

# Better Housing by Design

AN UPDATE TO PORTLAND'S MULTI-DWELLING ZONING CODE



## Recommended Draft

August 2019

### Volume 3:



### Additional Zoning Code Amendments



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon



## The Better Housing by Design project is updating Portland’s multi-dwelling zoning rules to meet needs of current and future residents:

### For more information ...

Visit the project website: [www.portlandoregon.gov/bps/betterhousing](http://www.portlandoregon.gov/bps/betterhousing)

Email the project team: [betterhousing@portlandoregon.gov](mailto:betterhousing@portlandoregon.gov)

Call project staff: 503-823-4203

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# Summary

This is Volume 3 of the **Better Housing by Design Recommended Draft**. Volume 3 includes full code and commentary for additional proposed amendments to the Zoning Code and other City titles that complement the core Zoning Code amendments in Volume 2. The *Recommended Draft* incorporates the Portland Planning and Sustainability Commission’s (PSC) changes to the earlier *Proposed Draft*. The *Recommended Draft* serves as the PSC’s recommendation to City Council, which will hold a public hearing on the *Recommended Draft* in Fall 2019, followed by council deliberation, possible amendments and decision.

The major components of the Better Housing by Design proposals include the following (code language for these major proposals are in Volume 2):

- **Diverse housing options and affordability.** Proposals provide more flexibility for a diverse range of housing options – regulating development intensity by building size instead of numbers of units – and prioritize incentives for affordable housing and physically-accessible units.
- **Outdoor spaces and green elements.** Proposals expand requirements for outdoor spaces for residents, provide more options for innovative green options to meet landscaping requirements, reduce parking requirements, and limit large paved areas.
- **Building design and scale.** Proposals include design standards that limit front garages, require entrances oriented to the street, facilitate compact development, and provide new design options for development on major corridors.
- **East Portland standards and street connections.** Proposals include standards focused on improving outcomes in East Portland, including approaches to facilitate new street connections.

Other major components that are part of the *Recommended Draft* include a new array of multi-dwelling zones and related Zoning Map changes, and corresponding changes to Comprehensive Plan land use designations.

**Volume 3** includes amendments to commercial/mixed use zone regulations (Chapter 33.130) and other Zoning Code chapters to bring consistency with the core Better Housing by Design proposals for the multi-dwelling zones found in Volume 2.

## Next Steps

The City Council public hearing on the *Better Housing by Design Recommended Draft* is tentatively scheduled for late September 2019. Updates on the public hearing and other opportunities to provide testimony to City Council will be posted on the project website:

[www.portlandoregon.gov/bps/betterhousing](http://www.portlandoregon.gov/bps/betterhousing).



# Volume 3

## Additional Zoning Code Amendments

This volume of the *Better Housing by Design Recommended Draft* presents proposed amendments to Title 33 (Zoning Code), Title 18 (Noise Control), and Title 32 (Signs and Related Regulations) of the City Code. These proposed amendments complement the core Zoning Code amendments presented in Volume 2 of the Recommended Draft. See the Introduction, page 1, for more information on the types of amendments included in Volume 3.

This document is formatted to facilitate readability by showing draft code amendments on the right-hand pages and related commentary on the facing left-hand pages.

The code amendments appear on the odd-numbered pages. Text that is added is underlined, and text to be deleted is shown with ~~striketrough~~. To reduce the size of the document, provisions of code that are not proposed to change are indicated by “[No Change]”.

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*\*Amendments are to multi-dwelling zone names only.*

# Introduction

This volume of the *Better Housing by Design Recommended Draft* contains additional zoning code amendments that complement the core zoning code amendments presented in Volume 2. The *Recommended Draft Staff Report* (Volume 1) provides a comprehensive summary and analysis of the major *Recommended Draft* proposals.

The proposed zoning code amendments in this volume include the following types of amendments:

1. **Changes to multi-dwelling zone names in various zoning code chapters to correspond to the proposed new multi-dwelling zone names** (such as changing “R1” to “RM2”). These minor amendments are the majority of the changes in this document. Page 2 of this document summarizes the current zones and their corresponding new zones.
2. **Amendments to other zoning code chapter regulations intended to be similar to corresponding regulations in Chapter 33.120.** These amendments are based on changes to Chapter 33.120 regulations and are proposed in order to maintain regulatory consistency. An example of this type of amendment are changes to the Required Outdoor Areas requirements in Chapter 33.130 that apply to multi-dwelling development in the commercial/mixed use zones (see page 33), to correspond to proposed amendments to similar regulations in the multi-dwelling zones.
3. **Amendments to plan district regulations to discontinue regulations that are redundant with proposed new multi-dwelling zone regulations.** An example of this type of amendment is the discontinuation of allowances for ground-floor commercial uses in the RH zone provided by some plan districts along major corridors, given that proposed amendments to Chapter 33.120 (see Volume 2, pages 32-34) will allow limited amounts of commercial uses in multi-dwelling zones along major corridors citywide. See pages 109-163 for plan district amendments.
4. **Amendments to discontinue some plan district regulations that provide minimum densities that are lower than Chapter 33.120 base zone minimum densities.** These amendments affect RH (new RM3 and RM4) zoning in the Albina and North Interstate plan districts (see page 111 and 149) and the R1 (RM2) zone in the St. Johns plan district (see page 163). These areas are along a Civic Corridor, near light rail stations, and in a Town Center that are intended to be a focus for higher-density housing, but allow a low-scale of development that is equivalent to R2 densities intended for duplexes or townhouses. These amendments are part of a broader Better Housing by Design approach intended to strengthen minimum density requirements.



# Summary of the Multi-Dwelling Zones

The new framework for the multi-dwelling zones include four zones that are based on existing zones - keeping a similar scale but providing more flexibility for numbers and types of units. The summary standards and graphics reflect the development standards proposed in the Recommended Draft. The Bonus FAR is provided for projects with affordable housing or FAR transfers from sites where historic buildings, existing affordable housing or trees are being preserved.

## New Zone: RM1

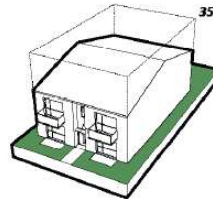
### Former Zones: R2 and R3

This is a low-scale zone that provides a transition to lower density residential areas, often located at edges of centers or along neighborhood corridors or other areas to provide continuity with the scale of established residential areas.

**Maximum Height: 35 feet**

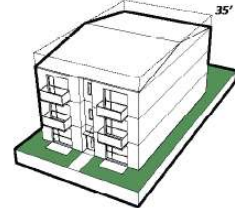
**Maximum Building Coverage: 50%**

### Base FAR



**1 to 1**

### Bonus FAR



**1.5 to 1**

## New Zone: RM2

### Former Zones: R1

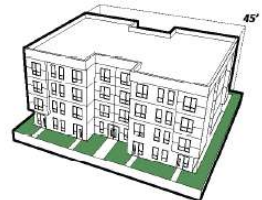
This zone is applied in and around a variety of centers and corridors to contribute to the intended urban scale of these locations, while providing transitions in scale and characteristics to lower scale residential neighborhoods.

**Maximum Height: 45 feet**

**Maximum Building Coverage: 60% (70% on Corridors)**



**1.5 to 1**



**2.25 to 1**

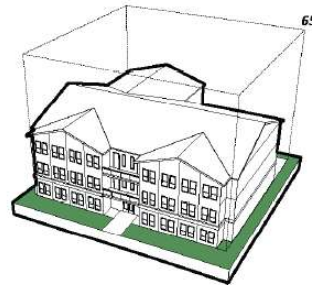
## New Zone: RM3

### Former Zones: RH [2:1 FAR]

This is a high-density zone applied in locations close to the Central City and in centers and major corridors. It allows for a mid-rise scale of buildings (up to six stories), and calls for landscaped front setbacks to integrate with established residential neighborhoods.

**Maximum Height: 65 feet**

**Maximum Building Coverage: 85%**



**2 to 1**



**3 to 1**

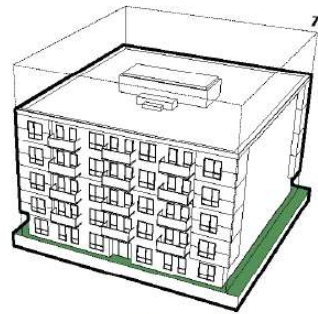
## New Zone: RM4

### Former Zones: RH [4:1 FAR]

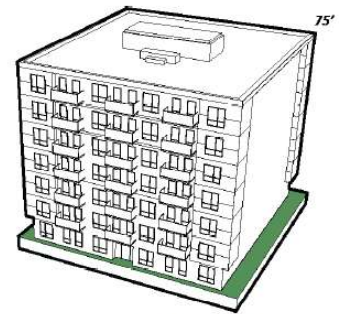
This is a high-density, more intensely urban zone applied in locations close to the Central City and in centers and major corridors. It is intended to provide a mid-rise or high-rise scale of up to seven or more stories.

**Maximum Height: 75 - 100 feet**

**Maximum Building Coverage: 85%**



**4 to 1\***



**6 to 1\***

\* In historic districts, the RM4 base FAR is 3 to 1 and the bonus FAR is 4.5 to 1.



# **Section 1:**

## **Zoning Code Amendments**

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## Commentary

### 33.130 Commercial Zones

The listing of Chapter 33.130 code sections is being modified to reflect a change to the title of Section 33.130.250 (see page 41).

## 33.130 Commercial Zones

130

### Sections:

#### General

- 33.130.010 Purpose
- 33.130.020 List of the Commercial/Mixed Use Zones
- 33.130.030 Characteristics of the Zones
- 33.130.040 Other Zoning Regulations
- 33.130.050 Neighborhood Contact

#### Use Regulations

- 33.130.100 Primary Uses
- 33.130.110 Accessory Uses
- 33.130.130 Nuisance-Related Impacts

#### Development Standards

- 33.130.200 Lot Size
- 33.130.205 Floor Area Ratio
- 33.130.207 Minimum Density
- 33.130.210 Height
- 33.130.212 Floor Area and Height Bonus Options
- 33.130.215 Setbacks
- 33.130.220 Building Coverage
- 33.130.222 Building Length and Façade Articulation
- 33.130.225 Landscaped Areas
- 33.130.227 Trees
- 33.130.228 Required Outdoor Areas
- 33.130.230 Windows
- 33.130.235 Screening
- 33.130.240 Pedestrian Standards
- 33.130.242 Transit Street Main Entrance
- 33.130.245 Exterior Display, Storage, and Work Activities
- 33.130.250 General Requirements for Small Housing Types ~~Houses, Attached Houses, Manufactured Homes, and Duplexes~~
- 33.130.255 Trucks and Equipment
- 33.130.260 Drive-Through Facilities
- 33.130.265 Detached Accessory Structures
- 33.130.270 Fences
- 33.130.275 Demolitions
- 33.130.285 Nonconforming Development
- 33.130.290 Parking, Loading, and Transportation Demand Management
- 33.130.292 Street and Pedestrian Connections
- 33.130.295 Signs
- 33.130.305 Superblock Requirements
- 33.130.310 Recycling Areas

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## Commentary

### **33.130.030 Characteristics of the Zones**

This section is being amended to add language to clarify that the design ("d") overlay zone will always be applied to the higher-density CM3 and CX zones.

This application of the d-overlay zone to these higher-density zones is not a new approach, but there had in the past been inconsistency with the application of this overlay in historic or conservation districts. Moving forward, the d-overlay will always be applied to these zones, regardless of location, although development in historic or conservation districts will be subject to historic resources review and will be exempt from design review.

### 33.130.030 Characteristics of the Zones

A.-C. [No change]

**D. Commercial/Mixed Use 3 zone.** The Commercial/Mixed Use 3 (CM3) zone is a large-scale zone intended for sites in high-capacity transit station areas, in town centers, along streetcar alignments, along civic corridors, and in locations close to the Central City. It is intended to be an intensely urban zone and is not appropriate for sites where adjacent properties have single-dwelling residential zoning. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to six stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, with buildings that contribute to an urban environment with a strong street edge of buildings. The scale of development is intended to be larger than what is allowed in lower intensity commercial/mixed use and residential zones. ~~Design review is typically required in~~The Design overlay zone is applied to this zone.

E. [No change]

**F. Central Commercial zone.** The Central Commercial (CX) zone is intended to provide for commercial and mixed use development within Portland's most urban and intense areas, specifically the Central City and the Gateway Regional Center. A broad range of uses are allowed to reflect Portland's role as a commercial, cultural, residential, and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape. The Design overlay zone is applied to this zone.

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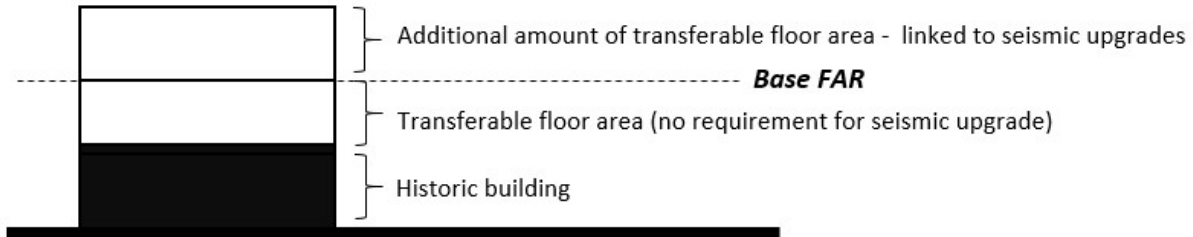
## Commentary

### 33.130.205.C Transfer of floor area from historic resources

Amendments to this paragraph include:

**Transfer of floor area from historic resources - additional FAR transfer allowance for seismic upgrades.** Amendments to the historic resources transfer provision will allow an additional amount of FAR (beyond the amount of unused development capacity), equivalent to 50 percent of the base FAR of each zone, to be transferred to other sites, but use of this additional increment of transferable FAR will only be available in conjunction with seismic upgrades. This amendment is consistent with changes proposed for the multi-dwelling zones (Chapter 33.120) and is intended to provide an incentive for seismic upgrades to historic buildings by helping to defray the costs of these upgrades.

This regulation uses an existing provision that applies in the Central City, but will extend it to multi-dwelling and mixed use zones citywide. The need for seismic upgrades to unreinforced masonry buildings (URMs) is an especially important issue for Portland's historic resources, as nearly 600 historic buildings are URMs - often brick - and seismic upgrades are costly.



