must be contiguous. See Figure 120-14.
- c. Garages and structured parking that are accessory to all other residential structure types. The following standards apply to garages and structured parking that are accessory to all residential structure types:
 - (1) The length of the garage or structured parking wall facing the street may be up to 50 percent of length of the street-facing building façade. See Figure 120-12. Where the length of the street-facing facade is less than 22 feet long, an attached garage and structured parking are not allowed; and
 - (2) For a fourplex or a multi-dwelling structure, at least 50 percent of the total length of the street-facing building facade must be without garage or structured parking, and the 50 percent length without garage or structured parking must be contiguous. See Figure 120-14.

E. Street lot line setbacks.

- 1. Where this standard applies. The standard of this paragraph applies to structured parking and garages in multi-dwelling zones. Where a proposal is for an alteration or addition to existing development, the standard applies only to the portion being altered or added.
- 2. Exemptions.
 - a. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.
 - b. Subdivisions and PUDs that received preliminary plan approval between September 9, 1990, and September 9, 1995, are exempt from this standard.
- 3. Standard. A structured parking or garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the building. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located. See Figure 120-15.
- 4. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the building, if:

- a. The street-facing garage wall is 40 percent or less of the length of the building facade; and
- b. There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 120-16. The porch must meet the following:
 - (1) The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;
 - (2) The porch must have a solid roof; and
 - (3) The roof may not be more than 12 feet above the floor of the porch.

Figure 120-13
Length of Street-Facing Garage Wall

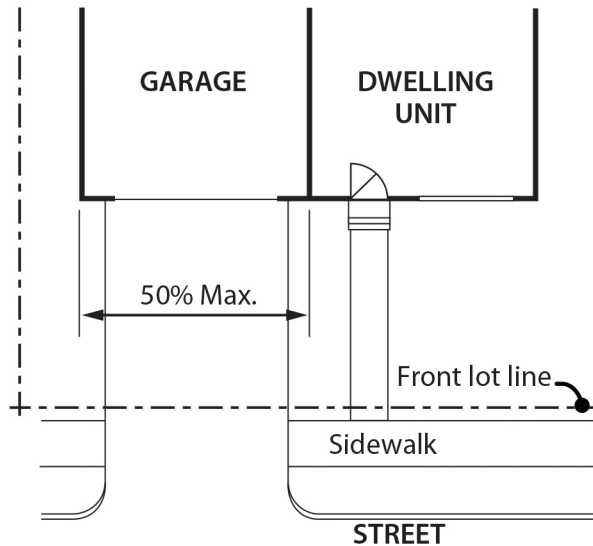


Figure 120-14
Combined Length of Street-Facing Garage Wall

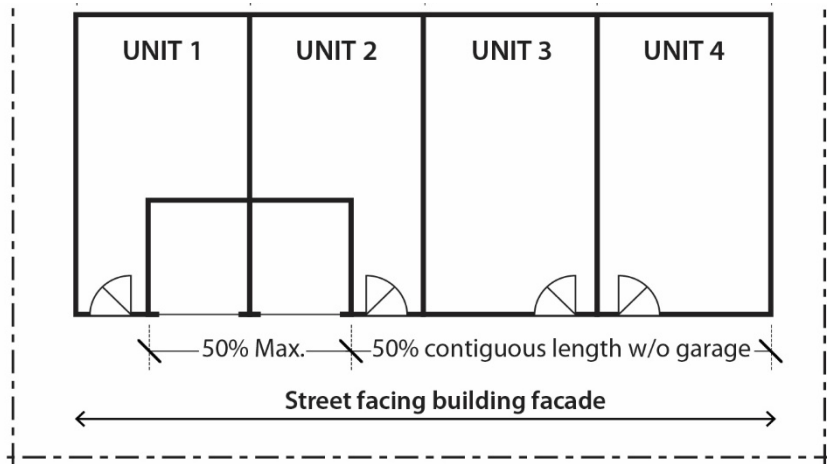
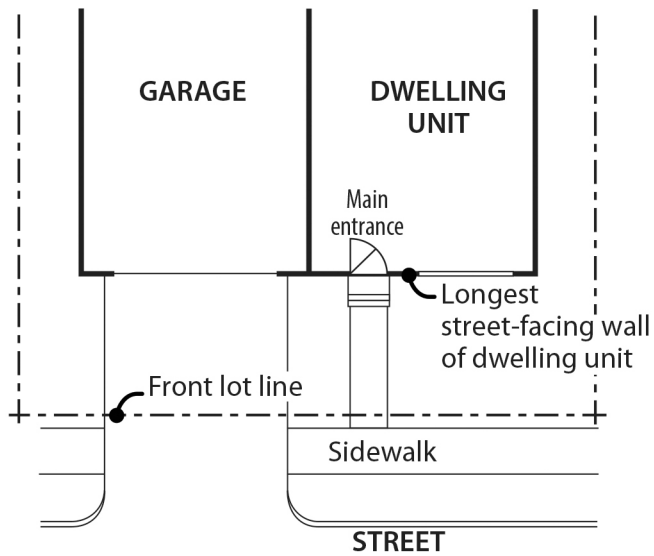
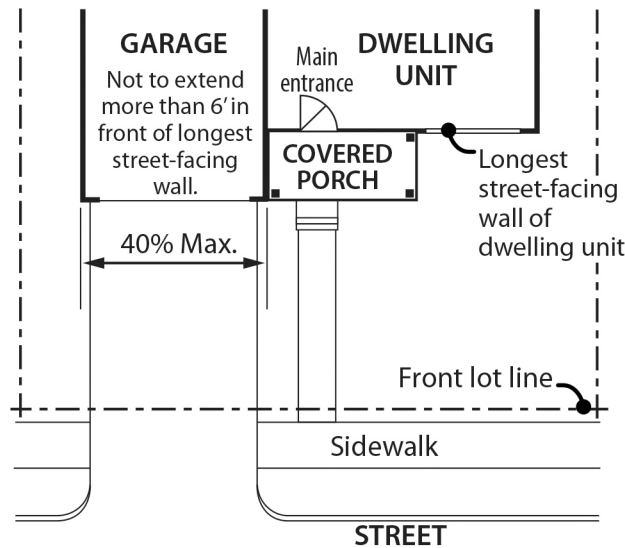


Figure 120-15
Street Lot Line Setback



**Figure 120-16
Garage Front Setback Exception**



33.120.284 Additional Development Standards for Flag Lots

- A. Purpose.** These standards include required screening and setbacks to protect the privacy of abutting residences and increase the compatibility of new development on flag lots.
- B. Where these standards apply.** The additional standards of this section apply to flag lots in the multi-dwelling zones created before July 1, 2002.

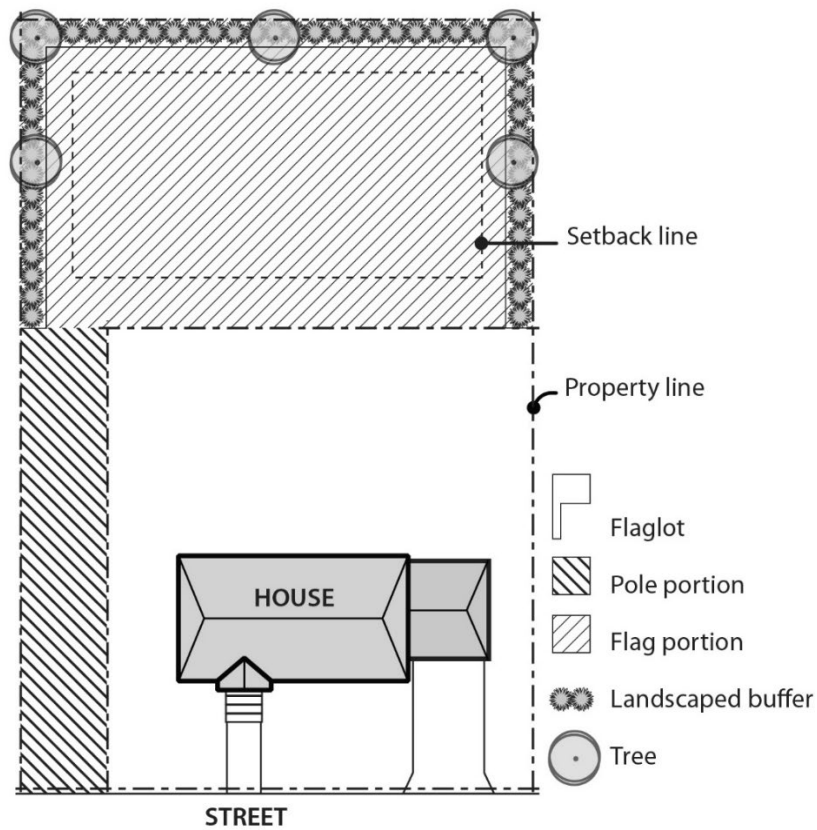
C. Standards.

- 1. Setbacks. Flag lots have required building setbacks that are the same along all lot lines. The required setbacks are:

Zone	Setback
RM1, RM2, RM3, RM4	10 feet

- 2. Landscaped buffer area. In the RM1 through RM4 zones, on lots that are 10,000 square feet or less in area, a landscaped area is required around the perimeter of the flag lot to buffer the flag portion from surrounding lots. The pole and the lot line that separates the flag lot and the lot from which it was divided are exempt from this requirement. The landscaped area must be at least 3 feet deep and be landscaped to at least the L3 standard. See Figure 120-17.

Figure 120-17
Flag Lot Description and Buffer



33.120.285 Fences

- A. Purpose.** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.
- B. Types of fences.** The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.
- C. Location and height.**
 - 1. House, attached house, duplex, attached duplex, and manufactured home. The following fence location and height standards apply to houses, attached houses, duplexes, attached duplexes, and manufactured homes:

- a. Front building setbacks. Fences up to 3-1/2 feet high are allowed in a required front building setback, or within the first 5 feet of the front lot line, whichever is greater.
 - b. Side and rear building setback.
 - (1) Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a pedestrian connection.
 - (2) Fences abutting a pedestrian connection.
 - Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
 - Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
 - c. Exception for corner lots. On corner lots, if the main entrance is on the facade facing the side street lot line, the applicant may elect to meet the following instead of Subparagraphs C.1.a. and C.1.b.:
 - (1) Fences up to 3-1/2 feet high are allowed within the first 10 feet of the side street lot line.
 - (2) Fences up to 3-1/2 feet high are allowed in required setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide;
 - (3) Fences up to 8 feet high are allowed in the required front building setback, outside of the area subject to c(1).
 - (4) Fences up to 8 feet high are allowed in all other side or rear building setbacks.
 - d. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.
2. All other development. The following fence location and height standards apply to development that is not a house, attached house, manufactured home, duplex or attached duplex:
- a. Front building setbacks. Fences up to 3-1/2 feet high are allowed in a required front building setback, or within the first 5 feet of the front lot line, whichever is greater.
 - b. Side and rear building setbacks.
 - (1) Fences up to 3-1/2 feet high are allowed in required side building setbacks that abut a street.
 - (2) Fences abutting a pedestrian connection.

- Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
 - Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
- (3) Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a street or a pedestrian connection.
- c. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.
- D. Reference to other regulations.** Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

33.120.290 Demolitions

- A. Generally.** Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.
- B. Historic resources.** Demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.

33.120.300 Nonconforming Development

Existing developments that do not conform to the development standards of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations.

33.120.305 Parking and Loading

The standards for the minimum required and maximum allowed number of auto parking spaces, required number of bike parking spaces, parking lot placement, parking lot setbacks and landscaping, loading areas and driveways are stated in Chapter 33.266, Parking And Loading.

33.120.310 Signs

The sign regulations are stated in Title 32, Signs and Related Regulations.

33.120.320 Inclusionary Housing

The regulations pertaining to inclusionary housing are stated in Chapter 33.245, Inclusionary Housing.

33.120.330 Street and Pedestrian Connections

- A. Large site pedestrian connectivity.**
1. Purpose. The large site pedestrian connectivity standard implements regional pedestrian and bicycle connectivity standards. The standard enhances direct movement by pedestrians and bicycles between destinations and increases the convenience of travelling by foot or bike. The standard also protects public health and safety by ensuring safe movement and access through a large site. The standard

- provides flexibility for locating the pedestrian connection in a manner that addresses site constraints such as existing development.
2. When does the standard apply. The large site pedestrian connectivity standard applies to new development and major remodeling on sites that are more than 5 acres in size.
 3. Standard. If the site does not have pedestrian connections at least every 330 feet as measured from the centerline of each connection, then dedication of right-of-way for pedestrian connections is required.
 4. Exemptions. Dedication of right-of-way for pedestrian connections is not required in:
 - a. The Central City plan district; and
 - b. Areas of a site that are in the Environmental Protection overlay zone, the Environmental Conservation overlay zone, or have slopes with an average slope of 20 percent or greater. This means that if the 330 feet interval falls in one of these areas, that pedestrian connection is not required.
 5. Pedestrian connection alignment, width and design. The Bureau of Transportation must approve the alignment of the pedestrian connections. The final alignment must ensure that pedestrian connections are located at least 200 feet apart. The Bureau of Transportation must also approve the width of, and configuration of elements within, the pedestrian connections.
- B.** Additional requirements for street and pedestrian/bicycle connections are regulated by the Bureau of Transportation. See Section 17.88.040, Through Streets, of the Portland City Code.
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(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 165594, effective 7/8/92; Ord. No. 166313, effective 4/9/93; Ord. No. 166702, effective 7/30/93; Ord. No. 167054, effective 10/25/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 168698, effective 4/17/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169699, effective 2/7/96; Ord. No. 169987, effective 7/1/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171081, effective 5/16/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 171879, effective 2/2/98; Ord. No. 173533, effective 8/2/99; Ord. No. 173593, effective 9/3/99; Ord. No. 173729, effective 9/8/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174378, effective 5/26/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175966, effective 10/26/01; Ord. No. 176193, effective 2/1/02; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 177920, effective 11/8/03; Ord. No. 178423, effective 6/18/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178657, effective 9/3/04; Ord. No. 178832, effective 10/21/04; Ord. No. 178927, effective 12/31/04; Ord. No. 179845, effective 1/20/06; Ord. Nos. 179980 and 179994, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182072, effective 8/22/08; Ord. No. 182429, effective 1/16/09; Ord. No. 183269, effective 10/21/09; Ord. No. 183598, effective 4/24/10; No. 183750, effective 6/4/10; Ord. No. 184016, effective 08/20/10; Ord. No. 184524, effective 7/1/11; Ord. No. 185412, effective 6/13/12; No. 185915, effective 5/1/13; Ord. No. 186639, effective 7/11/14; Ord. No. 186736, effective 08/28/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No.

187471, effective 1/1/16; Ord. No. 188077, effective 12/9/16; Ord. No. 188142, effective 1/13/17; Ord. No. 188162, effective 2/1/17; Ord. No. 188259, effective 3/31/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189137, effective 8/22/18; Ord. No. 189488, effective 12/2/19; Ord. No. 189807, effective 12/18/19; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190023, effective 8/10/20 and 8/1/21; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 190851, effective 6/30/22; Ord. No. 190978, effective 8/31/22; Ord. No. 191164, effective 3/31/23.)

Use Categories	CR	CM1	CM2	CM3	CE	CX
Other Categories						
Agriculture	L [9]	L [9]	L/CU [10]	L/CU [11]	L/CU [11]	L/CU [10]
Aviation and Surface Passenger Terminals	N	N	N	N	CU	CU
Detention Facilities	N	N	N	CU	CU	CU
Mining	N	N	N	N	N	N
Radio Frequency Transmission Facilities	N	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [6]	L/CU [6]
Rail Lines and Utility Corridors	N	CU	CU	CU	CU	CU

Y = Yes, Allowed

CU = Conditional Use Review Required

L = Allowed, But Special

Limitations

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.130.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Development Standards

33.130.200 Lot Size

There is no required minimum lot size for development of land in commercial/mixed use zones. Creation of new lots is subject to the regulations of Chapter 33.613, Lots in Commercial/Mixed Use Zones.

33.130.205 Floor Area Ratio

- A. Purpose.** Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a site. FARs provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with the height, setback, and building coverage standards to control the overall bulk of development. The bonus FAR options allow additional floor area as an incentive for providing affordable housing.
- B. FAR standard.** The maximum floor area ratios are stated in Table 130-2 and apply to all uses and development. Additional floor area may be allowed through bonus options, as described in Section 33.130.212, or transferred from historic resources per Subsection C. Adjustments to the maximum floor area ratios are prohibited. Except in the CR zone, floor area does not include the following:
1. Floor area for structured parking when at least 50 percent, or 6, of the parking spaces in the structure, whichever is greater, have at least a Level 2 charger adjacent to the space, up to a maximum of 0.5 to 1;
 2. Floor area for required long term bicycle parking that is not located in a dwelling unit, up to a maximum of 0.5 to 1; and

3. Floor area for indoor common area used to meet the requirements of Section 33.130.228.

C. Transfer of floor area from historic resources. Floor area ratios may be transferred from a site that contains a historic resource as follows:

1. Sending sites. FAR may be transferred from a site that contains a Historic or Conservation Landmark or a contributing resource in a Historic or Conservation District. Sites that are eligible to send floor area through this transfer are allowed to transfer:
 - a. Unused FAR up to the maximum FAR allowed by the zone; and
 - b. An additional amount equivalent to 50 percent of the maximum FAR for the zone. To qualify to transfer this additional amount of FAR, the Bureau of Development of Services must verify that the landmark or contributing resource on the site meets one of the following:
 - (1) If the building is classified as Risk category I or II, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the American Society of Civil Engineers (ASCE) 41- BPOE improvement standard as defined in City of Portland Title 24.85;
 - (2) If the building is classified as Risk category III or IV, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the ASCE41-BPON improvement standard as defined in City of Portland Title 24.85; or
 - (3) The owner of the landmark or contributing resource has entered into a phased seismic agreement with the City of Portland as described in Section 24.85.
2. Receiving site. The transfer must be to a site that is zoned CM1, CM2, CM3, CE, CX, RM1, RM2, RM3, RM4, or RX outside of the Central City plan district. Transferring to a site that is zoned CR is prohibited. Transferring to a site where a Historic or Conservation Landmark or a contributing structure in a Historic or Conservation District has been demolished within the past ten years is prohibited unless the landmark or contributing structure was destroyed by fire or other causes beyond the control of the owner, the only structure on the site that was demolished was an accessory structure, or the demolition was approved through demolition review.
3. Maximum increase in FAR in the CM1, CM2, CM3, and CE zones. In the CM1, CM2, CM3, and CE zones, the total FAR on the receiving site may not exceed the maximum FAR with bonuses identified on Table 130-3. This total FAR includes FAR transferred from historic resources, and any additional FAR allowed at the receiving site from bonus options, or from other transfers. In addition, an increase on the receiving site of more than the following due to a historic resource transfer is prohibited:
 - a. 0.5 to 1 in the CM1 zone;
 - b. 0.75 to 1 in the CM2 zone;
 - c. 1 to 1 in the CM3 zone;

- d. 0.5 to 1 in the CE zone.
4. Maximum increase in FAR in the CX zone. In the CX zone, an increase in FAR on the receiving site of more than 3 to 1 is prohibited. The total increased FAR includes FAR transferred from historic resources, and additional FAR allowed at the receiving site from bonus provisions, or from other transfers;
5. Development standards. The building on the receiving site must meet the development standards of the base zone, overlay zone, and plan district except floor area ratio, which is regulated by Paragraphs C.2 and C.3 above;
6. The property owner must execute a covenant with the City that is attached to and recorded with the deed of both the site transferring and the site receiving the density. The covenant must reflect the respective increase and decrease of potential FAR. The covenants for both sites must meet the requirements of Section 33.700.060, Covenants with the City.

33.130.207 Minimum Density

- A. Purpose.** The minimum density standards ensure that the service capacity is not wasted and that the City's housing goals are met.
- B. Minimum Density.** The minimum density requirements for the CM2 and CM3 zones are stated in Table 130-2. Minimum density applies to new development when at least one dwelling unit is proposed. Group Living uses are exempt from minimum density requirements. Land within an Environmental zone may be subtracted from the calculation of minimum density.

33.130.210 Height

- A. Purpose.** The height limits are intended to control the overall scale of buildings. The height limits in the CR and CM1 zones allow buildings that are in scale with low rise residential areas. The height limits in the CM2 and CE zones allow for a greater building height at a scale that can accommodate the growth intended for centers and corridors, while relating to the low- to mid-rise scale of neighborhood residential areas. The CM3 zone allows the tallest buildings outside the Central City and Gateway plan districts, consistent with its intended role in accommodating higher-density development in areas well served by transit and other services. The CX zone allows the tallest buildings in the commercial/mixed use zones, consistent with its intended role in accommodating high-density development in the Central City and the Gateway plan districts.

In some situations, step downs in maximum height provide a transition in scale to adjacent lower-scale residential areas, and preserve opportunities for light, air and privacy. Exceptions to height limit standards accommodate minor projections that do not significantly increase the visual scale of buildings; provide flexibility in the height of parapets and railings to facilitate rooftop outdoor spaces and equipment screening; and accommodate ground-floor spaces with high ceilings to encourage ground-floor commercial uses, mechanical parking, and other uses that benefit from high ceilings.

- B. Height standard.**

1. Base height. The base height standards for all structures, except detached accessory structures, are stated in Table 130-2. The height standards for detached accessory structures are stated in 33.130.265, Detached Accessory Structures.
2. Step-down height. In the following situations, the base height is reduced, or stepped-down. Stepped-down height is not required in the CR zone:
 - a. Step-down adjacent to residential zones. The following step-down height limits apply within 25 feet of sites zoned residential. Sites with property lines that abut residential zones for less than a 5-foot length are exempt from these standards:
 - (1) On the portion of the site within 25 feet of a site zoned RF through R2.5, the step-down height limit is 35 feet. See Figure 130-1.
 - (2) On the portion of the site within 25 feet of a site zoned RM1 or RMP, the step-down height limit is 45 feet. See Figure 130-1.

- D. **Reference to other regulations.** Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

33.130.275 Demolitions

- A. **Generally.** Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.
- B. **Historic resources.** Demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.
- C. **CX zone landscaping.** In the CX zone, sites must be landscaped within 6 months of the demolition of buildings unless there is an approved development for the site. Approved development means a project approved through design review. The landscaping must meet at least the L1 standard of Chapter 33.248, Landscaping and Screening, except that no shrubs or trees are required.

33.130.285 Nonconforming Development

Existing development that does not conform to the development standards of this chapter may be subject to the regulations of Chapter 33.258, Nonconforming Situations.

33.130.290 Parking, Loading, and Transportation and Parking Demand Management

The standards pertaining to the minimum required and maximum allowed number of auto parking spaces, minimum required number of bicycle parking spaces, parking lot placement, parking lot setbacks and landscaping, and requirements for transportation demand management are stated in Chapter 33.266, Parking, Loading, and Transportation Demand Management.

33.130.292 Street and Pedestrian Connections

- A. **Large site pedestrian connectivity.**
 1. **Purpose.** The large site pedestrian connectivity standard implements regional pedestrian and bicycle connectivity standards. The standard enhances direct movement by pedestrians and bicycles between destinations and increases the convenience of travelling by foot or bike. The standard also protects public health and safety by ensuring safe movement and access through a large site. The standard provides flexibility for locating the pedestrian connection in a manner that addresses site constraints such as existing development.
 2. **When does the standard apply.** The large site pedestrian connectivity standard applies to new development and major remodeling on sites that are more than 5 acres in size.
 3. **Standard.** If the site does not have pedestrian connections at least every 330 feet as measured from the centerline of each connection, then dedication of ROW for pedestrian connections is required.
 4. **Exemptions.** Dedication of right-of-way for pedestrian connections is not required in:
 - a. The Central City plan district; and

- (2) For sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 25,000 square feet or twice the square footage of site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.
6. Self-Service Storage limitation. This regulation applies to all parts of Table 140-1 that have a [6]. The limitations are stated with the special regulations for these uses in Chapter 33.284, Self-Service Storage.
7. Waste-Related limitation. This regulation applies to all parts of Table 140-1 that have a [7]. All Waste-Related uses are conditional uses, unless they meet all of the following conditions in which case they are allowed by right.
 - a. The use must be approved by Metro under their authority as prescribed in ORS 268.317;
 - b. Metro's approval of the use must include a mitigation plan. The requirements for the mitigation plan must be approved by the City Council through an intergovernmental agreement with Metro, adopted prior to Metro's approval of the use; and
 - c. The location of the use must be in conformance with Metro's Regional Solid Waste Management Plan.
8. Community Service uses in E zones. This regulation applies to all parts of Table 140-1 that have a [8]. Most Community Service uses are allowed by right. Short term, mass, and outdoor shelters are regulated by Chapter 33.285, Short Term, Mass, and Outdoor Shelters.

Table 140-1 Employment and Industrial Zone Primary Uses						
Use Categories	EG1	EG2	EX	IG1	IG2	IH
Residential Categories						
Household Living	N	N	Y	CU [1]	CU [1]	CU [1]
Group Living	N	N	Y	CU [1]	CU [1]	CU [1]
Commercial Categories						
Retail Sales And Service	L/CU [2]	L/CU [2]	Y	L/CU [3]	L/CU [4]	L/CU [5]
Office	Y	Y	Y	L/CU [3]	L/CU [4]	L/CU [5]
Quick Vehicle Servicing	Y	Y	N	Y	Y	Y
Vehicle Repair	Y	Y	Y	Y	Y	Y
Commercial Parking	CU [13]	CU [13]	CU [13]	CU [13]	CU [13]	CU [13]
Self-Service Storage	L [7]	L [7]	L [6]	Y	Y	Y
Commercial Outdoor Recreation	Y	Y	Y	CU	CU	CU
Major Event Entertainment	CU	CU	CU	CU	CU	CU
Industrial Categories						
Manufacturing And Production	Y	Y	Y	Y	Y	Y
Warehouse And Freight Movement	Y	Y	Y	Y	Y	Y
Wholesale Sales	Y	Y	Y	Y	Y	Y
Industrial Service	Y	Y	Y	Y	Y	Y
Bulk Fossil Fuel Terminal	L [15]	L [15]	N	L [15]	L [15]	L [15]
Railroad Yards	N	N	N	Y	Y	Y
Waste-Related	N	N	N	L/CU [7]	L/CU [7]	L/CU [7]

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.140.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

33.140.310 Superblock Requirements

Developments in the EX zone which are on land that includes vacated rights-of-way may be subject to the superblock standards of Chapter 33.293, Superblocks.

33.140.315 Recycling Areas

Requirements for recycling areas are regulated by the Bureau of Planning and Sustainability. See Section 17.102.270, Businesses and Multifamily Complexes Required to Recycle, of the Portland City Code.

33.140.320 Inclusionary Housing

The standards pertaining to inclusionary housing are stated in Chapter 33.245, Inclusionary Housing.

(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 165594, effective 7/8/92; Ord. No. 166920, effective 10/1/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 169535, effective 1/8/96; Ord. No. 169987, effective 7/1/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 173259, effective 5/14/99; Ord. No. 173593, effective 9/3/99; Ord. No. 173729, effective 9/8/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175966, effective 10/26/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 177404, effective 7/1/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178832, effective 10/21/04; Ord. Nos. 179980 and 179994, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183598, effective 4/24/10; Ord. No. 184524, effective 7/1/11; Ord. No. 185412, effective 6/13/12; Ord. No. 185915, effective 5/1/13; Ord. No. 185974, effective 5/10/13; Ord. No. 186639, effective 7/11/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No. 187471, effective 1/1/16; Ord. No. 188077, effective 12/9/16; Ord. No. 188142, effective 1/13/17; Ord. No. 188162, effective 2/1/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189488, effective 12/2/19; Ord. No. 189807, effective 12/18/19; Ord. No. 189805, effective 3/1/20; Ord. No. 190023, effective 8/10/20; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 190978, effective 8/31/22; Ord. No. 191079, effective 3/31/23.)

Table 150-1 Campus Institutional Zone Primary Uses			
Use Categories	CI1	CI2	IR
Residential Categories			
Household Living	N	Y	Y
Group Living	N	Y	Y [9]
Commercial Categories			
Retail Sales And Service	CU [1]	Y	L/CU [10]
Office	N	Y	L/CU [10]
Quick Vehicle Servicing	N	N	N
Vehicle Repair	N	N	N
Commercial Parking	N	Y	N
Self-Service Storage	N	N	N
Commercial Outdoor Recreation	N	N	N
Major Event Entertainment	CU	CU	CU
Industrial Categories			
Manufacturing And Production	L [2]	L/CU [2]	CU
Warehouse And Freight Movement	N	N	N
Wholesale Sales	N	N	N
Industrial Service	L [2]	L/CU [2]	CU
Bulk Fossil Fuel Terminal	N	N	N
Railroad Yards	N	N	N
Waste-Related	N	N	N

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.150.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Table 150-1 Campus Institutional Zone Primary Uses			
Use Categories	CI1	CI2	IR
Institutional Categories			
Basic Utilities	L/CU [3]	L/CU [3]	L/CU [3]
Community Service	L/CU [4]	L/CU [4]	L/CU [4]
Parks And Open Areas	L/CU [5]	L/CU [5]	L/CU [5]
Schools	N	N	L/CU [11]
Colleges	Y/CU [6]	Y/CU [6]	L/CU [11]
Medical Centers	Y	Y	L/CU [11]
Religious Institutions	CU	CU	CU
Daycare	Y	Y	L/CU [12]
Other Categories			
Agriculture	L [7]	L [7]	L [7]
Aviation And Surface Passenger Terminals	N	N	N
Detention Facilities	N	N	N
Mining	N	N	N
Radio Frequency Transmission Facilities	L/CU [8]	L/CU [8]	L/CU [8]
Rail Lines And Utility Corridors	CU	CU	CU

Y = Yes, Allowed

L = Allowed, But Special Limitations

CU = Conditional Use Review Required

N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [] are stated in 33.150.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Development Standards

33.150.200 Lot Size

There is no required minimum lot size for development of land or for the creation of new lots in campus institution zones. Creation of new lots is subject to the regulations of Chapter 33.613, Lots in Commercial and Campus Institutional Zones.

33.150.205 Floor Area Ratio

- A. Purpose.** Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a site. FARs provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with the height, setback, and building coverage standards to control the overall bulk of development.
- B. FAR standard.** The floor area ratios are stated in Table 150-2 and apply to all development.
- C. Inclusionary housing bonus FAR.** The following FAR bonus options are allowed in the CI2 zone. Sites in the CI1 and IR zone are not eligible for the bonus FAR options. Adjustments to this Subsection, or to the amount of maximum floor area allowed through the bonuses, are prohibited.
 1. **Mandatory inclusionary housing.** Bonus FAR is allowed up to the maximum FAR allowed with inclusionary housing bonus stated in Table 150-2 for development that triggers the requirements of 33.245, Inclusionary Housing. The amount of bonus floor area allowed is

33.224 Drive-Through Facilities

224

Sections:

- 33.224.010 Purpose
- 33.224.020 When These Regulations Apply
- 33.224.030 Setbacks and Landscaping
- 33.224.040 Vehicular Access
- 33.224.050 Stacking Lane Standards
- 33.224.060 Off-Site Impacts
- 33.224.070 Multi-Modal Access

33.224.010 Purpose

The regulations of this chapter are intended to allow for drive-through facilities by reducing the negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, lighting, and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this chapter are to:

- Reduce noise, lighting, and visual impacts on abutting uses, particularly residential uses;
- Promote safer and more efficient on-site vehicular and pedestrian circulation;
- Reduce conflicts between queued vehicles and traffic on adjacent streets.

33.224.020 When These Regulations Apply

A. Uses. The regulations of this chapter apply to all uses that have drive-through facilities.

B. Site development.

1. Except as specified in Paragraph B.2, below, the regulations of this chapter apply only to the portions of the site development that comprise the drive-through facility. The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-through facilities are not a right; the size of the site or the size and location of existing structures may make it impossible to meet the regulations of this chapter. Chapter 33.266 contains additional requirements regarding vehicle areas.
2. The site development standards of Sections 33.224.030 through 33.224.050 do not apply to drive-through facilities that do not involve any interactive service or communication with the customer.

C. Parts of a drive-through facility. A drive-through facility is composed of two parts – the **stacking lanes** and the **service area**. The stacking lanes are the space occupied by vehicles queueing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs. For other development, such as gas pumps, air compressors, vacuum cleaning stations, the service area is the area where the vehicles are parked during the service.

33.224.030 Setbacks and Landscaping

All drive-through facilities must provide the setbacks and landscaping stated below.

- A. **Abutting an R, IR, or CI1 zone.** Service areas and stacking lanes must be set back 5 feet from all lot lines that abut an R, IR, or CI1 zone. The 5 foot setback must be landscaped to at least the L3 standard.
- B. **Abutting a C, E, I, or CI2 zone.** Service areas and stacking lanes must be set back 5 feet from all lot lines that abut an C, E, I, or CI2 zone. The 5 foot setback must be landscaped to at least the L2 standard.
- C. **Abutting a street.** Where allowed by Chapter 33.266, Parking and Loading, service areas and stacking lanes must be setback 5 feet from all street lot lines. The 5 foot setback must be landscaped to at least the L2 standard.

33.224.040 Vehicular Access

All driveway entrances, including stacking lane entrances, must be at least 50 feet from an intersection. The distance is measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.

33.224.050 Stacking Lane Standards

These regulations ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lands.

- A. **Gasoline pumps and electric vehicle chargers.** A minimum of 30 feet of stacking lane is required between the stacking lane entrance and the nearest gasoline pump or electric vehicle charger.
- B. **Other drive-through facilities.**
 - 1. **Primary facilities.** A minimum of 150 feet for a single stacking lane or 80 feet per lane when there is more than one stacking lane, is required for all other drive-through facilities. A stacking lane is measured between the stacking lane entrance and the service area.
 - 2. **Accessory facilities.** A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.
- C. **Stacking lane design and layout.** Stacking lanes must be designed so that they do not interfere with parking and vehicle circulation. No part of a required stacking lane may encroach into the right-of-way. Stacking lanes may be curvilinear. See Subsection 33.930.030.C. for measurement information.
- D. **Stacking lanes identified.** All stacking lanes must be clearly identified, through the use of means such as striping, landscaping, and signs.

33.224.060 Off-Site Impacts

Drive-through facilities must meet the off-site impact standards of Chapter 33.262, Off-Site Impacts. When abutting R zoned land, drive-through facilities with noise generating equipment must document in advance that the facility will meet the off-site impact noise standards. Noise generating equipment includes items such as speakers, mechanical car washes, vacuum cleaners, and exterior air compressors.

33.224.070 Multi-Modal Access

When a drive-through facility is open and other pedestrian-oriented customer entrances to the business are unavailable or locked, the drive-through facility must serve customers using modes other than a vehicle such as pedestrians and bicyclists.

(Amended by: Ord. No. 174263, effective 4/15/00; Ord. No. 175966, effective 10/26/01; Ord. No. 177028, effective 12/14/02; Ord. No. 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 191164, effective 3/31/23.)

33.258.070 Nonconforming Development

- A. Purpose.** This section is primarily aimed at upgrading nonconforming development elements that affect the appearance and impacts of a site. It is not intended to require extensive changes that would be extremely impractical such as moving or lowering buildings.
- B. Continued operation.** Nonconforming developments may continue unless specifically limited by Subsection D. below or other regulations in this Title.
- C. Changes.** Changes may be made to the site that are in conformance with the development standards of the base zone, overlay zone, plan district or other development standards that apply to the site. Changes that bring the site closer to conformance are allowed. Proposed changes that are not in conformance or do not move closer to conformance, are subject to the adjustment process unless prohibited.
- D. Development that must be brought into conformance.** The regulations of this subsection are divided into two types of situations, depending upon whether the use is also nonconforming or not. These regulations apply except where superseded by more specific regulations in the code.
1. Nonconforming development with a new nonconforming use or new non-conforming residential density. When there is a change to a different non-conforming use, or a change from a nonconforming nonresidential use to a non-conforming residential density, the following nonconforming development must be brought into compliance with the development standards that apply to the site (base, overlay, plan district, special use, tree density standards in Title 11):
 - a. Landscaping and trees required for the following areas:
 - Exterior display, storage, and work activity areas;
 - Setbacks for surface parking and exterior development areas;
 - Interior parking lot landscaping;
 - Existing building setbacks;
 - Minimum landscaped areas (where land is not used for structures, parking, or exterior improvements); and
 - On-site tree density standards of Subsection 11.50.050.C.
 - b. Pedestrian circulation systems, as set out in the pedestrian standards that apply to the site;
 - c. Bicycle parking by upgrading existing bicycle parking and providing additional spaces in order to comply with 33.266.200 and 33.266.210;
 - d. Screening; and
 - e. Paving of surface parking and exterior storage and display areas.
 - f. Exception: Where landscaping in the following areas was conforming after March 16, 2001, and before July 8, 2005, it is exempt from the requirements of D.1.a, above, for the following:
 - (1) Landscaped setbacks for surface parking and exterior development areas;

- (2) Interior parking lot landscaping; and
 - (3) Landscaping in existing building setbacks.
 - (4) This exception expires December 31, 2015.
2. Nonconforming development with an existing nonconforming use, allowed use, limited use, or conditional use. Nonconforming development associated with an existing nonconforming use, an allowed use, a limited use, or a conditional use, must meet the requirements stated below. When alterations are made that are over the threshold of Subparagraph D.2.a., the site must be brought into conformance with the development standards listed in Subparagraph D.2.b. The value of the alterations is based on the entire project, not individual building permits.
- a. Thresholds triggering compliance. The standards of Subparagraph D.2.b., below, must be met when the value of the proposed alterations on the site, as determined by BDS, is more than \$347,000. The following alterations and improvements do not count toward the threshold:
 - (1) Replace a manufactured dwelling in a manufactured dwelling park;
 - (2) Alterations required by approved fire/life safety agreements;
 - (3) Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;
 - (4) Alterations required by Chapter 24.85, Interim Seismic Design Requirements for Existing Buildings;
 - (5) Improvements to on-site stormwater management facilities in conformance with Chapter 17.38, Drainage and Water Quality, and the Stormwater Management Manual; and
 - (6) Improvements made to sites in order to comply with Chapter 21.35, Wellfield Protection Program, requirements.
 - (7) Energy efficiency or renewable energy improvements that meet the Public Purpose Administrator incentive criteria whether or not the project applies for and receives the incentive;
 - (8) Landscaping required by 33.475.220;
 - (9) Removal or remediation of hazardous substances conducted under ORS 465.200-545 & 900; and
 - (10) The installation of electric bike and electric vehicle chargers and accessory equipment.
 - b. Standards which must be met. Development not complying with the development standards listed below must be brought into conformance or receive an adjustment.
 - (1) Landscaping and trees required for the following areas:

- Exterior display, storage, and work activity areas;
 - Setbacks for surface parking and exterior development areas;
 - Interior parking lot landscaping;
 - Existing building setbacks;
 - Minimum landscaped areas (where land is not used for structures, parking, or exterior improvements); and
 - On-site tree density standards of Subsection 11.50.050.C.
- (2) Pedestrian circulation systems, as set out in the pedestrian standards that apply to the site;
- (3) Bicycle parking by upgrading existing racks and providing additional spaces in order to comply with 33.266.200, Bicycle Parking as follows:
- Major remodeling projects must meet the standards for all bicycle parking;
 - Sites with accessory surface parking must meet the standards for all bicycle parking;
 - In all other situations, the amounts and standards for short-term bicycle parking must be met.
- (4) Screening; and
- (5) Required paving of surface parking and exterior storage and display areas.
- (6) Exception: Where landscaping in the following areas was conforming after March 16, 2001, and before July 8, 2005, it is exempt from the requirements of D.2.b.1, above, for the following:
- Landscaped setbacks for surface parking and exterior development areas;
 - Interior parking lot landscaping; and
 - Landscaping in existing building setbacks.
 - This exception expires December 31, 2015.
- c. Area of required improvements.
- (1) Generally. Except as provided in D.2.c(2), below, required improvements must be made for the entire site.
- (2) Exception for sites with ground leases. Required improvements may be limited to a smaller area if there is a ground lease for the portion of the site where the alterations are proposed. If all of the following are met, the area of the ground lease will be considered as a separate site for purposes of required improvements. The applicant must meet the following:
- The signed ground lease – or excerpts from the lease document – must be submitted to BDS. The portions of the lease must include the following:
 - The term of the lease. There must be at least one year remaining on the ground lease; and
 - A legal description of the boundaries of the lease.

- The boundaries of the ground lease must be shown on the site plan submitted with the building permit application;
 - The area of the lease must include all existing and any proposed development that is required for, or is used exclusively by, uses within the area of the lease; and
 - Screening is not required along the boundaries of ground leases that are interior to the site.
- d. Timing and cost of required improvements. The applicant may choose one of the following options for making the required improvements:
- (1) Option 1. Under Option 1, required improvements must be made as part of the alteration that triggers the required improvements. However, the cost of required improvements is limited to 10 percent of the value of the proposed alterations. It is the responsibility of the applicant to document the value of the required improvements. When all required improvements are not being made, the applicant may choose which of the improvements listed in Subparagraph D.2.b to make. If improvements to nonconforming development are also required by regulations in a plan district or overlay zone, those improvements must be made before those listed in Subparagraph D.2.b.
 - (2) Option 2. Under Option 2, the required improvements may be made over several years, based on the compliance period identified in Table 258-1. However, by the end of the compliance period, the site must be brought fully into compliance with the standards listed in Subparagraph D.2.b. When this option is chosen, the following applies:
 - Before a building permit is issued, the applicant must submit the following to BDS:
 - Application. An application, including a Nonconforming Development Assessment, which identifies in writing and on a site plan, all development that does not meet the standards listed in subparagraph D.2.b.
 - Covenant. The City-approved covenant, which is available in the Development Services Center, is required. The covenant identifies development on the site that does not meet the standards listed in subparagraph D.2.b, and requires the owner to bring that development fully into compliance with this Title. The covenant also specifies the date by which the owner will bring the nonconforming development into full compliance. The date must be within the compliance periods set out in Table 258-1. The covenant must be recorded as specified in Subsection 33.700.060.B.
 - The nonconforming development identified in the Nonconforming Development Assessment must be brought into full conformance with the requirements of this Title that are in effect on the date when the permit application is submitted. The compliance period begins when a building permit is issued for alterations to the site of more than \$347,000. The compliance periods are based on the size of the site. The compliance periods are identified in Table 258-1.

- By the end of the compliance period, the applicant or owner must request that the site be certified by BDS as in compliance with the standards listed in Subparagraph D.2.b. on the date when the permit application was submitted. A permit documenting full conformance with these standards is required and must receive final inspection approval prior to BDS certification.
- If certification is requested by the end of the compliance period and BDS certifies the site as in compliance, a two-year grace period begins. The grace period begins at the end of the compliance period, even if BDS certifies the site before the end of the compliance period. During the grace period, no upgrades to nonconforming development are required.
- If certification is not requested, or if the site is not fully in conformance by the end of the compliance period, no additional building permits will be issued until the site is certified.
- If the regulations referred to by Subparagraph D.2.b, or in D.2.b itself, are amended after the Nonconforming Development Assessment is received by BDS, and those amendments result in development on the site that was not addressed by the Assessment becoming nonconforming, the applicant must, at the end of the grace period, address the new nonconforming development using Option 1 or Option 2. If the applicant chooses Option 2, a separate Nonconforming Development Assessment, covenant, and compliance period will be required for the new nonconforming development.
- For covenants that were in effect on March 8, 2020, the compliance period expires on the later of January 1, 2022 or the period in the recorded covenant.

Table 258-1 Compliance Periods for Option 2	
Square footage of site	Compliance period
Less than 200,000 sq. ft.	2 years
200,000 sq. ft. or more, up to 500,000 sq. ft.	3 years
More than 500,000 sq. ft., up to 850,000 sq. ft.	4 years
More than 850,000 sq. ft.	5 years

E. Loss of nonconforming development status.

1. Discontinuance. If a nonconforming exterior development, such as an exterior storage area, is unused for 2 continuous years, the nonconforming rights are lost and a nonconforming exterior development may not be re-established. If the exterior development is unused for less than 2 continuous years, a nonconforming exterior development may be re-established, unless stated otherwise in Subsection D. above.
2. Destruction. When a structure or other development that has nonconforming elements is removed or intentionally destroyed, replacement structures and other development must comply with the development standards of the base zone, overlay zone and plan district. When a structure that has non-conforming elements is partially

or totally damaged by fire or other causes beyond the control of the owner, the structure may be rebuilt using the same structure footprint. An adjustment is required to allow the replacement structure to be more out of compliance with the development standards than the previous structure. However, detached garages in residential zones are subject to the provisions for accessory structures of 33.110.250 and 33.120.280 (Single-Dwelling and Multi-Dwelling chapters, respectively).

- F. Sites that are nonconforming in parking spaces.** When a site is nonconforming in the number of required or allowed parking spaces, this subsection applies:
1. Minimum required parking spaces. If changes to a use or building are made that increase the number of required parking spaces over the existing situation, only the number of spaces relating to the increase need to be provided.
 2. Maximum allowed parking spaces. If changes to a use or building are made, existing parking spaces that are in excess of the maximum may be retained if none of the dimensions of the parking area increase. Within the existing parking area, the layout of the parking spaces may be redesigned and the parking area re-striped if all requirements for setbacks, landscaping, and parking space and aisle dimensions in Chapter 33.266, Parking and Loading, are met.
- G. Nonconforming signs.** The regulations for nonconforming signs are stated in Title 32, Signs and Related Regulations.

33.258.075 Determination of Legal Nonconforming Status Review

- A. Purpose.** This review will determine if a use or site has legal nonconforming situation rights. In addition, it will determine what the current legal use is, based on the use categories in Chapter 33.920.
- B. When this review is required.** Determination of Legal Nonconforming Status Review is required where a land use review or building permit is requested, and the applicant does not provide standard evidence or the Director of BDS does not find the evidence to be satisfactory. (See 33.258.038). This review also may be requested by an applicant when it is not required.
- C. Procedure.** Determination of Legal Nonconforming Status Reviews are processed through a Type II procedure.
- D. Approval criteria.**
1. The legal status of the nonconforming situation will be certified if the review body finds that:
 - a. The nonconforming situation would have been allowed when established; and
 - b. The nonconforming situation has been maintained over time.
 2. The review body will determine, based on the evidence, what the current legal use is, using the definitions in Chapter 33.910 and the use categories in Chapter 33.920.

33.258.080 Nonconforming Situation Review

- A. Procedure.** A nonconforming situation review is processed through a Type II procedure.

- B. Approval criteria.** The request will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:
1. With mitigation measures, there will be no net increase in overall detrimental impacts (over the impacts of the last legal use or development) on the surrounding area taking into account factors such as:
 - a. The hours of operation;
 - b. Vehicle trips to the site and impact on surrounding on-street parking;
 - c. Noise, vibration, dust, odor, fumes, glare, and smoke;
 - d. Potential for increased litter; and
 - e. The amount, location, and nature of any outside displays, storage, or activities; and
 2. If the nonconforming use is in an OS, R, or IR zone, and if any changes are proposed to the site, the appearance of the new use or development will not lessen the residential character of the OS, R, or IR zoned area. This is based on taking into account factors such as:
 - a. Building scale, placement, and facade;
 - b. Parking area placement;
 - c. Buffering and the potential loss of privacy to abutting residential uses; and
 - d. Lighting and signs; and
 3. If the nonconforming use is in a C, E, I, or CI zone, and if any changes are proposed to the site, the appearance of the new use or development will not detract from the desired function and character of the zone.

(Amended by: Ord. No. 163697, effective 1/1/91; Ord. No. 166313, effective 4/9/93; Ord. No. 169324, effective 10/12/95; Ord. No. 170704, effective 1/1/97; Ord. No. 171081, effective 5/16/97; Ord. No. 171219, effective 7/1/97; Ord. No. 172882, effective 11/18/98; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175204, effective 3/1/01; Ord. Nos. 175341 and 175358, effective 3/16/01; Ord. No. 175837, effective 9/7/01; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177368, effective 5/17/03; Ord. No. 177422, effective 6/7/03; Ord. No. 177701, effective 8/30/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 179316, effective 7/8/05; Ord. No. 179980, effective 4/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 183598, effective 4/24/10; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No. 188259, effective 3/31/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189137, effective 8/22/18; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190023, effective 8/10/20; Ord. No. 190076, effective 8/10/20; Ord. No. 191164, effective 3/31/23.)

33.266 Parking, Loading, And Transportation And Parking Demand Management

266

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33.266.010 Introduction

This chapter establishes the standards for the amount, location, and development of motor vehicle parking, standards for bicycle parking, and standards for on-site loading areas, and requirements for transportation demand management plans. Other titles of the City Code may regulate other aspects of parking and loading.

Motor Vehicle Parking

33.266.100 General Regulations

- A. Where the regulations apply.** The regulations of this chapter apply to all parking areas in all zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a Commercial Parking use, or for a park and ride facility in the Community Services use category.
- B. Occupancy.** All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Chapter 33.248, Landscaping and Screening.
- C. Calculations of amounts of required and allowed parking.**
 1. The number of parking spaces is computed based on the primary uses on the site except as stated in Paragraph C.2., below. When there are two or more separate

primary uses on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual primary uses. When there are two or more instances of the same primary use on the site, the required or allowed parking is based on the total square footage of all those same uses added together. For joint use parking, see Paragraph 33.266.110.B., below.

2. When more than 20 percent of the net building area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 40,000 square foot building with a 30,000 square foot warehouse and a 10,000 square foot accessory office area. The required or allowed parking would be computed separately for the office and warehouse uses.
 3. If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.
 4. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
- D. Use of required parking spaces.** Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. See 33.266.110.B. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
- E. Proximity of parking to use.** Required parking spaces must be located on the site of the use or in parking areas whose closest point is within 500 feet of the site.
- F. Stacked parking.** Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. Automated stacked parking and tandem parking for individual dwelling units are exempt from the attendant and guarantee requirements. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking. See also 33.266.140.
- G. Office of Transportation review.** The Office of Transportation reviews the layout of parking areas for compliance with the curb cut and access restrictions of Section 17.28.110, Driveways – Permits and Conditions.

33.266.110 Minimum Required Parking Spaces

- A. Purpose.** The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off-street parking. Parking requirements should be balanced with an active pedestrian network to minimize pedestrian, bicycle and vehicle conflicts as much as possible. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking, and locating it close to the building entrance, will

encourage carpool use. Providing opportunities to install electric vehicle chargers within parking areas encourage electric vehicles as an alternative to vehicles that burn fossil fuels.

B. Minimum number of required parking spaces.

1. Minimum for sites located close to transit. For sites located 1500 feet or less from a transit station, or 500 feet or less from a transit street with 20-minute peak hour service the following minimum parking requirements apply. The Bureau of Transportation will publish a map annually, adopted through Administrative Rule, showing sites that meet these service thresholds. For sites not shown on the map, the applicant may provide current information demonstrating that the site meets the service thresholds:
 - a. Household Living uses. No parking is required for Household Living uses in the single-dwelling zones. For all other zones, the minimum number of required parking spaces for a site with a Household Living use is:
 - (1) Where there are up to 30 dwelling units on the site, no parking is required;
 - (2) Where there are 31 to 40 dwelling units on the site, the minimum number of required parking spaces is 0.20 spaces per dwelling unit;
 - (3) Where there are 41 to 50 dwelling units on the site, the minimum number of required parking spaces is 0.25 spaces per dwelling unit; and
 - (4) Where there are 51 or more dwelling units on the site, the minimum number of required parking spaces is 0.33 spaces per dwelling unit.
 - b. All other uses. No parking is required for all other uses.
2. Minimum for sites located far from transit. For sites located more than 1500 feet from a transit station, or more than 500 feet from a transit street with 20-minute peak hour service, the following minimum parking requirements apply:
 - a. Household Living uses.
 - (1) Single-dwelling zones. No parking is required for Household Living uses in the single-dwelling zones.
 - (2) All other zones. The minimum number of parking spaces required for Household Living uses in all other zones is stated in Table 266-1.
 - b. All other uses.
 - (1) Group Living. No parking is required for Group Living uses in single-dwelling zones that do not require a conditional use review. The minimum number of parking spaces required for all other Group Living uses is stated in Table 266-1.
 - (2) All other uses. The minimum number of parking spaces required is stated in Table 266-1.
3. Joint use parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed only if the uses and housing types to which the parking is accessory are

allowed in the zone where the parking is located. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to BDS as part of a building or zoning permit application or land use review:

- a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
 - b. The location and number of parking spaces that are being shared;
 - c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
 - d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
- C. Required carpool parking spaces.** For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:
1. Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 AM on weekdays. More spaces may be reserved, but they are not required.
 2. The spaces must be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.
 3. Signs must be posted indicating these spaces are reserved for carpool use before 9:00 AM on weekdays.
- D. Required electric vehicle charging spaces.** For Commercial Parking uses and for sites with 5 or more dwelling units, the following standards must be met:
1. Commercial Parking. For Commercial Parking uses, at least 20 percent of the total number of parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger.
 2. In buildings with five or more dwelling units, if parking spaces are provided for any of the dwelling units, the following standards apply:
 - a. If between one and six spaces are provided for dwelling units, 100 percent of the spaces must include electrical conduit adjacent to the spaces that will allow for installation of at least a Level 2 electric vehicle charger.
 - b. If seven or more spaces are provided for dwelling units, 50 percent, or six, whichever is greater of the parking spaces provided must include electrical conduit adjacent to the spaces that will allow for installation of at least a Level 2 electric vehicle charger.
- E. Exceptions to the minimum number of parking spaces.** The minimum number of required parking spaces may be reduced as follows:
1. Affordable housing exceptions. The minimum number of required parking spaces may be reduced to zero when the applicant demonstrates compliance with the on-site or off-site affordable dwelling unit requirements of Chapter 33.245, Inclusionary Housing, the on-site or off-site affordable dwelling unit requirements of an applicable voluntary inclusionary housing bonus, or the requirements of the deeper housing

affordability bonus of Section 33.120.211. This exception does not apply if the applicant pays a fee-in-lieu of complying with the requirements of Chapter 33.245, Inclusionary Housing, or makes a payment into the Affordable Housing Fund in exchange for bonus density or FAR.

2. Historic resource exception. The minimum number of required parking spaces may be reduced to zero on sites that contain a Historic Landmark, Conservation Landmark, or National Register Landmark and on sites located within a Historic District, Conservation District, or National Register District.
3. Other exceptions. The minimum number of required parking spaces may not be reduced by more than 50 percent through the exceptions of this Paragraph. The 50 percent limit applies cumulatively to all exceptions in this Paragraph:
 - a. Exceptions for sites where trees are preserved. Minimum parking may be reduced by one parking space for each tree 12 inches in diameter and larger that is preserved. A maximum of 2 parking spaces or 10 percent of the total required may be reduced, whichever is greater. However, required parking may not be reduced below 4 parking spaces under this provision.
 - b. Replacement of parking areas with non-required bicycle parking. Bicycle parking may substitute for up to 25 percent of required parking. For every 5 non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.
 - c. Replacement of existing parking areas with required bicycle parking. Existing required parking spaces may be converted to bicycle parking to accommodate required bicycle parking minimums. The amount of parking spaces required is reduced by the amount needed to accommodate the minimum bicycle parking required.
 - d. A transit-supportive plaza may substitute for up to 10 percent of the required parking on sites where at least 20 parking spaces are required, and where at least one street lot line abuts a transit street. Existing parking areas may be converted to take advantage of these provisions. The plaza must meet the following regulations. Adjustments to the regulations of this Subparagraph are prohibited:
 - (1) The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop;
 - (2) The plaza must be at least 300 square feet in area and be shaped so that a 10 foot x 10 foot square will fit entirely in the plaza;
 - (3) The plaza must be open to the public. The owner must record a public access easement that allows public access to the plaza; and
 - (4) The plaza must include all of the following elements:
 - A bench or other sitting area with at least 5 linear feet of seating;
 - A shelter or other weather protection that covers at least 20 square feet. If the plaza is adjacent to the bus stop, TriMet must approve the shelter; and

- Landscaping. At least 10 percent, but not more than 25 percent of the transit-supportive plaza must be landscaped to the L1 standard of Chapter 33.248, Landscaping and Screening. This landscaping is in addition to any other landscaping or screening required for parking areas by the Zoning Code.
- e. Motorcycle parking may substitute for up to 5 spaces or 5 percent of required automobile parking, whichever is less. For every 4 motorcycle parking spaces provided, the automobile parking requirement is reduced by one space. Each motorcycle space must be at least 4 feet wide and 8 feet deep. Existing parking may be converted to take advantage of this provision.
- f. Car-sharing parking spaces may substitute for required parking if all of the following are met:
- (1) For every car-sharing parking space that is provided, the motor vehicle parking requirement is reduced by 2 spaces, up to a maximum of 25 percent of the required parking spaces;
 - (2) The car-sharing parking spaces must be shown on the building plans; and
 - (3) A copy of the car-sharing agreement between the property owner and the car-sharing company must be submitted with the building permit.
- g. City of Portland bike-sharing stations may substitute for required parking if all of the following are met:
- (1) A City of Portland bike-sharing station providing 15 docks and 10 shared bicycles reduces the motor vehicle parking requirement by 3 spaces. The provision of each addition of 4 docks and 2 shared bicycles reduces the motor vehicle parking requirement by an additional space, up to a maximum of 25 percent of the required parking spaces;
 - (2) The bike-sharing station must be adjacent to, and visible from the street, and must be publicly accessible;
 - (3) The bike-sharing station must be shown on the building plans; and
 - (4) A copy of the signed agreement between the property owner and the Portland Bureau of Transportation must be submitted before the building permit is approved.

Table 266-1	
Minimum Required and Maximum Allowed Parking Spaces By Zone [1], [2]	
Zone	Requirement
OS, RF – R2.5, RMP, EG, I, IR	<p>Minimum is Standard A in Table 266-2.</p> <p>Maximum is Standard B in Table 266-2.</p>
RM1-RM4, CR, CM1, CM2, CM3, CE, CI	<p>Minimum for sites that are 10,000 square feet or less in size: No minimum except for Household Living, which has the following minimums: 0 for 1 to 30 units; 0.20 per unit for 31-40 units; 0.25 per unit for 41-50 units; and 0.33 per unit for 51+ units.</p> <p>Minimum for all other sites is Standard A in Table 266-2</p> <p>Maximum is Standard B in Table 266-2.</p>
EX	<p>No minimum except for Household Living, which has the following minimums: 0 for 1 to 3 units; 1 per 2 units for four+ units; and SROs are exempt.</p> <p>Maximum is Standard A in Table 266-2, except: 1) Retail, personal service, repair-oriented - Maximum is 1 per 200 sq. ft. of net building area. 2) Restaurants and bars - Maximum is 1 per 75 sq. ft. of net building area. 3) General office – Maximum is 1 per 400 sq. ft. of net building area. 4) Medical/Dental office – Maximum is 1 per 330 sq. ft. of net building area.</p>
RX, CX	<p>No minimum except for Household Living, which has the following minimums: 0 for 1 to 30 units; 0.2 per unit for 31-40 units; 0.25 per unit for 41-50 units; and 0.33 per unit for 51+ units.</p> <p>Maximum is Standard B in Table 266-2.</p>

[1] Regulations in a plan district or overlay zone may supersede the standards of this table.

[2] Uses subject to a Conditional Use, Impact Mitigation Plan, or Transportation Impact review may establish different parking minimum and maximum requirements through the review.

Table 266-2			
Parking Spaces by Use [2]			
(Refer to Table 266-1 to determine which standard applies.)			
Use Categories	Specific Uses	Standard A	Standard B
Residential Categories			
Household Living		1 per 2 units, except SROs exempt	None, except 1.35 per unit on sites that are both in a commercial/mixed use or multi-dwelling zone and close to transit (close to transit is described in 33.266.110.B.1.) Houses, attached houses and duplexes are exempt.
Group Living		1 per 4 bedrooms	None
Commercial Categories			
Retail Sales And Service	Retail, personal service, repair oriented	1 per 500 sq. ft. of net building area	1 per 196 sq. ft. of net building area
	Restaurants and bars	1 per 250 sq. ft. of net building area	1 per 63 sq. ft. of net building area
	Health clubs, gyms, lodges, meeting rooms, and similar. Continuous entertainment such as arcades and bowling alleys	1 per 330 sq. ft. of net building area	1 per 185 sq. ft. of net building area
	Temporary lodging	1 per rentable room; for associated uses such as restaurants, see above	1.5 per rentable room; for associated uses such as restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
Commercial Categories			
Office	General office	1 per 500 sq. ft. of net building area	1 per 294 sq. ft. of net building area
	Medical/Dental office	1 per 500 sq. ft. of net building area	1 per 204 sq. ft. of net building area
Quick Vehicle Servicing		1 per 500 sq. ft. of net building area	1 per 196 sq. ft. of net building area
Vehicle Repair		1 per 750 sq. ft. of net building area [1]	1 per 500 sq. ft. of net building area
Commercial Parking		None	None
Self-Service Storage		1 per resident manager's facility, plus 3 per leasing office, plus 1 per 100 leasable storage spaces in multi-story buildings.	2 per resident manager's facility, plus 5 per leasing office, plus 1 per 67 leasable storage spaces in multi-story buildings.
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Major Event Entertainment		1 per 8 seats	1 per 5 seats

Industrial Categories			
Manufacturing And Production		1 per 750 sq. ft. of net building area [1]	1 per 500 sq. ft. of net building area
Warehouse And Freight Movement		1 per 750 sq. ft. of net building area for the first 3,000 sq. ft. of net building area and then 1 per 3,500 sq. ft. of net building area thereafter [1]	1 per 500 sq. ft. of net building area for the first 3,000 sq. ft. of net building area and then 1 per 2,500 sq. ft. of net building area thereafter
Wholesale Sales, Industrial Service, Railroad Yards		1 per 750 sq. ft. of net building area [1]	1 per 500 sq. ft. of net building area
Waste-Related		See note [2]	See note [2]
Institutional Categories			
Basic Utilities		None	None
Community Service		1 per 500 sq. ft. of net building area	1 per 196 sq. ft. of net building area
Parks And Open Areas		Per CU review for active areas	Per CU review for active areas
Schools	Grade, elementary, middle, junior high	1 per classroom	1.5 per classroom
	High school	7 per classroom	10.5 per classroom
Medical Centers		1 per 500 sq. ft. of net building area	1 per 204 sq. ft. of net building area

Table 266-2 Parking Spaces by Use [2] (Refer to Table 266-1 to determine which standard applies.)			
Use Categories	Specific Uses	Standard A	Standard B
Colleges		1 per 600 sq. ft. of net building area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 400 sq. ft. of net building area exclusive of dormitories, plus 1 per 2.6 dorm rooms
Religious Institutions		1 per 100 sq. ft. of main assembly area	1 per 67 sq. ft. of main assembly area
Daycare		1 per 500 sq. ft. of net building area	1 per 330 sq. ft. of net building area
Other Categories			
Agriculture		None	None
Aviation		See note [2]	See note [2]
Detention Facilities		See note [2]	See note [2]
Mining		See note [2]	See note [2]
Radio Frequency Transmission Facilities	Personal wireless service and other non-broadcast facilities	None	None
	Radio or television broadcast facilities	2 per site	None
Rail Lines & Utility Corridors		None	None

Notes:

- [1] For uses in an EG or I zone, if the site size is 5,000 sq. ft. or less, no more than 4 spaces are required. Where the site size is between 5,001 and 10,000 sq. ft., no more than 7 spaces are required.
- [2] Uses subject to a Conditional Use, Impact Mitigation Plan, or Transportation Impact review may establish parking minimum and maximum requirements through the review.

33.266.115 Maximum Allowed Parking Spaces

- A. Purpose.** Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality.

The maximum ratios in this section vary with the use the parking is accessory to and with the location of the use. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use. Areas that are zoned for more intense development or are easily reached by alternative modes of transportation have lower maximums than areas where less intense development is anticipated or where transit service is less frequent. In particular, higher maximums are appropriate in areas that are more than a 1/4 mile walk from a frequently served bus stop or more than a 1/2 mile walk from a frequently served Transit Station.

- B. Maximum number of parking spaces allowed.** Regulations in a plan district or overlay zone may supersede the regulations in this Subsection.

1. Surface parking. Where more than 25 percent of the parking accessory to a use is on surface parking lots, both the structured and surface parking are regulated as follows. Parking accessory to a use includes accessory parking that is on- and off-site:
 - a. Generally. The maximum number of parking spaces allowed is stated in Tables 266-1 and 266-2, except as specified in Subparagraph B.1.b.;
 - b. Exception for sites not well served by transit. For sites located more than 1/4 mile from a bus stop with 20-minute peak-hour service and more than 1/2 mile from a Transit Station with 20-minute peak-hour service, the maximum number of parking spaces allowed is 125 percent of the amount stated in Tables 266-1 and 266-2. The Bureau of Transportation will publish a map annually, adopted through Administrative Rule, showing sites that meet these service thresholds. For sites not shown on the map, the applicant may provide current information demonstrating that the site meets the service thresholds.
2. Structured parking. Where 75 percent or more of the parking accessory to a use is in structured parking, both the structured and surface parking are regulated as follows. Parking accessory to a use includes accessory parking that is on- and off-site:
 - a. Generally. There is no maximum number of parking spaces, except as provided in Subparagraph B.2.b.;
 - b. Parking accessory to Medical Centers and Colleges. The maximum parking allowed that is accessory to Medical Centers and Colleges is stated in Tables 266-1 and 266-2.
3. Exception in the EG and I zones. In the EG and I zones, there is no maximum number of accessory parking spaces for either structured or surface parking where both Subparagraphs B.3.a. and b. are met, and either Subparagraph B.3.c. or d. is met:
 - a. The site is at least eight acres in area;
 - b. The site is located more than 1/2 mile from a transit stop or station with 20-minute peak-hour light rail or streetcar service; and
 - c. At least 700 of the accessory parking spaces are in a structure; or
 - d. The structured parking is in a structure with at least three floors, and parking is on at least three floors of the structure.

33.266.120 Development Standards for Houses, Duplexes, Triplexes, and Fourplexes

- A. Purpose.** The size and placement of vehicle parking areas are regulated in order to enhance the appearance and pedestrian experience of neighborhoods.
- B. Structures these regulations apply to.** The regulations of this section apply to houses, attached houses, duplexes, attached duplexes, triplexes, fourplexes, manufactured homes, and houseboats. The regulations apply to all parking areas. The following are exceptions to this requirement:
 1. Parking that is in a parking tract is subject to the standards of Section 33.266.130 instead of the standards of this section. However, perimeter landscaping is not required where the parking tract abuts a lot line internal to the site served by the tract.

2. Parking for manufactured dwelling parks is regulated in Chapter 33.251.

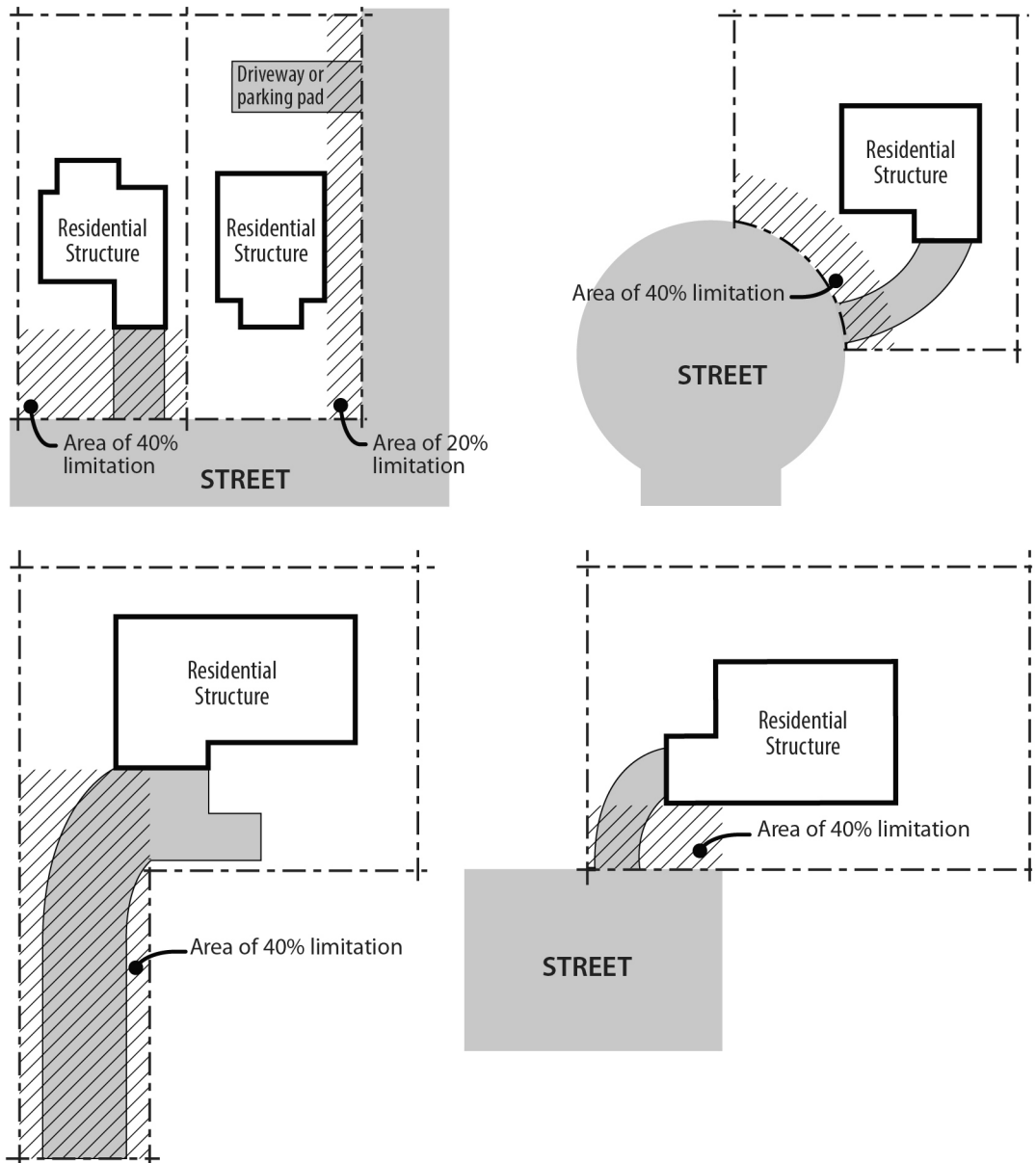
C. Parking area locations.

1. Vehicle area. The following standards apply to the location of vehicle area:
 - a. Vehicle area is prohibited between the primary structure and the street except as follows. This standard does not apply to houses on lots that are at least 32 feet wide:
 - (1) Parking spaces located entirely behind the front and side street building lines of a primary structure are allowed; and
 - (2) Driveways to parking spaces located entirely behind the front and side street building lines of a primary structure are allowed.
 - b. No more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. See Figure 266-2. On corner lots, no more than 20 percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. For attached houses, this standard applies to the combined lot lines of attached house lots. As an exception to the area limitations in this subparagraph, a flag lot with a pole that allows vehicle access is allowed at least a 12-foot wide vehicle area.
2. Parking spaces. The following standards apply to the location of parking spaces:
 - a. Generally, parking spaces are not allowed within the first 10 feet from a front lot line, and on corner lots, parking spaces are not allowed within the side street setback.
 - b. Exceptions.
 - (1) A parking space is allowed within the first 10 feet from a front lot line or within a side street setback when the parking space is in a driveway behind a parking space that is located outside of the first 10 feet from a front lot line or outside of the side street setback. See Figure 266-1.
 - (2) On lots where the front lot line abuts a common green or shared court, parking spaces are allowed within 10 feet of the front lot line.
3. Vehicle area access. If the lot abuts an alley, all parking and vehicle access to the site must be from the alley.
4. Parking in garages. Parking in garages is subject to the garage setback standards of the base zone, overlay zone or plan district.

D. Parking space sizes.

1. A parking space must be at least 9 feet by 18 feet.
2. The minimum driveway width on private property is 9 feet.
3. Shared driveways are allowed to extend across a property line onto abutting private properties if the following are met:
 - a. The width of the shared driveway is at least 9 feet; and

Figure 266-2
Parking Area Limitation



33.266.130 Development Standards for All Other Development

- A. Purpose.** The development standards promote vehicle areas that are safe and attractive for motorists and pedestrians. Vehicle area locations are restricted in some zones to promote the desired character of those zones.

Together with the transit street building setback standards in the base zone chapters, the vehicle area location regulations:

- Provide pedestrian access that is protected from auto traffic;
- Create an environment that is inviting to pedestrians and transit users, especially on transit streets and in Pedestrian Districts;
- Limit the prominence of vehicle areas along street frontages and create a strong relationship between buildings and the sidewalk;
- Create a sense of enclosure on transit and pedestrian street frontages; and
- Limit the size of paved parking area and the type of paving material allowed in order to limit increases in temperature associated with asphalt and reduce impacts from urban heat islands.

The parking area layout standards are intended to promote safe circulation within the parking area, provide for the effective management of stormwater runoff from vehicle areas, and provide for convenient entry and exit of vehicles. The setback and landscaping standards:

- Improve and soften the appearance of parking areas;
- Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones;
- Provide flexibility to reduce the visual impacts of small residential parking lots;
- Direct traffic in parking areas;
- Shade and cool parking areas;
- Reduce the amount and rate of stormwater runoff from vehicle areas;
- Reduce pollution and temperature of stormwater runoff from vehicle areas;
- Decrease airborne and waterborne pollution; and
- Provide flexibility for locating electric vehicle chargers and equipment while limiting their impact on adjacent streets and lots.

B. Where these standards apply. The standards of this section apply to all vehicle areas whether required or excess parking, except for residential vehicle areas subject to the standards of 33.266.120.

C. On-site locations and size of vehicle areas.

1. Location of vehicle areas. The allowed on-site location of all vehicle areas is stated in Table 266-3. Additionally, on sites in single dwelling zones or multi-dwelling zones that abut an alley and are 10,000 square feet or less in total site area, vehicle area may only be accessed from the alley.
2. Building setbacks for structures that contain vehicle areas.
 - a. Structures that contain vehicle areas are subject to the building setbacks of the base zone, where exiting in a forward motion is provided.
 - b. Structured parking that does not allow exiting in a forward motion in R Zones is subject to the garage entrance setback standard of the base zone.
 - c. Structured parking that does not allow exiting in a forward motion in C, E, I, CI, or IR zones must be set back 18 feet from the street lot line.
3. Frontage limitation.

- a. The standard of this Subparagraph applies outside the Central City plan district in the R20 through R2.5, RM1, RM2, RM3, RM4, and RMP zones. No more than 40 percent of the frontage on a street may be used for vehicle areas. On sites with more than one street frontage, this standard applies to the street with the highest transit designation. If two streets have the same highest transit classification, the applicant may choose on which street to meet the standard. Sites where there is less than 100 square feet of net building area are exempt from this standard.
 - b. The standard of this Paragraph applies outside the Central City plan district in the RX, CR, CM1, CM2, CM3, CE, CX, EG1, EX, CI, and IR zones. Where vehicle areas are adjacent to a transit street or a street in a Pedestrian District, no more than 50 percent of the frontage on the transit street or street in a Pedestrian District may be used for vehicle areas. Sites where there is less than 100 square feet of net building area are exempt from this standard.
4. Surface parking and driveway paving limitations. In the RM1 through RM4 zones, the following parking area and driveway size and paving material limitations apply:
- a. No more than 30 percent of total site area may be paved or used for surface parking and driveways; and
 - b. Asphalt paving for surface parking and driveways may not cover more than 15 percent of total site area.