Other amendments to this section allow FAR to be transferred to sites citywide, including sites within historic districts, consistent with proposed FAR transfer allowances in the multi-dwelling zones. This is being done to increase the feasibility of FAR transfers by increasing the numbers of potential receiving sites. Staff anticipate that FAR transfers will only be used by relatively small projects, since buildings with 20 or more units qualify for inclusionary housing development bonuses and will not be able to receive additional FAR from transfers. Also consistent with the multi-dwelling zones, the amendments would not allow transfers into the Central City plan district, which has separate FAR transfer provisions than the rest of the city. The amendments will continue to prohibit FAR transfers into the CR zone, where development is intended to remain small scale, in keeping with the scale of the low-rise residential areas where this zone is located.



### 33.130.205 Floor Area Ratio

- A. [No change]
- B. [No change]
- 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.
  - ~~1. Sending sites. Sites eligible to transfer floor area must contain:~~
    - ~~a. A Historic or Conservation landmark; or~~
    - ~~b. A contributing resource in a Historic District or a Conservation District.~~
  - 2. Receiving site. The transfer must be to a site that is zoned CM1, CM2, CM3, CE or CX outside of the Central City plan district. Transferring to a site that is zoned CR is prohibited. The receiving site must be within the same recognized neighborhood as the sending site, or within two miles of the transfer site, and must not be within a Historic or Conservation District.
  - 3.-6. [No change]

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## Commentary

### 33.130.210 Height

Amendments to this section and its graphic include:

- Updates to the multi-dwelling zone names.
- Elimination of the requirement for building height to step down in height to 45 feet adjacent to properties with RM2 (current R1) multi-dwelling zoning. A transition in scale between mixed use zones and the RM2 zone is not needed, given the role of the RM2 zone as a relatively high-density zone that allows densities and building height not very different from mixed use zones. Step down heights are retained that require transitions in scale on properties abutting single-dwelling zones and the lowest-scale multi-dwelling zones (RM1 and RMP).

### **33.130.210 Height**

- A.** [No change]
- B. Height standard.**
  - 1. [No change]
  - 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 RM1R3 ~~— R1~~ or RMP, the step-down height limit is 45 feet. See Figure 130-1.
    - b. [No change]
- C.** [No change]

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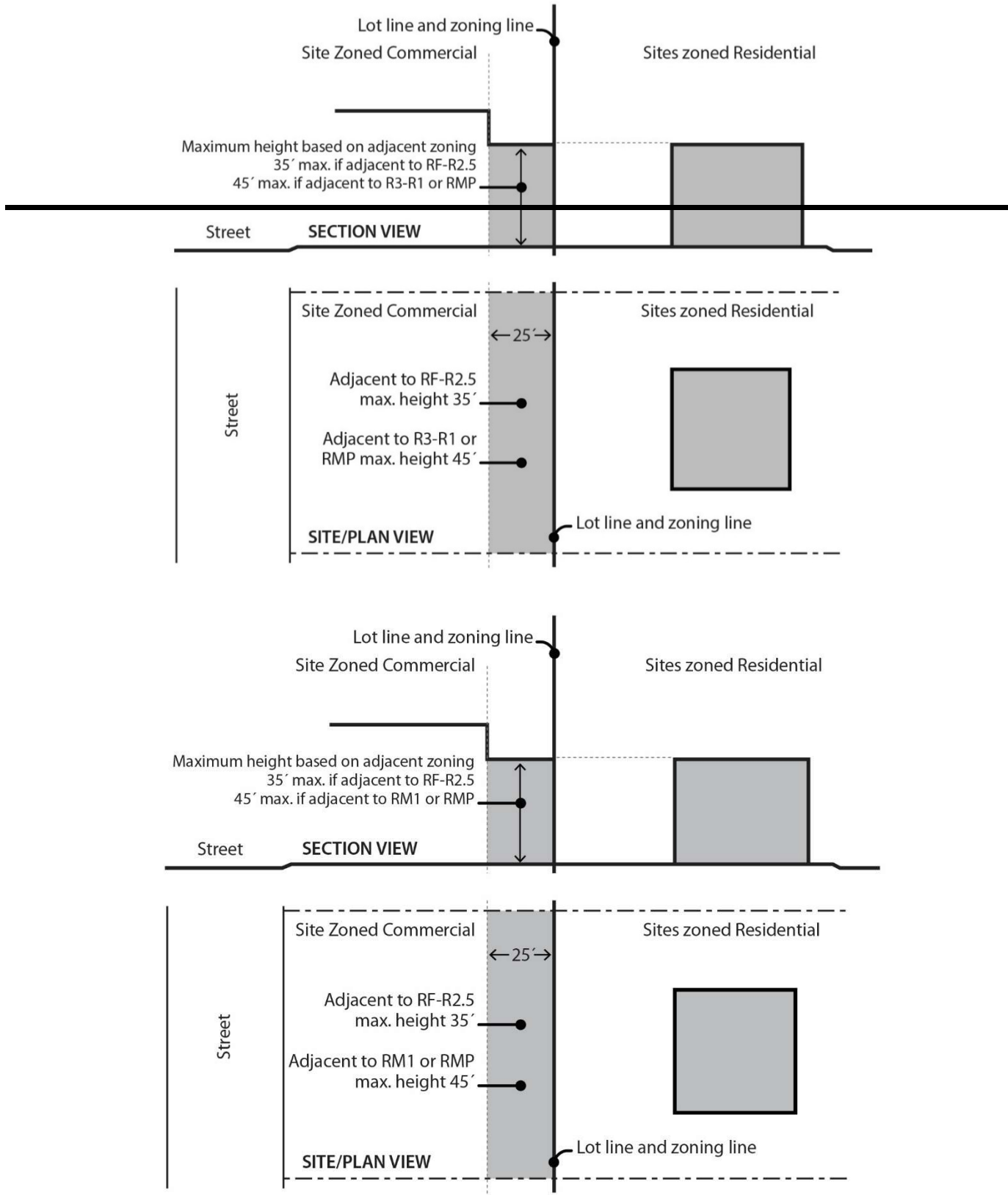
## Commentary

### 33.130.210 Height

Amendments to this graphic are updates to the multi-dwelling zone names and to reflect that the step down height regulation is being amended so that there is no building height step down adjacent to the RM2 (R1) zone. See commentary and code on previous pages.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 130-1**  
**Step-Down Height Adjacent to Residential Zones**



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## Commentary

### 33.130.210 Height

Amendments to this section include the following:

- Addition of alleys to where this step down height applies, consistent with proposed multi-dwelling zones regulations.
- Changes to requirements for building height step downs across local service streets or alleys from single-dwelling zones and low-scale multi-dwelling zones to require a step down to a 45-foot height, instead of 35 feet. This change is being made to provide consistency with proposed step-down height standards in the multi-dwelling zones, and because the transition to lower-scale zones in this situation takes place across a street. In combination with this street separation, the height step down to 45 feet provides a transition gradient by limiting development to being one story taller than the three-story height allowed in the R2.5 single-dwelling zone and the RM1 and RMP multi-dwelling zones. The changes also discontinue this step down height across a street from the RM2 (current R1) zone, because the allowed density and scale in this zone is not very different than that of most mixed use zones.



- b. Step-down across a local service street or alley from an RF through R1 a residential zone. In the CM2, CM3, CX, and CE zones the following step-down height limits ~~apply~~applies. The limits ~~does~~ not apply to portions of buildings within 100 feet of a transit street~~;~~. On the portion of the site within 15 feet of a lot line that is across a local service street or alley from a site zoned RF through R2.5 or RM1 or RMP, the step-down height limit is 45 feet. See Figure 130-2.
- (1) ~~On the portion of the site within 15 feet of a lot line that is across a local service street from a site zoned RF through R2.5, the step-down height limit is 35 feet. See figure 130-2.~~
- (2) ~~On the portion of the site within 15 feet of a lot line that is across a local service street from a site zoned R3 through R1, the step-down height limit is 45 feet. See Figure 130-2.~~
3. [No change]
- C. [No change]

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## Commentary

**Table 130-2**

Amendments to this table include:

- Updates to the multi-dwelling zone names.
- Correction to the step-down height standard of 35 feet for the CM1 zone abutting single dwelling zones. Because this step down height is the same as the CM1 base height of 35 feet, there is effectively no step-down height in this zone. The CM1 zone step down height is being changed to "NA", since the base height applies.
- Elimination of the requirement for building height to step down in height to 45 feet adjacent to or across a street from properties with RM2 (current R1) multi-dwelling zoning. A transition in scale between mixed use zones and the RM2 zone is not needed, given the role of the RM2 zone as a relatively high-density zone that allows densities and building height not very different from mixed use zones. Step down heights are retained that require transitions in scale on properties abutting single-dwelling zones and the lowest-scale multi-dwelling zones (RM1 and RMP).
- Requirements for building height step downs across local service streets from single-dwelling zones and low-scale multi-dwelling zones are being changed to require a step down to a 45-foot height (instead of 35 feet). This change is being made to provide consistency with proposed step-down height standards in the multi-dwelling zones, and because the transition to lower-scale zones in this situation takes place across a street. In combination with this street separation, the height step down to 45 feet provides a transition gradient by limiting development to being one story taller than the three-story height allowed in the R2.5 single-dwelling zone and the RM1 and RMP multi-dwelling zones.

**Table 130-2**  
**Summary of Development Standards in Commercial/Mixed Use Zones**

Standards	CR	CM1	CM2	CM3	CE	CX
Maximum FAR (see 33.130.205 and 33.130.212)	1 to 1 [1]	1.5 to 1	2.5 to 1	3 to 1	2.5 to 1	4 to 1
- Bonus FAR (see 33.130.212)	NA	See Table 130-3	See Table 130-3	See Table 130-3	See Table 130-3	See Table 130-3
Minimum Density (see 33.130.207)	NA	NA	1 unit per 1,450 sq. ft. of site area	1 unit per 1,000 sq. ft. of site area	NA	NA
Base Height (see 33.130.210.B.1)	30 ft.	35 ft.	45 ft.	65 ft.	45 ft.	75 ft.
Step-down Height (see 33.130.210.B.2)	NA	<u>NA</u>				
- Within 25 ft. of lot line abutting RF-R2.5 zones		<del>35 ft.</del>	35 ft.	35 ft.	35 ft.	35 ft.
- Within 25 ft. of lot line abutting <del>R3, R2, R1, RM1 and</del> RMP zones	NA	NA	45 ft.	45 ft.	45 ft.	45 ft.
<del>- Within 15 ft. of lot line across a local service street from RF – R2.5 zones</del>	<del>NA</del>	<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>
- Within 15 ft. of lot line across a local service street from RF – R2.5 zones and <del>R3, R2, R1, RM1 and</del> RMP zones	NA	NA	45 ft.	45 ft.	45 ft.	45 ft.
- Bonus Height (see 33.130.212)	NA	NA	See Table 130-3	See Table 130-3	See Table 130-3	See Table 130-3
Min. Building Setbacks (see 33.130.215.B)						
- Street lot line	none	none	none	none	none	none
- Street lot line abutting selected Civic Corridors	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
- Street lot line across a local street from an RF – <del>RM2R1, or</del> RMP zone	none	none	5 or 10 ft.	5 or 10 ft.	5 or 10 ft.	5 or 10 ft.
Min. Building Setbacks (see 33.130.215.B)						
- Lot line abutting OS, RX, C, E, or I zoned lot	none	none	none	none	none	none
- Lot line abutting RF – <del>RM4RH, or</del> RMP, or <u>IR</u> zoned lot	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Max. Building Setbacks (see 33.130.215.C)						
- Street lot line	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
- Street lot line abutting selected Civic Corridors	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Max. Building Coverage (% of site area)						
- Inner Pattern Area	85%	85%	100%	100%	85%	100%
- Eastern, Western, and River Pattern Areas (see 33.130.220)	75%	75%	85%	85%	75%	100%
Min. Landscaped Area (% of site area) (see 33.130.225)	15%	15%	15%	15%	15%	None
Landscape buffer abutting an RF – <del>RM4RH</del> or RMP zoned lot (see 33.130.215.B)	10 ft. @ L3	10 ft. @ L3	10 ft. @ L3	10 ft. @ L3	10 ft. @ L3	10 ft. @ L3
Required Residential Outdoor Area (see 33.130.228)	Yes	Yes	Yes	Yes	Yes	No
Ground Floor Window Standards (see 33.130.230.B)	Yes	Yes	Yes	Yes	Yes	Yes

Notes:

[1] On sites that do not have a Retail Sales And Service or Office use, maximum density for Household Living is 1 unit per 2,500 square feet of site area.

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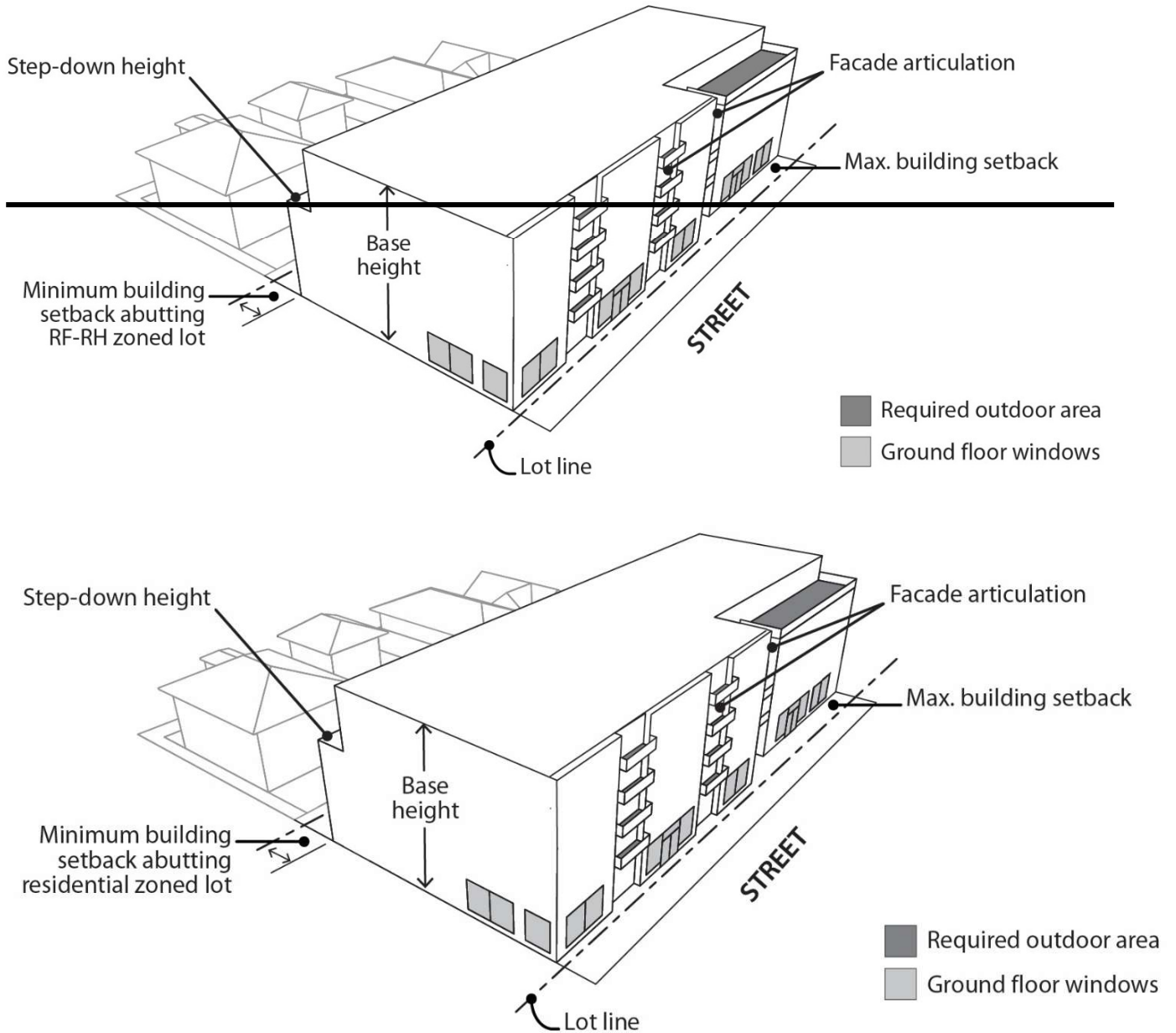
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## Commentary

### Example Illustration

The amendment to the graphic on this page is a change to the text label to reflect the broad applicability of the minimum building setback that is required adjacent to residential zones.