D. Improvements.

1. Paving. In order to control dust and mud, all vehicle areas must be paved. However, some portions of individual parking spaces may be landscaped per the standards of Paragraph F.4, below.
2. Striping. All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards of Subsection F. below.
3. Protective curbs around landscaping. All perimeter and interior landscaped areas must have protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards, or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers.

Table 266-3 Location of Vehicle Areas [1], [2]			
Zone	General Standard	Exception for Through Lots and Sites with Three Frontages	Exception for Full-Block Sites
OS, RF, EG2, I	No restrictions.		
RMP, IR, CE, EG1, CI; sites in RM1, RM2, and RM3 that are more than 10,000 square feet in total area; sites in CM1, CM2, and CM3 that are more than 2 acres in total area	Vehicle areas not allowed between the portion of the building that complies with the maximum street setback and the transit street or streets in a Pedestrian District.	May have vehicle areas between the portion of the building that complies with the maximum street setback and one Local Service Transit Street.	May have vehicle areas between the portion of the building that complies with the maximum street setback and two Local Service Transit Streets.
R20-R2.5, RM4, RX, CX, CR, EX; sites in RM1, RM2, and RM3 that are 10,000 square feet or less in total area; sites in CM1, CM2, and CM3 that are 2 acres or less in total area	Not allowed between a building and any street.	May have vehicle areas between the building and one Local Service Transit Street.	May have vehicle areas between the building and two Local Service Transit Streets.

Notes:

[1] Driveways that provide a straight-line connection between the street and a parking area inside a building are not subject to these regulations.

[2] Vehicle areas that are separated from a street by a building are not subject to these regulations.

E. Stormwater management. Stormwater runoff from parking lots is regulated by the Bureau of Environmental Services. See Chapter 17.38, Drainage and Water Quality, and the City’s Stormwater Management Manual, which contain requirements for managing stormwater in parking lot landscaping.

F. Parking area layouts.

1. Access to parking spaces.
 - a. All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.
 - b. All parking areas must be designed to allow vehicles to enter and exit the roadway in a forward motion, except:
 - (1) Parking areas with one or two spaces whose only access is on a local service street;
 - (2) Parking areas may be designed so that vehicles back out into an alley. However, there must be a maneuvering area of at least 20 feet between the end of each parking space and the opposite side of the alley. If the alley is less than 20 feet wide, some of this maneuvering area will be on-site.

2. Parking space and aisle dimensions. Parking spaces and aisles must meet the minimum dimensions contained in Table 266-4. For stacked parking areas, see Section 33.266.140 below.
3. Parking for disabled persons. The Bureau of Development Services regulates the following disabled person parking standards and access standards through the Oregon Structural Specialty Code.
 - Dimensions of disabled person parking spaces and access aisles;
 - The minimum number of disabled person parking spaces required;
 - Location of disabled person parking spaces and circulation routes,
 - Curb cuts and ramps including slope, width and location;
 - Signage and pavement markings.
4. A portion of a standard parking space may be landscaped instead of paved, as follows:
 - a. As shown in Figure 266-3, up to 2 feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped area;
 - b. Landscaping must be ground cover plants; and
 - c. The portion of the 2-foot wide area described in 4.a that is landscaped counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

Angle (A)	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	22 ft. 6 in.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:

[1] See Figure 266-4.

[2] See Section 33.266.130.F.3 for information on parking spaces for the disabled.

Figure 266-3
Landscaped area at front of parking space.

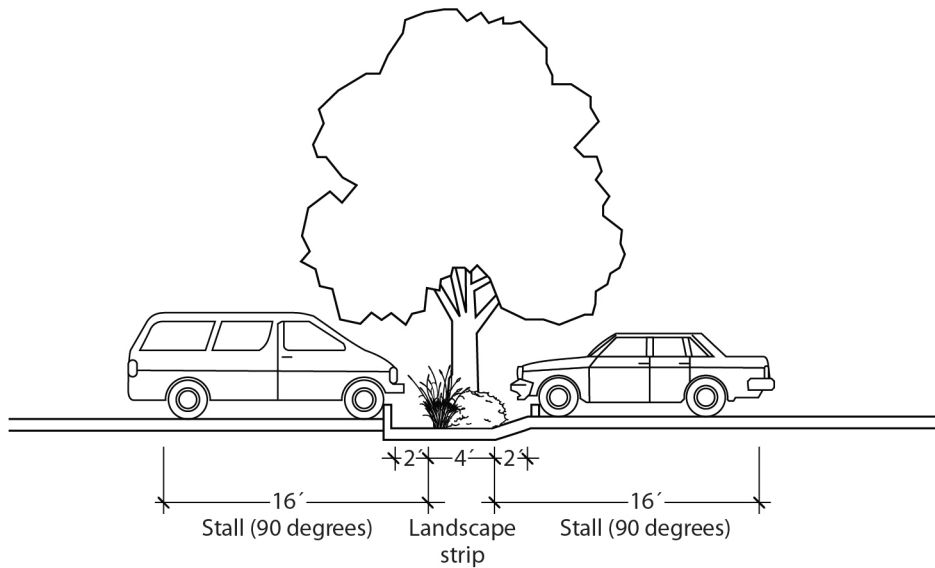
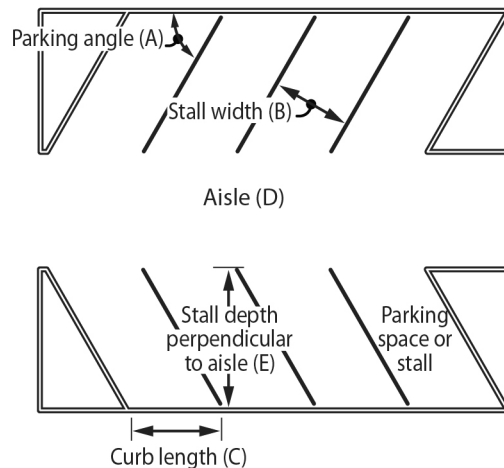


Figure 266-4
Parking Dimension Factors



5. Large parking areas in R, C, E, IR, and CI zones. In the R, C, E, IR, and CI zones, where a parking area on the site is more than 125,000 square feet, the parking area must contain the following elements. Parking areas in structures are not included in this total:
 - a. Internal access ways must divide the parking area into smaller areas that are no greater than 55,000 square feet;
 - b. These accessways must connect to the adjacent street at least every 250 feet; and

- c. Each internal accessway must have at least one auto travel lane, curbs, and unobstructed sidewalks on both sides. One of the following must be met:
 - The sidewalks must be at least 10 feet wide and planted with trees. One large tree is required per 30 lineal feet of sidewalk, one medium tree per 22 lineal feet of sidewalk, or one small tree per 15 lineal feet of sidewalk. Trees of different sizes may be combined to meet the standard;
 - Trees must be planted in the center of unpaved tree wells that must be at least 18 square feet in area, with a minimum dimension of 3 feet. The unpaved area may be covered with a tree grate. Tree wells must be adjacent to the curb, and must be located so there is at least 6 feet of unobstructed sidewalk; or
 - The sidewalks must be at least 6 feet wide. There must be a planting strip at least 4 feet wide. The planting strip must be between the curb and the sidewalk, and be landscaped to at least the L1 standard except that trees cannot be grouped.
- d. The internal accessways are excluded from the portion of the parking and loading area used to calculate required interior landscaping.

G. Parking area setbacks and landscaping.

1. All landscaping must comply with the standards of Chapter 33.248, Landscaping and Screening. Trees and shrubs must be fully protected from potential damage by vehicles.
2. Setbacks and perimeter landscaping.
 - a. Where these regulations apply. The regulations of this paragraph apply to:
 - (1) Surface parking areas abutting a lot line;
 - (2) Any portion of structured parking areas where the parking area is within 4 feet of adjacent grade and there is no roof over it;
 - (3) Driveways.
 - b. Exceptions.
 - (1) Shared driveways and parking aisles that straddle a lot line do not need to meet setback and perimeter landscaping requirements;
 - (2) Sites containing 5 or fewer parking spaces and developed only with residential development may provide a 3-foot-high fence meeting the F2 standards as an alternative to the perimeter setback and landscaping requirements on any lot line not abutting a street;
 - (3) Stacked parking areas must meet the requirements of Section 33.266.140, below.
 - c. Setbacks. The minimum required setbacks for surface parking areas are stated in Table 266-5. Unless allowed under 33.266.130.H, protective curbs, tire stops, bollards or other protective barriers are not allowed within the minimum required setbacks.

Table 266-5 Minimum Parking Area Setbacks and Landscaping		
Location	All zones except EG2 and IG2	EG2, IG2
Lot line abutting street	5 ft. of L2	10 ft. of L2
Lot line abutting a C, E, I, or CI zone lot line	5 ft. of L2	5 ft. of L2
Lot line abutting a OS, R, or IR zone lot line	5 ft. of L3	10 ft. of L3

- d. Perimeter landscaping. The minimum setbacks and landscaping standards required are provided in Table 266-5.
 - (1) Surface parking abutting streets, and C, E, I, and CI zones. Where a surface parking area abuts a street lot line, or a C, E, I, or CI zone lot line, only the minimum required setbacks must be landscaped. The landscaping must meet the L2 standard of Chapter 33.248, and must be adjacent to the parking area and driveway. Where a setback is provided that is greater than the required minimum, the landscaping must be placed within 25 feet of the edge of the parking area and driveway. To provide connectivity between sites, a single driveway up to 20 feet wide may interrupt the landscaping that abuts a C, E, or I zone lot line.
 - (2) Surface parking abutting OS, R, and IR zones. Where a surface parking area abuts an OS, R, or IR zone lot line, only the minimum required setbacks must be landscaped. The landscaping must meet the L3 standard of Chapter 33.248, and must be adjacent to the parking area and driveway. Where a setback is provided that is greater than the required minimum, the landscaping must be placed within 25 feet of the edge of the parking area and driveway.
- 3. Interior landscaping. The regulations of this paragraph apply to all surface parking areas except stacked parking areas. For stacked parking areas, see Section 33.266.140 below.
 - a. Amount of interior landscaping required. In all zones, interior landscaping must be provided for sites where there are more than 10 parking spaces on the entire site. At least 45 square feet of interior landscaped area must be provided for each parking space.
 - b. The landscape materials must comply with the P1 standard of Chapter 33.248.
 - c. The landscaping must be dispersed throughout the parking area. All of the required landscape area may be in the parking area, or some may be in the loading area.
 - d. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends at least four feet into the parking area from the perimeter landscape line.
 - e. Exception for existing parking lots. Where compliance with Subparagraph G.3.a, above, would result in the loss of existing required parking spaces, the amount of

parking required is reduced by the amount needed to accommodate the minimum landscaping required.

f. Layout of interior landscaped areas. The layout of the interior landscaped areas must meet either one or a combination of the standards of this subparagraph:

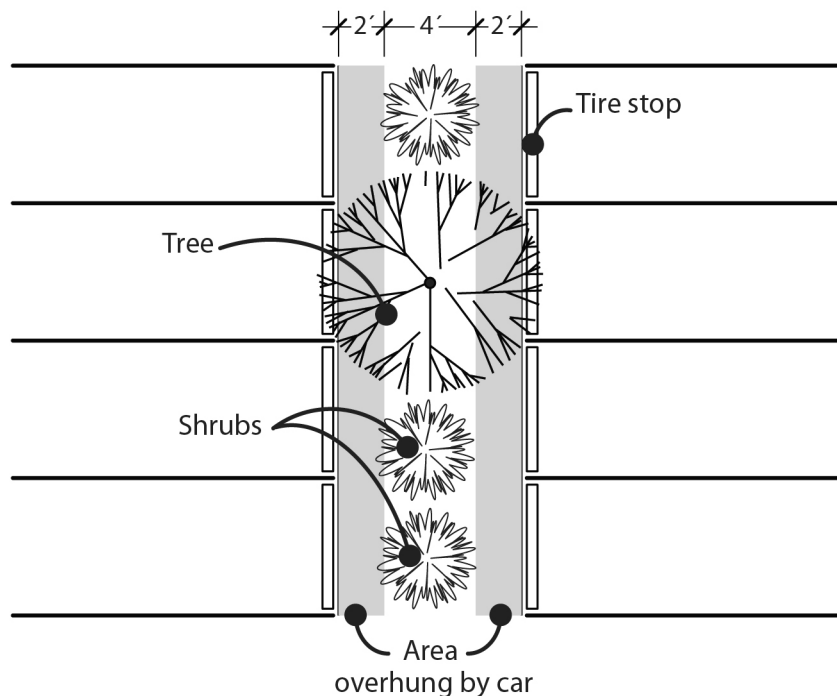
(1) Option 1: Landscape strips. See Figure 266-5.

- Interior landscaping must be arranged in landscape strips at least four feet wide between rows of parking stalls.
- Where the front portions of parking stalls are landscaped as allowed by Paragraph F.4, the landscaped portion of the parking stall must be adjacent to the four-foot landscape strip.

H. Electric vehicle chargers in parking areas. Electric vehicle chargers, accessory equipment, and protective curbs, tire stops, bollards or other barriers needed to protect the charger or accessory equipment, may be located within parking areas, or adjacent to parking areas, subject to the following:

1. The chargers, accessory equipment, and protective barriers cannot be located more than 2 feet into required perimeter landscaping areas; and
2. The accessory equipment may be located anywhere on site but must be screened from the street and adjacent residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment.

**Figure 266-5
Landscape Strips**



- (2) Option 2: Other landscape patterns. See Figure 266-6.
- Interior landscaping must be arranged in areas at the ends of rows of parking or between parking spaces within rows of parking.
 - Interior landscaping may join perimeter landscaping as long as the interior landscape area extends at least 4 feet into the parking area from the perimeter landscape line.
 - Landscaping that abuts, but does not extend into, the parking area may be included as interior landscaping if all of the following are met:
 - The abutting landscaped area must be in addition to required perimeter landscaping;
 - Only the first 10 feet of the abutting landscaped area, measured from the edge of the parking area, may be included as interior landscaping; and
 - The landscaped area is not abutting and parallel to required perimeter landscaping.

- g. Individual tree-planting spaces. Where an individual tree is planted in a space surrounded by pavement, the planting area must have a minimum interior dimension of five feet. See Figure 266-7.

Figure 266-6
Other Landscape Patterns

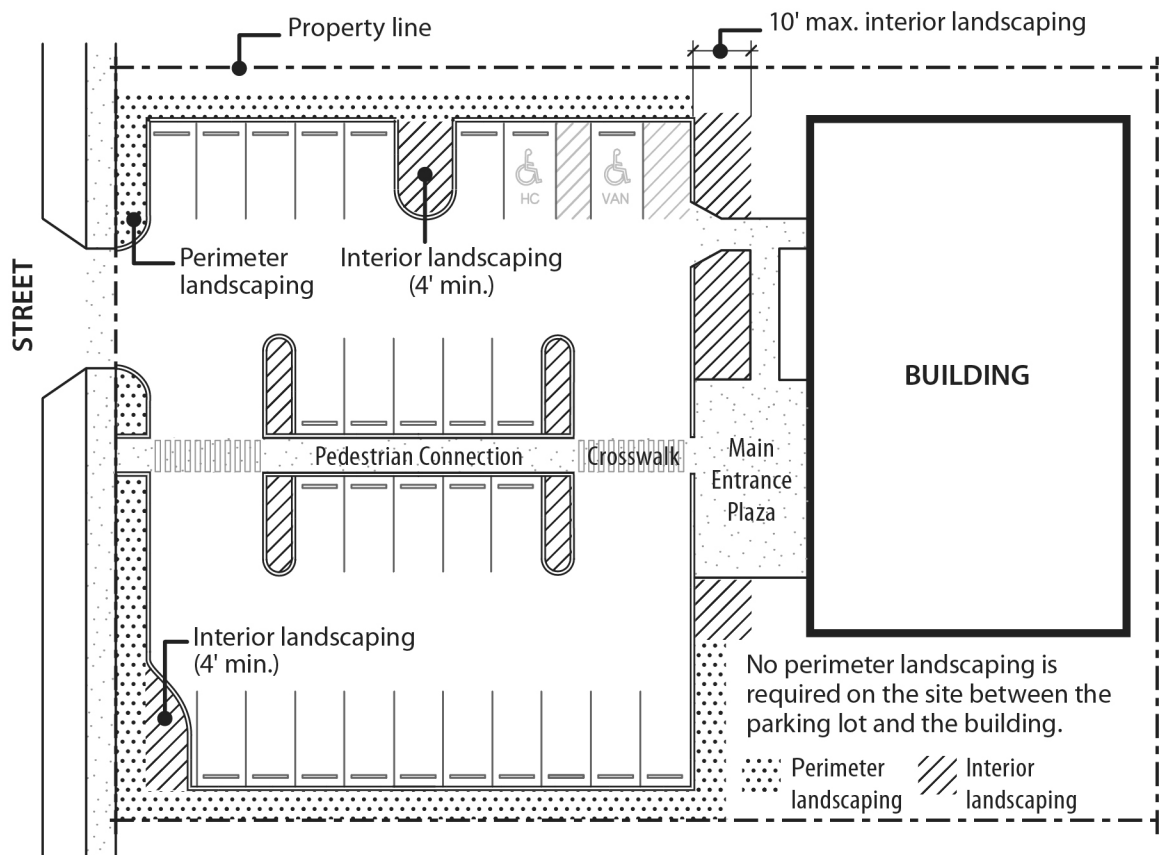
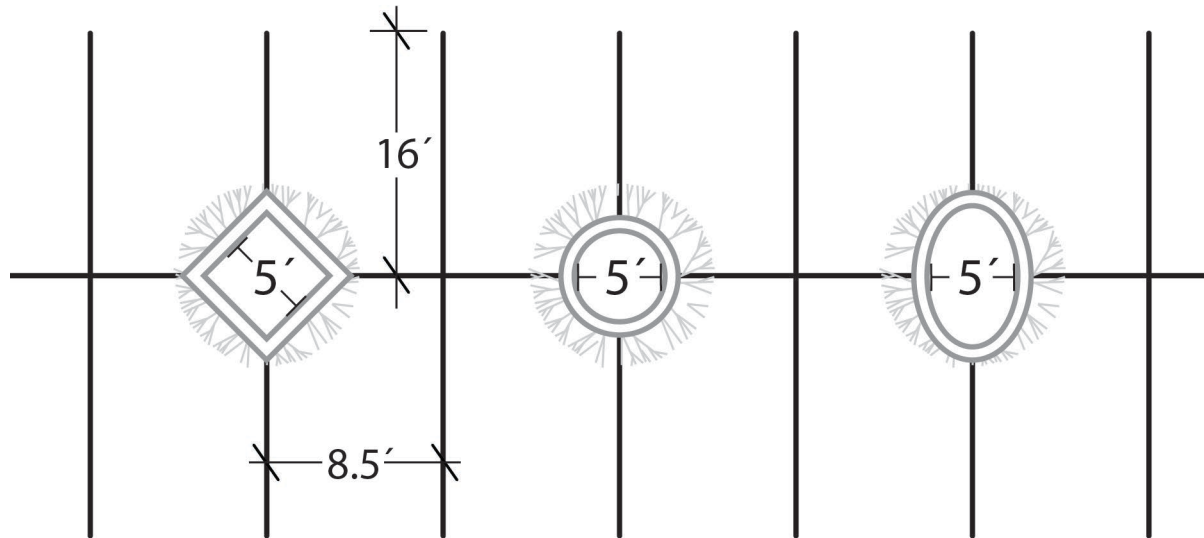


Figure 266-7
Individual Tree-Planting Spaces



33.266.140 Stacked Parking Areas

Stacked parking areas must comply with all of the development standards of Section 33.266.130 above, except for those standards superseded by this section.

- A. Perimeter setbacks and landscaping.** Parking areas must be set back from streets at least 4 feet and landscaped to at least the L2 level.
- B. Striping and layout.** Parking areas used exclusively for stacked parking need not be striped or meet the layout standards of Subsection F. above. Stacked parking areas which will allow parking at some times without attendants must be striped in conformance with the layout standards of Subsection F. above.
- C. Interior landscaping for surface parking areas.** The minimum interior landscaping requirement for surface parking areas is one tree per 5,000 square feet of parking area. If surrounded by cement, the tree planting area must have a minimum dimension of 4 ft. If surrounded by asphalt, the tree planting area must have a minimum dimension of 3 ft. Trees must be protected from potential damage by vehicles through the use of bollards, curbs, wheel stops, or other physical barriers.

33.266.150 Vehicles in Residential Zones

- A. Purpose.** The regulations of this section are intended to reinforce community standards and to promote an attractive residential appearance in the City's neighborhoods. The size, number, and location of parked and stored vehicles in residential zones are regulated in order to preserve the appearance of neighborhoods as predominantly residential in character. Since parking lots and outdoor storage are not intended to be primary activities in residential zones, these activities should constitute no more than a minimal intrusion on any residential area.
- B. Where these regulations apply.** These regulations apply to all residential uses in all R zones.

- C. Parking of passenger vehicles and light trucks.** Passenger vehicles and light trucks may be parked in any allowed parking area.
- D. Parking of medium and heavy trucks.**
 - 1. The parking or storage of medium and heavy trucks and equipment is prohibited, except for motor homes and pickup trucks in the medium truck category.
 - 2. Motor homes in medium truck category may be parked in allowed parking areas except they may not be parked between the front lot line and the building line.
 - 3. Fire trucks and emergency vehicles are allowed if they are parked within a completely enclosed building.
- E. Utility trailers and accessory recreational vehicles.** Utility trailers and accessory recreational vehicles may not be parked or stored in required parking spaces. Utility trailers and accessory recreational vehicles may be parked in other allowed parking areas, except they may not be parked or stored between the front lot line and the building line.
- F. Inoperable vehicles.** The outdoor accumulation and storage of inoperable, neglected, or discarded vehicles is regulated by Section 29.20.010 of Title 29, Property and Maintenance Regulations.
- G. Vehicle service and repair.** Service and repair of vehicles not owned by and registered to a resident of the site is prohibited. Vehicles may be serviced and repaired if:
 - 1. The vehicles are owned by and registered to residents of the site; and
 - 2. The service and repair is minor. Minor service and repair includes tune-ups, replacement and servicing of oil and other fluids, and replacement and adjustment of minor parts such as tires, hoses, belts, filters, fuses, and similar items. It does not include: body and fender repair and replacement; painting; engine or transmission removal or replacement; or any work using welders, torches, or air-driven power tools.

OR

- 3. The vehicles are owned by and registered to a resident of the site; and
- 4. All work occurs within a completely enclosed building; and
- 5. The off-site impact standards of Chapter 33.262 are met.

Bicycle Parking

33.266.200 Minimum Required Bicycle Parking

- A. Purpose.** Bicycle parking is required for most use categories to encourage the use of bicycles by providing secure and convenient places to park bicycles. These regulations ensure adequate short and long-term bicycle parking based on the demand generated by different uses. Minimum bicycle parking facilities are based on the City's mode split goals, while acknowledging the usage rates for different uses. These regulations will help meet the City's goal that 25 percent of all trips be made by bicycle, while still acknowledging that to meet the citywide goal the bicycle mode split will vary by geographic area.

B. Number of spaces required.

1. The required minimum number of bicycle parking spaces for each use category is shown in Table 266-6. No bicycle parking is required for uses not listed. Minimum bicycle parking is calculated on a geographic hierarchy based on the current and future bicycle usage. Standard A in Table 266-6 applies to the areas shown as Standard A on Map 266-1. Standard B in Table 266-6 applies to all other areas of the city.
2. Until June 30, 2022, no bicycle parking is required for projects that are eligible to use the alternative bicycle parking standards specified in Ordinance 189785. To qualify for this exemption the applicant must provide a letter from the Portland Housing Bureau certifying that the project is eligible to use, and has met, the alternative bicycle parking standards specified in Ordinance 189785.
3. The required minimum number of bicycle parking spaces is based on the primary uses on a site. When there are two or more separate primary uses on a site, the required bicycle parking for the site is the sum of the required parking for each primary use.

Table 266-6					
Minimum Required Bicycle Parking Spaces [1]					
		Long-term Spaces		Short-term Spaces	
Uses	Specific Uses	Standard A	Standard B	Standard A	Standard B
Residential Categories					
Household Living	5 or more units on site	2, or 1.5 per unit	2, or 1.1 per unit	2, or 1 per 20 units	2, or 1 per 20 units
	Elderly and disabled housing	2, or 1 per 8 units	2, or 1 per 10 units	2, or 1 per 20 units	2, or 1 per 20 units
Group Living		2, or 1 per 4 bedrooms	2, or 1 per 4 bedrooms	2, or 1 per 20 bedrooms	2, or 1 per 20 bedrooms
	Units with restricted tenancy [2]	2, or 1 per 5 bedrooms	2, or 1 per 10 bedrooms	2, or 1 per 20 bedrooms	2, or 1 per 20 bedrooms
	Dormitory	2, or 1 per 4 bedrooms	2, or 1 per 4 bedrooms	4 spaces	4 spaces

**Table 266-6
Minimum Required Bicycle Parking Spaces [1]**

Commercial Categories					
Retail Sales and Services		2, or 1 per 3,800 sq. ft. of net building area	2, or 1 per 7,500 sq. ft. of net building area	2, or 1 per 2,700 sq. ft. of net building area	2, or 1 per 4,400 sq. ft. of net building area
	Temporary lodging	2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms	2, or 1 per 40 rentable rooms; and 1 per 5,000 sq. ft. of conference, meeting room	2, or 1 per 40 rentable rooms; and 1 per 10,000 sq. ft. of conference, meeting room
	Restaurant and Bar	2, or 1 per 2,300 sq. ft. of net building area	2, or 1 per 4,800 sq. ft. of net building area	2, or 1 per 1,000 sq. ft. of net building area	2, or 1 per 1,600 sq. ft. of net building area
Office		2, or 1 per 1,800 sq. ft. of net building area	2, or 1 per 3,500 sq. ft. of net building area	2, or 1 per 20,000 sq. ft. of net building area	2, or 1 per 33,000 sq. ft. of net building area
Commercial Parking [3]		10, or 1 per 10 auto spaces	10, or 1 per 10 auto spaces	None	None
Commercial Outdoor Recreation		2, or 1 per 12,500 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 2 acres	2, or 1 per 3 acres
Major Event Entertainment		10, or 1 per 10,000 sq. ft. of net building area	10, or 1 per 20,000 sq. ft. or net building area	10, or 1 per 40 seats	10, or 1 per 40 seats
Self-Service Storage		2, or 1 per 100,000 sq. ft. of net building area	2, or 1 per 200,000 sq. ft. of net building area	2, or 1 per 26,000 sq. ft. of net building area	2, or 1 per 53,000 sq. ft. of net building area
Industrial Categories					
Manufacturing and Production		2, or 1 per 5,000 sq. ft. of net building area	2, or 1 per 9,000 sq. ft. of net building area	2, or 1 per 67,000 sq. ft. of net building area	2, or 1 per 111,000 sq. ft. of net building area
Warehouse and Freight Movement		2, or 1 per 12,500 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 200,000 sq. ft. of net building area	2, or 1 per 333,000 sq. ft. of net building area
Wholesale Sales		2, or 1 per 12,500 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 91,000 sq. ft. of net building area	2, or 1 per 152,000 sq. ft. of net building area

Table 266-6 Minimum Required Bicycle Parking Spaces [1]					
		Long-term Spaces		Short-term Spaces	
Institutional Categories					
Basic Utilities	Transit centers	30 spaces	30 spaces	12 spaces	12 spaces
	Light rail stations	12 spaces	12 spaces	4 spaces	4 spaces
Community Service		2, or 1 per 6,700 sq. ft. of net building area	2, or 1 per 12,500 sq. ft. of net building area	2, or 1 per 6,300 sq. ft. of net building area	2, or 1 per 10,000 sq. ft. of net building area
	Libraries, community centers and museums	2, or 1 per 3,000 sq. ft. of net building area	2, or 1 per 5,900 sq. ft. of net building area	2, or 1 per 1,200 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area
	Park and ride	12, or 5 per acre	12, or 5 per acre	6 spaces	6 spaces
Parks and Open Areas		None	None	Per CU Review	Per CU Review
Schools	Grades K through 8	6 per classroom	5 per classroom	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 100,000 sq. ft. of net building area
	Grades 9 through 12	5 per classroom	5 per classroom	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 100,000 sq. ft. of net building area
Colleges	Excluding dormitories (see group living, above)	2, or 1 per 10,000 sq. ft. of net building area	2, or 1 per 20,000 sq. ft. of net building area	2, or 1 per 10,000 sq. ft. of net building area	2, or 1 per 16,000 sq. ft. of net building area
Uses	Specific Uses	Standard A	Standard B	Standard A	Standard B
Medical Centers		2, or 1 per 2,700 sq. ft. of net building area	2, or 1 per 5,500 sq. ft. of net building area	2, or 1 per 50,000 sq. ft. of net building area	2, or 1 per 100,000 sq. ft. of net building area
Religious Institutions		2, or 1 per 11,000 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 14,000 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area
Daycare		2, or 1 per 3,000 sq. ft. of net building area	2, or 1 per 6,000 sq. ft. of net building area	2, or 1 per 25,000 sq. ft. of net building area	2, or 1 per 33,000 sq. ft. of net building area
Other Categories					
Aviation and Surface Passenger Terminals		2, or 1 per 4,500 sq. ft. of net building area	2, or 1 per 4,500 sq. ft. of net building area	None	None
Detention Facilities		2, or 1 per 5,000 sq. ft. of net building area	2, or 1 per 5,000 sq. ft. of net building area	None	None

Notes:

[1] Wherever this table indicates two numerical standards, such as “2, or 1 per 3,000 sq. ft. of net building area,” the larger number applies.

[2] Group Living units with restricted tenancy are units that are regulated affordable housing per the Portland Housing Bureau requirements. The applicant must provide a letter from the Portland Housing Bureau certifying that the group living development meets any income restrictions and administrative requirements. The letter is required to be submitted before a building permit can be issued for the development but is not required in order to apply for a land use review. The applicant must also execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that the group living use will remain limited to households meeting any income restrictions and administrative requirements of the Portland Housing Bureau.

[3] No long-term bicycle parking is required for a Commercial Parking facility with less than 10 vehicle parking spaces.

33.266.210 Bicycle Parking Development Standards

- A. Purpose.** These standards ensure that required bicycle parking is designed so people of all ages and abilities can access the bicycle parking and securely lock their bicycle without undue inconvenience. Bicycle parking is in areas that are reasonably safeguarded from theft and accidental damage. The standards allow for a variety of bicycle types, including but not limited to standard bicycles, tricycles, hand cycles, tandems, electric motor assisted cycles and cargo bicycles. Long-term bicycle parking is in secure, weather protected facilities and is intended for building and site occupants, and others who need bicycle parking for several hours or longer. Short-term bicycle parking is located in publicly accessible, highly visible locations that serve the main entrance of a building. Short-term bicycle parking is visible to pedestrians and bicyclists on the street and is intended for building and site visitors.
- B. Where these standards apply.** The standards of Subsection C and D apply to required long-term bicycle parking, and the standards of Subsection C and E apply to required short-term bicycle parking.
- C. Standards for all bicycle parking.** The Bureau of Transportation maintains a bicycle parking handbook that includes information on rack standards, siting guidelines and other standards of this code chapter. Long-term and short-term bicycle parking must be provided in lockers or racks that meet the following standards:

 - 1. Bicycle parking area standards. The area devoted to bicycle parking must be hard surfaced.
 - 2. Bicycle racks. Where bicycle parking is provided in racks, the racks must meet the following standards:
 - a. The rack must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U-shaped shackle lock, when both wheels are left on the bicycle;
 - b. If the rack is a horizontal rack, it must support the bicycle at two points, including the frame; and
 - c. The rack must be securely anchored with tamper-resistant hardware.

Table 266-7 Minimum Dimensions for Bicycle Parking Spaces [1]						
		Bicycle Space Depth	Bicycle Space Width	Bicycle Space Height	Maneuvering Area Width	Clearance to rack from walls
Standard Spacing						
	Standard Bicycle Spacing	6 ft.	2 ft.	3 ft. 4 in.	5 ft.	2 ft. 6 in.
Alternative Spacing						
	Horizontal: Side by Side	6 ft.	1 ft. 6 in.	3 ft. 4 in.	5 ft.	2 ft. 6 in.
	Horizontal: Wall Attached	6 ft.	2 ft.	3 ft. 4 in.	5 ft.	1 ft.
	Horizontal: Diagonal (45-60 degree)	6 ft.	1 ft. 6 in.	3 ft. 4 in.	5 ft.	3 ft.
	Vertical Spaces [2]	3ft. 4 in.	1 ft. 5 in.	6 ft.	5 ft.	--
	Stacked Spaces [3]	--	1 ft. 5 in.	--	8 ft.	--
	Larger Bicycle Space	10 ft.	3 ft.	3 ft. 4 in.	5 ft.	3 ft.

Notes:

[1] See Figures 266-8 through 266-14.

[2] The alternative spacing allowed for vertical bicycle parking spaces requires a minimum vertical stagger of 8 inches between each space.

[3] The alternative spacing allowed for stacked bicycle parking spaces requires a vertical stagger to be included in the manufacturer design.

3. Bicycle Parking Space, Maneuvering Area, and Clearance Dimensions. Bicycle parking spaces, aisles and clearances must meet the minimum dimensions contained in Table 266-7.
 - a. Standard Bicycle Parking Space Requirements.
 - (1) The standard required bicycle space is 2 feet wide, 6 feet long and 3 feet 4 inches tall. See Figure 266-8;
 - (2) There must be at least 5 feet behind all bicycle parking spaces to allow room for bicycle maneuvering. Where short-term bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way;
 - (3) A wall clearance of 2 feet 6 inches must be provided. See Figure 266-9.
 - b. Alternative Spacing Requirements. The following bicycle parking layouts may be provided as an exception to the standard spacing requirements in Subparagraph C.3.a. See Table 266-7 for the alternative spacing dimensions.
 - (1) Horizontal bicycle parking spaces. Horizontal bicycle parking spaces secure the parked bicycle horizontal to the ground.
 - Horizontal: Side by Side. Horizontal bicycle parking that is placed side by side as shown in Figure 266-9 may meet the alternative side by side dimensions in Table 266-7.

- Horizontal: Wall Attached. Horizontal bicycle parking that is attached to the wall as shown in Figure 266-10 may meet the alternative wall attached dimensions in Table 266-7.
 - Horizontal: Diagonal. Horizontal bicycle parking that is placed at a diagonal as shown in Figure 266-11 may meet the alternative diagonal, 45-60 degree dimensions in Table 266-7.
- (2) Vertical bicycle parking space. Vertical bicycle parking secures the parked bicycle perpendicular to the ground. Vertical bicycle parking that is placed as shown in Figure 266-12 may meet the alternative vertical dimensions in Table 266-7.
- (3) Stacked bicycle parking spaces. Stacked bicycle parking are racks that are stacked, one tier on top of another. Bicycles are horizontal when in the final stored position. Stacked bicycle parking that is placed as shown in Figure 266-13 may meet the alternative stacked dimensions in Table 266-7 and the following:
- The rack must include a mechanically-assisted lifting mechanism to mount the bicycle on the top tier.

**Figure 266-8
Standard Spacing Requirements**

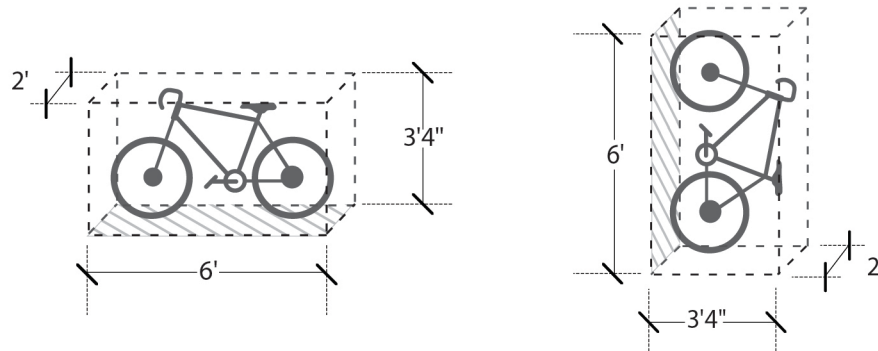


Figure 266-9
Horizontal Spaces: Side-by-Side

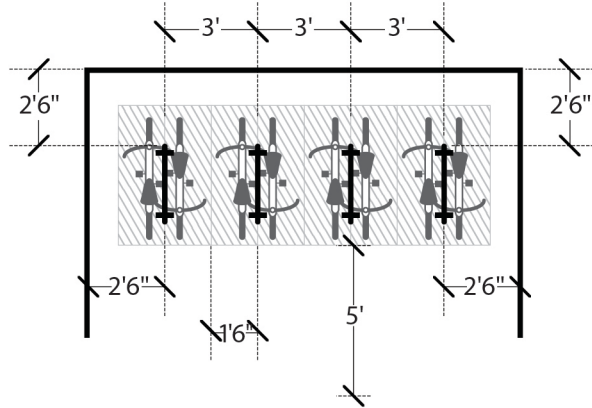


Figure 266-10
Horizontal Spaces: Wall Attached

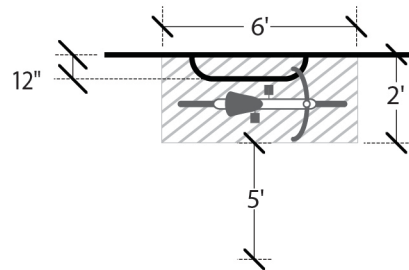


Figure 266-11
Horizontal Spaces: Diagonal (45-60 degree)

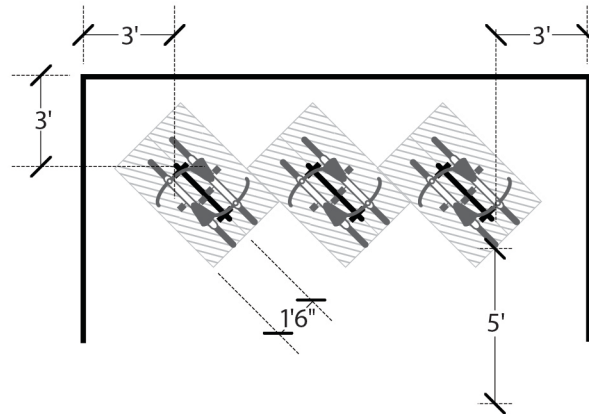
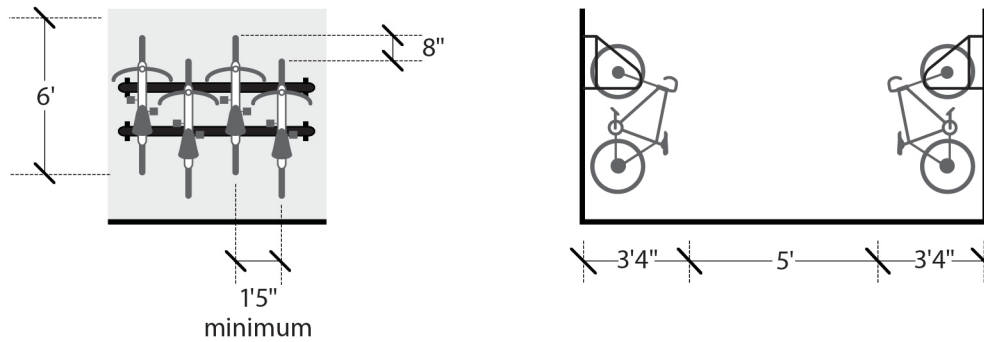
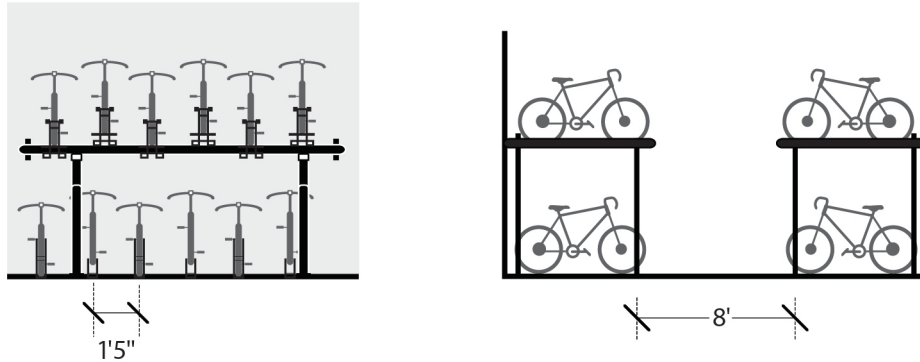


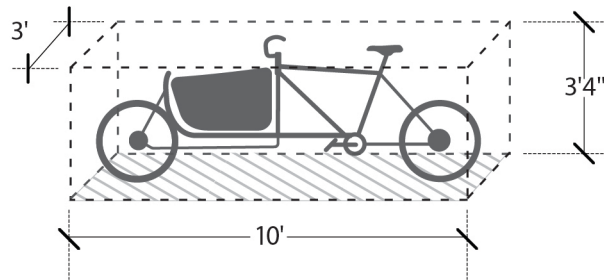
Figure 266-12
Vertical Spaces



**Figure 266-13
Stacked Spaces**



**Figure 266-14
Large Bicycle Space**



4. Bicycle lockers. Bicycle lockers are fully enclosed and secure bicycle parking spaces.
 - a. The locker must be securely anchored to the ground.
 - b. There must be an aisle at least 5 feet wide behind all bicycle lockers to allow room for bicycle maneuvering.
 - c. Locker Dimensions. All bicycle lockers must meet one of the following:
 - (1) The locker space has a minimum depth of 6 feet and an access door that is a minimum of 2 feet wide.

- (2) A locker provided in a triangle locker layout for two bicycle parking spaces must have a minimum depth of 6 feet and an access door that is a minimum of 2 feet wide on each end.

5. Signage

- a. Light rail stations and transit centers. If bicycle parking is not visible from the light rail station or transit center, a sign must be posted at the station or center indicating the location of the bicycle parking.
- b. Other uses. If bicycle parking is not visible from the streets or main building entrances, a sign must be permanently posted at the main entrance indicating the location of the bicycle parking.

6. Bicycle parking information in plans. The following information must be submitted with applications for a building permit or land-use review:

- a. Location, access route to long-term bicycle parking and number of bicycle parking spaces for short-term and long-term bicycle parking requirements;
- b. The model or design of the bicycle parking facilities to be installed;
- c. Dimensions of all aisles and maneuvering areas; and
- d. If applicable, information adequate to illustrate the racks and spaces that satisfy the minimum horizontal requirement, and the racks and spaces that accommodate a larger bicycle footprint.

D. Standards for Long-Term Bicycle Parking.

1. Development Standards. Long-term bicycle parking must be provided in lockers or racks that meet the following standards. Long-term bicycle parking for Schools may choose between (1) or (5) or a combination of those two locations:

- a. Location Standards. Long-term bicycle parking may be provided in one or more of the following locations:
 - (1) Within a building, including on the ground floor or on individual building floors;
 - (2) On-site, including in parking areas and structured parking;
 - (3) In an area where the closest point is within 300 feet of the site; or
 - (4) In a residential dwelling unit. Up to 50 percent of long-term bicycle parking spaces may be provided in a residential dwelling unit, if they meet the following. Long-term bicycle parking provided in a residential dwelling unit does not need to meet the requirements for Paragraph C.2. above. Adjustments and modifications to this Subsubparagraph are prohibited.
 - The bicycle parking is located within 15 feet of the entrance to the dwelling unit.
 - The bicycle parking is located in a closet or alcove of the dwelling unit that includes a rack that meets the standard bicycle parking spacing dimensions in Table 266-7.

- For buildings with no elevators, long-term bicycle parking must be located in the ground floor units.
- (5) For Schools, long-term bicycle parking must be placed where the closest space is within 100 feet of a main entrance.
- b. Exceptions. Sites containing residential development with 12 or fewer dwelling units may provide up to 100 percent of required long-term bicycle parking spaces in the dwelling units. All other in-unit standards in Subsubparagraph D.1.a.(4)., above must be met.
- c. For sites with multiple primary uses, long-term bicycle parking must be provided in an area that can be accessed from each use. If bicycle parking is provided in a common area on the site, the area must be accessible for all tenants.
- d. Covered bicycle parking. All long-term bicycle parking must be covered. Where covered bicycle parking is not within a building or locker, the cover must be:
- (1) Permanent;
 - (2) Impervious; and
 - (3) The cover must project out a minimum of 2 feet beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.
2. Security Standards.
- a. Long-term bicycle parking must meet the following security standards:
- (1) Long-term bicycle parking for residential uses must be provided in one of the following:
 - A restricted access, lockable room or enclosure, designated primarily for bicycle parking;
 - A bicycle locker; or
 - In a residential dwelling unit meeting Subsubparagraph 1.a.(4), above.
 - (2) Long-term bicycle parking for all other uses must be located in one of the following locations. For Schools, a minimum of 10 percent of bicycle parking must be located in the following:
 - A restricted access, lockable room or enclosure; or
 - A bicycle locker.
- b. All access routes and the bicycle parking spaces must be lighted to a level where the system can be used at night by the employees and residents.
3. Additional Development Standards. The following standards apply to sites with more than 20 long-term bicycle parking spaces:
- a. Minimum number of horizontal bicycle parking spaces. At least 30 percent of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack. For Schools (K-8), all spaces located outside of the building must be in a horizontal rack.

- b. Parking for larger bicycle space. At least 5 percent of spaces must accommodate a larger bicycle space, placed in a horizontal rack. These spaces may be included to meet the requirement for Subparagraph D.3.a. See Figure 266-14.
- c. Electrical outlet requirement. At least 5 percent of spaces must have electrical sockets accessible to the spaces. Each electrical socket must be accessible to horizontal bicycle parking spaces.

E. Standards for Short-term Bicycle Parking

1. Development Standards. Short-term bicycle parking must meet the following standards:
 - a. Location Standards. Short-term bicycle parking must meet the following location standards:
 - (1) On-site, outside a building;
 - (2) At the same grade as the sidewalk or at a location that can be reached by an accessible route; and
 - (3) Within the following distances of the main entrance:
 - Building with one main entrance. For a building with one main entrance, the bicycle parking must be within 50 feet of the main entrance to the building as measured along the most direct pedestrian access route. (See Figure 266-15)
 - Building with more than one main entrance. For a building with more than one main entrance, the bicycle parking must be along all façades with a main entrance, and within 50 feet of at least one main entrance on each façade that has a main entrance, as measured along the most direct pedestrian access route. (See Figure 266-16)
 - Sites with more than one primary building. For sites that have more than one primary building, but are not an institutional campus, the bicycle parking must be within 50 feet of a main entrance as measured along the most direct pedestrian access route, and must be distributed to serve all primary buildings (See Figure 266-17);
 - Institutional Campus. On an institutional campus with more than one building or main entrance, the bicycle parking must be either:
 - Within 50 feet of a main entrance as measured along the most direct pedestrian access route; or
 - If the short-term bicycle parking is more than 50 feet from a main entrance, it must be in a common bicycle parking location along a pedestrian access route.
 - b. Bicycle Parking Fund
 - (1) This option may be used if any of the required short-term bicycle parking cannot be provided on site in a way that complies with all of the standards in Subsection C and E. This option may not be used if:
 - There are surface parking areas, plazas, exterior courtyards, or other open areas on the site, other than required landscaping;

- Those open areas are large enough, separately or in combination, to accommodate all short-term bicycle parking; and
 - The open areas meet the location requirements of Subparagraph E.1.a., above.
- (2) Fund use and administration. The Bicycle Parking Fund is collected and administered by the Bureau of Transportation. The funds collected will be used to install bicycle parking and associated improvements in the right-of-way.

Figure 266-15
Short-term bike parking – one building, one entrance

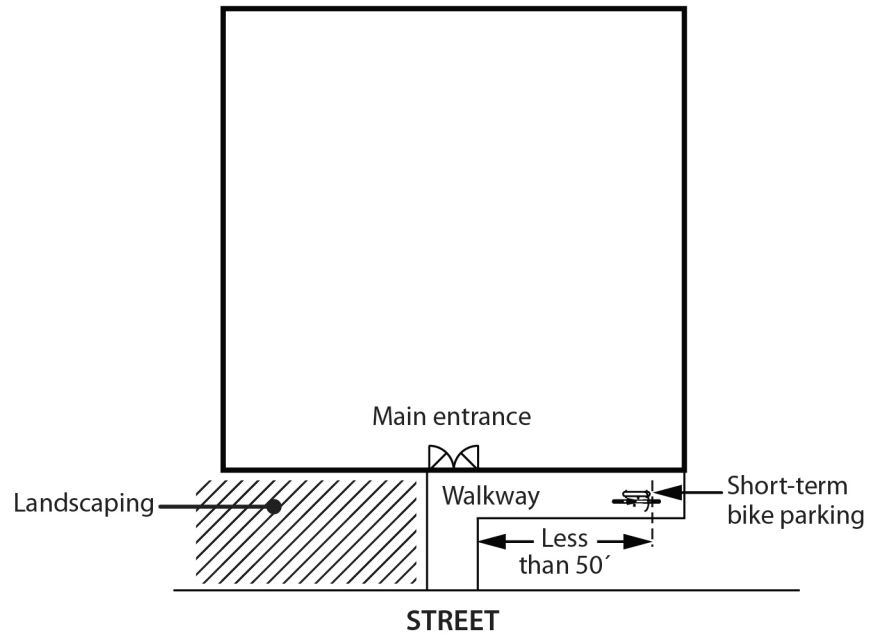


Figure 266-16
Short-term bike parking – one building, multiple entrances

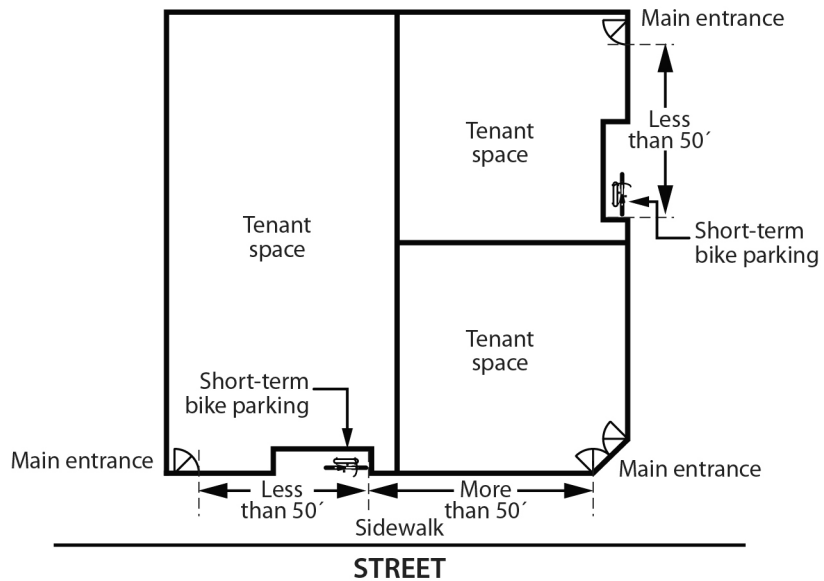
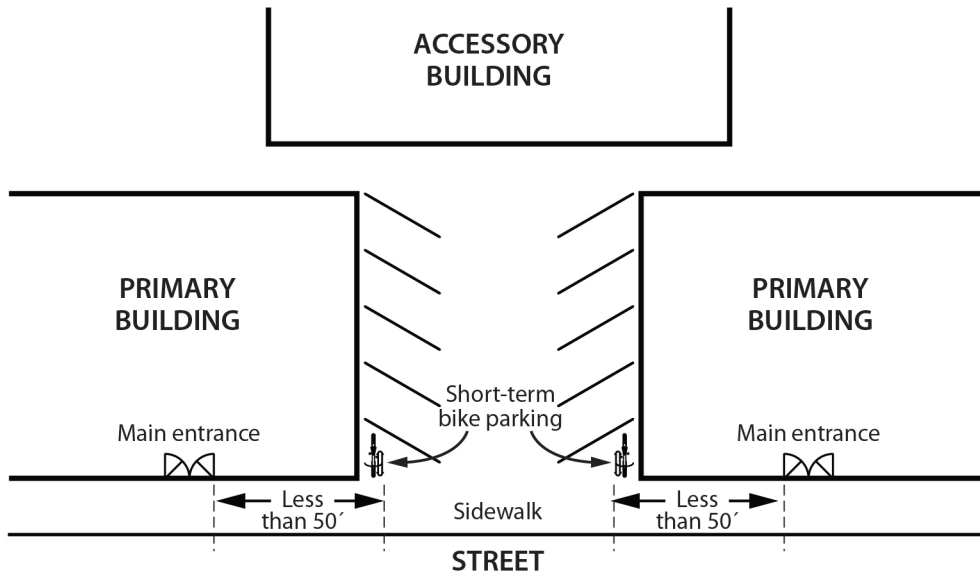


Figure 266-17
Short-term bike parking – multiple buildings, multiple entrances



Loading

33.266.310 Loading Standards

- A. Purpose.** A minimum number of loading spaces are required to ensure adequate areas for loading for larger uses and developments. These regulations ensure that the appearance of loading areas will be consistent with that of parking areas. The regulations ensure that access to and from loading facilities will not have a negative effect on the traffic safety or other transportation functions of the abutting right-of-way.
- B. Where these regulations apply.** The regulations of this section apply to all required and non-required loading areas.
- C. Number of loading spaces.**
 1. Buildings where all of the floor area is in Household Living uses must meet the standards of this Paragraph.
 - a. One loading space meeting Standard B is required where there are more than 40 dwelling units in the building and the site abuts a street that is not a streetcar alignment or light rail alignment.
 - b. One loading space meeting Standard B is required where there are more than 20 dwelling units in a building located on a site whose only street frontage is on a streetcar alignment or light rail alignment.
 - c. One loading space meeting Standard A or two loading spaces meeting Standard B are required when there are more than 100 dwelling units in the building.
 2. Buildings where any of the floor area is in uses other than Household Living must meet the standards of this Paragraph.

- a. Buildings with any amount of net building area in Household Living and with less than 20,000 square feet of floor area in uses other than Household Living are subject to the standards in C.1. above.
 - b. One loading space meeting Standard A is required for buildings with at least 20,000 and up to 50,000 square feet of net building area in uses other than Household Living.
 - c. Two loading spaces meeting Standard A are required for buildings with more than 50,000 square feet of net building area in uses other than Household Living.
- D. Size of loading spaces.** Required loading spaces must meet the standards of this subsection.
- 1. Standard A: the loading space must be at least 35 feet long, 10 feet wide, and have a clearance of 13 feet.
 - 2. Standard B: The loading space must be at least 18 feet long, 9 feet wide, and have a clearance of 10 feet.
- E. Placement, setbacks and landscaping.** Loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-8 below. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.
- F. Forward motion.**
- 1. Outside the Central City plan district. Outside the Central City plan district, loading facilities generally must be designed so that vehicles enter and exit the site in a forward motion. Standard B loading spaces that are accessed from a Local Service Traffic Street are exempt from this requirement
 - 2. In the Central City plan district. In the Central City plan district, loading facilities that abut a light rail or streetcar alignment must be designed so that vehicles enter and exit the site in a forward motion.
- G. Paving.** In order to control dust and mud, all loading areas must be paved.

Table 266-8		
Minimum Loading Area Setbacks And Perimeter Landscaping		
Location	All zones except EG2 and IG2	EG2, IG2
Lot line abutting street	5 ft. / L2 or 10 ft. / L1	10 ft. / L2 or 15 ft. / L1
Lot line abutting a C, E, I, or CI zone lot line	5 ft. / L2 or 10 ft. / L1	10 ft. / L2 or 10 ft. / L1
Lot line abutting an OS zone lot line	5 ft. / L3	10 ft. / L3
Lot line abutting an R or IR zone lot line	5 ft. / L4	10 ft. / L4

Transportation and Parking Demand Management

33.266.410 Transportation and Parking Demand Management

- A. Purpose.** Transportation and parking demand management (TDM) encompasses a variety of strategies to encourage more efficient use of the existing transportation system, and reduce reliance on the personal automobile. This is achieved by encouraging people through education, outreach, financial incentives, and pricing to choose other modes, share rides, travel outside peak times, and telecommute, among other methods. Effective TDM also incorporates management of parking demand. Transportation and parking demand management strategies help reduce traffic congestion, reduce the amount of money that must be spent to expand transportation system capacity, improve air quality, and ensure road capacity is available for those who need it most.
- B.** Transportation and parking demand management in the commercial/mixed use and multi-dwelling zones. In the commercial/mixed use and multi-dwelling zones, a TDM plan is required when new development includes a building with more than 10 dwelling units, or an alteration to existing development includes the addition of more than 10 dwelling units within a building. Sites in the Central City plan district, and sites that are located far from transit, as described in Paragraph 33.266.110.B.2, are exempt from this requirement. To meet the TDM standard, the applicant must choose one of the following:
1. Go through the Transportation Impact review process set out in chapter 33.852; or
 2. Meet the objective standards of Title 17.107 as verified by the Portland Bureau of Transportation.

33.266.420 Transportation Impact Review in the Campus Institutional Zones

Development on a site zoned CI with a College or Medical Center use must conform to an approved Transportation Impact review. Development that is not in conformance with an approved Transportation Impact review requires Transportation Impact review when the development:

- A.** Increases the net building area on the campus by more than 20,000 square feet; or
- B.** Increases the number of parking spaces on the campus by more than 4.

(Amended by: Ord. No. 164014, effective 3/27/91; Ord. No. 164899, effective 12/11/91; Ord. No. 165376, effective 5/29/92; Ord. No. 166313, effective 4/9/93; Ord. No. 167054, effective 10/25/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 169324, effective 10/12/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169699, effective 2/7/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. Nos. 175341 and 175358, effective 3/16/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175966, effective 10/26/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 177701, effective 8/30/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 179316, effective 7/8/05; Ord. No. 179845, effective 1/20/06; Ord. No. 179980, effective 4/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183598, effective 4/24/10; Ord. No. 184524, effective 7/1/11; Ord. No. 185974, effective 5/10/13; Ord. No. 186639, effective 7/11/14; Ord. No. 187216, effective 7/24/15; Ord. No. 188162, effective 2/1/17; Ord. No. 188259, effective 3/31/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189137, effective 8/22/18; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190093, effective 8/1/21; Ord. No. 190380, effective 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 190851, effective 6/30/22; Ord. No. 191164, effective 3/31/23.)

33.279 Recreational Fields for Organized Sports

279

Sections:

- 33.279.010 Purpose
- 33.279.020 Where These Regulations Apply
- 33.279.025 Conditional Use Review
- 33.279.030 Alterations Allowed Without Conditional Use Review
- 33.279.035 Conditional Use Review Procedure Types
- 33.279.040 Development Standards
- 33.279.060 Additional Regulations

33.279.010 Purpose

The recreational field requirements:

- Allow flexibility in the use and development of recreational fields;
- Recognize that recreational fields used for organized sports have a special relationship to the community and are an important resource;
- Recognize that demographics and program needs change over time, and that alterations and additions to recreational fields respond to those changes; and
- Maintain compatibility with and limit the negative impacts on surrounding residential areas.

33.279.020 Where These Regulations Apply

The regulations of this chapter apply if all the following are met:

- A. The recreational field is used for organized sports;
- B. The recreational field is in an OS, R, or IR zone; and
- C. The recreational field is located on a school, school site, or in a park.

33.279.025 Conditional Use Review

Unless the proposal meets the thresholds of 33.279.030, development or alterations related to a recreational field for organized sports requires a conditional use review. Approval criteria for the review are stated in Chapter 33.815, Conditional Use Reviews.

33.279.030 Alterations Allowed Without Conditional Use Review

Alterations related to a recreational field for organized sports to the site that meet all of the following are allowed without a conditional use review provided the proposal meets all of the following thresholds.

- A. Complies with all previous conditions of approval;
- B. Complies with the development standards of this Title; or if the proposal does not comply with the development standards of this Title, the proposal has received approval through an adjustment or modification review;
- C. Does not increase the net building area by more than 1,500 square feet;

- D. Does not increase the exterior improvement area by more than 1,500 square feet. Fences, handicap access ramps, on-site pedestrian circulation systems, Community Gardens, Market Gardens, electric vehicle chargers and equipment, and increases allowed by Subsections F. through H. below are exempt from this limitation;
- E. Will not result in a net gain or loss of site area;
- F. Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
 - 1. On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; however, the removal of more than 5 spaces requires a conditional use review;
 - 2. Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
 - 3. Any cumulative loss or gain of parking allowed in F.1 or F.2 above is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.
- G. Does not result in total spectator seating per field exceeding 210 lineal feet;
- H. Does not add more than one new field for organized sports. Up to one new field may be added once per site, after June 4, 2010, without a conditional use review. The new field must:
 - 1. Meet the development standards of Section 33.279.040;
 - 2. Not include lighting, a voice amplification system, or spectator seating in excess of 210 lineal feet;
 - 3. Be located within 300 feet of one or more existing on-site fields approved for organized sports; and
 - 4. Be approved under a Building or Zoning Permit that identifies the existing development and the new field that is being added, per this paragraph.
- I. Does not reestablish use of a recreational field that has not been used for organized sports for a period of less than 5 continuous years.

33.279.035 Conditional Use Review Procedure Types

Unless allowed by 33.279.030, all recreational fields for organized sports are reviewed through the review procedures stated below.

- A. **Type II.** A Type II review is required for the following individual or cumulative alterations, provided the proposed alterations to the site do not violate any conditions of approval. The alterations in A.3 through A.7 are measured from the time the recreational field became a conditional use or from the last conditional use review of the use, whichever is most recent, to the present:

1. When a voice amplification system is being added to a recreational field that does not currently have an approved voice amplification system;
 2. When there will be a net loss in site area that will not take the site out of conformance, or further out of conformance, with a site development standard;
 3. When there will be an increase or decrease in the net number of parking spaces by up to 2 spaces or up to 10 percent of the total number of parking spaces, whichever is greater;
 4. When the alterations will not increase the net building area on the site by more than 10 percent, up to a maximum of 25,000 square feet;
 5. When the alterations will not increase the exterior improvement area on the site by more than 10 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.279.030.F are exempt from this limitation;
 6. When the alterations will not increase the net building area and the exterior improvement area on the site by more than 10 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.279.030.F are exempt from this limitation;
 7. When the alterations will not increase the linear footage of spectator seating per field by more than 10 percent; or
 8. When the proposal will reestablish use of a recreational field that has not been used for organized sports for more than 5 years, but less than 10 years.
- B. Type III.** A Type III review is required for the following proposals:
1. New recreational fields, except as allowed by 33.279.030.H above;
 2. Lighting for recreational fields that currently do not have approved lighting;
 3. All other alterations to development related to recreational fields used for organized sports on the site, that are not otherwise allowed or reviewed through a Type II procedure, as described above; or
 4. Resuming use of a recreational field that has not been used for organized sports for 10 years or more.

33.279.040 Development Standards

- A. Purpose.** Ensure that recreational fields and accessory structures will be compatible with and minimize negative impacts on adjacent uses.
- B. Standards.** The standards of this subsection apply to new fields, alterations to existing fields, and accessory structures.
1. Recreational fields. Recreational fields must be set back at least 50 feet from adjacent R or IR zoned sites. Setbacks are measured from property lines to foul line for baseball and softball fields, and to the field end or side lines for all other sports.

2. Accessory structures. Spectator seating such as bleachers or benches must be set back at least 30 feet from adjacent R or IR zoned sites and at least 15 feet from all other lot lines. All other accessory structures including dugouts, concession stands, and restrooms must be set back at least 15 feet from all lot lines.

33.279.060 Additional Regulations

Other City regulations may apply to recreational fields used for organized sports. See Title 20, Parks and Recreation.

(Added by Ord. No. 183750, effective 6/4/10. Amended by: Ord. No. 185412, effective 6/13/12; Ord. No. 186639, effective 7/11/14; Ord. No. 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. 188177, effective 5/24/18; Ord. No. 191164, effective 3/31/23.)

B. Other uses on school sites.

1. Daycare, Community Service, Community Gardens, Market Gardens, and nonprofit or social service Office uses are allowed at a school site. However, these uses must comply with the parking requirements in Chapter 33.266, Parking and Loading. In addition, any exterior recreation areas including playgrounds and fields must be maintained and open to the public at times when the use is not occupying the areas.
2. Parks and Open Area uses at school sites are subject to the use regulations of the base zone, plan district and overlay zone. Recreational fields used for organized sports are subject to the regulations of 33.279, Recreational Fields for Organized Sports.
3. Change to another conditional use or the addition of another conditional use in a different use category, except as allowed by Paragraph B.1. or B.2. above, are reviewed through a Type III procedure.
4. Office uses, other than nonprofit or social service offices allowed by Paragraph B.1., above, are reviewed through a Type III procedure.
5. Commercial or industrial uses other than those allowed in Paragraphs B.1. and B.4., above, are reviewed through a Type III procedure. The operators of the uses must be nonprofit, governmental, or social service agencies. The uses may only be in portions of buildings that are already designed to accommodate the proposed use. For example, a social service agency could request approval to run a vocational training program in the auto shop portion of a building on the site.
6. Adding an allowed use may or may not require a conditional use depending on the proposed changes to development on the site. See Section 33.281.050.

33.281.050 Review Thresholds for Development

This section states when development related to schools and on school sites in the OS, R, and IR zones is allowed, when a conditional use review is required, and the type of procedure used. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

A. Allowed. Alterations to the site that meet all of the following are allowed without a conditional use review.

1. The addition of new outdoor recreation areas, or changes to existing outdoor recreation areas;
2. The demolition and replacement of up to 25 percent of the existing net building area on the site;
3. The addition of up to 2,000 square feet of new net building area to the site;
4. Increases of exterior improvement areas up to 2,000 square feet. Fences, handicap access ramps, on-site pedestrian circulation systems, Community Gardens, Market Gardens, electric vehicle chargers and equipment, bicycle parking and increases allowed by Paragraphs A.6 and A.9 are exempt from this limitation;

5. Changes that do not result in a net gain or loss of site area;
 6. The alteration will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
 - a. On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; however, the removal of more than 5 spaces requires a conditional use review. Parking spaces removed to create accessible spaces as specified in the Oregon Structural Specialty Code are exempt from this limitation;
 - b. Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
 - c. Any cumulative loss or gain of parking allowed in A.6.a or A.6.b is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.
 7. The alteration meets one of the following:
 - a. Complies with the development standards of this Title; or
 - b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
 8. The alteration complies with all previous conditions of approval;
 9. The addition of roof-mounted solar panels that meet the requirements of the base zone, and ground mounted solar panels.
- B. Type II.** A Type II review is required when the following individual or cumulative alterations are proposed. The increases in paragraphs B.3 through B.6, are measured from the time the use became a conditional use or the last conditional use review of the use, whichever is most recent, to the present.
1. When proposed alterations to the site will not violate any conditions of approval;
 2. When there will be a net loss in site area;
 3. When there will be an increase or decrease in the net number of parking spaces by up to 2 spaces or up to 10 percent of the total number of parking spaces, whichever is greater;
 4. When the alterations will not increase the net building area on the site by more than 25 percent, up to a maximum of 25,000 square feet;
 5. When the alterations will not increase the exterior improvement area on the site by more than 25 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by B.3 are exempt from this limitation; or
 6. When the alterations will not increase the net building area and the exterior improvement area on the site by more than 25 percent, up to a maximum of 25,000

square feet. Parking area increases that are allowed by B.3 are exempt from this limitation.

- C. **Type III.** All other alterations to development on the site, including alterations not allowed by Subsections A. and B. are reviewed through a Type III procedure.

33.281.055 Loss of Conditional Use Status on School Sites.

If a school use is discontinued for more than 5 continuous years, a new conditional use is required. A school use has been discontinued if the use ceases operations, even if the structure or materials related to the use remain. Any school use proposing to locate at the site after more than 5 years of discontinued use must go through a new conditional use review. The new conditional use is reviewed as follows:

- A. If the school use has been discontinued for less than 10 years, and the proposed new school use does not include any of the Type III changes listed in 33.281.030.B or 33.281.050.C, the conditional use is reviewed through a Type II procedure.
- B. If the school use has been discontinued for less than 10 years, and the proposed new school use includes any of the Type III changes listed in 33.281.030.B or 33.281.050.C, the conditional use is reviewed through a Type III procedure.
- C. If the school use has been discontinued for more than 10 years, the conditional use is reviewed through a Type III procedure.

Regulations in C and E zones

33.281.060 Use Regulations

In the C and E zones, new schools and changes to existing schools are allowed by right subject to the development standards of the base zone and this chapter. Other uses on school sites are subject to the regulations of the base zone.

Development Standards

33.281.100 General Standards

In the OS, R, and IR zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in 33.110.270 and 33.120.275. In C and E zones, the development standards of the base zone apply except where superseded by the standards in this chapter. Recreational fields used for organized sports are subject to Chapter 33.279, Recreational Fields for Organized Sports.

33.281.110 Building Coverage and Floor Area Ratio

If the school site is contiguous with a public park, and the school has a signed joint use agreement with the Park Bureau, then the building coverage and FAR calculations are based on the combined site area.

33.281.120 Special Event Parking

Paved play areas may be used for special event parking. The area does not have to comply with landscaping requirements for parking areas. These areas may not be used for required parking for the uses on the site.

33.281.130 Bus Loading

- A. Purpose.** The purpose of bus loading requirements is to provide safe and efficient bus loading areas in a manner that has minimal negative impacts on the surrounding uses and on the traffic flow and access potential of the surrounding streets. Whenever possible bus loading should be done on-site.
- B. New school sites.** On-site bus loading is required for new school sites.
 - 1. When there is a conditional use review, the size and design of the bus loading area is determined as part of the conditional use review.
 - 2. When there is no conditional use review, the bus loading area must meet the standards of Section 33.266.310, Loading Standards, except for landscaped setbacks. Bus loading areas are required to comply with the landscaped setbacks for parking areas, not loading areas.
- C. Existing school sites.**
 - 1. When there is a conditional use review, alterations to on-street and on-site bus loading are reviewed by BDS and Office of Transportation. The provision of on-site bus loading is encouraged whenever possible.
 - 2. When alterations to bus loading are not part of a conditional use review, alterations to existing on-street bus loading are reviewed and approved by the Portland Bureau of Transportation.

33.281.140 Landscaping

This section states exceptions to the normal landscaping requirements.

- A. Parking areas.** In parking areas where L3 landscaping is normally required, a 20-foot deep area landscaped to the L2 standard may be substituted. Special event parking is addressed in 33.281.120.
- B. Other landscaping.** In situations where L3 landscaping is required by the base zone or other regulations, L1 or L2 landscaping may be substituted. However, the landscaping requirements for parking areas are stated in Subsection A. above.

33.281.150 Temporary Structures

Temporary, portable, or relocatable structures are treated as any other type of structure. Structures which are proposed to be placed temporarily on a site during construction, are reviewed as part of the conditional use review of the proposed construction.

(Amended by: Ord. No. 175837, effective 9/7/01; Ord. No. 176469, effective 7/1/02; Ord. No. 179092, effective 4/1/05; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07;

Ord. No. 183598, effective 4/24/10; Ord. No. 183750, effective 6/4/10; Ord. No. 184443, effective 4/1/11; Ord. No. 185412, effective 6/13/12; Ord. No. 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189784, effective 3/1/20; Ord. No. 190000, effective 6/18/20; Ord. No. 190093, effective 8/1/21; Ord. No. 191164, effective 3/31/23.)

33.284 Self-Service Storage

284

Sections:

- 33.284.010 Purpose
- 33.284.020 Use Regulations
- 33.284.030 Development Standards
- 33.284.040 Design Review

33.284.010 Purpose

Self-Service Storage uses have some characteristics in common with both commercial use and industrial uses. This chapter provides regulations so that Self-Service Storage uses can be appropriately sited in either industrial zones or some commercial/mixed use zones, while maintaining the desired character and function of the specific zones. In general, Self-Service Storage uses are similar to other commercial uses in that they provide a service to residential and business uses. The character of their development is often more similar to industrial buildings. The supplemental use and design standards ensure that development of self-service storage facilities add to the vitality of commercial areas and transit-oriented locations.

33.284.020 Use Regulations

- A. Prohibited Use.** Outside of the Central City Plan District, Self-Service Storage is prohibited on a site where any portion of the site is within 500 feet of a transit station.
- B. Required Ground Floor Active Use.** The following ground floor active use regulations apply outside of the Central City Plan District in the CM3, CE, CX, EG1, EG2 and EX zones on the following sites:
 - 1. When ground floor active use is required. The ground floor active use standard applies when a Self-Service Storage use is located within 100 feet of a neighborhood corridor, civic corridor or streetcar line.
 - 2. Ground floor active use standard. At least 50 percent of the ground-level floor area located within 100 feet of a neighborhood corridor, civic corridor or streetcar line must be in one or more of the ground floor active uses listed in Paragraph B.3, where allowed by the base zone. Parking areas do not count toward the required amount of ground floor active use. Areas shared among the active uses listed below are included in active floor area. Areas shared by a use not listed below are not included in active floor area.
 - 3. Ground floor active uses:
 - a. Retail Sales and Service;
 - b. Office;
 - c. Vehicle Repair;
 - d. Industrial Service;
 - e. Manufacturing and Production;
 - f. Wholesale Sales;

- g. Daycare;
- h. Community Service;
- i. Religious Institutions.

33.284.030 Development Standards

The development standards of the base zone apply unless the standard is superseded by regulations in this section.

- A. Purpose.** The special development standards in the C and EX zones are intended to allow self-service storage facilities to locate on certain sites in these zones where they can be close to the residential and business uses that they serve. At the same time, the development standards direct their location to sites that do not have major frontage on commercial streets. This prevents large sections of the commercial streets from being developed with uses that have extremely low activity levels that detract from the vitality and desired interaction among commercial uses in the area. This also allows them to locate on odd-shaped or infill sites that are difficult to develop for many commercial uses.
- B. Maximum site frontage.** In the C and EX zones, the maximum site frontage along a street is 100 feet. This limitation applies only to sites for the construction of new buildings that are 30 feet or less in height.
- C. Storage areas.** The maximum size of individual storage areas in C and EX zones is 500 square feet.
- D. Internal circulation.** The internal circulation between buildings must be wide enough so that there is a 12-foot wide travel lane for emergency vehicles to pass while tenant's vehicles are parked at their storage areas.
- E. Parking.** For parking requirements see Chapter 33.266, Parking and Loading.
- F. Ground floor active use standards.** The ground level floor area that must be in active use as required by 33.284.020 must meet the following standards:
 - 1. The distance from the finished floor to the bottom of the ceiling structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
 - 2. The area must be at least 25 feet deep measured from the street-facing façade; and
 - 3. The area must have at least one main entrance that faces the street.

33.284.040 Design Review

- A. Purpose.** Design review is required for new buildings in the C and EX zones to ensure that the development has a high design quality appropriate to the desired character of the zone and to avoid the monotonous look of many industrial-style buildings.
- B. Design review required.** In the C and EX zones, all Self-Service Storage uses to be located in newly constructed buildings must be approved through Design review.
- C. Procedure.** Design review for Self-Service Storage uses is processed through a Type II procedure. However, uses that require design review because of an overlay zone or plan district are processed as provided for in those regulations.