**Example Illustration:**  
**Some building form and setback development standards**



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## Commentary

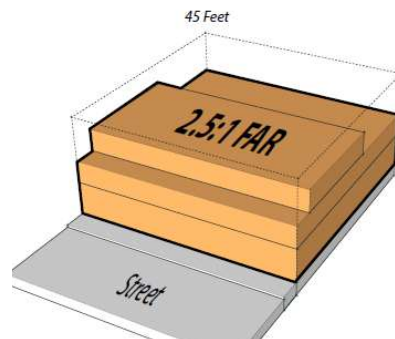
### 33.130.212 Floor Area and Height Bonus Options

Amendments to this paragraph will allow the use of FAR bonuses in the commercial/mixed use zones within historic and conservation districts, bringing consistency with allowances in the multi-dwelling zones. Development proposals in historic districts will be subject to Historic Resource Review, which considers context in determining the appropriate scale of new development (scale allowed by FAR bonuses may not always be approved). The majority of mixed use zoning in historic and conservation districts consists of the CM2 zone, which has a base maximum FAR of 2.5 to 1. Bonuses in this zone will allow up to a 4 to 1 FAR, with base height in historic and conservation districts limited to 45 feet.

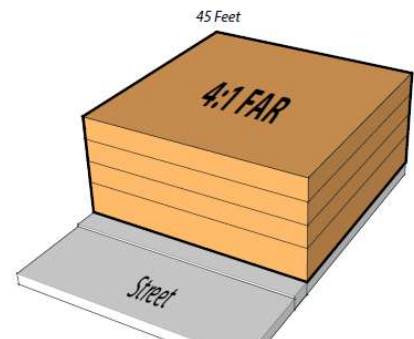
The Planned Development Bonuses is excluded from being used in historic districts because this bonus provides additional height, not FAR. Also, there are no properties in historic districts with mixed use zoning that are two acres or more in size.

#### CM2 zone in historic districts

*Building massing of current maximum FAR and proposed bonus FAR. The maximum bonus scale of four stories is similar to historic buildings in some historic districts.*



**Base FAR: 2.5 to 1**  
(current maximum)



**Bonus FAR: 4 to 1**  
(proposed)



**FAR: 3 to 1** (non-historic)



**FAR: 3.7 to 1** (historic)

#### Examples of buildings in the CM2 zone in the Alphabet Historic District

- **Example on left** is a newer building approved through Historic Resource Review, prior to newer regulations that applied a maximum FAR of 2.5 to 1 in historic districts that became effective in May 2018. This building is larger than currently allowed.
- **Example on right** is an older, historic building located across the street, which is larger than the newer building.



### **33.130.212 Floor Area and Height Bonus Options**

- A.** [No change]
- B. General floor area and height bonus option regulations.**
  - 1. Unless specified below, the bonus options in this section are allowed only in the CM1, CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts. ~~Sites located within Historic or Conservation districts are not eligible to use bonus options.~~
  - 2. [No change]
  - 3. [No change]
  - 4. [No change]
  - 5. [No change]
- C. Inclusionary housing bonus.** [No change]
- D. Affordable commercial space bonus.** [No change]
- E. Planned Development bonus.** Proposals that provide a combination of affordable housing, a publicly accessible plaza or park, and energy efficient buildings may increase maximum height and FAR as stated in Table 130-3 if approved through a Planned Development Review and Design Review (see Chapter 33.270 and Chapter 33.854). The site must be at least two acres in size to be eligible for this bonus. Sites located within Historic or Conservation districts are not eligible to use this bonus.

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## **Commentary**

### **33.130.215 Setbacks**

Amendments to this section are updates to the multi-dwelling zone names.

### 33.130.215 Setbacks

- A. [No change]
- B. **Minimum building setbacks.** Minimum required building setbacks are listed below and summarized in Table 130-2. Unless otherwise specified in this section, the minimum required setbacks apply to all buildings and structures on a site. Setbacks for exterior development are stated in 33.130.245, and setbacks for parking areas are stated in Chapter 33.266, Parking, Loading and Transportation and Parking Demand Management.
1. Required setbacks from a street lot line. Unless as specified below, there is no minimum required setback from a street lot line:
    - a. [No change]
    - b. The following minimum setbacks are required from a street lot line on the portion of the site that is across a local service street from an RF through RM2R1 or RMP zone. The setbacks do not apply in the CR or CM1 zones, or on or within 100 feet of a transit street:
      - (1) Buildings that are entirely in a residential use, and portions of buildings with dwelling units on the ground floor, must be setback 5 feet from a street lot line facing an RF through RM2R1 or RMP zone. The setback must be landscaped to at least the L1 standard. Vehicle access is not allowed through the setback unless the local service street facing the residential zone is the only frontage for the site. Up to one third of the setback area can be hard surfaced for pedestrian or bicycle access. Exterior display and storage is not allowed within the setback.
      - (2) All other buildings must be setback 10 feet from a street lot line facing an RF through RM2R1 or RMP zone. The setback must be landscaped to at least the L1 standard. Vehicle access is not allowed through the setback unless the local service street facing the residential zone is the only frontage for the site. Up to one third of the setback area can be hard surfaced for pedestrian or bicycle access. Exterior display and storage is not allowed within the setback. See Figure 130-2.
    - c.-d. [No change]

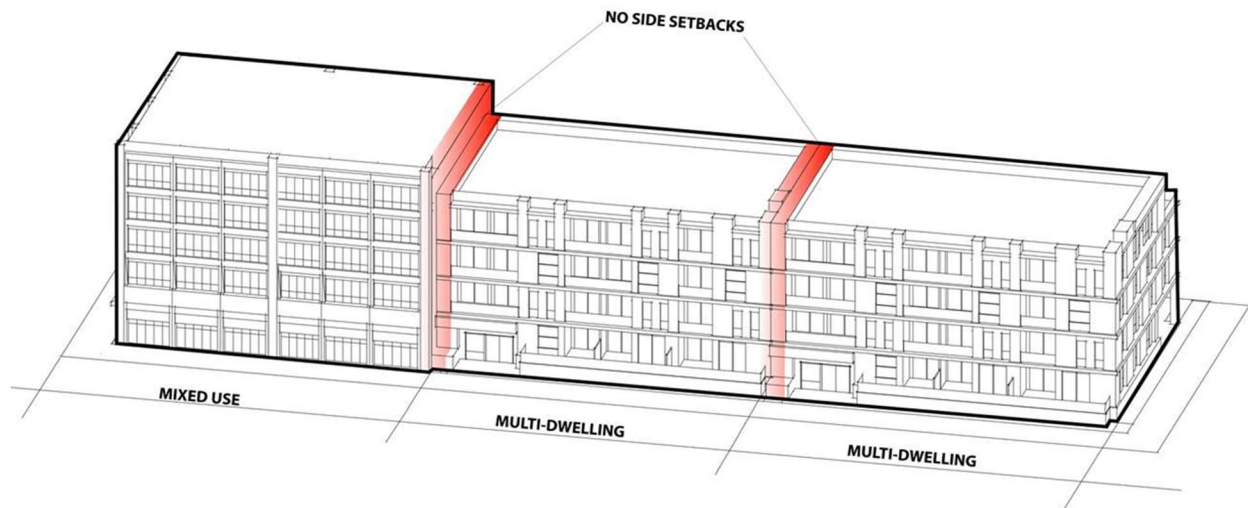
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## Commentary

### 33.130.215 Setbacks

**Inner Pattern Area along Civic and Neighborhood Corridors.** This new exception allows for zero setbacks between commercial/mixed use and multi-dwelling zone properties located along Civic and Neighborhood corridors. This allowance only applies in the Inner Pattern Area, which has an established pattern of zero side setbacks between buildings along traditional main streets. Corridors in the Inner Pattern Area, such as SE Division and SE Belmont, often include an interspersed mix of commercial and multi-dwelling zoning. The intent of this exception is to allow for a continuous frontage of buildings along Civic and Neighborhood corridors, which are intended by Comprehensive Plan policies to be transit- and pedestrian-oriented urban places. Related setback exceptions in Chapter 33.120 allow for no setbacks between multi-dwelling zone properties on these same corridors (see pages 89-90 in Volume 2). Locations abutting RM1 zoning are not included in this setback exception because this lower-scale zone is intended to continue characteristics of single-dwelling neighborhoods.



*Allowances in the Inner Pattern Area allow for zero setbacks between properties with commercial/mixed use and multi-dwelling zoning along Civic and Neighborhood corridors in order to allow for a more continuous frontage of buildings along these important corridors, which are typically well served by transit and commercial services.*

2. Required setbacks from a lot line that is not a street lot line:
  - a. There is no minimum setback required from a lot line that abuts an OS, RX, C, E or CI zone. And, no setback is required from an internal lot line that is also a zoning line on sites with split zoning.
  - b. Except as follows, ~~The~~ required minimum setback from a lot line that abuts an RF through ~~RM4RH~~, RMP or IR zone is 10 feet. The required setback area must be landscaped to the L3 standard. Areas paved for pedestrian or bicycle use can be located in the required building setback area, but may not extend closer than 5 feet to a lot line abutting an RF through ~~RM4RH~~ or RMP zone.
    - (1) In the Inner Pattern Area on sites that abut a Civic or Neighborhood Corridor shown on Map 130-3 no setback is required from a lot line that abuts a property in the RM2-RM4 zones that also has a lot line on a Civic or Neighborhood Corridor.
    - (2) Buildings that are 15 feet or less in height are exempt from the required setback.
    - (3) For both exceptions, ~~however~~ any setback provided that is 5 feet or greater in depth must be landscaped to at least the L3 standard for a distance of up to 10 feet from the lot line. This means that if the building is setback 3 feet, no landscaping is required, but if the building is setback 15 feet, then the first 10 feet measured from the lot line must be landscaped.
  - c. [No change]
3. Extensions into required building setbacks and buffering requirements of Table 130-2.
  - a. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback. However, except for building eaves and stormwater planters, they may not extend closer than 5 feet to a lot line abutting an RF – ~~RM4RH~~ or RMP zoned lot.
    - (1) Eaves, chimneys, fireplace inserts and vents, mechanical equipment, fire escapes, water collection cisterns and stormwater planters;
    - (2) Stairways and wheelchair ramps that do not meet the standard of Subparagraph B.3.b below; and

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## **Commentary**

### **33.130.215 Setbacks**

Amendments to this page are updates to the multi-dwelling zone names.

- (3) Bays and bay windows may extend into a street setback, but not a required setback abutting an RF – RM4RH or RMP zoned lot, and also must meet the following requirements:
- Each bay and bay window may be up to 12 feet long, but the total area of all bays and bay windows on a building facade cannot be more than 30 percent of the area of the facade;
  - At least 30 percent of the area of the bay which faces the street lot line requiring the setback must be glazing or glass block;
  - Bays and bay windows must cantilever beyond the foundation of the building; and
  - The bay may not include any doors.
- b. The following minor features of a building are allowed to fully extend into required building setbacks, but may not extend closer than 5 feet to a lot line abutting an RF – RM4RH or RMP zoned lot.
- (1) Uncovered decks, stairways, and wheelchair ramps with surfaces that are no more than 2-1/2 feet above the ground;
  - (2) On lots that slope down from the street, vehicular and pedestrian entry bridges with surfaces that are no more than 2-1/2 feet above the average sidewalk elevation; and
  - (3) Canopies, marquees, awnings, and similar features may fully extend into a street setback.
- c. [No change]
4. [No change]
- C.-E.** [No change]

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## Commentary

### **33.130.222 Building Length and Facade Articulation**

This section is being amended to include updated language from the corresponding section in Chapter 33.120 (33.120.230.C - see page 107 of Volume 2). The amendments provide greater regulatory clarity.