- D. Design review approval criteria.** A design review application will be approved if the review body finds that the applicant has shown that the Portland Citywide Design Guidelines have been met. If the site is within a design district, the guidelines for that district apply instead of the Portland Citywide Design Guidelines. Design districts are shown on maps 420-1 through 420-4. Where two of the design districts shown on those maps overlap, both sets of guidelines apply.

(Added by: Ord. No. 188177, effective 5/24/18. Amended by: Ord. No. 188958, effective 5/24/18; Ord. No. 190477, effective 8/1/21; Ord. No. 191079, effective 3/31/23.)

2. Density. Table 285-1 sets out the maximum number of shelter beds allowed within a facility. If the site has split zoning, the smaller number applies. Adjustments to this standard are prohibited.

Table 285-1 Maximum Number of Shelter Beds for Mass Shelters	
Zone of Site	Maximum Number of Shelter Beds
EX, CX, CM3, and CE	200
CM2 and CI2	140
RX, RM3, and RM4	60
RM1, RM2, RMP, CI1, IR, CR, CM1	30
RF-R2.5 [1]	20

Notes:

[1] The mass shelter must be operated on the site of an existing institutional use, excluding sites in a Parks and Open Areas use.

3. Outdoor activities. All functions associated with the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting must take place within the building proposed to house the shelter. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.
 4. Hours of operation. To limit outdoor waiting, the facility must be open for at least 8 hours every day between 7:00 AM and 7:00 PM.
 5. Supervision. On-site supervision must be provided at all times.
 6. Toilets. At least one toilet must be provided for every 15 shelter beds.
 7. Development standards. The development standards for residential development in the base zone, overlay zone, or plan district apply to mass shelters, unless superseded by standards in this subsection.
 8. Parking. No motor vehicle parking is required.
- C. Outdoor shelters.** Outdoor shelters are exempt from development standards in base zones, overlay zones, and plan districts. Outdoor shelters are subject to the following standards:
1. An outdoor shelter is prohibited in the following:
 - a. Environmental overlay zones;
 - b. Pleasant Valley Natural Resource overlay zone;
 - c. River Natural overlay zones;
 - d. River Environmental overlay zones;
 - e. Scenic overlay zones;
 - f. Within and riverward of the greenway setback;

- g. Within and riverward of the river setback; and
 - h. The special flood hazard area.
 2. Minimum and maximum site size.
 - a. The minimum required site size for an outdoor shelter is 3,000 square feet. Institutional uses are exempt from this standard. Adjustments are prohibited.
 - b. In I zones, the maximum size for an outdoor shelter is 2 acres. Adjustments are prohibited.
 3. The facility must operate 24 hours a day.
 4. The facility must have a designated supervisor.
 5. Development associated with the outdoor shelter, other than screening required by Paragraph C.6., must be setback at least 5 feet all lot lines.
 6. The outdoor shelter must be screened from the street and any adjacent properties. Screening from the street must comply with at least the L2 or F1 standards of Chapter 33.248, Landscaping and Screening, with the exception that a fence can be a minimum of 3-feet high. Screening from adjacent properties must comply with at least the L3 or F1 standards of Chapter 33.248, Landscaping and Screening.
 7. The maximum height for structures associated with the outdoor shelter is 20 feet.
 8. No motor vehicle parking is required.
 9. An outdoor shelter located in the South Subdistrict of the Johnson Creek Basin plan district is subject to the development standards in section 33.537.140.
 10. An outdoor shelter located in a River overlay zone, the Columbia South Shore plan district, or the Portland International Airport plan district is subject to the respective archeological resource protection standards of the overlay zones or plan districts.

(Added by Ord. No. 167189, effective 1/14/94. Amended by: Ord. No. 174263, effective 4/15/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. No. 187216, effective 7/24/15; Ord. No. 188077, effective 12/9/16; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189137, effective 8/22/18; Ord. No. 189805, effective 3/1/20; Ord. No. 190380, effective 4/30/21; Ord. No. 191171, effective 3/31/23.)

- (5) Building permit. Prior to the start of the construction project, a building permit must be obtained from the City. The application for the building permit must contain evidence that the project will comply with the staging area standards. For public utility projects, if the project will be implemented through a contract with the City, then the evidence of compliance may be shown as specifications in the contract. If the public utility project does not involve a contract with the City evidence of compliance must include performance guarantees for the requirements in c.(3), Dust, mud, and erosion control, and c.(4), Final condition. Performance guarantees must comply with the provisions of Section 33.700.050, Performance Guarantees.

G. Natural disasters and emergencies. Temporary activities and structures needed as the result of a natural disaster, shelter shortage, or other health and safety emergencies are allowed for the duration of the emergency. Temporary activities include food, water, and equipment distribution centers, medical facilities, short term shelters, mass shelters, outdoor shelters, warming or cooling shelters, and triage stations.

H. Mass and outdoor shelters.

1. Mass shelters. Mass shelters are allowed as a temporary activity for up to 180 days within a calendar year.
2. Outdoor shelters. Outside of OS zones, outdoor shelters are allowed as a temporary activity for up to 180 days within a calendar year when the outdoor shelter is located outside of Environmental overlay zones, the River Natural overlay zone, the River Environmental overlay zone, the Pleasant Valley Natural Resource overlay zone, and the special flood hazard area.

I. Radio Frequency Transmission Facilities. Temporary facilities for personal wireless service facilities are allowed for up to 120 days in a calendar year. Meeting this regulation must be documented through a zoning permit.

J. Commercial filming. In all zones, commercial filming is allowed as a temporary activity. For all sites, except sites in the OS zone, the time between filming events must be four times as long as the duration of the last event.

33.296.040 General Regulations.

All temporary activities are subject to the regulations listed below.

- A.** Permanent development or alterations to existing development are prohibited, unless consistent with the development standards for uses allowed by right in the underlying zone or required by applicable building, fire, health, or safety codes.
- B.** Temporary activities may not cause the elimination of required off-street parking, except as follows:
 1. Farmers Markets. Required parking may be temporarily occupied by a Farmers Market, as follows:

- a. The market may occupy up to 3 required spaces or 30 percent of the required spaces, whichever is more; or
 - b. If the market occurs at a time other than a peak time for the primary use on the site, the market may occupy all of the required spaces. If this option is used, the operator of the market must keep an analysis on file. The analysis must document when the peak times are for the primary use, and the hours of operation (including set-up and take-down) for the market.
2. Outdoor shelters. All required parking may be temporarily occupied by an outdoor shelter.
- C.** Temporary activities that are maintained beyond the allowed time limits are subject to the applicable use and development standards of the zoning code.
- D.** Temporary activities on sites where the primary use is a conditional use may not violate the conditions of approval for the primary use, except as allowed by Subsection B.
- E.** These regulations do not exempt the operator from any other required permits such as sanitation facility permits or electrical permits.

(Amended by: Ord. No. 164264, effective 7/5/91; Ord. No. 167054, effective 10/25/93; Ord. No. 171718, effective 11/29/97; Ord. No. 174263, effective 4/15/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. No. 182429, effective 1/16/09; Ord. No. 185412, effective 6/13/12; Ord. No. 186639, effective 7/11/14; Ord. No. 188077, effective 12/9/16; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189137, effective 08/22/18; Ord. No. 189805, effective 3/1/20; Ord. No. 190241, effective 3/1/21; Ord. No. 190380, effective 4/30/21; Ord. No. 191171, effective 3/31/23.)

33.420.045 Items Exempt From This Chapter

The following items are exempt from the regulations of this chapter:

A. General exemptions:

1. Development that does not require a permit;
2. Development when:
 - a. The only use on the site will be Household Living;
 - b. There will be no more than four dwelling units total on the site;
 - c. All new buildings and additions to existing buildings on the site are no more than 35 feet in height; and
 - d. The site is not zoned RX, EX, or CX;
3. Houseboats in a houseboat moorage;
4. Manufactured dwelling parks;
5. Outdoor shelters;
6. Development associated with a Rail Lines and Utility Corridor use;
7. Development associated with a Parks and Open Areas use when the development does not require a conditional use review;
8. Anemometers, and small wind energy turbines that do not extend into a view corridor designated in the Scenic Resources Protection Plan; and
9. New bridges in the right-of-way, and alterations to existing bridges in the right-of-way. However, a new bridge in the right-of-way with a horizontal span more than 100 feet must complete a design advice request with the Design Commission as specified in 33.730.050.B.

B. Exterior alterations

1. Repair, maintenance, and replacement with comparable materials;
2. Exterior alterations to a structure required to meet the Americans With Disabilities Act's requirements, or as specified in Section 1113 of the Oregon Structural Specialty Code;
3. Exterior work activities associated with an Agriculture use;
4. Detached accessory structures when the structure has a building coverage no more than 300 square feet in area and is located at least 20 feet from all street lot lines, or located within an existing vehicle area;
5. Exterior alterations for parking lot landscaping, short-term bicycle parking, and pedestrian circulation systems when all relevant development standards of this Title are met;

6. Electric vehicle chargers and equipment.
7. Except in the South Auditorium plan district, signs with a sign face area of 32 square feet or less;
8. The following alterations to the facade of a building:
 - a. Awnings as follows:
 - (1) If awnings were approved on the same facade through design review, then a new or replacement awning is exempt if it meets the previous design review conditions of approval; or
 - (2) If there are no previous conditions of approval for awnings on the same facade, then a new or replacement awning is exempt if the awning projects at least four feet from the wall, and the area of the awning does not exceed 200 square feet measured from the building elevation, except in the Central City, where it does not exceed 100 square feet measured from the building elevation;
 - b. Alterations to an existing ground floor storefront glazing and mullion system that uses the same materials and profile as the existing system without reducing the percentage of ground floor windows on the facade;
 - c. Louvers or vents for mechanical systems that meet the following:
 - (1) The louver or vent opening affects 1 square foot or less of the facade and is the same color as the adjacent facade; or
 - (2) The louver or vent is placed within an existing window mullion, is the same color as the mullion, and is at least 8 feet above the adjacent grade;
 - d. Radon systems on non-street facing facades;
 - e. The removal of fire escapes;
 - f. Seismic bracing, except on street-facing facades within the Central City plan district; or
 - g. Any other alteration to a facade when the total area of the alteration is 200 square feet of the facade or less measured from the building elevation and the alteration meets one of the following. This exemption does not apply to signs or within the Central City plan district:
 - (1) On street-facing facades, the alteration is above the ceiling of the ground floor or is setback at least 20 feet from the street lot line; or
 - (2) The alteration is on a facade that does not face the street;
9. The following alterations to the roof of a building when the roof has a 1/12 pitch or less:
 - a. Ecoroofs, landscaping on a roof, solar panels, skylights, and roof hatches;
 - b. Protective railings that project up to 4 feet above the adjoining roof;

- c. Rooftop alterations and equipment that do not increase floor area when:
 - (1) The proposed alteration or equipment is screened by an existing parapet, screen, or enclosure that is as tall as the tallest part of the equipment or alteration;
 - (2) The proposed alteration or equipment is set back 4 feet from the edge of the roof for every 1 foot of height above the roof surface or top of parapet;
 - (3) The proposed alteration or equipment is located entirely within 5 feet of the facade of an existing equipment penthouse, does not extend above the penthouse, and is the same color as the penthouse; or
 - (4) The proposed alteration or equipment does not exceed 3 feet in width, depth, length, diameter or height.
 - d. Radio frequency transmission facilities as follows:
 - (1) New or replacement antennas that are mounted to the side of an existing stairwell enclosure or an existing or extended equipment penthouse when the antennas do not extend above the penthouse and are the same color as the existing penthouse or stairwell enclosure.
 - (2) New or replacement equipment associated with the antennas when screened by an existing penthouse or located entirely within 5 feet of the facade of an existing penthouse. As an alternative, an existing penthouse may be extended to screen the equipment if:
 - The penthouse extension is at least 15 feet from any street facing roof edge;
 - The equipment does not extend above the penthouse; and
 - The penthouse extension is the same color as the existing penthouse;
 - (3) Alterations to an existing facility that comply with a previous design review approval for the facility including screening or concealment; or;
 - (4) Alterations to an existing eligible facility, that qualifies under the terms pursuant to 47 U.S.C. §1455, when approved measures of concealment are maintained.
10. The following alterations and additions to the roof of a building when the roof has a pitch that is greater than 1/12:
 - a. The addition or alteration is parallel with the roof surface and extends no more than 12 inches above the roof surface; or
 - b. The addition or alteration extends no more than 18 inches from the surface of the roof and is less than 2 feet in diameter.
 11. Public Art as defined in Chapter 5.74, or a Permitted Original Art Mural as defined in Title 4.

C. Geographically specific:

1. In the South Auditorium plan district shown in Map 420-1, signs that meet the following:
 - a. Except within 50 feet of the Halprin Open Space Sequence historic district, signs with a sign face area of 32 square feet or less; and
 - b. Within 50 feet of the Halprin Open Space Sequence historic district, signs with a sign face area of 3 square feet or less;
2. In the Marquam Hill Design District shown on Map 420-3:
 - a. Additions of less than 25,000 square feet of floor area;
 - b. Exterior alterations that affect less than 50 percent of the area of the facade where the area affected is also less than 3,000 square feet;
 - c. Exterior improvements that are less than 5,000 square feet in total area, except for exterior improvements affecting areas counting towards the formal open area requirements of Section 33.555.260; and
 - d. Landscaping not associated with formal open areas required under 33.555.260.

33.420.050 Design Standards

The design standards provide an alternative process to design review for some proposals. Proposals that are eligible to use the design standards are stated in Subsection A. The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the design standards stated in Subsection C — or where the applicant prefers more flexibility — must go through the design review process.

- A. Unless excluded by Subsection B, proposals that are within the maximum limits of Table 420-1 may use the design standards stated in Subsection C as an alternative to design review.

Table 420-1	
Maximum Limits for Use of the design standards [1]	
Zones	Maximum Limit—New Floor Area
RM2, RM3, RM4, C, E, I, & CI Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
Zones	Maximum Limit—Exterior Alterations
All except IR	<ul style="list-style-type: none"> • For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade. • For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.

Notes:

[1] There are no maximum limits for proposals where any of the floor area is in residential use.

Plan Districts

- 33.500 Plan Districts in General
- 33.505 Albina Community Plan District
- 33.508 Cascade Station/Portland International Center (CS/PIC) Plan District
- 33.510 Central City Plan District
- 33.515 Columbia South Shore Plan District
- 33.520 Division Street Plan District
- 33.521 East Corridor Plan District
- 33.526 Gateway Plan District
- 33.530 Glendoveer Plan District
- 33.531 Guild's Lake Industrial Sanctuary Plan District
- 33.532 Hayden Island Plan District
- 33.533 Healy Heights Plan District
- 33.534 Hillsdale Plan District
- 33.536 Hollywood Plan District
- 33.537 Johnson Creek Basin Plan District
- 33.538 Kenton Plan District
- 33.540 Laurelhurst-Eastmoreland Plan District
- 33.545 Lombard Street Plan District
- 33.550 Macadam Plan District
- 33.555 Marquam Hill Plan District
- 33.560 North Cully Plan District
- 33.561 North Interstate Plan District
- 33.562 Northwest Plan District
- 33.563 Northwest Hills Plan District
- 33.564 Pleasant Valley Plan District

- 33.565 Portland International Airport Plan District
- 33.566 Portland International Raceway Plan District
- 33.567 Powell Boulevard Plan District
- 33.570 Rocky Butte Plan District
- 33.575 Sandy Boulevard Plan District
- 33.580 South Auditorium Plan District
- 33.583 St. Johns Plan District
- 33.585 Swan Island Plan District
- 33.595 West Portland Multicultural Plan District

A list of symbols that appear on the Official Zoning Maps and their corresponding Zoning Code chapters is contained in the front of the Zoning Code, following the Table of Contents, under “Index of Symbols on the Official Zoning Maps”.

- (3) New covenants. A new covenant between the owner of the parking and the owners of buildings for which the parking will be provided is allowed only if the regulations of this Chapter are still met. The length of the covenant cannot be reduced to cover fewer than 10-years from the date the garage began operation. The applicant must notify the Director of the Bureau of Transportation in writing of any new covenants.
 6. Operation. Preservation Parking may be operated as either accessory or commercial parking at all times.
- H. Visitor Parking.** The regulations of this subsection apply to Visitor Parking. Adjustments to this subsection are prohibited.
1. When Visitor Parking is allowed. Visitor Parking is allowed when approved through Central City Parking Review.
 2. Minimum required parking. There are no minimum parking requirements for Visitor Parking.
 3. Maximum allowed parking. There are no maximum parking ratios for Visitor Parking. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria for Central City Parking Review.
 4. Operation. Visitor Parking is operated as commercial parking, except as follows:
 - a. "Early Bird" discounts are prohibited on weekdays, and
 - b. The sale of monthly permits that allow parking between 7:00 AM and 6:00 PM on weekdays is prohibited.
- I. All parking built after July 9, 2018.** The regulations of this subsection apply to all new parking regardless of type.
1. The applicant is required to report the number of constructed parking spaces to the Director of the Bureau of Transportation within 30 days of parking operations beginning.
 2. Carpool parking. The carpool regulations of this Paragraph do not apply to Residential uses or hotels.
 - a. Five spaces or five percent of the total number of parking spaces on the site, whichever is less, must be reserved for carpool use before 9:00 AM on weekdays. More spaces may be reserved, but they are not required;
 - b. The carpool spaces must be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking;
 - c. At least twenty percent of the carpool spaces must include electrical conduit adjacent to the spaces that will allow for installation of at least a Level 2 electric vehicle charger; and
 - d. Signs must be posted indicating that the spaces are reserved for carpool use before 9:00 AM on weekdays.

3. Surface parking and structured parking with no gross building area above it are prohibited except as follows:
 - a. Parking on top of a structure is allowed.
 - b. Up to 100 parking spaces may be on a surface parking lot or in structured parking with no gross building area above it if the parking is for a public school use;
 - c. In the Central Eastside and Lower Albina subdistricts up to 20 of the maximum allowed number of parking spaces for a site may be on a surface parking lot if the following are met. Adjustments to these standards are prohibited:
 - (1) The parking is accessory to a Manufacturing and Production, Wholesale Sales, Industrial Service, or Warehouse and Freight Movement use;
 - (2) The parking is located in the IH or IG1 zones; and
 - (3) The surface parking lot is located directly adjacent to the building in which the use exists. In this case, the parking on the surface parking lot must operate as accessory parking only and is prohibited from operating as commercial parking.
 - d. In the South Waterfront subdistrict, surface parking that is operated by the City of Portland on a site that will be developed as a park in the future is allowed. The property owner must execute a covenant with the City reflecting that the future development and use of the site will be a park, and the covenant must be attached to and recorded with the deed of the site. The covenant must meet the requirements of 33.700.060.
4. Parking structures. Where parking occupies more than 50 percent of the gross building area of a structure the following must be met. Adjustments to the following standards are prohibited.
 - a. The structure may not be on any block bounded by both Fifth and Sixth Avenues between NW Irving and SW Jackson Streets.
 - b. The structure must be at least 100 feet from Fifth and Sixth Avenues between NW Glisan and SW Jackson Streets.
 - c. The structure may not be on any block bounded by both SW Morrison and SW Yamhill Streets between SW First and SW Eighteenth Avenues.
 - d. If the site is within a historic district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.
 - e. Street-facing facades.
 - (1) Street-facing facades in Parking Sector 6. Within Parking Sector 6, 50 percent of facades that face and are within 50 feet of streets, accessways, or the South Waterfront Greenway Area must be designed to accommodate Retail Sales And Service or Office uses at the time of construction. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Ground Floor Active Uses.

- (2) Street facing facades in all other Parking Sectors. In all other parking sectors, 50 percent of the street-facing facade must be designed to accommodate Retail Sales And Service or Office uses. Areas designed to accommodate these uses must be developed at the time of construction. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Ground Floor Active Uses. See Map 510-10 for parking sectors.
5. Operation reports. The applicant must provide operation reports to the Director of the Bureau of Transportation no later than December 31 each year. The operation reports must be based on a sample of four days during every 12-month period, and must include the following information:
 - a. The number of parking spaces and the amount of net building area on the site.
 - b. A description of how the parking spaces were used in the following categories. Percentage of parking used for:
 - (1) Short-term (less than 4 hours);
 - (2) Long-term daily (four or more hours);
 - (3) Average number of monthly permits issued (other than carpool);
 - (4) Number of signed monthly Carpool stalls in the facility; and
 - (5) Number of spaces that either include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger, or currently provide at least a Level 2 electric vehicle charger.
 - c. Rate schedule for:
 - (1) Hourly parking;
 - (2) Daily Maximum Rate;
 - (3) Evening Parking;
 - (4) Weekend Parking;
 - (5) Monthly parking;
 - (6) Carpool parking; and
 - (7) Electric vehicle parking if different from above rates
 - d. The hours of operation on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.
6. Changes from one type of parking to another.
 - a. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Preservation Parking requires a Central City Parking Review.

- b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.

33.510.262 Parking Built before July 9, 2018

- A. Purpose.** With adoption of the Central City 2035 Plan, the regulations for parking in the Central City plan district were significantly revised. To simplify and streamline regulations for parking that existed when the regulations changed, operation restrictions and reporting requirements have been reduced.

The new regulations do not supersede other types of approvals such as existing Preservation Parking covenants, design review and adjustments.

- B. Where these regulations apply.** These regulations apply to all parking that legally existed on July 9, 2018. The regulations also apply to all parking where a complete application was received before July 9, 2018, or parking that received either a land use or building permit before July 9, 2018.

- C. Assignment of parking types.** The parking types assigned below are the same types as described in Subsection 33.510.261.B.; or if not assigned below the parking is Undedicated General. Undedicated General is all parking other than Visitor Parking, that is not associated with a particular development.

1. If the parking was built as Growth Parking it continues to be Growth Parking.
2. If the parking was built as Preservation Parking it continues to be Preservation Parking.
3. If the parking was built as RX Zone Parking or Residential/Hotel Parking it is now Growth Parking.
4. If the parking was built as Visitor Parking it continues to be Visitor Parking.
5. All other parking is Undedicated General Parking.

- D. Operation.**

1. If the parking is in a structure:
 - a. Growth and Preservation parking may operate as accessory or commercial parking.
 - b. Visitor Parking is operated as commercial parking except as follows:
 - (1) "Early Bird" discounts are prohibited on weekdays, and
 - (2) The sale of monthly permits that allow parking between 7:00 AM and 6:00 PM on weekdays is prohibited.
 - c. Undedicated General Parking is subject to all previous conditions of approval.
2. If the parking is on a surface parking lot:
 - a. Growth Parking:

- (1) Unless specified in Subsubparagraph D.2.a.(2), Growth Parking may operate as accessory or commercial parking. In the Central Eastside subdistrict, growth parking that operates as commercial parking is subject to the following limitations:
 - Monthly permits are only allowed for residents and employees of the subdistrict;
 - Hourly and daily parking is prohibited; and
 - (2) Growth Parking that was operating as RX Zone Parking on July 9, 2018 must operate as accessory to a Residential use.
- b. Preservation Parking may operate as accessory or commercial parking. In the Central Eastside subdistrict, Preservation parking that operates as commercial parking is subject to the following limitations:
- (1) Monthly permits are only allowed for residents and employees of the subdistrict; and
 - (2) Hourly and daily parking is prohibited.
- c. Undedicated General Parking. The operation of Undedicated General Parking is subject to all previous conditions of approval.

E. Changes. Changes to parking regulated by this Section are regulated as follows.

1. Changes that would be prohibited if requested for new parking are prohibited.
2. Changes from one type of parking to Visitor Parking or changes from Visitor Parking to Preservation or Growth requires a Central City Parking Review.
3. Changes in conditions of approval requires Central City Parking Review.
4. An increase in the number of spaces for all other parking types is subject to the regulations of Section 33.510.261.
5. An increase in the number of spaces for Undedicated General Parking is prohibited.
6. An increase in site area devoted to surface parking is prohibited.

33.510.263 Parking and Loading Access

The regulations of this section apply to all parking and loading access.

- A. Purpose.** The purpose of the parking and loading access regulations is to ensure the safety of pedestrians, bicyclists, and motorists, to avoid significant adverse impact on transit operations, and to ensure that the transportation system functions efficiently. The regulations require that the access to parking and loading areas be designed so that motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail or streetcar alignment. Parking access shall be designed to avoid adverse impacts on operation and safety of pedestrian, bicycle, or motor vehicle circulation, and shall not preclude the future construction of facilities such as protected bikeways. A driveway is not automatically considered such an impact. On blocks where transit stations are located, the pedestrian environment on both sides of the streets will be considered and protected.

B. Parking and loading access standards.

1. Motor vehicle access to or from any parking area, loading area, or parking structure is prohibited on or along the following streets unless the street listed is the site's only frontage, in which case access is not allowed:
 - a. On Fifth and Sixth Avenues between NW Irving and SW Jackson Streets;
 - c. On SW Park between SW Jackson Street and SW Salmon Street;
 - d. On NW Park Avenue and NW 8th Avenue between W. Burnside and NW Lovejoy Street;
 - e. On SW Morrison and SW Yamhill Streets between SW 1st and SW 18th Avenues;
 - f. On 1st Ave between NW Davis Street and SW Stark Streets;
 - g. On 1st Ave between SW Washington and SW Yamhill Streets; and
 - h. Motor vehicle access to or from any parking area or structure is prohibited along any site frontage that abuts a street with a light rail or street car alignment in it unless entering and exiting the parking area or structure does not result in any motor vehicle travelling onto or across the light rail or streetcar alignment, in which case the access is allowed.
2. Unless addressed by Paragraph B.1., motor vehicle access to any parking area, loading area, or parking structure is not allowed in the following situations:
 - a. To or from any of the following streets:
 - (1) Major City bikeway;
 - (2) Major City Traffic Street;
 - (3) Major Truck Street; and
 - (4) Major Transit Priority Street.
 - b. To or from any parking area or structure when the access will cause or allow a vehicle to travel onto or across a light rail or street car alignment anywhere within 75 feet of the parking access measured from the property line.
3. All other streets. Motor vehicle access to any parking area, loading area, or parking structures is allowed.

(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 166313, effective 4/9/93; Ord. No. 166702, effective 7/30/93; Ord. No. 167189, effective 1/14/94; Ord. No. 167515, effective 3/30/94; Ord. No. 167464, effective 4/15/94; Ord. No. 167650, effective 6/10/94; Ord. No. 169535, effective 1/8/95; Ord. No. 168702, effective 7/1/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169699, effective 2/7/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171522, effective 9/19/97; Ord. No. 171648, effective 10/8/97; Ord. No. 172040, effective 3/13/98; Ord. No. 173259, effective 5/14/99; Ord. No. 174160, effective 2/9/00; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175163, effective 1/1/01; Ord. No. 175204, effective 3/1/01; Ord. No. 175294, effective 3/2/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175877, effective 9/21/01; Ord. No. 175966, effective 10/26/01; Ord. Nos. 176024 and 176193, effective 2/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177082, effective 1/20/03; Ord. No. 177422, effective 6/7/03; Ord. No. 177920, effective 11/8/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178425, effective 5/20/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178832, effective 10/21/04; Ord. No. 179084, effective 3/26/05; Ord. No. 179092, effective 4/1/05; Ord. No. 179925, effective 3/17/06; Ord. No. 179980, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 180667, effective 1/12/07; Ord. No. 181357, effective 11/9/07; Ord. No. 182319, effective 12/5/08; Ord. No. 182429, effective 1/16/09; Ord. No. 183517, effective 3/5/10; Ord. No. 183269, effective 10/21/09; Ord. No. 183518, effective 03/05/10; Ord. No. 183598, effective 4/24/10; Ord. No. 185915, effective 5/1/13; Ord. No. 186639, effective 7/11/14; Ord. Nos. 187216 and 187217, effective 7/24/15; Ord. No. 187796, effective 7/8/16; Ord. No. 188162, effective 2/1/17; Ord. No. 188631, effective 11/4/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189001, effective 7/9/18; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190023, effective 8/10/20; Ord. No. 190477, effective 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 191164, effective 3/31/23.)

33.561 North Interstate Plan District

561

Sections:

General

- 33.561.010 Purpose
- 33.561.020 Where These Regulations Apply

Development Standards

- 33.561.210 Maximum Building Height
- 33.561.220 Floor Area Ratios
- 33.561.230 Transition Between Zones
- 33.561.250 Exterior Display and Storage
- 33.561.260 Off-Site Impacts of Industrial Uses in the CM3 Zone
- 33.561.270 Required Building Lines
- 33.561.280 Active Building Use Areas
- 33.561.300 Motor Vehicle Access
- 33.561.310 Compatibility Standards in the RM1 Zone

Map 561-1 North Interstate Plan District

Map 561-2 North Interstate Plan District: Maximum Building Heights

Map 561-3 North Interstate Plan District: Floor Area Ratios

Map 561-4 North Interstate Plan District: Required Building Lines/Active Building Use Areas

33.561.010 Purpose

The North Interstate plan district provides for an urban level of mixed-use development to support the MAX line and the surrounding neighborhoods by encouraging development that increases neighborhood economic vitality, amenities, and services and successfully accommodates additional density. These standards:

- Implement urban design concepts of the North Interstate Corridor Plan;
- Help ease transitions between new high-density development and the existing, low-density neighborhoods; and
- Enhance the pedestrian experience.

33.561.020 Where These Regulations Apply

The regulations of this chapter apply in the North Interstate plan district. The boundaries of the plan district are shown on Map 561-1 at the end of this chapter, and on the Official Zoning Maps.

Development Standards

33.561.210 Maximum Building Height

A. Purpose. The maximum building height standards:

- Allow taller buildings to provide visual prominence and intense activity near station platforms and at identified focal points;
- Allow taller buildings along Interstate 5 to achieve a defined edge within the larger neighborhood context and allow buildings to take greater advantage of views to the east over the freeway; and

- Increase opportunities for creative design, encourage quality construction, and foster provision of neighborhood amenities such as underground parking and ground level open space by allowing additional height in special areas with additional design requirements.

B. Maximum building heights.

1. Generally. The maximum building heights are shown on Map 561-2, except as specified in Section 33.561.230. Adjustments to maximum heights are prohibited, but modifications through Design Review may be requested.
2. In the height opportunity areas shown on Map 561-2, buildings may be up to 125 feet high if:
 - a. The applicant meets with the Design Commission to discuss the proposal before applying for Design Review. As specified in 33.730.050.B, the applicant must submit a design advice request to schedule this meeting; and
 - b. The applicant requests design review, rather than using the Design overlay zone design standards in 33.420.050.

33.561.220 Floor Area Ratios

- A. Purpose.** The floor area ratio standards work with the maximum building height standards to:
- Increase intensity near the light rail stations at the most intensive station areas: Lombard, Killingsworth, and Prescott; and
 - Allow design flexibility for taller buildings that create opportunities for increased open space on the site and visually prominent architecture.
- B. Where these regulations apply.** These regulations apply to new development and additions of floor area to the site.
- C. Regulation.** Maximum floor area ratios are shown on Map 561-3.
- D. FAR bonus.** The following FAR bonus options apply to sites shown on Map 561-3 as having a maximum FAR of 4 to 1. The regulations of this Subsection do not apply where Map 561-3 indicates that maximum FAR for the site is the base zone maximum; on those sites, the base zone bonus regulations apply. Adjustments to this Subsection, or to the amount of maximum floor area allowed through the bonuses in this Subsection, are prohibited:
1. Maximum increase in FAR. An increase in FAR through the use of bonuses of more than 1 to 1 is prohibited.
 2. FAR bonus options:
 - a. Mandatory inclusionary housing bonus option. Bonus FAR is allowed for development that triggers 33.245, Inclusionary Housing. The amount of bonus floor area earned is an amount equal to the net building area of the building that triggers 33.245. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met.

33.595 West Portland Multicultural Plan District

595

Sections:

General

- 33.595.010 Purpose
- 33.595.020 Where These Regulations Apply
- 33.595.030 Neighborhood Contact
- 33.595.040 Initiating a Quasi-judicial Zoning Map Amendment

Use Regulations

- 33.595.100 Prohibited Uses
- 33.595.110 Retail Sales and Service
- 33.595.120 Commercial Parking
- 33.595.130 Required Ground Floor Active Use

Development Standards

- 33.595.200 Minimum Density
- 33.595.210 Floor Area Ratio
- 33.595.220 Floor Area Bonus Options
- 33.595.230 Bonus Height
- 33.595.240 Required Affordable Commercial Space
- 33.595.250 Commercial Corridor Standards
- 33.595.260 Residential Corridor Standards
- 33.595.270 Setbacks
- 33.595.275 Design Standards for RM1 and RM2
- 33.595.280 Urban Green Features
- 33.595.290 Retaining Walls

Map 595-1 Plan District and Subdistricts

Map 595-2 Employment Focus Area

Map 595-3 Commercial Corridor and Residential Corridor Standards

Map 595-4 Maximum Floor Area Ratios

General

33.595.010 Purpose

The West Portland Multicultural plan district provides for an urban level of mixed-use development for a growing economically and culturally diverse population. The plan district shapes development to promote personal and community health and prosperity, and strengthens the West Portland Town Center's role as a multicultural center for Southwest Portland. These regulations:

- Accommodate additional housing and additional commercial, office, and recreational amenities and services at a level similar to other town centers in the city;
- Support opportunities for under-represented people and communities to inform new development;
- Promote equitable development that benefits rather than displaces households most at risk of displacement;
- Encourage new affordable and market rate multi-dwelling housing in formerly single dwelling areas to promote economic and racial integration.

- Promote healthy outcomes through development of green infrastructure and design of public spaces and streets for more recreational and physical activity;
- Discourage auto-oriented uses and prioritize the pedestrian experience over automobiles while promoting the use of transit and biking;
- Promote equitable opportunities for businesses, including immigrant, minority, and women-owned small businesses;
- Create defined commercial main streets and hubs that enhance conditions for more varied commercial and business services;
- Encourage the growth of quality jobs; and
- Promote development of spaces for community and cultural events and services.

33.595.020 Where These Regulations Apply

The regulations of this chapter apply in the West Portland Multicultural plan district. The boundaries of the plan district and subdistricts are shown on Map 595-1 at the end of this chapter, and on the Official Zoning Maps.

33.595.030 Neighborhood Contact

When proposed development triggers the neighborhood contact steps in Chapter 33.705, Neighborhood Contact, the coalition manager of the SW Corridor Equity Coalition must also be contacted and sent meeting notes when the notification and meeting requirements of 33.705 stipulate that contact is required or sending notes is required. Contact information for the coalition manager is available from the Office of Community and Civic Life.

33.595.040 Initiating a Quasi-judicial Zoning Map Amendment

Initiating a quasi-judicial zoning map amendment is prohibited within the West Portland Multicultural plan district as follows:

- A. Initiating a quasi-judicial zoning map amendment to rezone a site from a single-dwelling or multi-dwelling base zone to any multi-dwelling or commercial mixed use base zone is prohibited until the Bureau of Environmental Services and Bureau of Transportation confirm that there is a stormwater disposal system plan, integrated with the transportation system plan, for the site area that either shows the site can be served with existing services or by system improvements called for in the plan; and
- B. Initiating a quasi-judicial zoning map amendment to rezone a site from CM2 or CE to CM3 is prohibited until March 31, 2033.

Use Regulations

33.595.100 Prohibited Uses

- A. **Purpose.** These regulations prioritize employment opportunities in certain areas close to transit, promote pedestrian- and transit-oriented development, and help reduce traffic congestion, especially in the commercial core of the plan district.
- B. **Prohibited uses.**
 1. Residential uses are prohibited in the Employment Focus Area shown on Map 595-2;
 2. Self-Service Storage is prohibited within the plan district; and
 3. Quick Vehicle Servicing is prohibited within the plan district.

33.595.110 Retail Sales and Service

- A. Purpose.** These regulations limit the size of Retail Sales And Service uses in order to promote smaller retail spaces that are less expensive than large spaces, accommodate the need for grocery stores in the plan district, help reduce traffic congestion associated with large-scale retailers, and prioritize employment uses in specified areas.
- B. Retail Sales And Service use limitations.**
1. Within Subdistrict B, Retail Sales And Service uses are limited to a maximum of 3,000 square feet of net building area per use. The following are exempt from this size limitation:
 - a. Grocery stores when at least 50 percent of the net building area is used for the sale of food items; and
 - b. Retail space designed for multiple individual vendors, such as indoor markets or food courts, for which individual vendor spaces are provided that are not fully walled from each other and that share circulation areas, seating areas, and restrooms. To be exempt, the retail space must be designed for at least three individual vendors.
 2. Within the Employment Focus Area shown on Map 595-2, the maximum amount of net building area plus any exterior display, storage, work or other exterior activity area allowed per site for Retail Sales And Service use is limited to 20,000 square feet or the square footage of the site area, whichever is less.

33.595.120 Commercial Parking

- A. Purpose.** These regulations promote transit-oriented development close to the Barbur Transit Center and prioritize transit-oriented employment in the Employment Focus Area.
- B. Commercial Parking use limitations.**
1. Commercial Parking is prohibited on surface parking areas within Subdistrict B. Commercial Parking is allowed in structured parking.
 2. Commercial Parking is a conditional use in the Employment Focus Area shown on Map 595-2.

33.595.130 Required Ground Floor Active Use

- A. Where this regulation applies.** This regulation applies in commercial/mixed use zones.
- B. Required ground floor active use.** On sites that abut a commercial corridor shown on Map 595-3, and on sites that abut any street in the Barbur Transit Center shown on Map 595-3, 25 percent of any ground level floor area located within 100 feet of the lot line that abuts the corridor or street shown on Map 595-3 must be in one of the following active uses. Only uses allowed in the base zone may be chosen:
1. Retail Sales and Service;
 2. Office;
 3. Industrial Service;
 4. Manufacturing and Production;
 5. Community Service;

6. Daycare;
7. Religious Institutions;
8. Schools;
9. Colleges. If a College use is provided to meet this regulation, the floor area must be in one or more of the following functions: lobby; library; food service; theatre; meeting area; or
10. Medical Centers. If a Medical Center use is provided to meet this regulation, the floor area must be in one or more of the following functions: lobby; waiting room; food service; out-patient clinic.