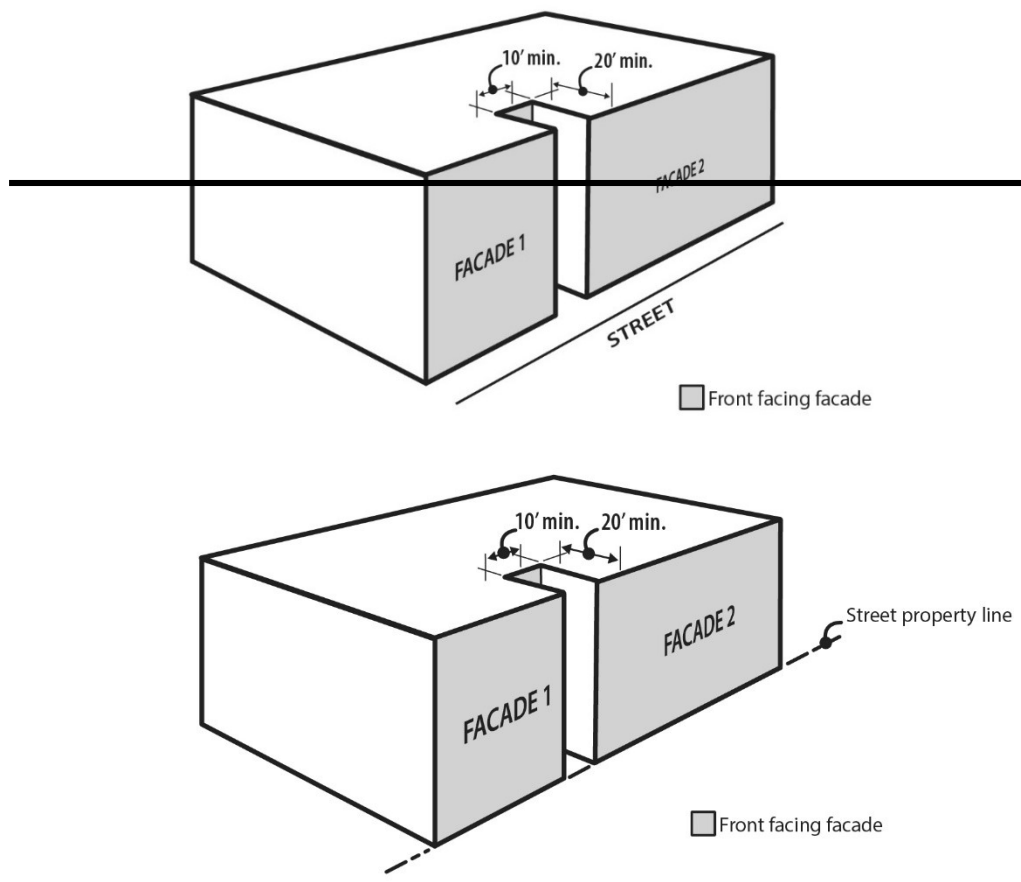
Figure 130-9 is being replaced to provide greater clarity. The 20-foot dimension in the accompanying text is intended to be measured from the street property line, but the graphic shows the measurement starting at the building façade, which appears to be set back from the street. The corrected graphic shows both the façade and the street lot line at the same location.



### 33.130.222 Building Length and Facade Articulation

- A. [No change]
- B. [No change]
- C. **Facade articulation.**
  - 1. Where the standard applies. This standard applies in the CM2, CM3 and CE zones as follows:
    - a. [No change]
    - b. [No change]
    - c. Portions of building facades that are vertically separated by a gap of at least 10 feet in width ~~or more~~ extending at least 20 feet in depth from the street property line are considered to be separate facade areas for the purposes of the facade area measurements. See Figure 130-9.
  - 2. The standard. At least 25 percent of the area of a street-facing facade within 20 feet of a street lot line must be divided into facade planes that are off-set by at least 2 feet in depth from the rest of the facade. Facade area used to meet the facade articulation standard may be recessed behind or project out from the primary facade plane, but projections into street right-of-way do not count toward meeting this standard. See Figure 130-10.

**Figure 130-9**  
**Facade Articulation**



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## Commentary

### 33.130.225 Landscaped Areas

The raised landscaped areas option is being amended to not allow large trees (such as Beech, London Plane, Red Oak, and Douglas Fir trees) to be used to meet the L1 tree planting requirements, consistent with a similar proposed regulation in Chapter 33.120. Such trees are usually too large to thrive in raised planting areas with 30 inches of soil depth.

### 33.130.225 Landscaped Areas

- A. [No change]
- B. **Minimum landscaped area.** The minimum amount of required landscaped area is stated in Table 130-2. Any required landscaping, such as for required setbacks or parking lots, applies towards meeting the minimum amount of required landscaped area. Sites developed with a house, attached house or duplex are exempt from the required minimum landscaped area standard. The required landscape area must meet one of the following:
  - 1. [No change]
  - 2. Urban green alternative landscaped area. In the CM2 and CM3 zones in the Inner pattern area shown on Map 130-2, one or more of the following may be used to meet the required landscape area:
    - a.-b. [No change]
    - c. Raised landscaped areas. Landscaped areas raised above ground level may be used to meet the minimum landscaped area standard when landscaped to at least the L1 standard and soil depth is a minimum of 30 inches. Large trees are not allowed in raised landscaped area used to meet this alternative.
    - d. [No change]

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## Commentary

### 33.130.228 Required Outdoor Areas

This section is being amended to be consistent with similar Required Outdoor Areas purpose statement language and regulatory standards proposed for Chapter 33.120 (see pages 121-123 in Volume 2), which will apply to similar types of multi-dwelling development. Specific amendments include:

- The minimum dimension for outdoor common areas, such as courtyards, is being changed to 20 feet. This brings consistency with the new minimum common area dimension in Chapter 33.120 (see page 123 in Volume 2). The minimum 20-foot dimension helps ensure that common outdoor areas are of usable size. The 15-foot minimum dimension had sometimes resulted in corridors of 5-foot wide walkways flanked on each side by 5 feet of landscaping, rather than providing for courtyards or other types of usable outdoor space.
- Updates to the multi-dwelling zone names (RM4 replaces RH).

### 33.130.228 Required Outdoor Areas

**A. Purpose.** The required outdoor areas standards ensure opportunities for residents to have on-site access to outdoor space for recreation, relaxation, natural area, or growing food. Required outdoor areas are an important aspect for addressing the livability of a property with residential units by providing residents with opportunities for outdoor activities, some options for outdoor privacy, and a healthy environment. The standards ensure that outdoor areas are located so that residents have convenient access. These standards also allow for outdoor area requirements to be met by indoor community facilities ~~that because they~~ provide opportunities for recreation or gathering.

**B. Requirements.**

1. [No change]
2. Size, location and configuration. Required outdoor area may be provided as individual, private outdoor areas, such as patios or balconies, or as common, shared areas, such as outdoor courtyards and play areas, or indoor recreational facilities or community rooms. There also may be a combination of individual and common areas.
  - a. Individual unit outdoor areas. Where a separate outdoor area is provided for ~~each~~an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Balconies that extend over street right-of-way count towards meeting this standard. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area. If the area is at ground level it may extend up to 5 feet into a required front setback, and may extend into required side and rear setbacks as long as the area is not closer than 5 feet to a lot line abutting an RF through ~~RM4RH~~ zoned lot.
  - b. Common areas. There are two types of common area:
    - (1) Outdoor common area. Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions~~so that a 20-foot by 20-foot square will fit entirely within it.~~ The outdoor common area must be located within 20 feet of a building entrance providing access to residential units.
    - (2) Indoor common area. Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room. Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.
  - c. [No change]
- 3.-4. [No change]

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## Commentary

### 33.130.230 Windows

This section is being amended to subject attached duplexes, triplexes, and fourplexes to the same set of development standards that apply to other types of small-scale housing, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.

### **33.130.230 Windows**

**A.** [No change]

**B. Ground floor windows.**

1. [No change]
  2. Ground floor window standard for wall area that is not the wall of a dwelling unit. The following standards apply to the portions of a ground floor wall of a street-facing facade that is not the wall of a dwelling unit:
    - a. [No change]
    - b. Exemptions:
      - (1) Houses, attached houses, manufactured homes, ~~and duplexes~~, attached duplexes, triplexes, and fourplexes are exempt from this Section; ~~and~~
      - (2) Ground floor street-facing walls of dwelling units must meet the standards in Subsection D; and
      - (3) One opening for vehicular access to onsite parking area.
- 3.-5. [No change]

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## Commentary

### **33.130.240 Pedestrian Standards**

This section is being amended to provide consistency with proposed Pedestrian Standards in Chapter 33.120 (see pages 128-129 in Volume 2). The amendments in both chapters are intended to ensure that residential buildings located close to streets each have direct pedestrian connections to the street.



### 33.130.240 Pedestrian Standards

- A. Purpose.** The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in all developments. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.
- B. The standards.** The standards of this Section apply to all development except houses, attached houses, and duplexes. An on-site pedestrian circulation system must be provided. The system must meet all standards of this Subsection.
1. Connections. The on-site pedestrian circulation system must provide connections as specified below:
    - a. Connection between streets and entrances.
      - (1) Sites with one street frontage.
        - Generally. There must be a connection between one main entrance of each building on the site and the adjacent street. The connection may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less. Buildings separated from the street by other buildings are exempt from this standard.
        - Household Living. ~~Sites where all of the floor area is in Household Living uses are only required to provide a connection to one main entrance on the site.~~ If a building is located within 40 feet of a street lot line, and all of the floor area in the building is in a Household Living use, then there must be at least one connection between one main entrance and the adjacent street. The connection may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less.
        - Tree preservation. If a tree that is at least 12 inches in diameter is proposed for preservation, and the location of the tree or its root protection zone would prevent the standard of this paragraph from being met, the connection may be up to 200 percent of the straight line distance.
      - (2) Sites with more than one street frontage. Where the site has more than one street frontage, the following must be met:
        - The standard of Subparagraph B.1.a(1) must be met to connect the main entrance of each building on the site to the closest sidewalk or roadway if there are no sidewalks. ~~Sites where all of the floor area is in Household Living uses are only required to provide a connection meeting the standard of Subparagraph B.1.a(1) to one main entrance on the site;~~
        - An additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance. However, if at least 50 percent of a street facing facade is within 10 feet of the street, no connection is required to that street.
    - b. [No change]
  - 2.-3. [No change]

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## Commentary

### 33.130.242 Transit Street Main Entrance

This section is being amended for the following purposes:

- To assign attached duplexes, triplexes, and fourplexes the same development standards that apply to other small-scale housing types, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.
- Modify the courtyard entrance option for multi-dwelling structures to be consistent with proposed standards in Chapter 33.120 (see pages 110-111 in Volume 2), which were based on analysis of the design of historic courtyard housing precedents, where courtyard entrances are typically accessed through courtyards extending more than 50 feet from the street.
- Change the title of subparagraph B.2 to refer to "small housing types," instead of listing all seven housing types in the title.

### 33.130.242 Transit Street Main Entrance

A.-B. [No change]

**B. Applicability.**

1. [No change]
2. Small housing types. ~~Houses, attached houses, manufactured homes, and duplexes.~~ Houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes must meet the standards of 33.130.250.B, Residential Main Entrance, instead of the requirements of this section.

**C. Location.** For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor, and one main entrance to a multi-dwelling structure must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:

1. Be within 25 feet of the transit street;
2. Allow pedestrians to both enter and exit the building; and
3. Meet one of the following:
  - a. Face the transit street;
  - b. Be at an angle of up to 45 degrees from the transit street, measured from the street property line, as shown in Figure 130-13; or
  - c. If it is an entrance to a multi-dwelling structure:
    - (1) Face a courtyard at least 15 feet in width that ~~is adjacent to~~ abuts the transit street and that is landscaped to at least the L1 level, or hard-surfaced for use by pedestrians; and
    - (2) Be within ~~50~~ 60 feet of the transit street.

**D. Distance between entrances.** For portions of a building subject to the maximum building setback, a minimum of one entrance is required for every 200 feet of building length.

**E. Unlocked during regular business hours.** Each main entrance to nonresidential uses that meets the standards of Subsection C and D must be unlocked during regular business hours.

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## Commentary

### **33.130.250 General Requirements for Houses, Attached Houses, Manufactured Homes, and Duplexes, and Triplexes**

This section is being amended for the following purposes:

- To assign attached duplexes, triplexes, and fourplexes the same development standards that apply to other small-scale housing types, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.
- To bring consistency with how front garages for attached houses are proposed to be regulated in the multi-dwelling zones (see pages 170-173 in Volume 2). This will apply the 50 percent limitation on front garages based on the combined frontage of attached houses, similarly to how this limitation is based on the total building façade width of other housing types.

### **33.130.250 General Requirements for Small Housing Types ~~Houses, Attached Houses, Manufactured Homes, and Duplexes~~**

**A.** [No change]

**B. Residential main entrance.**

1. [No change]
2. Where these standards apply.
  - a. The standards of this subsection apply to houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes in the commercial/mixed use zones.
  - b. 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.
  - c. 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 lot line, the applicant may choose on which frontage to meet the standards.
  - d. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.
- 3.-4. [No change]

**C. Garages.**

1. [No change]
2. Where these standards apply. The requirements of Paragraphs D.3, D.4 and D.5, below, apply to houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes. ~~The requirements of Paragraphs D.4 and D.5, below, also apply to garages that are accessory to attached houses.~~ When 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. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.
3. Length of street-facing garage wall. 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 130-16. For attached houses and attached duplexes, the standard applies to the combined length of the street-facing facades of the attached units.
  - a. ~~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 130-16. For duplexes, this standard applies to the total length of the street-facing facades. For all other lots and structures, the standards apply to the street-facing facade of each unit.~~
  - b. ~~Where the street-facing facade is less than 22 feet long, an attached garage facing the street is not allowed as part of that facade.~~
- 4.-5. [No change]

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## **Commentary**

### **33.130.265 Detached Accessory Structures**

Amendments to this section are updates to the multi-dwelling zone names.