Development Standards

33.595.200 Minimum Density

- A. Purpose.** The minimum density standard is intended to encourage the efficient use of land and service capacity and to ensure that new development contributes to transit-supportive densities of housing in the West Portland Multicultural Plan District.
- B. Minimum density.**
 1. In the RM1 zone minimum density is 1 unit per 2,000 square feet of site area.
 2. In the CM1 zone if residential uses are proposed minimum density is 1 unit per 2,000 square feet of site area.
 3. Within Subdistricts A and B shown on Map 595-1, if residential uses are proposed on a site in a commercial/mixed use zone, minimum density is 1 unit per 500 square feet of site area.

33.595.210 Floor Area Ratio

- A. Purpose.** Floor area ratios (FARs) work with the height, setback, and building coverage standards to control the overall bulk of development. The maximum FARs allowed in the West Portland Multicultural plan district:
 - Encourage a transit-supportive level of development along SW Barbur Boulevard;
 - Promote the creation of community meeting and event spaces;
 - Limit the scale of development in areas with existing apartment buildings to encourage the retention of existing multi-family housing;
 - Encourage the preservation of existing multi-family units as affordable housing; and
 - Encourage the preservation of large trees and natural areas.
- B. Maximum floor area ratio.** Maximum floor area ratios are shown on Map 595-4.
- C. Minimum floor area ratio in Subdistricts A and B.** Generally, there is no minimum required floor area ratio in the West Portland Multicultural plan district except in Subdistricts A and B, shown on map 595-1, where the minimum required floor area ratio is 1.5 to 1. The minimum required floor area ratio does not apply within single-dwelling residential or RM1 zones.
- D. Transfer of FAR.** FAR may be transferred as follows. Until January 31, 2032, FAR may be transferred from one site to another within the plan district and from sites located inside the

plan district to sites located outside the plan district, but may not be transferred from sites located outside the plan district to sites located inside the plan district. After January 31, 2032, FAR may only be transferred from one site to another within the plan district. Transferring floor area is only allowed in the situations stated below. Use of the base zone transfer provisions is prohibited.

1. Sending site. FAR may be transferred from:
 - a. A site in the West Portland Multicultural plan district where trees that are at least 12 inches in diameter are preserved. The maximum amount of floor area that may be transferred for each preserved tree is indicated in Table 595-1, however the maximum amount of FAR that can be transferred may not exceed the total amount of unused FAR on the site. This transfer provision does not apply to dead, dying or dangerous, or nuisance trees. To qualify for this transfer, a report is required from the City Forester or a certified arborist documenting that the trees to be preserved are not nuisance trees and are not dead, dying or dangerous; or
 - b. A site in Subdistrict D where all existing dwelling units are affordable to those earning no more than 60 percent of the area median family income. The maximum amount of floor area that may be transferred is the unused FAR on the site up to the maximum FAR allowed on the site, plus an additional FAR of 1 to 1. In order to qualify for this transfer, the applicant must provide a letter from the Portland Housing Bureau certifying that this affordability standard and any administrative requirements have been met. The letter must be submitted before a building permit can be issued for the development, but is not required in order to apply for a land use review.
2. Receiving site. FAR may be transferred to sites zoned multi-dwelling or commercial/mixed use. Until January 31, 2032, receiving sites located outside the plan district must be eligible to receive FAR as described in the sites base zone FAR transfer receiving site standards. See 33.120.210.D.2 or 33.130.205.C.2. Receiving sites located inside the West Portland Multicultural plan district must meet the following regulations:
 - a. Receiving sites located in subdistricts A or B must have no residential uses or must comply with the inclusionary housing standards of 33.245.040 and 33.245.050;
 - b. Transferring to a site located in Subdistrict D is prohibited;
 - c. Transferring to a site located in Subdistrict C is prohibited unless the sending site is located in Subdistrict D and all existing dwelling units on the sending site are being preserved as affordable housing per the requirements of Subparagraph D.1.b.
3. Maximum increase in FAR. Receiving sites located outside the plan district are subject to base zone FAR transfer limitations. See 33.120.210.D.3 or 33.130.205.C.3. Within the West Portland Multicultural Plan District, an increase in FAR on the receiving site of more than 1 to 1 is prohibited, except that there is no maximum increase in FAR on a receiving site in a commercial/mixed use zone when:
 - a. FAR is transferred from a site in Subdistrict D; and
 - b. All existing dwelling units on the sending site are being preserved as affordable housing per the requirements of Subparagraph D.1.b.
4. Covenants. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060 and is attached to, and recorded with, the deeds of

both the site transferring and the site receiving the density. The covenant must reflect the respective increase and decrease of potential FAR. In addition, the covenant for the site where trees will be preserved must:

- a. Require that all trees be preserved for at least 50 years; and
- b. Require that any tree covered by the covenant that is dead, dying or dangerous be removed and replaced within a 12-month period. The trees must be determined to be dead, dying, or dangerous by the City Forester or a certified arborist. If a tree covered by the covenant is removed in violation of the requirements of this Section, or is dead, dying, or dangerous as the result of a violation, Tree Review is required.

Table 595-1 Transferable Floor Area for Tree Preservation in Multi-Dwelling Zones				
Diameter of Tree Preserved	Transferable Floor Area for Each Tree (by zone)			
	RM1	RM2	RM3	RM4 & RX
12 to 19 inches	1,000 sq. ft.	1,500 sq. ft.	2,000 sq. ft.	4,000 sq. ft.
20 to 35 inches	2,000 sq. ft.	3,000 sq. ft.	4,000 sq. ft.	8,000 sq. ft.
36 inches or greater	4,000 sq. ft.	6,000 sq. ft.	8,000 sq. ft.	16,000 sq. ft.

33.595.220 Floor Area Bonus Options

- A. Purpose.** The regulations in this section modify bonus options provided in other Zoning Code chapters in order to prioritize desired outcomes for the West Portland Multicultural plan district. The regulations promote Daycare and Community Service uses, and publicly-accessible open space in the area’s commercial core; promote and prioritize the preservation of existing multi-family units as affordable housing; and encourage small sites to be combined into larger sites in multi-dwelling zones.
- B. Floor area bonus options in Subdistricts A and B.** Within Subdistricts A and B, shown on Map 595-1, the base zone floor area bonus regulations apply, except as follows. Adjustments are prohibited.
 - 1. Maximum floor area increase. The overall maximum floor area increase that may be earned on a site through any combination of bonus options or FAR transfers is 3 to 1. The overall maximum FAR with bonus and transfer is stated in Table 595-2. Within Subdistricts A and B, Table 595-2 replaces the maximum FAR with bonus stated in Table 130-3.

Table 595-2 Overall Maximum FAR with Bonus			
CM1	CM2	CM3	CE
3.5 to 1	5.5 to 1	6 to 1	5.5 to 1

- 2. Daycare or Community Service use bonus option. This FAR bonus option is allowed in addition to the bonus options allowed in 33.130.212. Proposals that include a Daycare or Community Service use may increase maximum FAR. Floor area may be increased by 2 square feet for each square foot of net building floor area provided on site for Daycare or Community Service use up to the maximum increment of additional floor area allowed for affordable commercial space stated in Table 130-3. If the proposal includes residential uses, the proposal must comply with the inclusionary housing standards of 33.245.040 and

33.245.050 in order to qualify for this bonus. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060. The covenant must ensure that the floor area dedicated for Daycare or Community Service use remains dedicated to the use for the life of the building.

3. Limitation on use of the affordable commercial space bonus. If the proposal includes residential uses, the proposal must comply with the inclusionary housing standards of 33.245.040 and 33.245.050 in order to qualify for the affordable commercial space bonus in 33.130.212.D.
 4. Subdistrict B bonus option limitation. In Subdistrict B, the only bonus option that may be used on sites that are 2 acres or larger in total site area is the Planned Development bonus option described in 33.130.212.E. All other bonuses are prohibited.
- C. Floor area bonus options in subdistricts C and D.** In subdistricts C and D, the base zone floor area bonus regulations apply, except as follows. Adjustments are prohibited.
1. Inclusionary housing bonus option for large sites. In Subdistrict C, on sites 15,000 square feet or more in total site area, the increment of additional floor area allowed for the inclusionary housing bonus and the overall maximum FAR allowed with other bonuses stated in Table 120-5 or Table 130-3 are increased by an amount equivalent to 25 percent of the maximum FAR stated in Table 120-3 or Table 130-2. Projects qualifying for this bonus are also allowed an additional 10 feet of building height beyond the base height stated in Table 120-3 or Table 130-2.
 2. Subdistrict D bonus option limitation. In Subdistrict D, the only bonus option that may be used is the deeper housing affordability bonus option described in 33.120.211.C.2. All other bonuses are prohibited.

33.595.230 Bonus Height

- A. Purpose.** The bonus height regulations prioritize affordable housing and encourage multiple height bonuses to be used to provide multiple community benefits. These regulations also provide flexibility in building height to accommodate FAR transfers to commercial/mixed use zone sites from sites where existing units are preserved as affordable housing, and encourage larger portions of site area in commercial/mixed use zones to be used for outdoor areas and natural features while still allowing for base and bonus floor area to be utilized.
- B. Where the bonus height standard applies.** The bonus height standard of this section applies in the commercial/mixed zones in Subdistricts A and B shown on Map 595-1. The height bonuses allowed by this standard supersede the incremental and overall maximum bonus height allowances shown in Table 130-3 except for the planned development bonus. The increment of additional height allowed and the overall maximum height with bonus allowed for planned development bonus shown in Table 130-3 continue to apply when the planned development bonus described in 33.130.212.E is utilized.
- C. Bonus height.** An increment of 10 feet of additional building height above the base height limits of the base zone is allowed in all commercial/mixed use zones in the plan district for each of the following. Base height is shown in Table 130-2 and Table 595-3. The 10-foot height increments allowed by this standard can be combined to provide multiple increments of 10 feet of additional height. The maximum overall height with bonus is shown in Table 595-3. When a height bonus option listed below is used to increase the base height, the step-down height limits do not increase. Adjustments are prohibited.

1. Proposals utilizing the inclusionary housing bonus in 33.130.212.C.
2. Proposals utilizing the affordable commercial space bonus in 33.130.212.D. If the proposal includes residential uses, the proposal must comply with the inclusionary housing standards of 33.245.040 and 33.245.050 in order to qualify for this height bonus.
3. Proposals utilizing the FAR bonus for Daycare or Community Services uses described in 33.595.220.B.2. If the proposal includes residential uses, the proposal must comply with the inclusionary housing standards of 33.245.040 and 33.245.050 in order to qualify for this height bonus.
4. Sites receiving a transfer of FAR from a site where all existing dwelling units are being preserved as affordable per the requirements of 33.595.210.D.1.b;
5. Sites meeting one of the following outdoor area or urban green standards. In order to qualify for this height bonus, sites must utilize at least two of the other height bonuses in this Subsection:
 - a. At least 25 percent of total site area is preserved as outdoor area and is landscaped to at least the L1 standard. The outdoor area may be preserved in more than one individual area, but at least one outdoor area must be at least 1,000 square feet in total size and no part of the 1,000 square feet measures less than 30 feet in dimension;
 - b. The native landscaping area standard described in 33.595.280.C.1 is met; or
 - c. The space for large trees standard described in 33.595.280.C.2 is met.

Table 595-3					
Summary of Subdistrict A and B Bonus Height					
		CM1	CM2	CM3	CE
Overall Maximums Per Zone					
Base height		35 ft.	45 ft.	65 ft.	45 ft.
Maximum height with bonus		85 ft.	95 ft. 75 ft. [1]	115 ft. 120 ft. [1]	95 ft. 75 ft. [1]

[1] This overall maximum is only allowed through the Planned Development bonus option and required Planned Development Review. See 33.130.212.E.

33.595.240 Required Affordable Commercial Space

- A. Purpose.** This standard promotes an inclusive business district in West Portland’s commercial/mixed use zones that provides a diversity of business opportunities at a range of affordability levels. Diverse affordability levels in turn support pathways to opportunity, innovation, and long term social and economic resilience locally and regionally.
- B. Where this standard applies.** The required affordable commercial space standard applies in subdistricts A and B, excluding the Employment Focus Area shown on 595-2
- C. Required affordable commercial space.** When new development or alterations to existing development will add more than 10,000 square feet of net building area to the site, and at least 10,000 square feet of the new or additional net building area will be in at least one commercial

use, a minimum of 1,000 square feet of affordable commercial space must be provided on the site. To comply with this standard, the following must be met:

1. The applicant must provide a letter from the Portland Development Commission certifying that any program administrative requirements have been met; and
2. The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that floor area built as affordable commercial space will meet the administrative requirements of the Portland Development Commission or qualified administrator.

33.595.250 Commercial Corridor Standards

- A. Purpose.** These standards encourage street frontages lined by buildings with storefront windows and frequent entrances to encourage pedestrian activity along the plan district's primary commercial corridors. Where setbacks are required or proposed they also promote a pleasant and comfortable pedestrian realm with the inclusion of additional trees.
- B. Where the standards apply.** The commercial corridor standards apply to CM2 and CM3 sites that abut a commercial corridor shown on Map 595-3, and the standards apply to sites that abut any street in the Barbur Transit Center shown on Map 595-3.
- C. Location of vehicle area.** No more than 30 percent of the commercial corridor frontage or street frontage in the Barbur Transit Center may be used for vehicle area.
- D. Trees between the building and the street.** For sites with frontage on the Barbur Boulevard commercial corridor, a row of trees must be planted between the building and the lot line abutting Barbur Boulevard when buildings are set back at least 10 feet. The row of trees must meet the following.
 1. The row must extend along at least 60 percent of the street frontage.
 2. The number of trees must be sufficient to meet the L1 standard for tree spacing, using medium or large trees, but may not be grouped. Where there is less than 60 feet of frontage at least 2 trees must be planted.
 3. Trees planted to meet perimeter parking lot landscaping do not count toward meeting this standard.
- E. Ground floor windows.** The ground floor window standards of the base zones apply, however the percentage of ground floor window required by 33.130.230.B.2.a(1) is increased to 60 percent.
- F. Entrances.**
 1. Entrance frequency. At least one entrance is required for every 100 feet of building length for portions of buildings subject to the maximum street setback.
 2. Entrance design. Required entrances must be designed to meet the requirements of 33.130.242 Transit Street Main Entrance.

33.595.260 Residential Corridor Standards

- A. Purpose.** These standards limit interruptions of the pedestrian environment along sidewalks and minimize conflicts between vehicles and pedestrians.

- B. Where the standards apply.** The residential corridor standards apply to sites that abut a residential corridor shown on Map 595-3.
- C. Driveway limitation.** On sites with residential uses, only one driveway is allowed providing access from the residential corridor, except on sites larger than 10,000 square feet that contain multi-dwelling development or at least one multi-dwelling structure, in which case two driveways are allowed providing access from the residential corridor if each driveway provides one-way ingress or egress.
- D. Attached houses.** All parking and vehicle access provided for attached houses must be from an alley or shared court.

33.595.270 Setbacks

- A. Purpose.** These standards promote the continuation of mid-block outdoor areas and other outdoor spaces in residential areas and ensure buffers with trees adjacent to the I-5 freeway to limit noise and visual impacts.
- B. Minimum rear building setback.**
 - 1. Where the standard applies. The minimum rear building setback standards apply to sites zoned RM1, RM2 or RM3 in Subdistrict C.
 - 2. Minimum rear building setback. The required minimum rear building setback is an amount equal to 25 percent of the total depth of the site. Outdoor and common areas are allowed within this setback. No more than 50 percent of this setback can be vehicle area.
 - 3. Exemptions. The following are exempt from the minimum rear building setback. When a site is exempt from the minimum rear building setback, the base zone required minimum rear building setback stated in Table 120-3 applies:
 - a. Corner lots and lots that are up to 100 feet deep are exempt from the minimum rear building setback; and
 - b. Sites where at least 10 percent of the total site area is outdoor common area with no dimension less than 30 feet are exempt from this minimum rear building setback.
- C. Minimum freeway setback.**
 - 1. Where the standard applies. The freeway setback and screening standard applies in subdistricts A and B. Properties that are less than 15,000 square feet or do not extend beyond 100 feet from the I-5 freeway right of way are exempt from this standard.
 - 2. Minimum freeway setback. The minimum setback from a property line that abuts the I-5 Freeway is 20 feet. The minimum freeway setback area must be landscaped with trees in the quantities required by the L3 standard. Trees provided to meet this standard must be large evergreen trees. Existing large trees that are not diseased or dying may be used to meet this standard. Large trees are defined in Section 33.248.030, Plant Materials.

33.595.275 Design Standards for RM1 and RM2

- A. Purpose.** These standards promote healthy, climate resilient and people-centered development through features that support opportunity for relationship with the outdoors, the street, and fresh air, as well as countermeasures to heat impacts throughout the more residentially focused areas of the town center.

- B. Where the design standards apply.** The design standards listed below apply to new development in the RM1 and RM2 zones.
- C. Residential entrances.** This standard applies to buildings with ground floor dwelling unit main entrances adjacent to a street that is not identified as a civic corridor on Map 120-1.
1. At least 50 percent, or four, whichever is more, of the dwelling units on the street-facing ground floor of the building must have a pedestrian connection between the street and the main entrance of the dwelling unit.
 2. The entrance must be set back at least 6 feet from the street lot line and have at least two of the following within the setback:
 - a. A wall or fence that is 18 to 36 inches high;
 - b. Landscaping that meets the L2 standard;
 - c. A tree within the small tree category identified in 33.248.030;
 - d. Individual private open space of at least 48 square feet designed so that a 4-foot by 6-foot dimension will fit entirely within it. The floor of the open space is between 18 and 36 inches above the grade of the right of way; or
 - e. A change of grade where the door to the dwelling unit is 18 to 36 inches above the grade of the right of way.
 3. No windows into bedrooms located on the ground floor may face the street.
- D. Operable windows on upper-level units.** For each dwelling unit or commercial tenant space located above the ground floor, provide at least one operable window in an exterior wall of the dwelling unit or tenant space. Each window meeting this standard must provide an operable opening of at least 6 square feet.
- E. Building Walls Adjacent to Outdoor Common Area.** This standard applies to new development with required outdoor common area with facades facing and within 10 feet of an outdoor common area. To comply with this standard, the following must be met:
1. At least 15 percent of the façade that faces the outdoor common area must be windows; or doors leading to lobbies, tenant spaces or dwelling units; and
 2. Pedestrian access must be provided between the outdoor common area and at least one entrance for a lobby, tenant space or dwelling unit.
- F. Reflective Roof Structure.** At least 90 percent of the roof area not covered by the following must meet the Energy Star requirements for solar reflectance:
1. Solar energy system;
 2. Mechanical equipment, housing for mechanical equipment, and required access to, or clearance from, mechanical equipment;
 3. Stairwell and elevator enclosures;
 4. Vents; or
 5. Skylights.

33.595.280 Urban Green Features

- A. Purpose.** This standard requires features in commercial and mixed-use areas that integrate green elements into the urban environment and responds to the natural features in and around the West Portland Multicultural plan district.
- B. Where these options apply.** The urban green features standard applies in Subdistricts A and B when more than 10,000 square feet of floor area will be added to a site.
- C. Urban green features standard.** Development must include at least one of the following features:
1. Native landscaping area. At least 10 percent of total site area must be provided as outdoor area with no dimension less than 30 feet in all directions. Up to 30 percent of the outdoor area may be hard surfaced for use by pedestrians or may include a water feature, such as a fountain, waterfall, reflecting pool, or pond. The remainder of the outdoor area must be landscaped to at least the L1 level and all plantings must be native species listed on the Portland Plant List.
 2. Space for large trees. At least 10 percent of total site area must be provided as outdoor area with no dimension less than 30 feet in all directions. At least half of this outdoor area must be landscaped to at least the L1 level and the remainder may be hard surfaced for use by pedestrians. At least half of the trees provided to meet the L1 standard must be large tree species. Large trees are defined in Section 33.248.030, Plant Materials.
 3. Ecoroof. An ecoroof must be provided that is equivalent in total area to at least 60 percent of the total building footprint of new buildings on the site. The ecoroof area must be approved by the Bureau of Environmental Services as being in compliance with the Stormwater Management Manual's *Ecoroof Facility Design Criteria*. Area covered by solar panels is exempt from the calculation.
 4. Solar panels and reflective surfaces.
 - a. At least 40 percent, or 2,000 square feet whichever is greater, of the building roof area must be covered by a solar energy system; and
 - b. Areas that are not covered by the following must be covered by a reflective surface meeting the Energy Star requirements for solar reflectance:
 - (1) Solar energy system;
 - (2) Mechanical equipment, housing for mechanical equipment, and required access to, or entrance from, mechanical equipment;
 - (3) Stairwell and elevator enclosures;
 - (4) Vents; or
 - (5) Skylights.

33.595.290 Retaining Walls

- A. Purpose.** The standards of this section help mitigate the potential negative effects of large retaining walls along street frontages. Without mitigation, such walls can create a fortress-like appearance and unwelcoming street environment. By requiring large walls to step back from the street and provide landscaping, the wall is both articulated and visually softened.

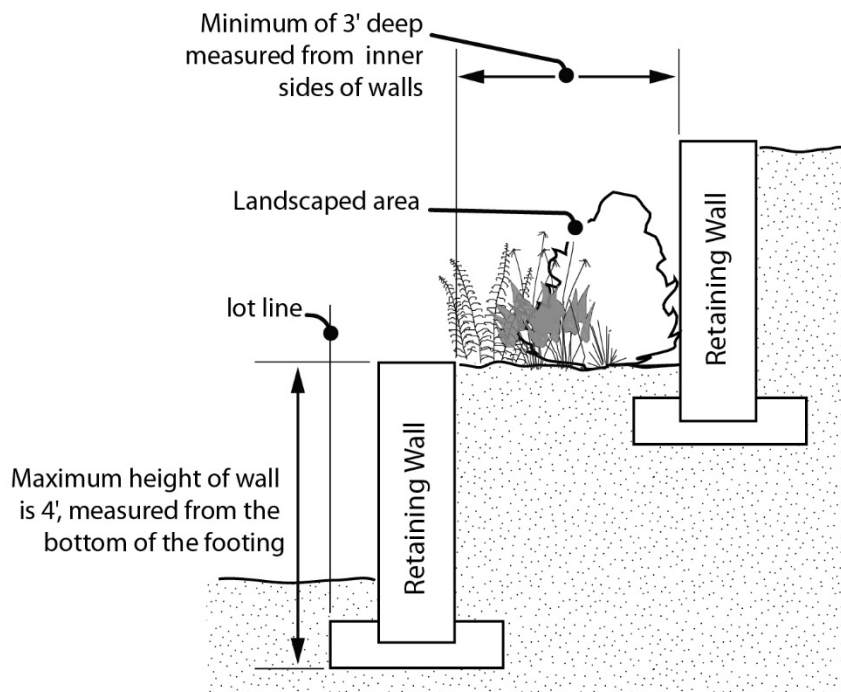
B. Where these regulations apply.

1. Generally. These regulations apply to the portions of street-facing retaining walls that are in required setbacks along street lot lines. Where there is no required setback, or the setback is less than 10 feet, the regulations apply to the first 10 feet from the line.
2. Exceptions. The following are not subject to the regulations of this section:
 - a. Retaining walls in the areas described in B.1 that are less than four feet high, as measured from the bottom of the footing.
 - b. Retaining walls on sites where the site slopes downward from a street in the area described in B.1.
 - c. Retaining walls on sites where the site slopes upward from a street and the existing slope within the area regulated by B.1 is 50 percent or more.
 - d. Replacing an existing retaining wall, where the replacement will not be taller or wider than the existing wall.
 - e. Retaining walls on sites where any portion of the site is in an environmental overlay zone.

C. Standards.

1. Retaining walls are limited to 4 feet in height measured from the bottom of the footing, as shown in Figure 595-1.
2. Retaining walls must be set back at least 3 feet from other street-facing retaining walls, as shown in Figure 595-1. The 3 foot setback area must be landscaped to at least the L2 standard, except that trees are not required. A wall or berm may not be substituted for the shrubs.

Figure 595-1
Retaining Walls

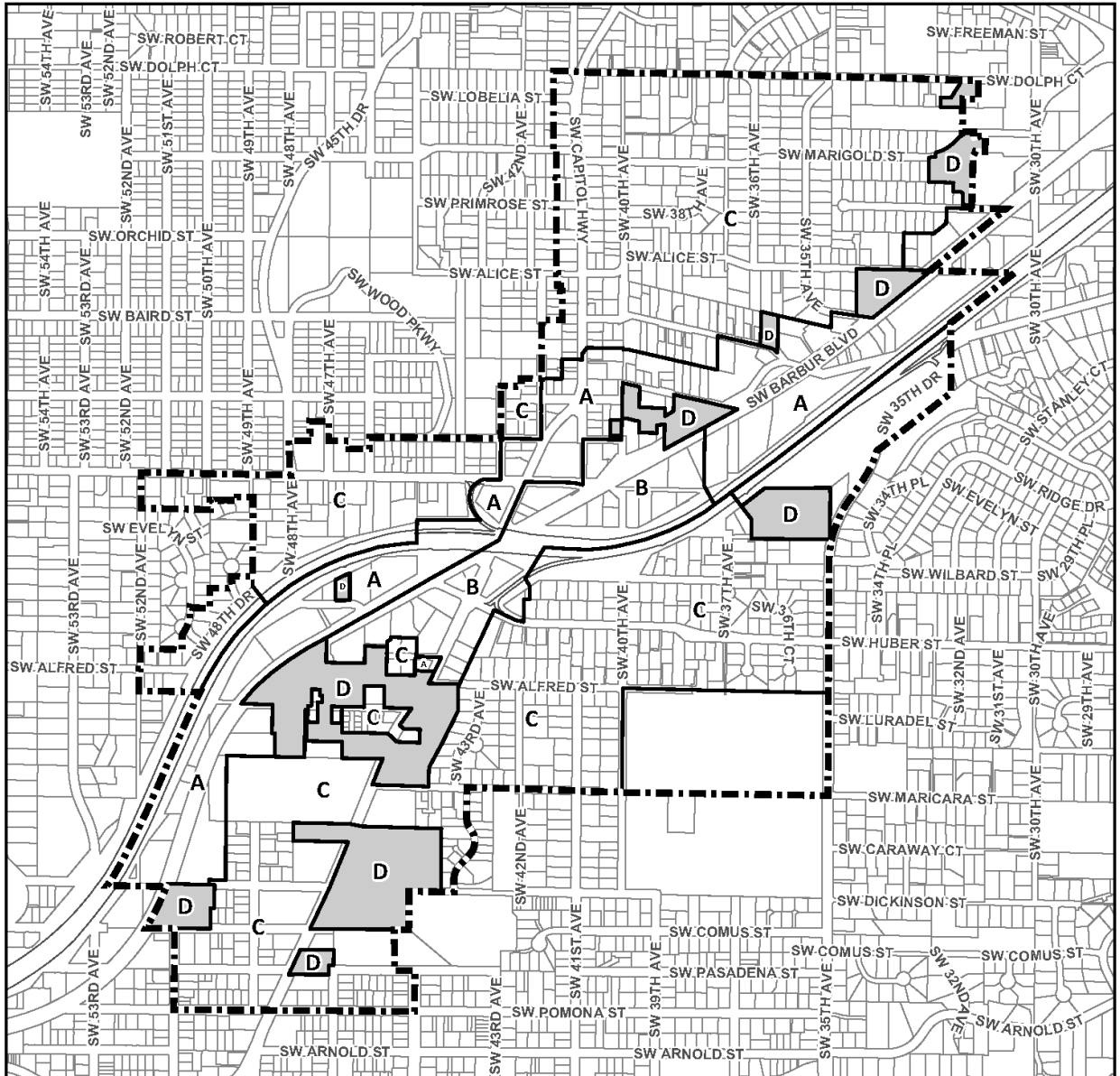





(Added by Ord. No. 191079, effective 3/31/23.)

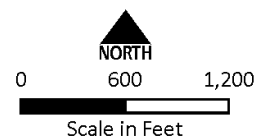
West Portland Multicultural Plan District and Subdistricts

Map 595-1

Map Revised March 31, 2023



-  Plan District boundary
-  Subdistricts A, B, and C
-  Subdistrict D

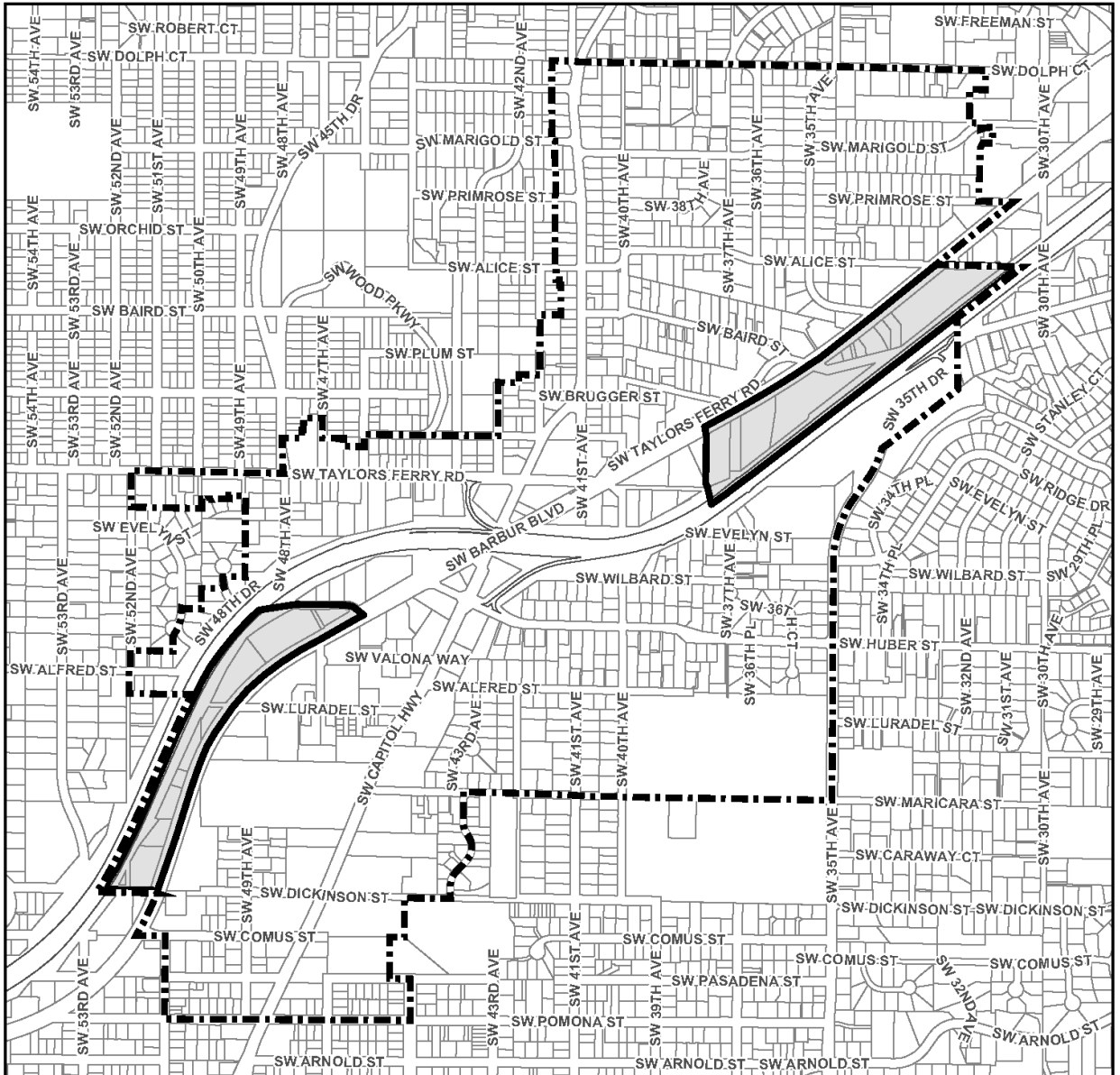




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Portland, Oregon

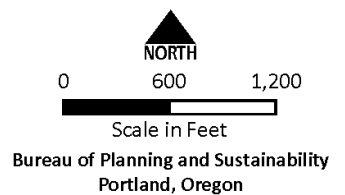
West Portland Multicultural Plan District Employment Focus Area

Map 595-2

Map Revised March 31, 2023



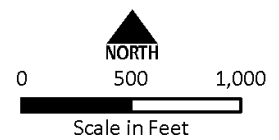
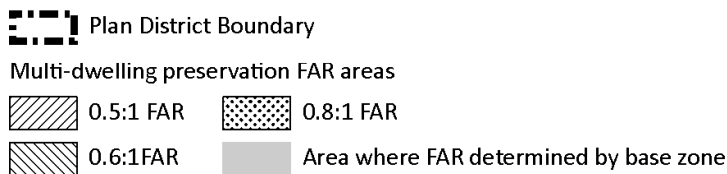
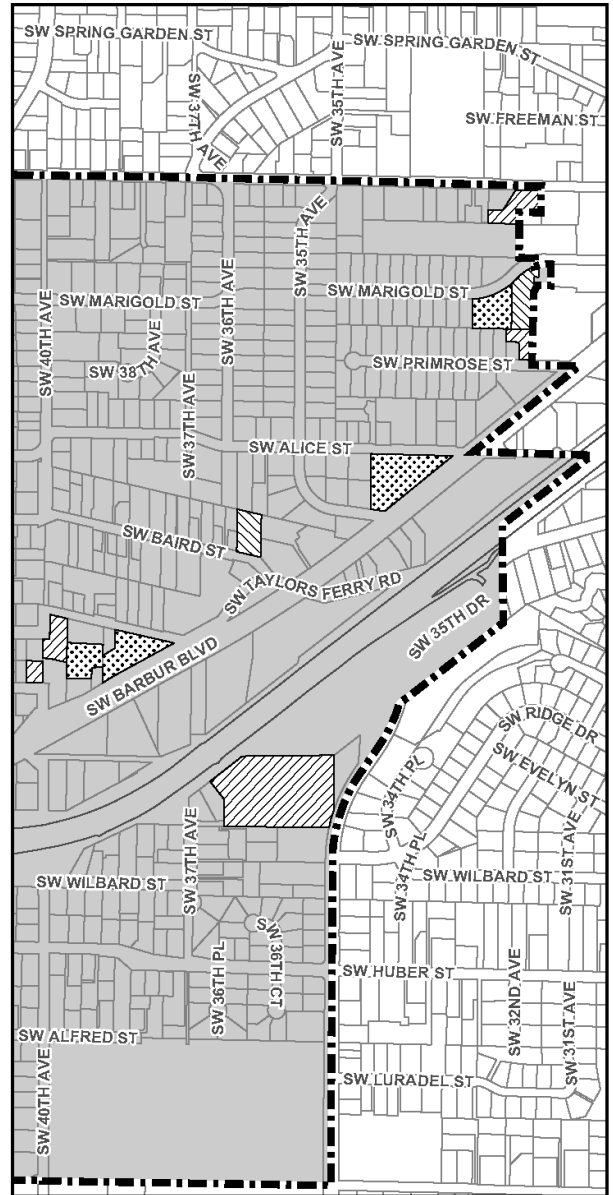
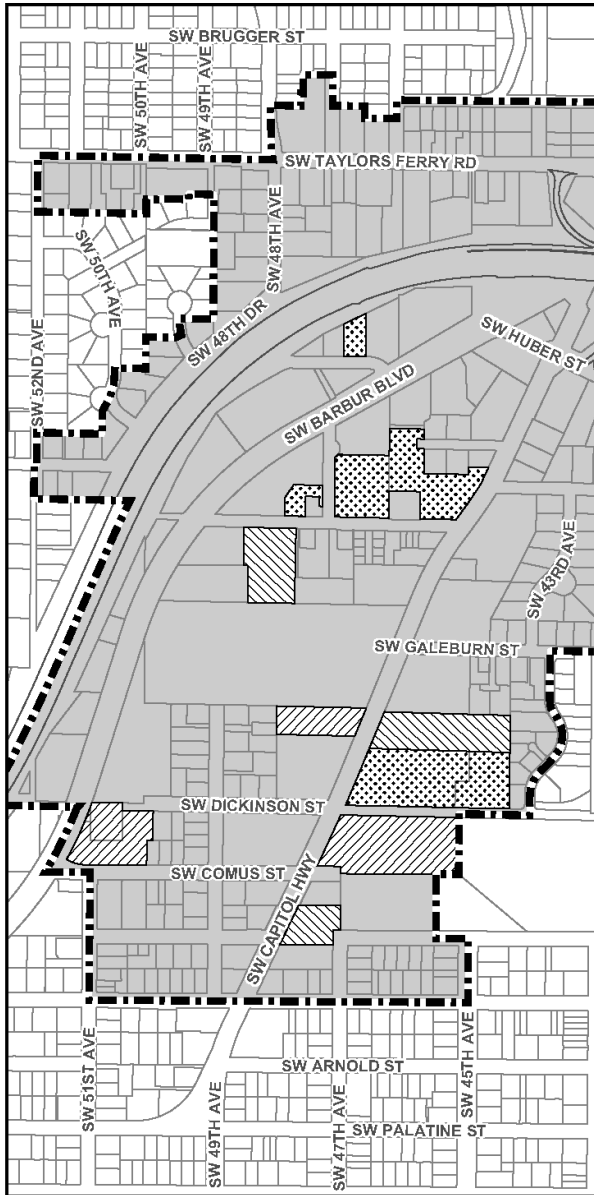
-  Plan District Boundary
-  Employment Focus Area



West Portland Multicultural Plan District Maximum Floor Area Ratios

Map 595-4

Map Revised March 31, 2023



Bureau of Planning and Sustainability
Portland, Oregon

33.815 Conditional Uses

815

Sections:

General

- 33.815.010 Purpose
- 33.815.020 How to Use this Chapter
- 33.815.030 Automatic Conditional Use Status
- 33.815.040 Review Procedures
- 33.815.050 Loss of Conditional Use Status
- 33.815.060 Development Standards for Conditional Uses
- 33.815.070 Sites With Split Zoning
- 33.815.080 Approval Criteria in General

Approval Criteria

- 33.815.100 Uses in the Open Space Zones
- 33.815.105 Institutional and Other Uses in Residential and Campus Institutional Zones
- 33.815.107 Short Term, Mass, and Outdoor Shelters in R, CI1, and IR Zones
- 33.815.110 Office and Retail Sales And Service Uses in the RX Zone
- 33.815.115 Specified Uses in Commercial/Mixed Use Zones
- 33.815.120 Commercial Parking Facilities in the RX, CX, and E Zones, Outside the Central City Plan District, the Columbia South Shore Plan District and the Cascade Station/Portland International Center Plan District
- 33.815.121 Commercial Parking Facilities in the CM2 and CM3 Zones in the Hollywood Plan District
- 33.815.122 Commercial Parking Facilities in the Employment Focus Area of West Portland Multicultural Plan District
- 33.815.125 Specified Uses in Industrial Zones
- 33.815.126 Office Uses in the IG1 Zone in the Lower Albina Subdistrict
- 33.815.127 Accessory Offices and Headquarters Offices in the IH Zone in the Guild's Lake Industrial Sanctuary Plan District
- 33.815.128 Retail Sales And Service Uses in the EG Zones
- 33.815.129 Office Uses in Specified Historic Resources in the Industrial Zones in the Central City Plan District
- 33.815.130 Residential Uses in the IG1, IG2, and IH Zones
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- 33.815.200 Aviation And Surface Passenger Terminals
- 33.815.205 Detention Facilities
- 33.815.210 Helicopter Landing Facilities
- 33.815.215 Major Event Entertainment
- 33.815.220 Mining and Waste-Related
- 33.815.222 Park-and-Ride Facilities for Mass Transit
- 33.815.223 Public Safety Facilities
- 33.815.225 Radio Frequency Transmission Facilities
- 33.815.230 Rail Lines and Utility Corridors
- 33.815.300 Commercial Parking Facilities in the Columbia South Shore Plan District

- 33.815.301 Industrial Businesses in the Columbia South Shore Plan District
- 33.815.302 Professional / Technical Facilities in the Columbia South Shore Plan District
- 33.815.303 Retail Sales And Service Uses in the Columbia South Shore Plan District
- 33.815.304 Retail Sales And Service Uses on Specified Sites in the CX and EX Zones in the Central City Plan District
- 33.815.305 Replacement Parking Facilities in the Central City Plan District
- 33.815.308 Commercial Parking in Multi-Dwelling Zones and Commercial Parking Access from Main Streets in the Northwest Plan District
- 33.815.310 Industrial Uses in the IR Zone
- 33.815.315 Utility Scale Energy Production in Specified C Zones

General

33.815.010 Purpose

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

33.815.020 How to Use this Chapter

Uses that require a conditional use review and are subject to the regulations of this chapter are stated in the use tables of the base zones or in the regulations of overlay zones or plan districts which apply to the site. The review procedures for various conditional use situations are stated in 33.815.040 below. Requirements for phased master plans which may be submitted as part of a conditional use application are stated in Chapter 33.820, Conditional Use Master Plans. The applicable approval criteria are stated in Sections 33.815.100 to .305.