### **33.130.265 Detached Accessory Structures**

**A.-B.**[No change]

**C. Setbacks.**

1. Uncovered accessory structures. Uncovered accessory structures such as flag poles, lamp posts, signs, antennas and dishes, mechanical equipment, uncovered decks, play structures, and tennis courts are allowed in a required setback, but can be no closer than 5 feet to a lot line abutting an RF through RM4RH zoned lot.
2. [No change]

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## Commentary

### Pattern Areas

#### Map 130-2

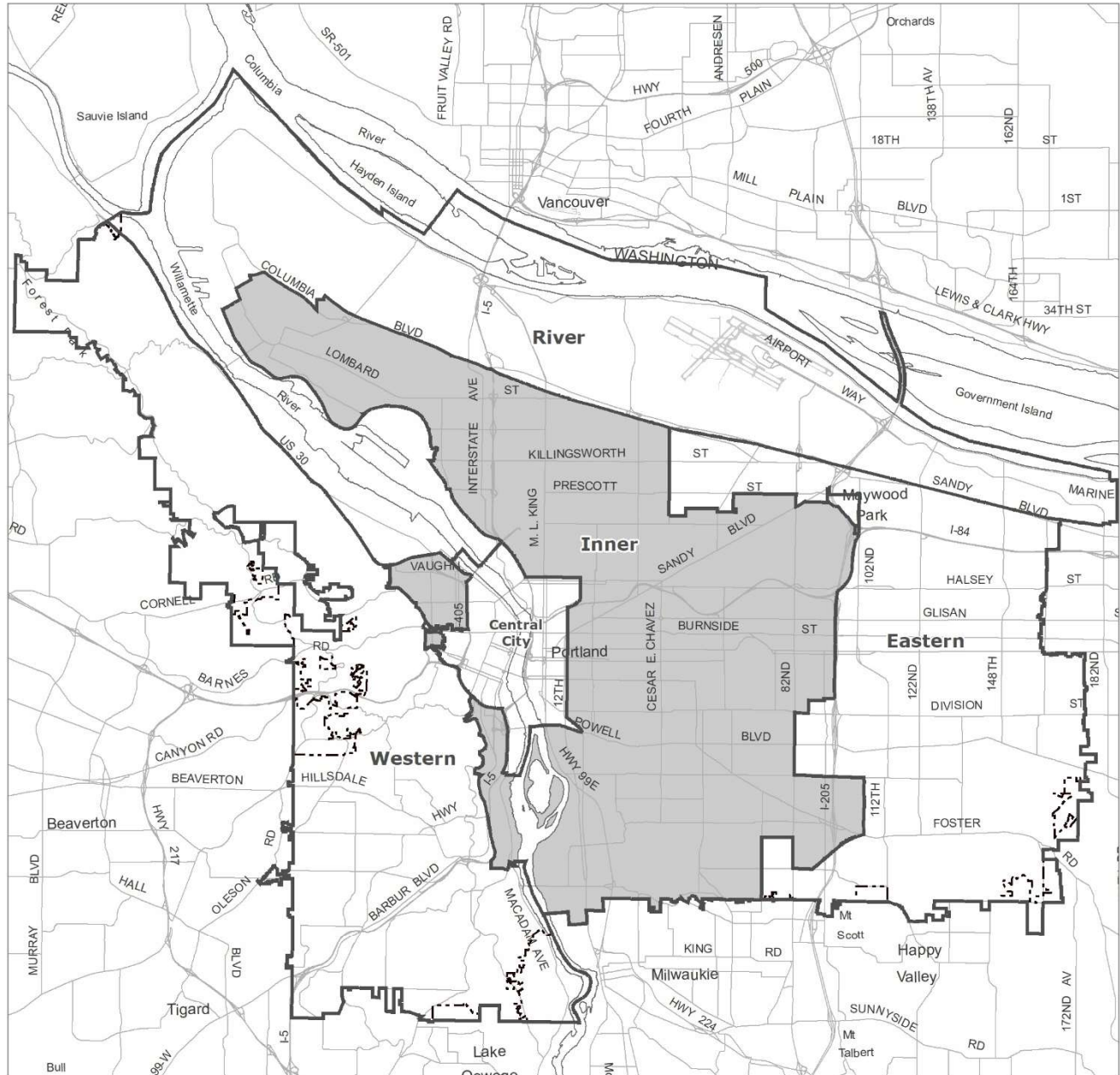
The Pattern Areas map is being amended to make corrections to the pattern area boundaries. The most significant change is that the Central City Pattern Area boundaries are being amended to correspond to the Central City Plan District boundaries. The previous version of the Pattern Areas map was based on draft boundaries for the Central City Plan District that were not adopted (it included small portions of Lower Albina, Kerns, and a small area near the Clinton light rail station that had been considered for inclusion in the Central City Plan District, but were not ultimately included). Other changes include corrections to pattern area boundaries, mostly to avoid situations in which boundaries cut across properties and to more accurately reflect existing urban patterns. The revised boundaries use streets and property lines as boundaries and take into account block patterns and topography. The Pattern Areas map boundaries affect building coverage and landscaping standards, which vary by pattern area.



## Pattern Areas

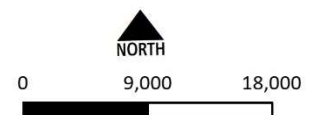
## Map 130-2

Map Revised XXXX XX, 201X



----- City Boundary

———— Pattern Area Boundaries



Scale in Feet

Bureau of Planning and Sustainability  
Portland, Oregon

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## **Commentary**

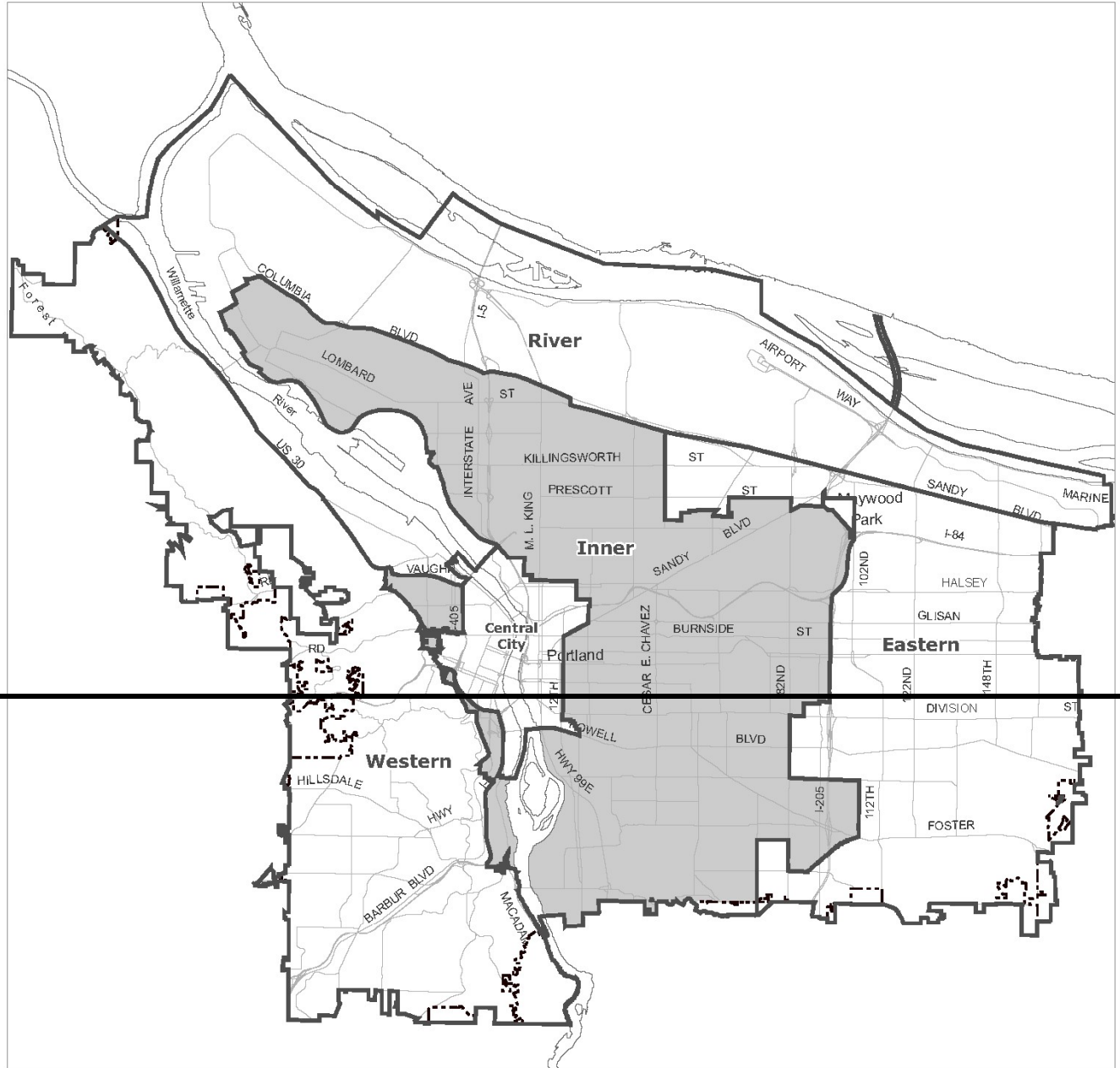
### **Pattern Areas Map 130-2**

This is the existing Pattern Areas map that is being replaced (see previous commentary).

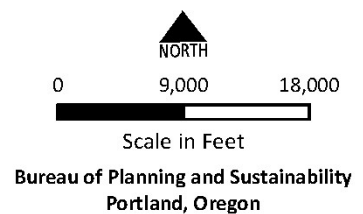
## Pattern Areas

## Map 130-2

Map Revised May 24, 2018



----- City Boundary  
—— Pattern Area Boundaries



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## Commentary

### **Civic and Neighborhood Corridors Map 130-3**

This new map shows the Civic and Neighborhood corridors, along which no setbacks are required from properties with RM2, RM3, or RM4 zoning that also abut these corridors (see 33.130.215.B.2.b on pages 24-25). The intent of this allowance, which only applies along corridors in the Inner Pattern Area (see previous pages) is to allow for a continuous urban street edge in both mixed use and multi-dwelling zones along these important corridors.

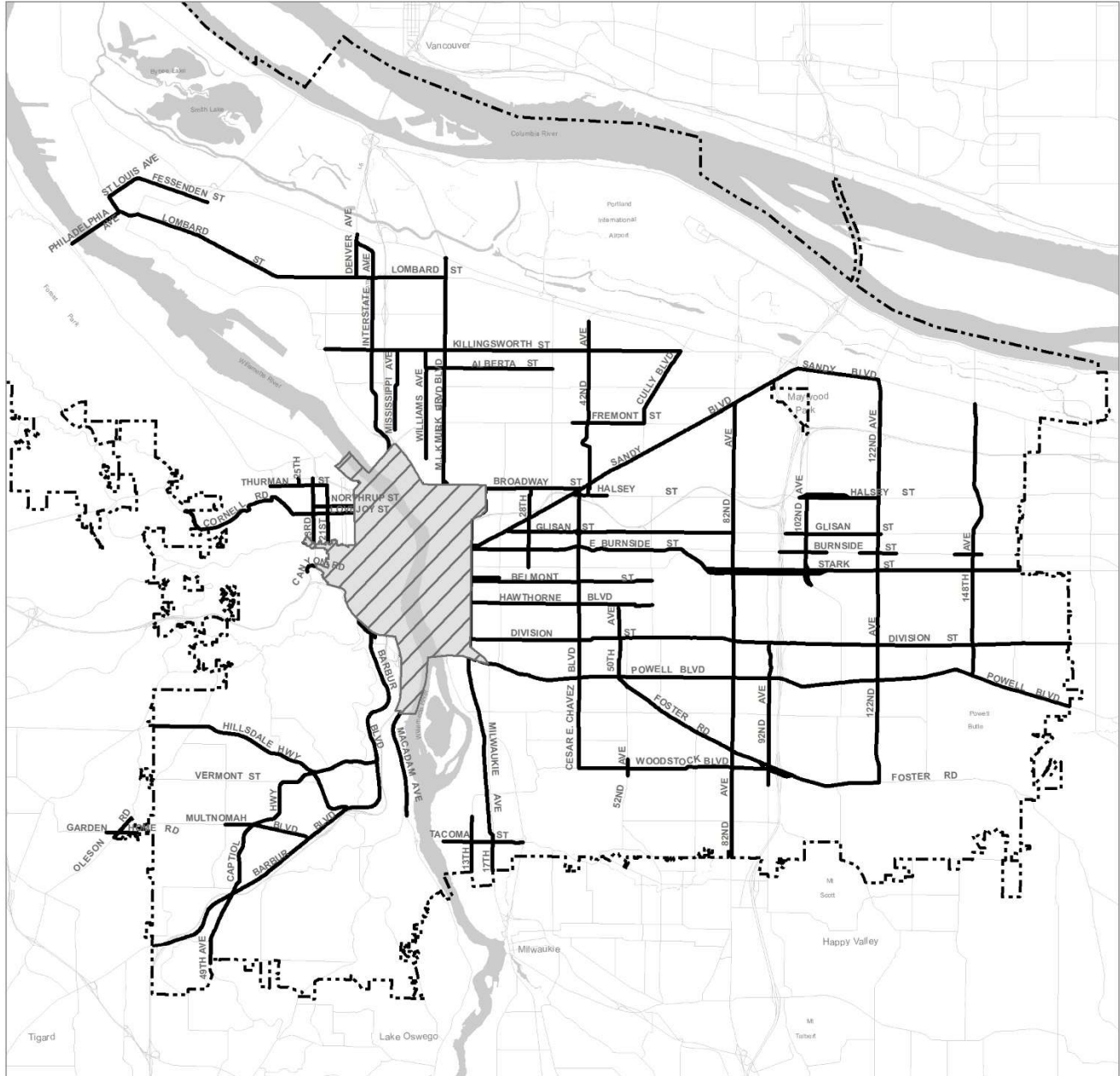
These Civic Corridors and Neighborhood corridors are streets classified on the Street Design Classification maps of the Transportation System Plan (TSP) as Civic or Neighborhood main streets and Civic or Neighborhood corridors (see also the new Street Type definition in Chapter 33.910). The TSP maps can be consulted to determine the location of properties in relationship to these corridors at a greater level of detail.

Civic and Neighborhood corridors are indicated in the 2035 Comprehensive Plan as places intended to be locations for commercial activity and residential living, with transit-supportive densities of housing and employment.

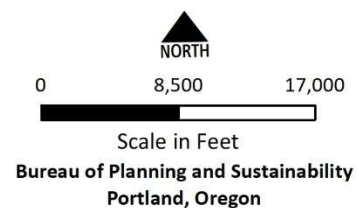
## Civic and Neighborhood Corridors

## Map 130-3

Map Revised Xxxxx X, 201X



- City Boundary
- Civic and Neighborhood Corridors
- ▨ Central City Plan District



Source: Portland Bureau of Transportation, TSP, Street Design Classifications

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## Commentary

### 33.140 Employment and Industrial Zones

Amendments to the sections on this page are for the following purposes:

- To assign attached duplexes, triplexes, and fourplexes the same development standards that apply to other small-scale housing types, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.
- Modification of the Residential main entrance standards so that they apply to each structure, consistent with Chapters 33.120 and 33.130. This allows for configurations in which duplexes, triplexes, and fourplexes may be served by a single front entrance, instead of separate entrances for each unit, but would still require attached houses to have individual street-oriented entrances (each attached house unit is considered to be an individual structure).
- Change the title of subparagraph B.2 to refer to "small housing types," instead of listing all seven housing types in the title.
- Deletion of the reference to Permit Ready Houses (Chapter 33.278), since this regulation no longer exists.

## 33.140 Employment and Industrial Zones

140

### 33.140.242 Transit Street Main Entrance

- A. [No change]
- B. **Applicability.**
  - 1. [No change]
  - 2. Small housing types. ~~Houses, attached houses, manufactured homes, and duplexes.~~ Houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes must meet the standards of subsection 33.140.265.D, Residential Main Entrance, instead of the requirements of this section.
- C.-D. [No change]

### 33.140.265 Residential Development

When allowed, residential development is subject to the following development standards:

- A. **Generally.** Except as specified in this section, base zone development standards continue to apply;
- B. **Existing buildings.** Residential uses in existing buildings have no density limit within the building;
- C. **New development.** Residential uses in new development are subject to the development standards of the EX zone, except as specified in this section;
- ~~D. **Permit Ready houses.** Chapter 33.278 contains provisions for Permit Ready houses on narrow lots.~~
- D. **Residential main entrance.**
  - 1. [No change]
  - 2. Where these standards apply.
    - a. The standards of this subsection apply to houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes in the employment and industrial zones.
    - b.-d. [No change]
  - 3. Location. At least one main entrance for each structure dwelling unit must:
    - a. Be within 8 feet of the longest street-facing wall of the structuredwelling unit; and
    - b. [No change]
  - 4. [No change]

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## Commentary

### 33.140 Employment and Industrial Zones

Amendments to the sections on this page are for the following purposes:

- To assign attached duplexes, triplexes, and fourplexes the same development standards that apply to other small-scale housing types, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.
- Length of street-facing garage wall - this paragraph is being amended to be consistent with similar regulations in Chapter 33.120 and 33.130. Currently exempt from this regulation, attached houses will be subject to the 50% limitation on front garages that applies in other base zone chapters. For all types of housing, the 50% limitation will be calculated based on the total length of the street-facing building façade, or, in the case of attached houses, the combined length of the facades of the attached units.



**EF. Street-facing facades.**

1. [No change]
2. Where this standard applies. The standard of this subsection applies to houses, attached houses, manufactured homes, ~~and duplexes, attached duplexes, triplexes, and fourplexes~~ in the Employment and Industrial zones. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing facade. 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.
3. [No change]

**FG. Garages.**

1. [No change]
2. Where these standards apply. The requirements of Paragraphs F.3 and F.4, below, apply to houses, attached houses, manufactured homes, and duplexes, attached duplexes, triplexes, and fourplexes. ~~The requirements of Paragraph F.4, below, also apply to garages that are accessory to attached houses.~~ When 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. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.
3. Length of street-facing garage wall. 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 140-9. For attached houses and attached duplexes, the standard applies to the combined length of the street-facing facades of the attached units.
  - ~~a. Generally. 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 140-9. On corner lots, only one street-facing garage wall must meet this standard.~~
  - ~~b. Exception. Where the street-facing facade of the building is less than 24 feet long, the garage wall facing the street may be up to 12 feet long if there is one of the following. See Figure 140-10.~~
    - ~~(1) Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall, or~~
    - ~~(2) A covered balcony above the garage that is:~~
      - ~~At least the same length as the street-facing garage wall;~~
      - ~~At least 6 feet deep; and~~
      - ~~Accessible from the interior living area of the dwelling unit.~~
4. [No change]

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## **Commentary**

### **33.150 Campus Institutional Zones**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.150 Campus Institutional Zones

150

### 33.150.210 Height

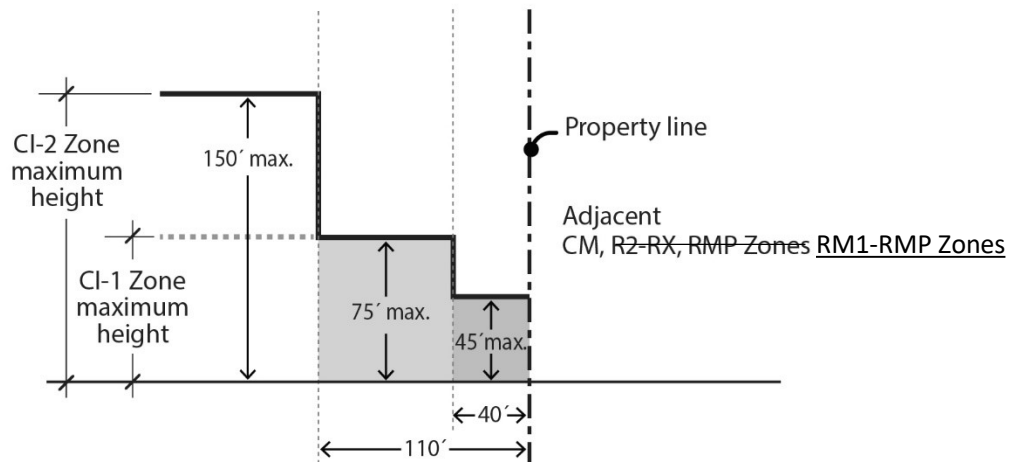
A.-B. [No change]

C. **Reduced maximum height.** Maximum height is reduced adjacent to certain zones.

1. In the CI1 zone, maximum height is reduced as follows.
  - a. On the portion of the site within 60 feet of a lot line abutting or across the street from a site zoned OS or RF through R2.5, the maximum height is 30 feet. See Figure 150-1.
  - b. On the portion of the site within 40 feet of a lot line abutting or across the street from a site zoned RM1R3 through RMP or commercial/mixed use zones the maximum height is 45 feet. See Figure 150-2.
2. CI2 zone.
  - a. [No change]
  - b. Maximum height is reduced on sites in the CI2 zone that abut or are across the street from a site zoned RM1R3 through RMP, or commercial/mixed use zones as follows:
    - (1) On the portion of the site within 40 feet of a lot line abutting or across the street from a site zoned RM1R2 through RMP, or commercial/mixed use zones, the maximum height is 45 feet. See Figure 150-2.
    - (2) On the portion of the site more than 40 feet but within 110 feet of a lot line abutting or across the street from a site zoned RM1R2 through RMP, or commercial/mixed use zones, the maximum height is 75 feet. See Figure 150-2.

D. [No change]

Figure 150-2



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## **Commentary**

### **33.150 Campus Institutional Zones**

Amendments to Table 150-2 are updates to the multi-dwelling zone names.

<b>Table 150-2</b> <b>Summary of Development Standards in Campus Institutional Zones</b>			
<b>Standard</b>	<b>CI1</b>	<b>CI2</b>	<b>IR</b>
Maximum FAR [1] (see 33.150.205)	0.5 to 1	3 to 1 [2] [3]	2 to 1
Maximum FAR with Inclusionary Housing Bonus [1] (see 33.150.205.C)	NA	3.75 to 1 [2] [3]	NA
Maximum Height (see 33.150.210)	75 ft. [4]	150 ft. [4]	75 ft.
Minimum Building Setbacks [1] (see 33.150.215)			
- Lot line abutting or across the street from an OS, RF-R2.5 zoned lot	15 ft.	10 ft.	1 ft. for every 2 ft. of building height but not less than 10 ft.
- Lot line abutting or across the street from an <u>R2RM1</u> -RMP, IR zoned lot	10 ft.	10 ft.	
- Lot line abutting or across the street from a C, CI, E, or I zoned lot	0 ft.	0 ft.	
Maximum Building Setbacks Street Lot Line, Transit Street or Pedestrian District (See 33.150.215)	None	10 ft.	10 ft.
Maximum Building Coverage [1] (see 33.150.225)	50% of site area	85% of site area	70% of site area
Maximum Building Length [1] (see 33.150.235 and 33.150.255)	200 ft.	200 ft.	None
Minimum Landscaped Area (see 33.150.240)	25% of site area	15% of site area	20% of site area
Landscaping Abutting an R zoned lot (see 33.150.240.C)	10 ft. @ L3	5 ft. @ L3	10 ft. @L3
Landscaping across the street from an R zoned lot (see 33.150.240.C)	10 ft. @ L1	5 ft. @ L1	10 ft. @L1
Building Facade Articulation [1] (see 33.150.255)	No	Yes	No
Ground Floor Window Standards [1] (see 33.150.250)	No	Yes	Yes
Transit Street Main Entrance [1] (See 33.150.265)	No	Yes	No

**Notes:**

[1] For Colleges and Medical Centers, the entire CI zone is treated as one site regardless of ownership. In this case, FAR is calculated based on the total square footage of the parcels within the zone rather than for each individual parcel, and setbacks, building length, facade articulation, ground floor windows and transit street main entrance regulations are measured from, or only apply to, the perimeter of the zone.

[2] Maximum FAR within the Legacy Good Samaritan Hospital and Health Center campus boundary shown on Map 150-3 is 3.7 to 1, and is 4.5 to 1 with inclusionary housing bonus.

[3] Maximum FAR within the PCC Sylvania campus boundary shown on Map 150-5 is .75 to 1 and is 1 to 1 with inclusionary housing bonus.

[4] Heights reduced on sites that are across the street from or adjacent to certain zones. See 33.150.210.C.

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## **Commentary**

### **33.150.250 Ground Floor Windows in the CI2 Zone**

### **33.150.265 Transit Street Main Entrance**

The sections on this page are being amended for the following purposes:

- To assign attached duplexes, triplexes, and fourplexes to the same set of development standards that apply to other types of small-scale housing, consistent with proposed amendments to Chapter 33.120 and with Residential Infill Project proposals.
- Provide a corrected reference to the relevant residential main entrance standards in Chapter 33.130.
- Provide consistency with the same courtyard-oriented entrance option for multi-dwelling structures proposed for Chapters 33.120 and 33.130.

### **33.150.250 Ground Floor Windows in the CI2 Zone-**

**A.-** [No change]

**B. Ground floor window standard.** The following standards apply in the CI2 zone:

1. [No change]
2. Exemptions:
  - a. Houses, attached houses, manufactured homes, ~~and duplexes,~~ and triplexes are exempt from this Section;
  - b.-c. [No change]

**C.-E** [No change]

### **33.150.265 Transit Street Main Entrance**

**A.-** [No change]

**B. Applicability.**

1. [No change]
2. Small housing types. ~~Houses, attached houses, manufactured homes, and duplexes.~~ Houses, attached houses, manufactured homes, ~~and duplexes,~~ attached duplexes, triplexes, and fourplexes must meet the standards of 33.130.250.~~CB~~, Residential Main Entrance, instead of the requirements of this section.

**C. Location.** For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor, and one main entrance to a multi-dwelling structure must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:

- 1.-2. [No change]
3. Meet one of the following:
  - a.-b. [No change]
  - c. If it is an entrance to a multi-dwelling structure:
    - (1) Face a ~~shared courtyard~~ at least 15 feet in width that ~~is connected to~~ abuts the transit street ~~by a 6-foot wide pathway~~ and that is landscaped to at least the L1 level, or hard-surfaced for use by pedestrians; and
    - (2) Be within ~~50~~ 60 feet of the transit street.

**D.-E.**[No change]

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## **Commentary**

### **33.218 Community Design Standards**

Amendments to this page are updates to the multi-dwelling zone names.



## 33.218 Community Design Standards

218

### Sections:

#### General

33.218.010 Purpose

33.218.015 Procedure

#### Standards

33.218.100 Standards for Primary and Attached Accessory Structures in Single-Dwelling Zones

33.218.110 Standards for Primary and Attached Accessory Structures in ~~R3, R2, R1~~RM1, RM2, and RMP Zones

33.218.120 Standards for Detached Accessory Structures in Single-Dwelling, ~~R3, R2, R1~~RM1, RM2 and RMP Zones

33.218.130 Standards for Exterior Alterations of Residential Structures in Single-Dwelling, ~~R3, R2, R1~~RM1, RM2, and RMP Zones

33.218.140 Standards for All Structures in ~~RH, RM3, RM4~~, RX, C, CI, and E Zones

33.218.150 Standards for All Structures in I Zones

### **33.218.110 Standards for Primary and Attached Accessory Structures in ~~R3, R2, and R1~~RM1, RM2 and RMP Zones**

The standards of this section apply to development of new primary and attached accessory structures in the ~~R3, R2, R1~~RM1, RM2 and RMP zones. The addition of an attached accessory structure to a primary structure on a site where all the uses are residential, is subject to Section 33.218.130, Standards for Exterior Alteration of Residential Structures in Single-Dwelling, RM1, RM2, and RMP Residential Zones.

The standards of this section can also apply to development of new structures in the ~~RH, RM3, RM4~~, RX, C and E zones on sites where all the uses are residential. In this case, the applicant can choose to meet all the standards in this section or all the standards in Section 33.218.140, Standards for all Structures in the ~~RH, RM3, RM4~~, RX, C and E Zones.

#### **A.-B.** [No change]

**C. Residential buffer.** Where a site zoned ~~R1, RH, RM2, RM3, RM4~~, RX, C, or E abuts or is across a street from an RF through ~~R2~~RM1 or RMP zone, the following is required. Proposals in the Hollywood and Kenton, and Sandy plan districts, ~~the Main Street Corridor Overlay Zone, and the Main Street Node Overlay Zone~~ are exempt from this standard:

1. On sites that abut an RF through ~~RM1~~R2 or RMP zone the following must be met:
  - a. In the portion of the site within 25 feet of the lower density residential zone, the building height limits are those of the adjacent residential zone; and
  - b. A 10 foot deep area landscaped to at least the L3 standard must be provided along any lot line that abuts the lower density residential zone.

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## **Commentary**

### **33.218 Community Design Standards**

Amendments to this page are updates to the multi-dwelling zone names.

2. On sites across the street from an RF through RM1~~R2~~ or RMP zone the following must be met:
  - a. On the portion of the site within 15 feet of the intervening street, the height limits are those of the lower density residential zone across the street; and
  - b. If the site is across a local service street from an RF through RM1~~R2~~ or RMP zone, a 5-foot deep area landscaped to at least the L2 standard must be provided along the property line across the local service street from the lower density residential zone. Vehicle access is not allowed through the landscaped area unless the site has frontage only on that local service street. Pedestrian and bicycle access is allowed, but may not be more than 6 feet wide.

**D. Building height.** Except as provided in Subsection C, above, structures in the ~~RH~~RM3, RM4, RX, and E zones may be up to 55 feet in height.

**E.-R.** [No change]

**33.218.120 Standards for Detached Accessory Structures in Single-Dwelling, ~~R3, R2, R1~~RM1, RM2 and RMP Zones.**

The standards of this section are applicable to development of new detached accessory structures in single dwelling, ~~R3, R2, R1~~RM1, RM2 and RMP zones.

**A.-J.** [No change]

**33.218.130 Standards for Exterior Alteration of Residential Structures in Single-Dwelling, ~~R3, R2, and R1~~RM1, RM2 and RMP Zones**

The standards of this section apply to exterior alterations of primary structures and both attached and detached accessory structures in residential zones. These standards apply to proposals where there will be only residential uses on the site.

The standards of this section can also apply to exterior alterations in the ~~RH~~RM3, RM4, RX, C and E zones on sites where all the uses are residential. In this case, the applicant can choose to meet all the standards in this section or all the standards in Section 33.218.140, Standards for all Structures in the ~~RH~~RM3, RM4, RX, C and E Zones.

**A.-G.** [No change]

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## **Commentary**

### **33.218 Community Design Standards**

Amendments to this page are updates to the multi-dwelling zone names.