33.815.030 Automatic Conditional Use Status

Over time, the zoning regulations applicable to a specific site may change. This may be a result of changes to the content of the zoning regulations for a specific zone or from a change to the zoning map, including annexation rezonings. After one of these changes, if an existing use was allowed by right or was a nonconforming use, and is now listed as a conditional use, the use is considered an approved conditional use and may continue to operate. Any changes to the use are subject to the procedures of 33.815.040 and the appropriate approval criteria.

33.815.040 Review Procedures

The procedure for reviewing conditional uses depends on how the proposal affects the use of, or the development on, the site. Subsection A, below, outlines the procedures for proposals that affect the use of the site while Subsection B outlines the procedures for proposals that affect the development or reduce the conditional use site boundary. Proposals may be subject to Subsection A or B or both. The review procedures of this section apply unless specifically stated otherwise in this Title. Proposals may also be subject to the provisions of 33.700.040, Reconsideration of Land Use Approvals.

A. Proposals that affect the use of the site.

1. A new conditional use. A request for a new conditional use is processed through a Type III procedure.
2. Changing to another use:
 - a. In the same use category, such as from one Community Service use to another Community Service use.
 - (1) Except as specified in subparagraph A.2.a(2), below, changing from one conditional use to another conditional use in the same use category is processed through a Type II procedure;
 - (2) If changing from one conditional use to another conditional use in the same use category will also change a specifically approved amount of the previous use, such as members, students, trips, or events, by more than 10 percent, the change of use is processed through a Type III procedure;
 - b. In another use category.
 - (1) Changing to a conditional use in another use category is processed through a Type III procedure.
 - (2) Changing to an allowed use is allowed by right.
3. Adding another use.
 - a. In the same use category.
 - (1) Except as specified in subparagraph A.3.a(2), below, adding a new conditional use to an existing conditional use when both are in the same use category is processed through a Type II procedure;
 - (2) If adding a new conditional use to another conditional use in the same use category will also change a specifically approved amount of the previous use, such as members, students, trips, or events, by more than 10 percent, the change of use is processed through a Type III procedure;
 - b. Adding a new conditional use that is in another use category is processed through a Type III procedure.

- c. Adding an allowed use may be allowed by right or require a conditional use depending on the proposed changes to development on the site. See Subsection B., below.
 4. Changes to an existing conditional use. Except as specified in Paragraphs A.1. through A.3., above, changes to a conditional use that will change any specifically approved amounts of the use such as members, students, trips, and events are reviewed as follows:
 - a. Changes of 10 percent or less of the amount are processed through a Type II procedure.
 - b. Changes of over 10 percent of the amount are processed through a Type III procedure.
 5. Conditional uses within institutional campuses in the IR zone.
 - a. The conditional use is subject to a Type II review if the use is already included within the institution's approved impact mitigation plan.
 - b. Amendments to the mission section of an approved impact mitigation plan for an institutional campus for industrial service or manufacturing and production uses are subject to a Type III review.
 - c. Change of occupancy involving the site of an approved industrial service or manufacturing and production use requires a Type II review.
 6. Conditional uses in landmarks. In R, C, and E zones, requests for conditional use of a landmark are processed through the Type II procedure.
- B. Proposals that alter the development of an existing conditional use.** Alterations to the development on a site with an existing conditional use and reducing the boundary of a conditional use site may be allowed, require an adjustment, modification, or require a conditional use review, as follows:
 1. Conditional use review not required. A conditional use review is not required for alterations to the site and reductions to the conditional use site boundary that comply with Subparagraphs a through h. All other alterations and boundary changes are subject to Paragraph 2, below. Alterations to development and reductions to the site boundary are allowed by right provided the proposal:
 - a. Complies with all conditions of approval except as allowed by Subparagraphs B.1.d through B.1.h;
 - b. Meets one of the following:
 - (1) Complies with the development standards of this Title, or
 - (2) Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
 - c. Either maintains the exiting conditional use site boundary or reduces the conditional use site boundary along a lot line. If the proposal reduces the

conditional use site boundary along a lot line, the boundary reduction must not eliminate the availability of services to the properties and the properties must not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management;

- d. Does not demolish and replace more than 25 percent of the existing floor area on the site;
- e. Does not increase the floor area by more than 2,000 square feet. Floor area for an outdoor shelter and for housing that is affordable is exempt from this limitation. For the purposes of this subparagraph, housing that is affordable means that at least 50 percent of the dwelling units in the additional floor area are participating in the Title 30 System Development Charges Exemption Program. See 30.01.095. If the additional floor area is in multiple buildings with multiple dwelling units, then the affordable units must be distributed among the multiple buildings. To qualify for this exemption, the applicant must provide a letter from the Portland Housing Bureau certifying which units are approved for the System Development Charges Exemption Program;
- f. Does not increase the exterior improvement area by more than 2,000 square feet. Exterior improvements associated with an outdoor shelter, fences, handicap access ramps, and on-site pedestrian circulation systems, ground mounted solar panels, Community Gardens, Market Gardens, bicycle parking, electric vehicle chargers and equipment, and parking space increases allowed by 33.815.040.B.1.h, below, are exempt from this limitation;
- g. Will not result in a net gain of site area; and
- h. Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
 - (1) Remove parking spaces is allowed as follows:
 - On sites with 5 or more parking spaces, up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be removed; parking spaces removed to create accessible spaces as specified in the Oregon Specialty Code are exempt from this limitation; or
 - Up to 50 percent of the total number of existing parking spaces may be removed when the removal is for an outdoor shelter or housing that is affordable as defined by Subparagraph B.1.e;
 - (2) Up to 1 space or 4 percent of the total number of existing parking spaces, whichever is greater, may be added; however, the addition of more than 5 spaces requires a conditional use review; and
 - (3) Any cumulative loss or gain of parking allowed in (1) or (2) above is measured from the time the use became a conditional use, or the last conditional use review of the use, whichever is most recent, to the present.

2. Conditional use required. Conditional use review is required for the following:
 - a. Minor alterations. Except as provided in Paragraph B.1 above, conditional use review through a Type II procedure is required for the following:
 - (1) When proposed alterations to the site will not violate any conditions of approval;
 - (2) When there will be a net loss in site area;
 - (3) When there will be an increase or decrease in the net number of parking spaces;
 - (4) When there will be additional floor area on the site and the floor area is for an outdoor shelter area or housing that is affordable as defined by Subparagraph B.1.e;
 - (5) When the individual or cumulative alterations will not increase the floor area on the site by more than 25 percent, up to a maximum of 25,000 square feet. Floor area for an outdoor shelter or housing that is affordable as defined by Subparagraph B.1.e. is exempt from this limitation;
 - (6) When the individual or cumulative alterations will not increase the exterior improvement area on the site by more than 25 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a.(3) are exempt from this limitation;
 - (7) When the individual or cumulative alterations will not increase the floor area and the exterior improvement area on the site by more than 25 percent, up to a maximum of 25,000 square feet. Parking area increases that are allowed by 33.815.040.B.2.a (3) and floor area for an outdoor shelter or housing that is affordable as defined by Subparagraph B.1.e. are exempt from this limitation; or
 - (8) The increases in subparagraphs 3 through 7, above, are measured from the time the use became a conditional use, the effective date of this ordinance, or the last Type III conditional use review of the use, whichever is most recent, to the present.
 - b. Major alterations. All other alterations to the site will be reviewed through a Type III procedure.

33.815.050 Loss of Conditional Use Status

If a conditional use is discontinued for 3 continuous years, the conditional use rights are lost. If a conditional use ceases operations, even if the structure or materials related to the use remain, the use has been discontinued. Any conditional use proposing to locate at the site after that time must go through a new conditional use review.

33.815.060 Development Standards for Conditional Uses

The development standards for conditional uses are those of the base zone, any applicable overlay zones or plan districts, and any relevant regulations in the 200s series of chapters.

33.815.070 Sites With Split Zoning

When a proposed use is located on a site which has more than one zone, and the use is a conditional use in one zone and an allowed or limited use in the other, any proposals on the allowed site are subject to conditional use review.

33.815.080 Approval Criteria in General

The approval criteria for all conditional use reviews are stated below. Requests for conditional uses will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met.

Approval Criteria

33.815.100 Uses in the Open Space Zone

These approval criteria apply to all conditional uses in the OS zone except those specifically listed in other sections below. The approval criteria allow for a range of uses and development that are not contrary to the purpose of the Open Space zone. The approval criteria are:

A. Character and impacts.

1. The proposed use is consistent with the intended character of the specific OS zoned area and with the purpose of the OS zone;
2. Adequate open space is being maintained so that the purpose of the OS zone in that area and the open or natural character of the area is retained; and
3. Impacts on mature trees and tree groves are minimized and City-designated environmental resources, such as views, landmarks, or habitat areas, are protected or enhanced.

B. Public services.

1. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;
2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking

demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;

- c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed;
 3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- C. Livability.** The proposal will not have significant adverse impacts on the livability of nearby residential-zoned lands due to:
1. Noise, glare from lights, late-night operations, odors, and litter; and
 2. Privacy and safety issues.
- D. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

33.815.105 Institutional and Other Uses in Residential and Campus Institutional Zones

These approval criteria apply to all conditional uses in R and campus institutional zones except those specifically listed in sections below. The approval criteria allow institutions and other non-Household Living uses in residential and campus institutional zones that maintain or do not significantly conflict with the appearance and function of residential or campus areas. Criteria A through E apply to institutions and other non-Household Living uses in residential zones. Criteria B through E apply to all other conditional uses in campus institutional zones. The approval criteria are:

- A. Proportion of Household Living uses.** The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:
1. The number, size, and location of other uses not in the Household Living category in the residential area; and
 2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.
- B. Physical compatibility.**
1. The proposal will preserve any City-designated scenic resources; and
 2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation, and landscaping; or
 3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, tree preservation, and other design features.

- C. Livability.** The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:
1. Noise, glare from lights, late-night operations, odors, and litter; and
 2. Privacy and safety issues.
- D. Public services.**
1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;
 2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed;
 3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- E. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

33.815.107 Short Term, Mass, and Outdoor Shelters in R, CI1, and IR Zones

These approval criteria apply to Community Service uses that provide short term, mass, and outdoor shelters in R, CI1, and IR zones. Approval criterion A and C must be met for all for all mass shelters and short term shelters. Criterion A through E must be met for all outdoor shelters, and for mass short term shelters where the net building area on the site is increasing by more than 1500 square feet or 10 percent, whichever is greater. The approval criteria are as follows:

- A. Proportion of Household Living uses.** The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the

Household Living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the Household Living category and is specifically based on:

1. The number, size, and location of other uses not in the Household Living category in the residential area; and
2. The intensity and scale of the proposed use and of existing Household Living uses and other uses.

B. Physical compatibility.

1. The proposal will preserve any City-designated scenic resources; and
2. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks, tree preservation, and landscaping; or
3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, tree preservation, and other design features.

C. Livability. The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

1. Noise, glare from lights, late-night operations, odors, and litter; and
2. Privacy issues.

D. Public services.

1. The proposal is supportive of the street designations of the Transportation Element of the Comprehensive Plan;
2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when

the development is complete or, if the development is phased, will be available as each phase of the development is completed;

3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

- E. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.

33.815.110 Office and Retail Sales And Service Uses in the RX Zone

These approval criteria provide for commercial uses in greater amounts than are allowed by right to promote new housing and support the residential area. The approval criteria are:

- A.** The overall development will result in a net increase in housing units on the site;
- B.** The appearance, location, and amount of commercial uses in the project will not by itself or in combination with nearby developments decrease the desirability of the area for the retention of existing housing or the development of new housing; and
- C.** Transportation system
 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;
 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

33.815.115 Specified Uses in Commercial/Mixed Use Zones

These approval criteria apply to Industrial Service uses and Agricultural uses in the commercial/mixed use zones. The approval criteria allow these uses in commercial/mixed use zones when they have a business or consumer orientation and are of a size and character to blend in with the other commercial uses. The approval criteria are:

- A. The proposed use will not have nuisance impacts from noise, odor, and vibrations greater than usually generated by uses allowed by right in the zone;
- B. Based on the characteristics of the proposed use and its development, the proposal is consistent with the purpose of the commercial/mixed use zone and with the character of the specific area;
- C. The proposed use will not significantly alter the overall character of the area, based on the existing proportion of commercial and noncommercial uses and the effects of incremental changes; and
- D. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

33.815.120 Commercial Parking Facilities in the RX, CX, and E Zones, Outside the Central City Plan District, the Columbia South Shore Plan District and the Cascade Station/Portland International Center Plan District.

These approval criteria provide for commercial parking facilities that support development outside the Central City, Columbia South Shore, and the Cascade Station/Portland International Center plan districts. It is not intended to allow parking facilities in such quantity, concentration, or appearance that they detract from the desired commercial, mixed use, employment, or residential character of the zones. Commercial parking facilities must meet criteria A. through E. and one of F. or G. The approval criteria are:

- A. The proposal will not by itself, in combination with other commercial parking facilities in the area, or in combination with other on-site parking areas, significantly lessen the overall desired character of the area;
- B. The parking facility is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;

- C. Transportation system:
 - 1. The transportation system is capable of supporting the proposed facility in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed facility are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- D. The facility will provide adequate separation, landscaping, and screening between the sidewalk and parking area to reduce the impact on adjacent public and private spaces;
- E. If the facility is in the RX zone, its location will not by itself or in combination with other nearby Commercial Parking Facilities, decrease the desirability of the area for the retention of existing housing or the development of new housing; and
- F. The proposed parking will provide parking to support development in a commercial/mixed use or employment district or area that is deficient in parking spaces, taking into consideration an analysis of parking demand, the amount of on-street parking available and the degree to which the amount of parking for development in the area is significantly below the maximum allowed parking; or
- G. The proposed parking will provide parking for passengers, employees, and visitors to Portland International Airport in the EG1 or EG2 zones.

33.815.121 Commercial Parking Facilities in the CM2 and CM3 Zones in the Hollywood Plan District

These approval criteria provide for commercial parking facilities that support urban-scale development in the Hollywood plan district by providing parking for visitors, customers, and employees of Hollywood. The criteria are not intended to allow parking facilities in such quantity, concentration, or appearance that they detract from the desired character of Hollywood. The approval criteria are:

- A. The proposal will not by itself, or in combination with other parking facilities in the area, significantly detract from the overall desired character of the area. Desired character is

determined by the Hollywood and Sandy Plan; the Comprehensive Plan and zoning designations, and by allowed densities.

B. Transportation system:

1. The transportation system is capable of supporting the proposed facility in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
2. Measures proportional to the impacts of the proposed facility are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

C. The parking demand analysis must show a need for parking at this location. The analysis must show that the following criteria are met:

1. At least 65 percent of the parking demand is from uses within 750 feet of the site;
2. If the parking is designated for specific businesses, the number of parking spaces designated for that business in the commercial parking facility, plus the number of spaces that business may already have, may not exceed the maximum parking ratio allowed for the business, as stated in Table 536-1; and
3. At least one of the following is met:
 - a. There is a cumulative increase in parking demand due to an overall increase in activity associated with existing or new retail, office, or other visitor-related uses; or
 - b. There has been a significant loss of short-term parking spaces in the area within 750 feet of the site.

33.815.122 Commercial Parking Facilities in the Employment Focus Area of West Portland Multicultural Plan District

These approval criteria serve to control Commercial Parking Facilities in the Employment Focus Area of Subdistrict A in the West Portland Multicultural Plan District to prioritize and support transit-oriented employment uses. The approval criteria are:

- A. The proposal will not by itself, or in combination with other parking facilities in the area, significantly detract from the overall intent or desired character of the area. Intent and desired character are determined by the plan district, the West Portland Town Center Plan, and the West Portland and Barbur Boulevard Character Statement.
- B. The design of the site, and in particular the locations of vehicular ingress and egress, minimizes the impact of traffic circulation on local service streets; and
- C. The design of the site provides for safe operation of motor vehicle access and does not significantly degrade the safety of pedestrians, or other modes, using the streets near the site.
- D. Transportation system:
 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated.
 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 3. Transportation improvements, adjacent to the development and in the vicinity, needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

33.815.125 Specified Uses in Industrial Zones

These approval criteria apply for uses in the following categories in the industrial zones: Retail Sales And Service, Office, Commercial Outdoor Recreation, Commercial Parking Facilities, Community Service, and Daycare uses. Office uses in the IG1 zone in the Lower Albina Subdistrict of the Central City Plan District may use the approval criteria listed in 33.815.126: Office Uses in the IG1 Zone in the Lower Albina Subdistrict, if they contain characteristics of manufacturing businesses. Office uses in Historic Landmarks, Conservation Landmarks, and contributing resources in a Historic District or a Conservation District in the I zones in the Central City Plan District may use the criteria listed in 33.815.129, Office Uses in Specified Historic Resources in the Industrial Zones in the Central City Plan District. These approval criteria promote preservation of land for industry while allowing other uses when they are supportive of the industrial area or not detrimental to the character of the industrial area. The approval criteria are:

- A. The proposed use will not have significant adverse effects on nearby industrial firms, and on truck and freight movement;
- B. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- C. The proposed use will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes;
- D. The proposed use needs to be located in an industrial area or building because industrial firms or their employees constitute the primary market of the proposed use; and
- E. City-designated scenic resources are preserved.

33.815.126 Office Uses in the IG1 Zone in the Lower Albina Subdistrict

These approval criteria promote preservation of land for industry while providing opportunity for businesses that contain both an office and a manufacturing or production component. Office uses that do not meet the criteria below may apply for conditional use status through the criteria listed in 33.815.125, Specified Uses in the Industrial Zones. Office uses in Historic Landmarks, Conservation Landmarks, and contributing resources in a Historic District or a Conservation District in the IG1 zone in the Central City Plan District may use the criteria listed in 33.815.129, Office Uses in Specified Historic Resources in the Industrial Zones in the Central City Plan District. The approval criteria are:

- A. The proposed use will not have significant adverse effects on nearby industrial uses and truck and freight movement;
- B. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of

service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;

2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- C. City-designated scenic resources are preserved;
- D. At least 33 percent of the net building area of the proposed use is dedicated for the development, testing, manufacturing, processing, fabrication, packaging, or assembly of goods. "Goods" include products made from man-made, raw, secondary, or partially completed materials. "Goods" does not include the products or services offered by traditional Office uses described in 33.920.240, but may include electronic or digital products such as internet home pages, computer software, advertising materials, and others; and
- E. The nature of the business does not require customers to visit the site in order to purchase manufactured goods.

33.815.127 Accessory Offices and Headquarters Offices in the IH Zone in the Guild's Lake Industrial Sanctuary Plan District

These approval criteria allow accessory and headquarters offices that operate in conjunction with the primary activities of allowed uses, while ensuring that these offices will not have a detrimental impact on industrial operations in the plan district. These criteria also recognize that normal industrial activities may have negative impacts on office uses; those impacts can result in complaints that interfere with industrial operations.

- A. The proposed offices will not have significant adverse effects on nearby industrial firms or result in conflicts with industrial activities. Evaluation factors include:
1. The impact of traffic generated by the proposed offices on industrial use of the transportation system, considering the access, maneuvering, loading, truck and freight movement needs of industrial uses; and
 2. The extent to which the proposed offices are designed to minimize and mitigate negative impacts from industrial activities on those working in the offices. Impacts include noise, fumes, and dust.

B. Transportation system:

1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

- C.** Industrial uses will be maintained as the primary use of the site and the proposed office use will not compromise the ability of the site to continue to be used for industrial operations.

33.815.128 Retail Sales And Service Uses in the EG Zone

These approval criteria apply to Retail Sales And Service uses in order to allow commercial development that serves the immediate employment area while ensuring that the development will not have a detrimental impact on the character of the employment zone. The approval criteria are:

- A.** The proposed use will not have significant adverse effects on neighboring employment uses;

B. Transportation system:

1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic

management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.

3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- C. The proposed use will not significantly alter the overall desired character of the area, based on the existing mixture of uses and the effects of incremental change; and
- D. City-designated scenic resources are preserved.

33.815.129 Office Uses in Specified Historic Resources in the Industrial Zones in the Central City Plan District

These approval criteria promote the preservation of historic resources that are Historic Landmarks, Conservation Landmarks, or contributing resources in a Historic District or a Conservation District. They provide for increased allowances for office uses in the industrial zones, while limiting negative impacts on the transportation system and nearby industrial uses. The increased allowances for office uses recognize that some historic industrial buildings cannot economically accommodate modern industrial activities due to design inefficiencies or structural deficiencies. The office allowances facilitate preservation and reuse of these structures and are not intended as a means of converting viable industrial uses to office uses. The approval criteria are:

- A. The proposed use will not have significant adverse effects on nearby industrial uses and truck and freight movement;
- B. Transportation system:
1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

- C. The proposed use will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes.

33.815.130 Residential Uses in the IG1, IG2, and IH Zones

These approval criteria promote the preservation of land for industrial uses while allowing residential uses in limited situations where they will not interfere with industry. Residential uses in these zones are only protected from nuisance impacts, including noise, to the same standard as uses allowed by right. The approval criteria are as follows:

- A. The proposed use will not have a significant adverse effect on truck and freight movement.
- B. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- C. City-designated scenic resources are preserved; and
- D. The proposal is for houseboats or houseboat moorages which will not interfere with industrial use of the waterway or with adjacent industrial uses.

33.815.140 Mass and Outdoor Shelters in the C, CI2, E, and I Zones

These criteria apply to mass and outdoor shelters in the C, CI2, E, and I zones.

- A. **Physical compatibility.**
 - 1. The proposal will preserve any City-designated scenic resources; and
 - 2. The appearance of the facility is consistent with the intent of the zone in which it will be located and with the character of the surrounding uses and development.

- B. Livability.** The proposal will not have significant adverse impacts on the livability of nearby residential-zoned lands due to:
1. Noise, glare from lights, late-night operations, odors, and litter; and
 2. Privacy and safety issues.
- C. Public services.**
1. The proposed use is in conformance with the street designations in the Transportation Element of the Comprehensive Plan;
 2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
 3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- D. Area plans.** The proposal is consistent with any area plans adopted by the City Council as part of the Comprehensive Plan, such as neighborhood or community plans.
- E. Additional criteria for outdoor shelters in I zones.** The following criteria apply to outdoor shelters in I zones:
1. The outdoor shelter must be on publicly owned property that was not identified as being in an industrial use or identified as vacant or underutilized land needed for future industrial use in the City's inventory of buildable employment land.
 2. The shelter will not have a significant adverse effect on truck and freight movement.

33.815.200 Aviation And Surface Passenger Terminals

These approval criteria allow Aviation And Surface Passenger Terminals at locations where their impacts on surrounding land uses, especially residential, are limited. The approval criteria are:

- A. Commercial seaplane facilities.** The approval criteria for commercial seaplane facilities are:
 - 1. The proposal mitigates any significant off-site impacts and nuisances of the proposal on surrounding properties, including the use of buffers and/or restricting the hours of operation; and
 - 2. The regulations in 33.209.040, Commercial Seaplane Facilities are met.
- B. Helicopter landing facilities.** The approval criteria for helicopter landing facilities are stated in 33.815.210.
- C. Bus, rail and ship passenger terminals.**
 - 1. Public services.
 - a. The proposed use is in conformance with the street designations of the Transportation Element of the Comprehensive Plan;
 - b. Transportation system:
 - (1) The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - (2) Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - (3) Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
 - c. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal

systems are acceptable to the Bureau of Environmental Services;

2. Benefit. The public benefit of the use outweighs any impacts which cannot be mitigated; and
3. IG and IH zones. If the proposal is in an IG or IH zone, the proposed use will not significantly alter the overall industrial character of the area, based on the existing proportion of industrial and non-industrial uses and the effects of incremental changes.

33.815.205 Detention Facilities

These approval criteria ensure that the facility is physically compatible with the area in which it is to be located and that the safety concerns of people on neighboring properties are addressed. The approval criteria are:

- A. Appearance.** The appearance of the facility is consistent with the intent of the zone in which it will be located and with the character of the surrounding uses and development; and
- B. Safety.** The facility and its operations will not pose an unreasonable safety threat to nearby uses and residents;
- C. Public services.**
 1. The proposed use is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;
 2. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;
 3. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when

the development is complete or, if the development is phased, will be available as each phase of the development is completed.

4. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

33.815.210 Helicopter Landing Facilities

- A. The following approval criteria apply to all helicopter landing facilities reviewed through a Type III procedure.
 1. The facility meets the safety standards required by state or federal agencies. The facility must be approved by State Aeronautics and the FAA;
 2. The facility is located so that the flights may take advantage of existing natural flight corridors. Locations close to natural flight corridors such as freeways are preferred;
 3. Consolidating the HLF with other existing nearby HLFs is not possible or feasible;
 4. In C, E, I, or CI zones, the facility will not have a greater impact than allowed uses. If the facility will have significantly greater impacts, then it must be found that the public benefits of the HLF outweigh the harm of the impacts. Locations more than 500 feet from land with residential zoning will be viewed more favorably by the review body;
 5. In OS, R, CR, CM1, CM2, CM3, and IR zones, the facility will not have a significant negative impact on the livability of the area or a significant detrimental environmental impact;
 6. The facility meets all development standards contained in 33.243.040; and
 7. The facility meets all noise regulations of the State of Oregon Department of Environmental Quality and Title 18 of the City Code.
- B. The following criterion applies to helicopter landing facilities reviewed through a Type II procedure: The proposal will not result in an increase in the number of flights, changes in flight path, number or type of aircraft, hours of operation, or changes in required distances from other uses.

33.815.215 Major Event Entertainment

These approval criteria ensure that the potentially large size and impacts of these uses are not harmful to surrounding areas and that transportation services are or will be sufficient to serve the use. The approval criteria are:

- A. **Public services.**
 1. The proposed use is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;
 2. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;

3. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
 4. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- B. Appearance.** The appearance of the facility is consistent with the intent of the zone in which it is to be located and with the character of the surrounding uses and development;
- C. Benefit.** Public benefits of the proposed use outweigh any impacts that cannot be mitigated;
- D. In the campus institutional zones.** These approval criteria allow Major Event Entertainment facilities to be part of an institutional campus. They also ensure that the impacts of the facility on nearby areas are mitigated and that affected neighbors have an opportunity to comment on the proposals for mitigation. The approval criteria are:
1. The facility is to be established as part of a school or college. Such facilities are prohibited as part of a medical center campus;
 2. The facility is limited to events that feature the athletic or performance skills of students, faculty or staff or which supplement the institution's programs;
 3. In the IR zone the facility is listed in the mission statement as part of the institution's impact mitigation plan;
 4. In the IR zone the mitigation activities completed to implement the impact mitigation plan are adequate to mitigate for the expected impact of the facility. The location

chosen and mitigation measures used are consistent with the institution's approved impact mitigation plan; and

5. All approved limited uses and major event entertainment uses in aggregate occupy 30 percent or less of all campus net building area including portions of parking structures associated with these uses. If the institutional campus includes structured parking, 250 square feet of the structured parking will be associated with the major event entertainment facility for each parking space required for the facility. Size exceptions are prohibited.

33.815.220 Mining and Waste Related

These approval criteria allow these uses in locations where their large size and potential nuisance and environmental impacts will not harm surrounding land uses. The approval criteria are as follows:

- A. There are adequate nearby lands available for the development of more intense industrial uses;
- B. The proposed use will not significantly alter the overall industrial character of the area, based on the existing proportion and type of industrial uses;
- C. There will be no significant health or safety risk to nearby uses;
- D. There will not be significant detrimental environmental impacts to any nearby environmentally sensitive areas;
- E. The proposed use adequately addresses potential nuisance-related impacts such as litter;
- F. Public services.
 1. The proposed use is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;
 2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.

- c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- 3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.
- G. The proposal complies with the regulations of Chapter 33.254, Mining and Waste-Related Uses;
- H. There is a reclamation or redevelopment plan which will ensure that the site will be suitable for an allowed use when the mining or landfill use is finished; and
- I. Public benefits of the use outweigh any impacts that cannot be mitigated.

33.815.222 Park-and-Ride Facilities for Mass Transit

Park-and-ride facilities improve access to transit for some people who live beyond walking or bicycling distance of bus or light rail lines. Park-and-ride facilities can create significant peak-hour traffic and conflict with traffic, pedestrian, and bicycle movement. The approval criteria are:

- A. The proposal will not by itself, or in combination with other on-site parking areas, significantly detract from the overall desired character of the area, including existing or planned transit-supportive, high-density residential or mixed-use development;
- B. The park-and-ride facility is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;
- C. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;
- D. Transportation system:
 - 1. The transportation system is capable of supporting the proposed facility in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed facility are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.

3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- E. Transit ridership is increased and vehicle miles traveled per capita is reduced;
- F. The facility will have adequate separation, landscaping, and screening between the sidewalk and parking areas to reduce the impact on adjacent public and private spaces; and
- G. The facility is necessary because bus service is not adequate to serve those in the surrounding area who live or work beyond walking or bicycling distance of transit.

33.815.223 Public Safety Facilities

These approval criteria allow Public Safety Facilities where it is necessary to the health and safety of the public that a facility be at a particular site. The criteria also ensure that impacts resulting from the facility will be mitigated to the extent practicable. The approval criteria are:

- A. Health and safety.** The health and safety of the public is dependent on the facility being at this location.
- B. Location.** There is no feasible alternative location where the facility is an allowed use, or would have less impact on residential character or identified scenic and environmental resources.
 1. Proof of a location-specific need must include:
 - a. A broad review of other, similar or nearby, areas;
 - b. A review of specific alternative sites is not required; and
 - c. The review of other areas must show that those areas cannot reasonably accommodate the proposed use.
 2. A challenge to the proposed site includes identification of a specific alternative site and sufficient facts to support the assertion that the alternative site can reasonably accommodate the proposed use.
- C. Public services.**
 1. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement.
 2. Transportation system:
 - a. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if

the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;

- b. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;
 - c. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
3. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

D. Livability.

1. Detrimental impacts are mitigated to the extent feasible, taking into consideration such factors as:
 - a. Hours of operation;
 - b. Vehicle trips to the site and impact on surrounding on-street parking;
 - c. Noise, vibration, dust, odor, fumes, glare, and smoke;
 - d. Potential for increased litter
 - e. The amount, location, and nature of any outside displays, storage, or activities;
 - f. Height of structures; and
2. If the facility is in an OS or R zone, detrimental impacts to the residential or open space character of the area caused by the appearance of the new use or development are mitigated to the extent feasible, taking into consideration such factors as:
 - a. Structure scale, placement, and facade;
 - b. Parking area placement;
 - c. Buffering and the potential loss of privacy to abutting residential uses; and
 - d. Lighting and signs; and
3. If the facility is in an OS zone, adequate open space is being maintained so that detrimental impacts to the open or natural character of the area are minimized.

E. Radio Frequency Transmission Facilities. Unless exempted or allowed by Sections 33.274.030 or 33.274.035, Radio Frequency Transmission Facilities must also comply with the regulations of Sections 33.274.040 through .070.

33.815.225 Radio Frequency Transmission Facilities

These approval criteria allow Radio Frequency Transmission Facilities in locations where there are few impacts on nearby properties. The approval criteria are:

- A.** Approval criteria for personal wireless service facilities proposing to locate on an existing building or other non-broadcast structure in an OS or R zone or in a C, E, I, or campus institutional zone within 50 feet of an R zone:
 - 1. The visual impact of an antenna must be minimized. For instance, it can be hidden behind a compatible building feature such as a dormer, mounted flush to the facade of the building and painted to match, mounted on a structure designed with minimal bulk and painted to fade into the background, or mounted by other technique that equally minimizes the visual impact of the antenna;
 - 2. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area and be adequately screened; and
 - 3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.
- B.** Approval criteria for personal wireless service facilities proposing to locate on a tower in an OS or R zone, or in a C, E, I, or campus institutional zone within 50 feet of an R zone:
 - 1. The applicant must prove that a tower is the only feasible way to provide the service, including documentation as to why the proposed facility cannot feasibly be located in a right-of-way;
 - 2. The tower, including mounting technique, must be sleek, clean, and uncluttered;
 - 3. The visual impact of the tower on the surrounding area must be minimized. This can be accomplished by one or more of the following methods:
 - a. Limiting the tower height as much as possible given the technical requirements for providing service and other factors such as whether the tower will provide co-location opportunities;
 - b. Planting or preserving trees around the tower as a way to soften its appearance. The variety and spacing of the trees will be determined based on the site characteristics, tower height, and other co-location factors;
 - c. Shielding the tower and antennas from view by enclosing or concealing them within another structure that has less visual impact.
 - d. Placing the tower away from land uses that are more sensitive to the visual impacts, such as adjoining residences or open spaces; or
 - e. Other methods that adequately minimize visual impact;
 - 4. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area;

5. Public benefits of the use outweigh any impacts which cannot be mitigated; and
 6. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.
- C.** Approval criteria for personal wireless service facilities, proposing to locate on a tower in a C, CI2, or EX zone more than 50 feet from an R zone:
1. The applicant must prove that a tower that is taller than the base zone height standard allows or is within 2,000 feet of another tower is the only feasible way to provide the service, including documentation as to why the proposed facility cannot feasibly be located in a right-of-way;
 2. The tower, including mounting technique, must be sleek, clean and uncluttered;
 3. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area;
 4. The visual impact of the tower on the surrounding area must be minimized;
 5. Public benefits of the use outweigh any impacts which cannot be mitigated; and
 6. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.
- D.** Approval criteria for all other Radio Frequency Transmission Facilities:
1. Based on the number and proximity of other facilities in the area, the proposal will not significantly lessen the desired character and appearance of the area;
 2. The facility will be located so that impacts on mature trees and tree groves are minimized;
 3. Public benefits of the use outweigh any impacts which cannot be mitigated; and
 4. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

33.815.230 Rail Lines And Utility Corridors

These approval criteria allow Rail Line And Utility Corridor uses where their location will not unduly interfere with other land uses and with the street system. The approval criteria are as follows:

- A.** The proposed rail line or utility corridor is sufficiently separated from nearby land uses so as to allow for buffering of the uses, especially in residential areas. In the case of railroad lines, separation distances should consider the expected number, speed, size, types, and times of trains; and
- B.** The rail line or utility corridor will not substantially impact the existing or planned street system, or traffic, transit, pedestrian, and bicycle movement and safety.