### **33.218.140 Standards for All Structures in the ~~RHRM3~~, RM4, RX, C, CI, and E Zones**

The standards of this section apply to development of all structures in ~~RHRM3~~, RM4, RX, C, CI, and E zones. These standards also apply to exterior alterations in these zones.

Applicants for development of new structures on sites where the uses are all residential can choose to meet all the standards of this section or all the standards of Section 33.218.110. Applicants for exterior alterations on sites where the uses are all residential can choose to meet all the standards of this section or all the standards of Section 33.218.130.

#### **A.-C. [No change]**

**D. Residential buffer.** Where a site zoned ~~RHRM3~~, RM4, RX, CI, or E abuts or is across a street from an RF through ~~R2~~RM1 zone, the following is required. Proposals in the Hollywood, Kenton, and Sandy Boulevard plan districts are exempt from this standard:

1. On sites that abut an RF through ~~RM1~~R2 zone the following must be met:
  - a. In the portion of the site within 25 feet of the lower density residential zone, the building height limits are those of the adjacent residential zone; and
  - b. A 10-foot deep area landscaped to at least the L3 standard must be provided along any lot line that abuts the lower density residential zone.
2. On sites across the street from an RF through ~~RM1~~R2 zone the following must be met:
  - a. On the portion of the site within 15 feet of the intervening street, the height limits are those of the lower density residential zone across the street; and
  - b. If the site is across a local service street from an RF through ~~RM1~~R2 zone, a 5-foot deep area landscaped to at least the L2 standard must be provided along the property line across the local service street from the lower density residential zone. Vehicle access is not allowed through the landscaped area unless the site has frontage only on that local service street. Pedestrian and bicycle access is allowed, but may not be more than 6 feet wide.

#### **E. Building height.**

1. Maximum height in ~~RHRM3~~, RM4, RX, CI, C, and E zones.
  - a. Generally. Structures in the ~~RHRM3~~, RM4, RX, CI, C, and E zones may be up to 55 feet in height where allowed by the base zone;
  - b. Where a site zoned ~~RHRM3~~, RM4, RX or E abuts or is across a street from an RF through ~~RM1~~R2 zone, the maximum height is reduced as specified in Subsection D, above;
  - c. New and replacement antennas are exempt from this standard if the antennas are located on an existing monopole, and the antennas do not project above the height of the monopole.
2. Minimum height. In C and E zones, primary buildings must be at least 16 feet in height.

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## Commentary

### 33.218 Community Design Standards

Amendments to this page include:

- Updates to the multi-dwelling zone names, and
- In Paragraph M, a corrected reference to the relevant ground floor window standards in Chapter 33.130.

**F.** [No change]

**G. Vehicle areas.**

1. Access to vehicle areas and adjacent residential zones. Access to vehicle areas must be at least 20 feet from any adjacent residential zone.
2. Parking lot coverage. No more than 50 percent of the site may be used for vehicle areas.
3. Vehicle area screening. Where vehicle areas are across a local service street from an ~~R1, RH, RM2, RM3, RM4,~~ or RX zone, there must be a 6 foot wide landscaped area along the street lot line that meets the L3 standard of Chapter 33.248, Landscaping and Screening. Vehicle areas across a local service street from an RF through RM1R2 zone are subject to the standards of Subsection D., Residential Buffer, above.

**H.-L.** [No change]

**M. Ground floor windows.** Street-facing elevations must meet the ~~Ground Floor Windows Standards of the C zone~~ 33.130.230.B, Ground floor windows. As an alternative to providing ground floor windows, proposals in E zones may provide public art if the following conditions are met:

1. The area of the ground level wall that is covered by the art must be equal to the area of window that would have been required;
2. The artist and the specific work or works of art must be approved by the Portland Regional Arts and Cultural Council; and
3. The art must be composed of permanent materials permanently affixed to the building. Acceptable permanent materials include metal, glass, stone and fired ceramics.

**N.-Q.** [No change]

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## **Commentary**

### **33.229 Elderly and Disabled High Density Housing**

Amendments to this page are updates to the multi-dwelling zone names.



## 33.229 Elderly and Disabled High Density Housing

229

### 33.229.010 Purpose

These regulations provide opportunities to integrate housing for elderly and disabled citizens with other types of housing, and to increase the ability of the elderly and disabled to live independently and close to where services are generally available. The regulations allow increased density with special design and development standards in RM1~~R3~~ through RM4~~RH~~, C, IR, and EX zones. The regulations are intended only for new developments and projects that involve major remodeling.

### 33.229.020 Density Increase and Development Standards

- A. RM1, RM2~~R3, R2, R1~~, RMP, and IR zones. In the RM1, RM2~~R3, R2, R1~~, RMP, and IR zones, there is no limit on density if all of the following are met:
1. The project complies with the development standards of the base zone, except for density and minimum parking requirements;
  2. The project complies with the standards of this chapter; and
  3. The lot is at least 10,000 square feet in area.
- B. RM3, RM4~~RH~~ and EX zones. In the RM3, RM4~~RH~~ and EX zones, the project can develop to an FAR of 4 to 1 if all of the following are met:
1. The project complies with the development standards of the base zone, except for density and minimum parking requirements;
  2. The project complies with the standards of this chapter; and
  3. The lot is at least 10,000 square feet in area.
- C. [No change]

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## Commentary

### 33.239 Group Living

Amendments to this page are for the following purposes:

1. Updates to the multi-dwelling zone names.
2. In paragraph C, elimination of the RH (new RM3 and RM4) zone from the exemption from outdoor area requirements, in correspondence with the application of outdoor area requirements to these zones in Chapter 33.120 (see pages 118-121 in Volume 2).
3. In paragraph C, the minimum combined outdoor area dimension is being changed to 20 feet. This brings consistency with the new minimum common area dimension in Chapter 33.120 (see page 123 in Volume 2). The minimum 20-foot dimension helps ensure that common outdoor areas are of usable size. The 15-foot minimum dimension had sometimes resulted in corridors of 5-foot wide walkways flanked on each side by 5 feet of landscaping, rather than providing for courtyards or other types of usable outdoor space.

## 33.239 Group Living

239

### 33.239.030 Development Standards

The development standards of the base zone, overlay zone or plan district apply unless superseded by the standards below.

**A. Resident Density.**

1.-2. [No change]

3. Density standard. Group Living uses are limited to the following number of residents per square foot of site area:

Zone	Number of Residents
RF through R5 zones	1.5 residents per 1,000 square feet
<del>R3 and R2.5 zones</del>	2 residents per 1,000 square feet
<del>RM1R2</del> zone	2.5 residents per 1,000 square feet
<del>RM2R1</del> zone	3 residents per 1,000 square feet
RM3, RM4, <del>RH</del> , RX, IR, CI2, C, and E zones	Not limited (must comply with the building or housing code, and the FAR of the base zone)

**B.** [No change]

**C. Required outdoor area.** The requirement for outdoor areas applies in all residential zones except ~~RH and RX~~. Larger areas may be required as part of a conditional use review. The outdoor area requirement is 48 square feet for every 3 residents, with a minimum dimension of 6 feet by 6 feet. Individual outdoor areas may be combined. The minimum size of a combined area is 500 square feet and must measure at least 20 feet in all directions~~the minimum dimension is 15 by 15 feet.~~

**D.** [No change]

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## **Commentary**

### **33.251 Manufactured Homes and Manufactured Dwelling Parks**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.251 Manufactured Homes and Manufactured Dwelling Parks

251

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### 33.251.030 Manufactured Dwelling Park Regulations

A.-B. [No change]

C. **Zones allowed.** Manufactured dwelling parks are allowed only in the ~~R3, R2, RM1~~ and RMP zones. An exception is Historic Districts and Conservation Districts, where they are prohibited.

D.-J. [No change]

K. **Nonconforming manufactured dwelling parks.** Existing manufactured dwelling parks may be subject to the regulations of Chapter 33.258, Nonconforming Uses and Development. Listed below are situations where the manufactured dwelling park is given nonconforming status.

1.-2. [No change]

3. Existing manufactured dwelling parks in the ~~R2, R3, RM1~~ and RMP zones may have nonconforming densities and/or development depending on individual situations.

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## Commentary

### 33.270 Planned Development

#### 33.270.100.D and E. (Triplexes and Fourplexes)

This amendment identifies triplexes and fourplexes as being allowed housing types through a Planned Development because triplexes and fourplexes will be stand-alone housing types—they were previously covered under the definition of multi-dwelling structure. Triplexes and Fourplexes, as relatively small residential structures, will share regulatory approaches with other small residential structures, such as duplexes and attached houses, instead of being considered multi-dwelling structures. The housing type multi-dwelling structures will now be defined as buildings with five or more dwelling units.

#### 33.270.100.L (New dwelling units)

A new paragraph L is being added to the listing on this page to reflect the addition in Chapter 33.120 of an option for proposals that do not meet the Minimum Required Site Frontage for Development standard, which calls for a minimum street frontage of 90 feet in mapped locations in Eastern Portland, to be approved through Planned Development Review (see page 53 in Volume 2).

Other amendments on this page relate to the new multi-dwelling zone names, and in paragraph M, shifting the lower-scale multi-dwelling zones from the subparagraph for zones regulated by unit density to the subparagraph for zones regulated by floor area.

## 33.270 Planned Development

270

### 33.270.100 Additional Allowed Uses and Development

In addition to the housing types and uses allowed by other chapters of this Title, the following uses and development may be requested through Planned Development Review. More than one of these elements may be requested:

- A. Attached houses.** Attached houses may be requested in the RF through R5 zones;
- B. Duplexes.** Duplexes may be requested in the RF through R2.5 zones;
- C. Attached duplexes.** Attached duplexes may be requested in the RF through R2.5 zones;
- D. Triplexes.** Triplexes may be requested in the RF through R2.5 zones;
- E. Fourplexes.** Fourplexes may be requested in the RF through R2.5 zones;
- FD. Multi-dwelling structures.** Multi-dwelling structures may be requested in the RF through R2.5 zones;
- GE. Multi-dwelling development.** Proposals to allow multi-dwelling development on a lot may be requested in RF through R2.5 zones;
- HF. Modification of site-related development standards.** Modification of site-related development standards that are not prohibited from being adjusted may be requested through a Planned Development.
- IG. Alternative residential dimensions.** Proposals for lots that do not meet the minimum lot area, minimum lot width, minimum lot depth, or minimum front lot line standards may be requested in RF through R2.5 zones. Proposals for lots that do not meet the minimum lot size dimensions may be requested in the ~~RH and RM1~~ through ~~RM4R3~~ zones.
- JH. Commercial uses.** Commercial uses that are allowed in the CM1 zone may be requested in the RF through ~~RM2R1~~ zones;
- KI. Additional height and FAR.** For sites in the CM2, CM3, CE, and CX zones outside of the Central City and Gateway plan districts that are greater than 2 acres in size, additional height and FAR may be requested through a Planned Development as specified in 33.130.212.E, Planned Development Bonus, and Table 130-3;
- L. New dwelling units.** New dwelling units may be requested on lots that are zoned multi-dwelling and are less than 90 feet wide;
- MJ. Transfer of development within a site.** Transfer of development rights across zoning lines within the site may be proposed as follows:
  - 1. RF through ~~R2.5R1~~ zones. If the site is located in more than one zone, and all the zones are RF through ~~R2.5R1~~, the total number of units allowed on the site is calculated by adding up the number of units allowed by each zone. The dwelling units may be placed without regard to zone boundaries.
  - 2. ~~RH and RM1~~ through RX zones. If the site is located in more than one zone, and the zones are ~~RH and RM1~~ through RX, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.

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## Commentary

### 33.270 Planned Development

Amendments to this page reflect the shift in regulating development intensity in the RM1 (former R3 and R2) and RM2 (former R1) zones from unit density to FAR. The references to the range of zones that regulate in terms of numbers of dwelling units is being amended to end at the R2.5 zone to reflect this change.



3. C, E, I, CI, and IR zones. If the site is located in more than one zone, and all the zones are C, E, I, CI, and IR zones, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.
4. All zones. If the site is located in more than one zone, and at least one of the zones is RF through ~~R2.5R1~~, and at least one of the zones is ~~RH, RM1~~ through RX, C, or EX, then the total number of dwelling units allowed on the site is calculated as follows:
  - a. The number of units allowed on the RF through ~~R2.5R1~~ portion of the site is calculated in terms of dwelling units;
  - b. The number of units allowed on the other portion of the site is calculated in terms of floor area; The floor area calculation is converted to dwelling units at the rate of 1 dwelling unit per 1,000 square feet of floor area;
  - c. The two dwelling unit numbers are added together, and may be placed without regard to zone boundaries.

**NM. Transfer of development between sites.** Sites that are eligible to transfer development rights to another site are designated in other chapters of this Title. Where such transfers require a Planned Development~~occur~~, both the sending and receiving sites must be part of a Planned Development.

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## **Commentary**

### **33.285 Short Term Housing and Mass Shelters**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.285 Short Term Housing and Mass Shelters

285

### 33.285.040 Use Regulations

#### A. Short term housing.

1. R and IR zones. New short term housing, an expansion of net building area, or an increase in the number of occupants in existing short term housing in R and IR zones is subject to the following regulations:
  - a. Allowed use. New short term housing and alterations to existing short term housing is allowed if it meets one of the following:
    - (1) Short term housing for up to 15 beds is an allowed use in the RM1~~R3~~ – RMP and IR zones if it is provided on the site of an existing Institutional Use and meets the standards of 33.285.050.
    - (2) [No change]
  - b. [No change]
- 2.-4. [No change]

#### B. Mass shelters.

1. [No change]
2. ~~R3, R2, R1,~~RM1, RM2, RMP and IR zones. Applicants for a new mass shelter or expansion of net building area or increase in the number of occupants in an existing mass shelter in ~~R3, R2, R1,~~RM1, RM2, RMP and IR zones may choose to be an allowed use or a conditional use, as stated below.
  - a.-b. [No change]
3. RM3, RM4,~~RH~~ and RX zones. Applicants for a new mass shelter or expansion of net building area or increase in the number of occupants in an existing mass shelter in RM3, RM4,~~RH~~ and RX zones may choose to be an allowed use or a conditional use, as stated below.
  - a.-b. [No change]
- 4.-7. [No change]

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## Commentary

### 33.285 Short Term Housing and Mass Shelters

Amendments to Table 285-1 are updates to the multi-dwelling zone names.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 285-1</b> <b>Maximum Number of Shelter Beds for Mass Shelters</b>	
<b>Zone of Site</b>	<b>Maximum Number of Shelter Beds</b>
EX, CX, CM3, and CE	200
CM2 and CI2	75
CR, CM1, and CI1	25
RX, <u>RM3</u> , and <del>RM4 and RH</del>	50
<u>RM1</u> , <del>RM2 R3-R1</del> , RMP, IR [1]	15

Notes:

[1] The mass shelter must be operated on the site of an existing Institutional Use.