33.815.300 Commercial Parking Facilities in the Columbia South Shore Plan District

These approval criteria serve to control Commercial Parking Facilities in the Entryway subarea of the Columbia South Shore plan district to promote the City's development objectives for the area. The approval criteria are:

- A. The proposed facility is consistent with the City's adopted renewal plan for the area;
- B. The proposed facility meets or exceeds the landscaping and screening standards applicable to the site and for parking areas;
- C. There are adequate nearby lands available for the development of more intense uses;
- D. The proposed use is in conformance with the street designations shown in the Transportation Element of the Comprehensive Plan;
- E. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;
- F. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.

33.815.301 Industrial Businesses in the Columbia South Shore Plan District

These approval criteria apply to industrially oriented office uses specified in 33.515.110 of the Columbia South Shore Plan District. The approval criterion allows these uses in the Industrial Business Opportunity subdistrict when there is excess capacity available in the transportation system. The application must include a traffic impact analysis acceptable to the Office of Transportation. The approval criteria are:

- A. There is excess capacity available in the transportation system beyond that needed to serve the development potential of Columbia South Shore. The development potential for the district is determined by Comprehensive Plan designations. Evaluation factors include street designations and capacity, level of service, or other performance measures; access to arterials; connectivity; transit availability; access restrictions; neighborhood impacts; impacts on pedestrian, bicycle, and transit circulation; and safety for all modes.

- B. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement.

33.815.302 Professional/Technical Facilities in the Columbia South Shore Plan District

These approval criteria provide for professional/technical facilities which directly involve firms in Columbia Corridor and which show effective transportation demand management. The approval criteria are:

- A. The proposed use will provide training primarily to employees who work in the plan district. The curriculum relates directly to job skills needed by firms in the corridor. The predominant curriculum is for industrial trades, such as manufacturing technology, robotics, and industrial automation;
- B. If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;
- C. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- D. The proposed use will comply with the NE Airport Way Access Management Policy, as applicable;
- E. The proposed transportation demand management (TDM) program is acceptable to the Office of Transportation. Examples of TDM program measures may include vanpooling, carpooling, transit subsidies, shuttle service and off-peak class scheduling or other incentives to encourage the use of alternatives to the single-occupant automobile; and
- F. City-designated scenic resources are preserved.

33.815.303 Retail Sales and Service Uses in the Columbia South Shore Plan District

For Retail Sales and Service Uses that directly support industrial firms in the Columbia South Shore but require space in excess of the limits provided in 33.515, only approval criteria A through D apply. For the minor alteration of Retail Sales and Service Uses in excess of 25,000 square feet which existed on September 1, 1996, or for which a complete application was received under Section 33.700.080 by September 1, 1996, only approval criterion D applies:

- A.** The use needs to be located in the Columbia South Shore plan district because at least 51 percent of the firm's business is conducted with other firms or employees in the plan district;
- B.** If the proposed use will be located in an industrial zone, it will not have a significant adverse effect on truck and freight movement;
- C.** Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- D.** The use will not have any significant adverse traffic impacts on neighboring employment or industrial area users; and
- E.** The minor alteration will not result in a greater adverse traffic impact on neighboring employment and industrial area users than the existing retail sales and service use and development.

33.815.304 Retail Sales And Service Uses on Specified Sites in the CX and EX Zones in the Central City Plan District

Approval criteria A, B and D apply to Retail Sales And Service uses with more than 50,000 square feet of net building area on sites shown on Map 510-12 that are outside the South Waterfront Subdistrict. Approval criteria A, B, C and D apply to Retail Sales And Service Uses with more than

50,000 square feet of net building area on sites shown on Map 510-12 that are within the South Waterfront Subdistrict.

- A. The use needs to be located in the subdistrict because it primarily serves those who live or work in the subdistrict;
- B. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements;
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed;
- C. The traffic generated by the use will not have significant adverse impacts on the subdistrict's ability to achieve jobs and housing targets stated in the South Waterfront Plan; and
- D. City-designated scenic resources are preserved.

33.815.305 Replacement Parking Facilities in the Central City Plan District

These approval criteria provide for parking facilities that replace on- and off-street parking spaces lost to development of a light rail line. It is not intended to allow parking facilities in such quantity, concentration, or appearance that they detract from the desired commercial, mixed use, employment, or residential character of the zones. It is intended to allow parking facilities that primarily serve users who have destinations in the neighborhood, and to provide replacement, as opposed to additional, parking. The approval criteria are:

- A. The facility will provide parking primarily to those whose destination or residence is within the neighborhood association boundaries where the facility is located. Long-term parking by others is prohibited. Short-term parking may be made available to others if it is coupled with a mechanism to ensure it is short-term parking. A management plan will be submitted to document how this criterion will be met. Long-term includes daily, weekly, and monthly parking. Short-term parking is four hours or less. Neighborhood association boundaries are

shown on the most recent Neighborhood Boundaries Map published by the Office of Neighborhood Involvement, and do not include boundaries of business associations, industrial associations, or other recognized organizations.

- B. The number of spaces provided is the same or less than the number of parking spaces being removed by the light rail construction;
- C. Transportation system:
 - 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 - 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 - 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- D. The proposal will not by itself, or in combination with other parking facilities in the area, significantly affect the character of the area by discouraging housing and commercial uses which are compatible with a growing community;
- E. The proposed parking area will meet or exceed the landscaping and screening standards applicable to the site and for parking areas; and
- F. Design of the facility will provide for a safe and attractive pedestrian environment. Evaluation factors include the following: number and location of curb cuts; visibility at curb cuts; and adequate separation, landscaping, and screening between the sidewalk and parking area to reduce the impact on adjacent public and private spaces.

33.815.308 Commercial Parking in Multi-Dwelling Zones and Commercial Parking Access from Main Streets in the Northwest Plan District

This review provides for Commercial Parking that supports the diverse mix of uses and urban scale of development in the Northwest plan district. The review allows for a limited amount of Commercial Parking for community use in a high-density residential area in close proximity to commercial main streets and for motor vehicle access to a parking structure from a Main Street, while ensuring that the transportation system is capable of supporting the proposed parking. The

criterion is: The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation findings must demonstrate that:

- A. Signalized intersections within 600 feet of the site will operate at an acceptable level of service or will not be significantly degraded by the proposed use;
- B. The proposed use does not create a significant adverse impact on the availability of existing on-street parking along streets within one block of the site. Adverse impacts to on-street parking could include removal of a significant portion of the existing on-street parking in the area;
- C. The design of the site, and in particular the locations of vehicular ingress and egress, minimizes the impact of traffic circulation on local service streets; and
- D. The design of the site provides for safe operation of motor vehicle access and does not significantly degrade the safety of pedestrians, or other modes, using the streets near the site.

33.815.310 Industrial Uses in the IR Zone

These approval criteria providing for Manufacturing and Production and Industrial Service Uses in IR zones are intended to allow industrial activities that support the mission of the City's major educational and medical institutions. The approval criteria are:

- A. The proposed industrial service or manufacturing and production use is consistent with the institution's approved impact mitigation plan;
- B. The mitigation activities completed to implement the impact mitigation plan are adequate to mitigate for the expected impact of the industrial facilities. Proposed industrial service or manufacturing and production uses must not, in combination with other existing institutional campus development, exceed the levels of mitigation provided;
- C. Industrial service and manufacturing and production uses are considered location sensitive on institutional campuses. The facilities' placement must be included in the institution's approved impact mitigation plan;
- D. All Industrial Service and Manufacturing And Production uses in aggregate do not exceed a maximum of 10 percent or 50,000 built square feet of all campus net building area, whichever is less. If the site includes structured parking, 250 square feet of the structured parking will be associated with the Industrial Service and Manufacturing And Production uses for each parking space required for those uses. Size exceptions are prohibited;
- E. Exterior display, storage and work activities are prohibited;
- F. Heavy trucks are not to travel to the industrial service or manufacturing and production use site by local streets unless no other choice is available. Access for medium and heavy trucks to these activities must be addressed in the Impact Mitigation Plan. Traffic levels cannot increase above what is approved through the Impact Mitigation Plan or Conditional Use Master Plan;

- G. Long term parking of medium and heavy trucks on site is prohibited; and
- H. All hazardous wastes generated by an industrial service or manufacturing and production uses are identified and plans have been approved for the handling, storage, and disposal of the wastes as part of the institution's impact mitigation plan. The impact mitigation plan must be current and have been approved in conformance with the provisions of Chapter 33.848 Impact Mitigation Plan Requirements.

33.815.315 Utility Scale Energy Production in Specified C zones.

These approval criteria provide for Utility Scale Energy Production in the commercial/mixed use zones. They allow energy-generating activities that have limited impact on the surrounding area, while supporting sustainability goals for energy. The approval criteria are:

- A. The proposed Utility Scale Energy Production facility will serve the immediate area;
- B. The off-site impact standards of Chapter 33.262 must be met;
- C. Transportation system:
 1. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include safety, street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
 2. Measures proportional to the impacts of the proposed use are proposed to mitigate on- and off-site transportation impacts. Measures may include transportation improvements to on-site circulation, public street dedication and improvement, private street improvements, intersection improvements, signal or other traffic management improvements, additional transportation and parking demand management actions, street crossing improvements, improvements to the local pedestrian and bicycle networks, and transit improvements.
 3. Transportation improvements adjacent to the development and in the vicinity needed to support the development are available or will be made available when the development is complete or, if the development is phased, will be available as each phase of the development is completed.
- D. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the Bureau of Environmental Services.

(Amended by: Ord. No. 163697, effective 1/1/91; Ord. No. 165681, effective 7/15/92; Ord. No. 166834, effective 9/3/93; Ord. No. 167054, effective 10/25/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 169324, effective 10/12/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169987, effective 7/1/96; Ord. No. 169916, effective 9/1/96; Ord. No. 171219,

effective 7/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 173259, effective 5/14/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175837, effective 9/7/01; Ord. No. 176092, effective 12/21/01; Ord. Nos. 176024 and 176193, effective 2/1/02; Ord. No. 176351, effective 3/27/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177082, effective 1/20/03; Ord. No. 177422, effective 6/7/03; Ord. No. 178020, effective 12/20/03; Ord. No. 178480, effective 6/18/04; Ord. No. 178832, effective 10/21/04; Ord. No. 179092, effective 4/1/05; Ord. No. 179980, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 180667, effective 1/12/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183269, effective 10/21/09; Ord. No. 183598, effective 4/24/10; Ord. No. 183750, effective 6/4/10; Ord. No. 184443, effective 4/1/11; Ord. No. 184521, effective 5/13/11; Ord. No. 185412, effective 6/13/12; Ord. No. 186639, effective 7/11/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No. 188077, effective 12/9/16; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190000, effective 6/18/20; Ord. No. 190023, effective 8/10/20; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. Nos. 191079, 191164, and 191171, effective 3/31/23.)

33.820 Conditional Use Master Plans

820

Sections:

- 33.820.010 Purpose
- 33.820.020 What Is Covered by a Master Plan
- 33.820.030 When a Master Plan Is Required
- 33.820.040 Procedure
- 33.820.050 Approval Criteria
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33.820.010 Purpose

A conditional use master plan is a plan for the future development of a use that is subject to the conditional use regulations. Expansions of the use may have impacts on surrounding neighborhoods and on public services that are better addressed through the review of the master plan than through reviewing the expansions individually over time. In addition, by creating long term plans, some impacts may be prevented that would have occurred with uncoordinated piecemeal expansions. The development of a master plan is intended to provide the surrounding neighborhoods and the City with information about, and an opportunity to comment on, the use's plans for future development. The plan also enables the operator of the use and the City to address the effects of the future development. Finally, an approved master plan is intended to ensure that the use will be allowed to develop in a manner consistent with the plan. Master plans may be completed at various levels of detail. Generally, the more specific the plan, the less review that will be required as the future uses and development are built.

33.820.020 What Is Covered by a Master Plan

- A. Present uses.** A conditional use master plan is for the entire use, including portions of the use on lands where the use is allowed by right, and all affiliates on or abutting the site. For the purpose of this chapter, an affiliate means any entity that is related to the use in such a way that either the use or the entity controls the other, or both are under control of a third party. Control means the power to decide and direct the use of land, structures, and other resources.
- B. Proposed and potential uses.** The conditional use master plan covers any specific uses or development proposals being requested, called the "proposed use" in this chapter, and possible future uses or development, called the "possible future uses."
- C. Boundaries.** The conditional use master plan may encompass lands not presently controlled by the use. The plan will not take effect for those lands until they are under control of the applicant.

33.820.030 When a Master Plan Is Required

A conditional use master plan is required as part of a conditional use review in the situations listed below.

- A. Large conditional uses.** The conditional use contains over 500,000 square feet of floor area and either:
 - 1. The use proposes to expand the amount of floor area over 10 percent from the amount that existed at the last conditional use review, or if there was no review, then January 1, 1991 or
 - 2. The use expands its site area beyond the site area that existed on January 1, 1991. For this regulation, site area means all land used by the use and its affiliates including vacant land within the ownership.
- B. When required as part of a conditional use review.** The review body, as part of a conditional use review, may require a master plan in conjunction with any future expansions of the use if there has been a history of site area expansions and these are likely to continue. Also, the master plan may be required for future expansion of the use if there has been a history of floor area expansions for functions of the use which draw additional people to the site, and these are likely to continue.
- C. Voluntarily.** An applicant may also voluntarily submit a master plan as part of a conditional use review.

33.820.040 Procedure

Conditional use master plans are processed through a Type III procedure as part of the conditional use review. The applicant is encouraged to work with surrounding property owners, residents, recognized organizations, and City bureaus during the formulation of the master plan.

33.820.050 Approval Criteria

Requests for conditional use master plans will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A.** The master plan contains the components required by 33.820.070;
- B.** The proposed uses and possible future uses in the master plan comply with the applicable conditional use approval criteria; and
- C.** The proposed uses and possible future uses will be able to comply with the applicable requirements of this Title, except where adjustments are being approved as part of the master plan.

33.820.060 Duration of the Master Plan

The master plan must include proposed uses and possible future uses that might be proposed for at least 3 years and up to 10 years. Generally, an approved master plan remains in effect until development allowed by the plan has been completed or the plan is amended or superseded, however if an approved master plan for a site in a CI1 or CI2 zone has an expiration date later than December 31, 2023, the master plan expires on December 31, 2023.

33.820.070 Components of a Master Plan

The applicant must submit a master plan with all of the following components. The review body may modify the proposal, especially those portions dealing with development standards and review procedures. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases.

- A. Boundaries of the use.** The master plan must show the current boundaries and possible future boundaries of the use for the duration of the master plan.
- B. General statement.** The master plan must include a narrative that addresses the following items:
 - 1. A description in general terms of the use's expansion plans for the duration of the master plan;
 - 2. An explanation of how the proposed uses and possible future uses comply with the conditional use approval criteria; and
 - 3. An explanation of how the use will limit impacts on any adjacent residentially zoned areas. The impacts of the removal of housing units must also be addressed.
- C. Uses and functions.** The master plan must include a description of present uses, affiliated uses, proposed uses, and possible future uses. The description must include information as to the general amount and type of functions of the use such as office, classroom, recreation area, housing, etc. The likely hours of operation, and such things as the approximate number of members, employees, visitors, special events must be included. Other uses within the master plan boundary but not part of the conditional use must be shown.
- D. Site plan.** The master plan must include a site plan, showing to the appropriate level of detail, buildings and other structures, the pedestrian, bicycle, and vehicle circulation system, vehicle and bicycle parking areas, open areas, existing trees to be preserved, and other required items. In addition to the application requirements in 33.730.060.C, the site plan must also include:
 - 1. All existing improvements that will remain after development of the proposed use;
 - 2. All improvements planned in conjunction with the proposed use;
 - 3. Conceptual plans for possible future uses; and
 - 4. Pedestrian, bicycle, and transit facilities including pedestrian and bicycle circulation between:
 - a. Major buildings, activity areas, and transit stops within the master plan boundaries and adjacent streets and adjacent transit stops; and
 - b. Adjacent developments and the proposed development.
- E. Development standards.** The master plan may propose standards that will control development of the possible future uses that are in addition to or substitute for the base zone requirements and the requirements of Chapters 32.32 and 32.34 of the Sign Code.

These may be such things as height limits, setbacks, FAR limits, landscaping and tree preservation requirements, parking requirements, sign programs, view corridors, or facade treatments. Standards more liberal than those of the code require adjustments.

- F. Phasing of development.** The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of property awaiting development. In addition the plan should address any proposed temporary uses or locations of uses during construction periods.
- G. Transportation and parking.** The master plan must include information on the following items for each phase.
 - 1. Projected transportation impacts. These include the expected number of trips (peak, events, and daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs and strategies to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupant vehicles.
 - 2. Projected parking impacts. These include projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the on-street parking system and adjacent land uses, and mitigation measures.
- H. Street vacations.** The master plan must show any street vacations being requested in conjunction with the proposed use and any possible street vacations that might be requested in conjunction with future development. (Street vacations are under the jurisdiction of the City Engineer. Approval of the master plan does not prejudice City action on the actual street vacation request.)
- I. Adjustments.** The master plan must specifically list any adjustments being requested in conjunction with the proposed use or overall development standards and explain how each adjustment complies with the adjustment approval criteria.
- J. Other discretionary reviews.** When design review or other required reviews are also being requested, the master plan must specifically state which phases or proposals the reviews apply to. The required reviews for all phases may be done as part of the initial master plan review, or may be done separately at the time of each new phase of development. The plan must explain and provide enough detail on how the proposals comply with the approval criteria for the review.
- K. Review procedures.** The master plan must state the procedures for review of possible future uses if the plan does not contain adequate details for those uses to be allowed without a conditional use review.

33.820.080 Implementation

- A. Conforming to the plan.** Uses and development that are in conformance with detailed aspects of the plan are not required to go through another conditional use review. Uses and development subject to less detailed parts of the plan are subject to the level of conditional use review stated in the master plan. They will be approved if they are found to

comply with the master plan. Other required land use reviews must still be completed unless they were also approved as part of the master plan.

B. Not conforming to the plan. Uses that are not in conformance with the master plan require an amendment to the plan. Development that is not in conformance with the plan and does not meet the following requires an amendment to the plan. Development that is not in conformance with the plan and does meet all of the following is allowed:

1. All conditions of approval must be met except as allowed by Subparagraphs B.4 through B.8;
2. One of the following must be met:
 - a. Complies with the development standards of this Title, or
 - b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
3. Either maintains the existing site boundary or reduces the site boundary along a lot line. If the proposal reduces the conditional use site boundary along a lot line, the boundary reduction will not eliminate the availability of services to the properties and the properties will not move out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management;
4. Does not demolish and replace more than 25 percent of the existing floor area on the site;
5. Does not increase new floor area by more than 2,000 square feet. Floor area for an outdoor shelter and for housing that is affordable is exempt from this limitation. For the purposes of this paragraph, housing that is affordable means that at least 50 percent of the dwelling units in the additional floor area are participating in the Title 30 System Development Charges Exemption Program. See 30.01.095. If the additional floor area is in multiple buildings with multiple dwelling units, then the affordable units must be distributed among the multiple buildings. To qualify for this exemption, the applicant must provide a letter from the Portland Housing Bureau certifying which units are approved for the System Development Charges Exemption Program;
6. Does not increase the exterior improvement area by more than 2,000 square feet, except that exterior improvements associated with an outdoor shelter, fences, handicap access ramps, on-site pedestrian circulation systems, ground mounted solar panels, and parking space increases allowed by 33.820.080.B.8 below, are exempt from this limitation;
7. Will not result in a net gain of site area;
8. Will not result in an individual or cumulative loss or gain in the number of parking spaces, except as follows:
 - a. Will not result in a net loss in the number of parking spaces except as follows:
 - (1) No reduction in shared parking spaces is allowed;

- (2) Up to 50 percent of the total number of existing parking spaces may be removed when the removal is for an outdoor shelter or housing that is affordable as defined by Paragraph B.5;
 - (3) 1 space or 4 percent of the total number of parking spaces may be removed, whichever is greater; however, parking spaces removed to create accessible spaces as specified in the Oregon Structural Specialty Code are exempt from this limitation; and
 - (4) Removal of parking from sites with 4 or fewer required spaces is not allowed without an amendment to the plan.
- b. Will not increase the net number of parking spaces by more than 1 space or 4 percent of the total number of parking spaces, whichever is greater. However, the individual or cumulative addition of more than 5 parking spaces is not allowed without an amendment to the plan; and
 - c. The cumulative loss of parking is measured from the time the use became a conditional use, July 16, 2004, or the last conditional use review of the use, whichever is most recent, to the present.

33.820.090 Amendments to Master Plans

Amendments to the master plan are required for any use or development that is not in conformance with the plan, except as stated in 33.820.080, above. The approval criteria of 33.820.050 apply. The thresholds and procedures for amendments are stated below.

- A. Type III procedure.** Unless the master plan specifically provides differently, amendments to a master plan that require a Type III procedure are:
 1. Any proposed development on the site that is within 400 feet of the master plan boundaries, unless a greater distance is stated in the master plan;
 2. A proposed expansion of the approved boundary;
 3. Proposals that increase the amount, frequency, or scale of a use over 10 percent of what was approved (Examples include the number of students, patients, or members; the number of helicopter flights; number or size of special events.);
 4. New uses not covered in the plan which will draw more people to the site, except for those which are replacing another use so that there is no net increase;
 5. Increases in the overall floor area of development on the site over 25 percent. Floor area for an outdoor shelter or housing that is affordable as defined by Paragraph B.5. is exempt from this limitation;
 6. Increases or decreases greater than 10 percent in the amount of approved or required parking. Decreases for an outdoor shelter or housing that is affordable as defined by Paragraph B.5. are exempt from this limitation; and
 7. Proposed uses or development which were reviewed, but were denied because they were found to not be in conformance with the plan.

- B. Type II procedure.** Unless the master plan specifically provides differently, amendments to a master plan not specifically stated in Subsection A. above are processed through a Type II procedure.

33.820.100 Existing Plans

- A. Plans in effect.** Master plans that were approved by the City prior to January 1, 1991 are deemed to be in conformance with this chapter and continue in effect until their expiration dates. Approved master plans that do not have an expiration date continue in effect until development allowed by the plan has been completed.
- B. Plans being formulated.** Master plans submitted after the implementation date of this Title which were required because of conditions of a land use approval prior to the implementation date, will be reviewed by the City in accordance with the original conditions. If the master plan is approved, it is then subject to the regulations of Subsection A. above.

(Amended by: Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 175204, effective 3/1/01; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. 178509, effective 7/16/04; Ord. No. 183598, effective 4/24/10; Ord. No. 184235, effective 11/26/10; Ord. No. 186053, effective 1/1/15; Ord. No. 190000, effective 6/18/20; Ord. No. 191171, effective 3/31/23.)

enhancement, mitigation, remediation, and agricultural and pasture lands is not included. The disturbance area may contain two subareas, the permanent disturbance area and the temporary disturbance area:

- **Permanent Disturbance Area.** The permanent disturbance area includes all areas occupied by existing or proposed structures or exterior improvements. The permanent disturbance area also includes areas where vegetation must be managed to accommodate overhead utilities, existing or proposed non-native planting areas, and roadside areas subject to regular vegetation management to maintain safe visual or vehicle clearance.
- **Temporary Disturbance Area.** The temporary disturbance area is the portion of the site to be disturbed for the proposed development but that will not be permanently occupied by structures or exterior improvements. It includes staging and storage areas used during construction and all areas graded to facilitate proposed development on the site, but that will not be covered by permanent development. It also includes areas disturbed during construction to place underground utilities, where the land above the utility will not otherwise be occupied by structures or exterior improvements.

Drainageway. A constructed or natural channel or depression, which at any time collects and conveys water. It may be permanently or temporarily inundated.

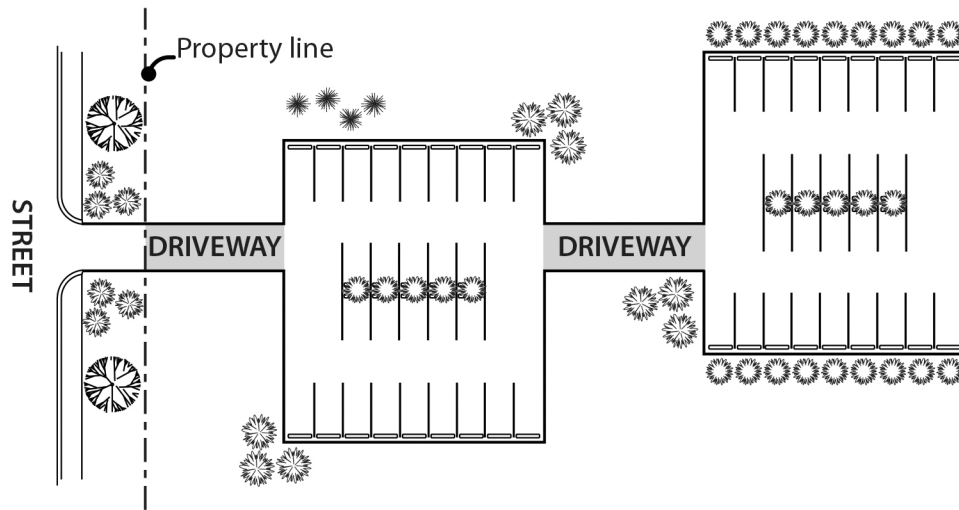
Drive-Through Facility. A facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities are a type of site development that is usually found in conjunction with a Quick Vehicle Servicing use or a Retail Sales And Service use. Drive-through facilities also include facilities designed for the rapid servicing of vehicles, where the drivers may or may not remain in their vehicles, but where the drivers usually either perform the service for themselves, or wait on the site for the service to be rendered. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; menu boards; order boards or boxes; gas pump and electric vehicle charging islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. Parking spaces used for customer pick-up or loading of goods or products purchased on-site, on the phone, or on-line from the establishment are not a drive-through facility. . Parking spaces that include electric vehicle chargers and equipment are not a drive-through facility. Facilities designed for electric vehicle charging or the picking-up or loading of goods or products purchased from the establishment that include a stacking lane and a service area are a drive-through facility.

Driveway. There are two types of driveways:

- The area that provides vehicular access to a site. A driveway begins at the property line and extends into the site. A driveway does not include parking, maneuvering, or circulation areas in parking areas, such as aisles; and
- The area that provides vehicular circulation between two or more noncontiguous parking areas. A driveway does not include maneuvering or circulation areas within the interior of a parking area. A driveway must be used exclusively for circulation, with no abutting parking spaces. See Figure 910-13.

See also Parking Area and Vehicle Areas.

Figure 910-13
Driveway



Duplex. See Residential Structure Types.

Dwelling Unit. See Residential Structure Types.

Easement. A grant of rights by a property owner that allows others to use the owner's land for a specific purpose, such as access, or to locate utilities.

Eave. Projecting overhang at the lower border of a roof and extending from a primary wall or support. See Figure 910-14.

Figure 910-14
Eave



Ecologically and Scientifically Significant Natural Areas. Land and water that has substantially retained its natural character, but is not necessarily completely natural or undisturbed, and which is significant for historical, scientific, paleontological, or natural features.

ESEE Analysis. A type of analysis which is used to help determine if a particular resource should be protected in accordance with Statewide Planning Goal 5. The analysis examines competing values to

and may include a 360-degree perspective. Although the view corridor extends from the viewpoint to the focus of the view, the mapped portion of the corridor extends from the viewpoint and is based on the area where base zone heights must be limited in order to protect the view. See also, Scenic Corridor.

Viewing Area. Part of a site developed for educational or public viewing purposes. The viewing area may be hard surfaced or decking, or within a structure such as a duck blind.

Waste Collection Areas. Waste collection areas include areas set aside or designed to be used for garbage collection and collection of materials for recycling. Waste collection areas include areas occupied by dumpsters and other solid waste receptacles.

Water Bodies. Permanently or temporarily flooded lands which may lie below the deepwater boundary of wetlands. Water depth is such that water, and not the air, is the principal medium in which prevalent organisms live, whether or not they are attached to the bottom. The bottom may sometimes be considered nonsoil or the water may be too deep or otherwise unable to support emergent vegetation. Water bodies include rivers, streams, creeks, sloughs, drainageways, lakes, and ponds. See also Identified Waterbodies.

Water Quality Resource Area. The water quality resource area is a vegetated corridor and the adjacent protected water feature. The functional values of the water quality resource area include: providing a vegetated corridor to separate protected water features from development; maintaining or reducing stream temperatures; maintaining natural stream corridors; minimizing erosion, nutrient and pollutant loading into water; filtering, infiltration and natural water purification; and stabilizing slopes to prevent landslides contributing to sedimentation of water features.

Wetland. An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, and similar areas. See also Identified Wetlands.

Wildlife Species of Concern. Wildlife species of concern are those species with a large enough body mass (i.e. raptors, waterfowl, coyote, great blue heron or species with flocking behavior (i.e. European starling, gulls) that can result in a high probability of severe impact with aircraft. The wildlife species of concern list is in the Port of Portland's Wildlife Hazard Management Plan, as authorized by the Federal Aviation Administration.

Wind Turbine or Wind Energy Turbine. A wind turbine or wind energy turbine converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a mast or mounting frame and structural supports, electrical generator, transformer, energy storage equipment, and a rotor with one or more blades. Some turbines use a vertical axis/helix instead of rotor blades.

- Small Wind Turbines or Small Wind Energy Turbines are turbines with an American Wind Energy Association (AWEA) rated power output of 10 kW or less. They also are certified by the Small Wind Certification Council to meet the American Wind Energy Associations (AWEA) Small Wind Turbine Performance and Safety Standards. These turbines may or may not be connected to the power grid.
- Large Wind Turbines or Large Wind Energy Turbines are turbines with a rated power output of more than 10kW and up to 300 kW. These turbines may or may not be connected to the power grid.

(Amended by: Ord. No. 163957, effective 4/12/91; Ord. No. 164899, effective 12/11/91; Ord. No. 165417, effective 6/5/92; Ord. No. 165681, effective 7/15/92; Ord. No. 166313, effective 4/9/93; Ord. No. 166702, effective 7/30/93; Ord. No. 167054, effective 10/25/93; Ord. No. 167127, effective 12/17/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 167293, effective 1/19/94; Ord. No. 168698, effective 4/17/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169763, effective 3/25/96; Ord. No. 169987, effective 7/1/96; Ord. No. 170248, effective 9/17/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171740, effective 11/14/97; Ord. No. 171718, effective 11/29/97; Ord. No. 171879, effective 2/2/98; Ord. No. 172882, effective 11/18/98; Ord. No. 173015, effective 2/12/99; Ord. No. 173528, effective 7/30/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174378, effective 5/26/00; Ord. No. 175204, effective 3/1/01; Ord. Nos. 175341 and 175358, effective 3/16/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175877, effective 9/21/01; Ord. No. 175966, effective 10/26/01; Ord. No. 176351, effective 3/27/02; Ord. No. 176443, effective 5/30/02; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 176587, effective 7/20/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177082, effective 1/20/03; Ord. No. 177422, effective 6/7/03; Ord. No. 177701, effective 8/30/03; Ord. No. 178020, effective 12/20/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178657, effective 9/3/04; Ord. No. 179092, effective 4/1/05; Ord. No. 179540, effective 9/26/05; Ord. No. 179845, effective 1/20/06; Ord. No. 179925, effective 3/17/06; Ord. Nos. 179980 and 179994, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183269, effective 10/1/09; Ord. No. 183598, effective 4/24/10; Ord. No. 183750, effective 6/4/10; Ord. No. 184016, effective 08/20/10; Ord. No. 184235, effective 11/26/10; Ord. No. 184521, effective 5/13/11; Ord. No. 184524, effective 7/1/11; Ord. No. 185412, effective 6/13/12; Ord. No. 815915, effective 5/1/13; Ord. No. 186639, effective 7/11/14; Ord. No. 186736, effective 8/29/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No. 187471, effective 1/1/16; Ord. No. 188077, effective 12/9/16; Ord. No. 188142, effective 1/13/17; Ord. No. 188259, effective 3/31/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189807, effective 12/18/19; Ord. No. 189805, effective 3/1/20; Ord. No. 190023, effective 8/10/20 and 8/1/21; Ord. No. 190093, effective 9/11/20 and 8/1/21; Ord. No. 190241, effective 3/1/21; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 190851, effective 6/30/22; Ord. No. 190978, effective 8/31/22; Ord. No. 190834, effective 10/1/22; Ord. No. 191164, effective 3/31/23.)

33.920.210 Commercial Parking

- A. Characteristics.** Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.
- B. Accessory Uses.** In a parking structure only, accessory uses may include gasoline sales, car washing, food membership distribution, and vehicle repair activities if these uses provide service to autos parked in the garage, and not towards general traffic.
- C. Examples.** Examples include short- and long-term fee parking facilities, commercial district shared parking lots, commercial shuttle parking, and mixed parking lots (partially for a specific use, partly for rent to others).
- D. Exceptions.**
 - 1. Parking facilities that are accessory to a use, but which charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.
 - 2. Parking facilities that are accessory to a primary use are not considered Commercial Parking uses, even if the operator leases the facility to the primary use or charges a fee to the individuals who park in the facility. See Accessory Parking Facilities in Chapter 33.910, Definitions.
 - 3. Public transit park-and-ride facilities are classified as Community Services.

33.920.220 Quick Vehicle Servicing

- A. Characteristics.** Quick Vehicle Servicing uses provide direct services for motor vehicles where the driver generally waits in the car before and while the service is performed. The development will include a drive-through facility, the area where the service is performed (see 33.910, Definitions.) Full-serve and mini-serve gas stations are always classified as a primary use (Quick Vehicle Servicing), rather than an accessory use, even when they are in conjunction with other uses.
- B. Accessory Uses.** Accessory uses may include auto repair, food membership distribution, and tire sales.
- C. Examples.** Examples include full-serve and mini-serve gas stations, unattended card key stations, electric vehicle charging stations, car washes, quick lubrication services, and Department of Environmental Quality vehicle emission test sites.
- D. Exceptions.**
 - 1. Truck stops are classified as Industrial Service.
 - 2. Refueling facilities for the vehicles that belong to a specific use (fleet vehicles) which are on the site where the vehicles are kept, are accessory to the use.
 - 3. Electric vehicle chargers that are intended to be used while the car is parked in a parking space are not a Quick Vehicle Servicing use.

33.920.230 Major Event Entertainment

- A. Characteristics.** Major Event Entertainment uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.
- B. Accessory Uses.** Accessory uses may include restaurants, bars, concessions, parking, food membership distribution, and maintenance facilities.
- C. Examples.** Examples include stadiums, sports arenas, coliseums, race tracks (auto, horse, dog, etc.), auditoriums, exhibition and meeting areas, and fairgrounds.
- D. Exceptions.**
 - 1. Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales And Service.
 - 2. Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales And Service category.
 - 3. Theaters, including drive-in theaters, are classified as Retail Sales And Service.

33.920.240 Office

- A. Characteristics.** Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals. There are two subgroups within the Office category:
 - 1. Traditional Office. Traditional Office uses are characterized by activities that generally focus on business, government, professional, medical, or financial services. Traditional Office uses require customers or clients to visit the site on a regular basis.
 - 2. Industrial Office. Industrial Office uses are characterized by activities that focus on science, technology, and design services associated with the production of physical or digital goods. They primarily provide products to other businesses. They do not require customers or clients to visit the site; any such visits are infrequent and incidental.
- B. Accessory uses.** Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Accessory uses may also include food membership distribution.
- C. Examples.** Examples include uses from the two subgroups:
 - 1. Traditional Office: Professional services such as lawyers, accountants, or management consultants; business services such as headquarters, temporary staffing agencies, sales offices, or call centers; financial services such as lenders, brokerage houses, banks, or real estate agents and developers or property managers; television and radio studios; portrait photography studios; government offices and public utility offices; medical and dental clinics, and blood collection facilities.
 - 2. Industrial Office: Architectural, engineering and related services including landscape architects; drafting services; consultant service providers in the building inspection, architectural, geophysical surveying and mapping, environmental, agricultural, motion picture, biology and life sciences, biotechnology, physics, chemistry, economics, energy, and engineering fields; medical, dental, and veterinary labs primarily engaged

33.920.550 Rail Lines And Utility Corridors

- A. Characteristics.** This category includes railroad tracks and lines for the movement of trains. The land may be owned or leased by the railroad. The category also includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.
- B. Examples.** Examples include rail trunk and feeder lines; regional electrical transmission lines; and regional gas and oil pipelines.
- C. Exceptions.**
1. Railroad lead and spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are classified as accessory to the primary use of the site.
 2. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included.
 3. Light rail lines are not included.
 4. Railroad yards are classified in the Railroad Yards category.

(Amended by: Ord. No. 165681, effective 7/15/92; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 170704, effective 1/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 171879, effective 2/2/98; Ord. No. 174263, effective 4/15/00; Ord. No. 174378, effective 5/26/00; Ord. No. 175837, effective 9/7/01; Ord. No. 176469, effective 7/1/02; Ord. No. 176742, effective 7/31/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 178509, effective 7/16/04; Ord. No. 179092, effective 4/1/05; Ord. No. 180619, effective 12/22/06; Ord. No. 180667, effective 1/12/07; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183598, effective 4/24/10; Ord. No. 184521, effective 5/13/11; Ord. No. 185412, effective 6/13/12; Ord. No. 186639, effective 7/11/14; Ord. No. 186736, effective 8/29/14; Ord. No. 187216, effective 7/24/15; Ord. No. 188077, effective 12/9/16; Ord. No. 188142, effective 1/13/17; Ord. No. 188177, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189807, effective 12/18/19; Ord. No. 190023, effective 8/10/20; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190978, effective 8/31/22; Ord. No. 191164, effective 3/31/23.)