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## Commentary

### 33.296 Temporary Activities

Amendments to this page are updates to the multi-dwelling zone names and allow farmer's markets as temporary activities in all the new multi-dwelling zones.

## 33.296 Temporary Activities

296

### 33.296.030 Temporary Activities Allowed

- A. Residential sales offices.** Sales offices for major subdivisions or planned unit developments are allowed in the IR, CI2, and RF through RM4RH and RMP zones. Sales offices are allowed at the development site until all lots or houses are sold or for 10 years after the final plat is approved, whichever is less. Use of the sales office for sites outside of the project is prohibited.
- B. Show of model homes.** The viewing of model homes within a subdivision for a fee is allowed in the IR, CI2, and RF through RM4RH and RMP zones for a period not to exceed one month. Only one showing is allowed per phase of a subdivision.
- C. Incidental Sales.** Incidental sales of items are allowed based on the zone in which the site is located:
1. Garage sales. Garage sales and other sales of items from the site may occur in the IR, CI1, and RF through RM4RH and RMP zones for no more than 3 consecutive days on 2 different occasions during a calendar year. The sale of products brought to the site for the sale is not allowed.
  - 2.-3. [No change]
  4. Seasonal outdoor sales.
    - a. [No change]
    - b. In the IR, CI1, and RF through RM4RH and RMP zones, ~~S~~seasonal outdoor sales of plants and produce are allowed twice a year for up to 5 consecutive weeks each time.
- D. Farmers Markets.** Farmers Markets are allowed on a site with an institutional use, and on sites in the IR, RM1-RM4, RMP, R1, RH, RX, C, E, I, CI, and OS zones as follows:
- 1.-4. [No change]
- E. Fairs, carnivals, and other major public gatherings.**
1. In the CI1 and RF through RM4RH and RMP zones, fairs, carnivals and other major public gatherings are allowed for up to 9 consecutive days at a site with an existing institutional use. The 9 days does not include up to 5 total days to set up and breakdown the event. Two events are allowed per calendar year.
  - 2.-4. [No change]

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## **Commentary**

### **33.296 Temporary Activities**

Amendments to this page are updates to the multi-dwelling zone names.



**F. Construction activities**

1. Use of existing house or manufactured dwelling. In the IR, CI1, and RF through RM4RH and RMP zones, an existing house or a manufactured dwelling may be used temporarily for a residence while a permanent residence is being constructed. The existing house or manufactured dwelling may remain on the site until the completion of the construction, or for not more than 2 years, whichever time period is less. The existing house or manufactured dwelling must be removed within 1 month after approval of final occupancy for the new residence. A performance bond or other surety must be posted in conformance with 33.700.050, Performance Guarantees, to ensure removal of the existing house or manufactured dwelling.

2.-4. [No change]

**G.-I.** [No change]

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## Commentary

### Chapter 33.415

#### Centers Main Street Overlay Zone

The only amendment to this chapter involves minor changes to the Map 415-1 (Pattern Areas), see below.

#### Pattern Areas

##### Map 415-1

The Pattern Areas map is being amended to make corrections to the pattern area boundaries. The most significant change is that the Central City Pattern Area boundaries are being amended to correspond to the Central City Plan District boundaries. The previous version of the Pattern Areas map was based on draft boundaries for the Central City Plan District that were not adopted (it included small portions of Lower Albina, Kerns, and a small area near the Clinton light rail station that had been considered for inclusion in the Central City Plan District, but were not ultimately included). Other changes include corrections to pattern area boundaries, mostly to avoid situations in which boundaries cut across properties and to more accurately reflect existing urban patterns. The revised boundaries use streets and property lines as boundaries and take into account block patterns and topography. In this overlay zone, the Pattern Areas map boundaries affect standards for minimum floor area ratios and maximum building setbacks.

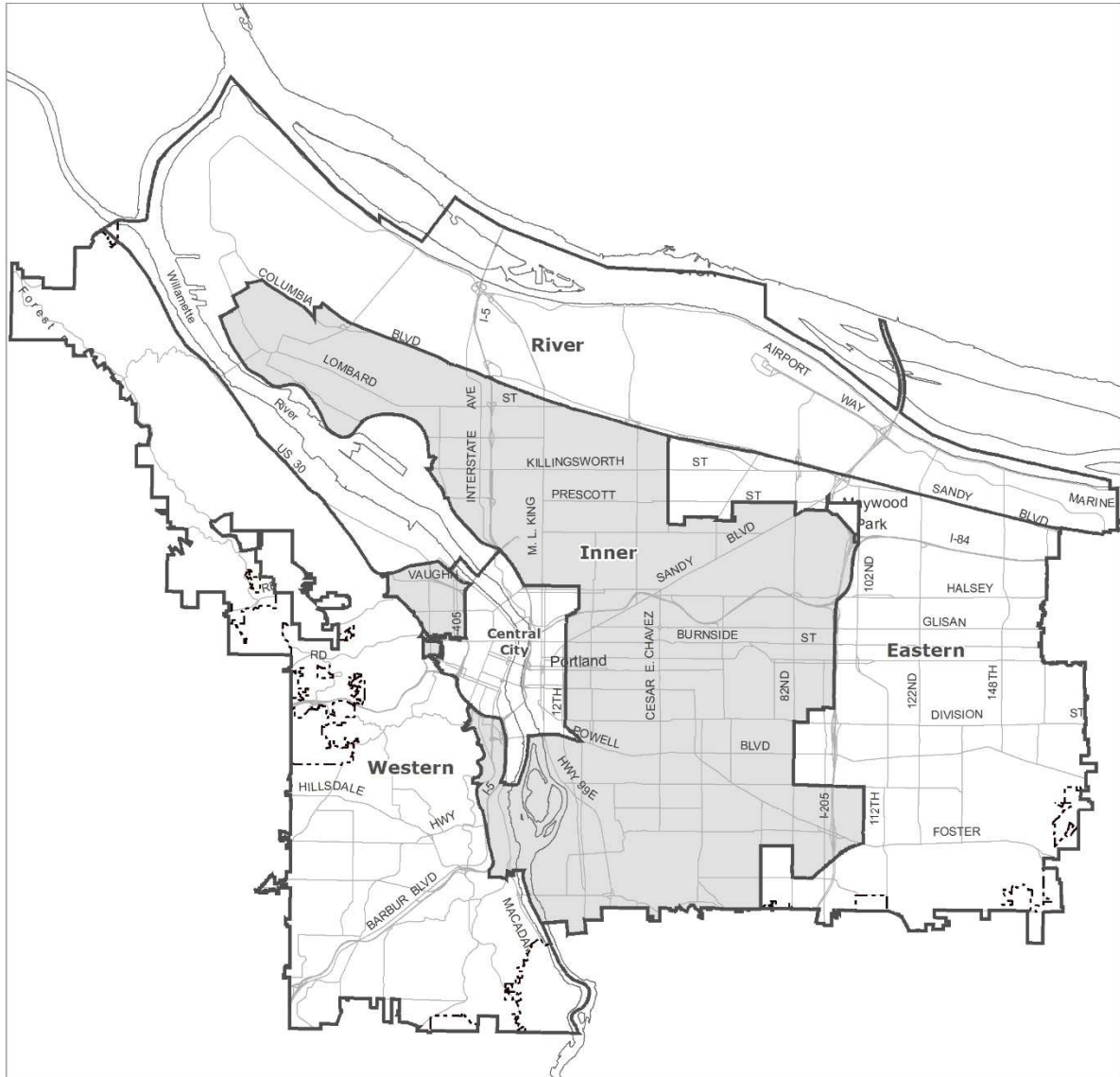
### 33.415 Centers Main Street Overlay Zone

415


## Pattern Areas

## Map 415-1

Map Revised Xxxx XX, 201X



----- City Boundary  
—— Pattern Area Boundaries

  
NORTH  
0 9,000 18,000  
Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

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## **Commentary**

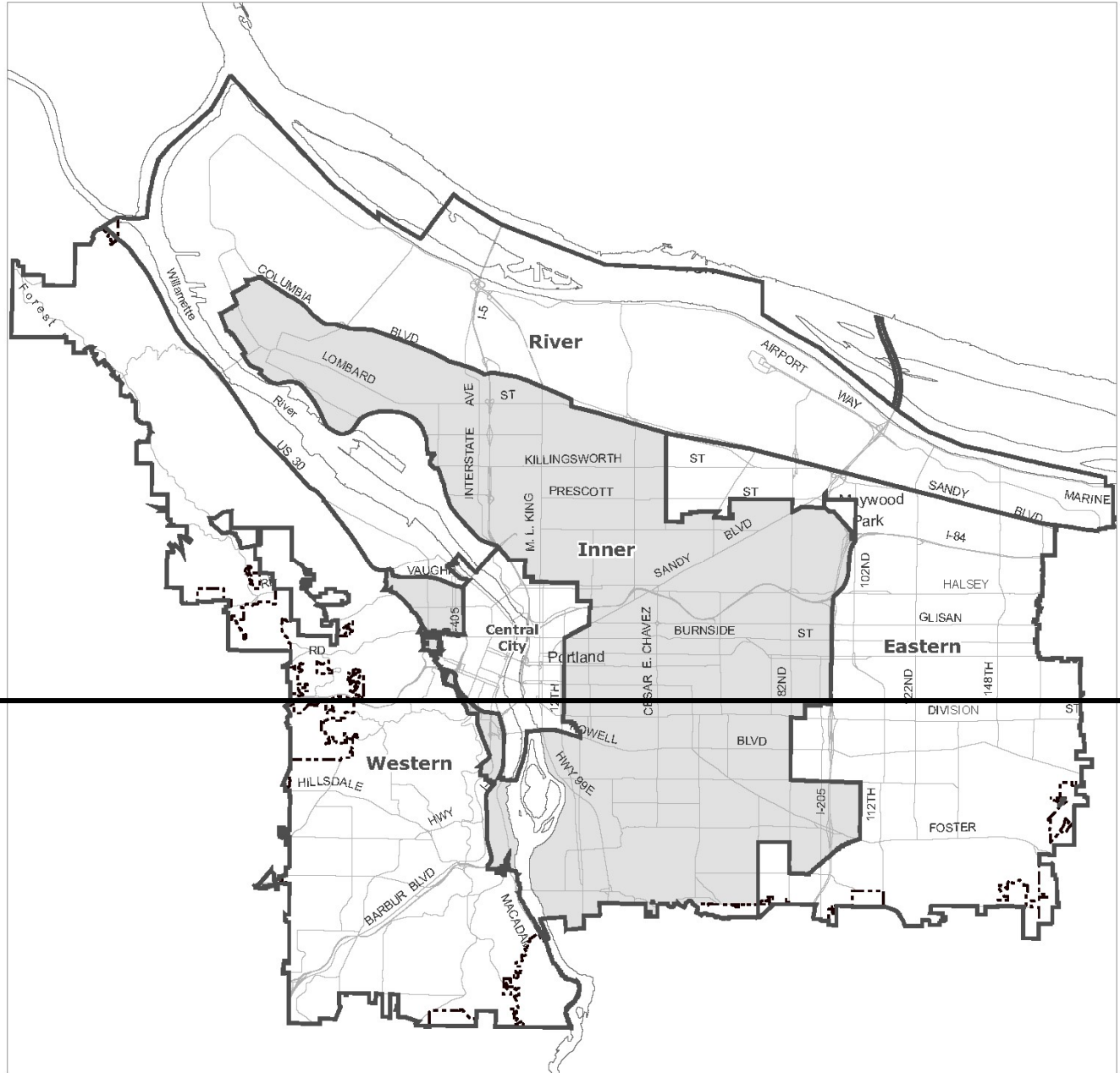
### **Pattern Areas Map 415-1**

This is the existing Pattern Areas map that is being replaced (see previous commentary).

## Pattern Areas

# Map 415-1

Map Revised May 24, 2018



----- City Boundary  
—— Pattern Area Boundaries

NORTH  
0 9,000 18,000  
Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

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## Commentary

### 33.420 Design Overlay Zone

Amendments to this page reflect the following:

- Discontinuation of the Albina Community plan district design review provisions (see pages 108-117 of this volume).
- Updates to the multi-dwelling zone names.

## 33.420 Design Overlay Zone

420

### 33.420.041 When Design Review is Required

Unless exempted by Section 33.420.045, Exempt From Design Review, design review is required for the following:

**A.-G** [No change]

**H.** Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080;

~~**I.** Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5 Zoned Areas;~~

**J.** Floating structures, except individual houseboats; and

**K.** In the Marquam Hill plan district, proposals to develop or improve formal open area required by Chapter 33.555. This includes designating existing open areas as formal open areas.

### 33.420.045 Exempt From Design Review

The following items are exempt from design review:

**A.-B.**[No change]

**D.** Alterations to residential structures in RF through ~~RM2R1~~ zones, where the alterations are valued at \$10,000 or less;

**E.-DD.** [No change]

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## Commentary

### **33.420.055 When Community Design Standards May Be Used**

### **33.420.060 When Community Design Standards May Not Be Used**

Amendments to this page reflect the following:

- Discontinuation of the Albina Community plan district design review provisions (see pages 108-117 of this volume).
- Because of the above and the fact that projects using a-overlay provisions are subject to separate regulations in Chapter 33.405, this section is being simplified to reflect the fact that it will only apply in the design overlay zone.
- Updates to the multi-dwelling zone names in Table 420-1.



### 33.420.055 When Community Design Standards May Be Used

The Community Design Standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. The standards for signs are stated in Title 32, Signs and related Regulations. Proposals that do not meet the Community Design Standards — or where the applicant prefers more flexibility — must go through the design review process.

Unless excluded by 33.420.060, When Community Design Standards May Not Be Used, ~~below~~, proposals that are within the maximum limits of Table 420-1 ~~meet all of the requirements of this section~~ may use the Community Design Standards as an alternative to design review.

**~~A.~~ Location.** The proposal is in:

- ~~1. A Design Overlay Zone;~~
- ~~2. The Albina Community plan district shown on Map 505-1; or~~
- ~~3. An Alternative Design Density Overlay Zone and a Design Overlay Zone, and the proposal is not taking advantage of the provisions of Chapter 33.405, Alternative Design Density Overlay Zone. Proposals taking advantage of the provisions of Chapter 33.405 are regulated by Section 33.405.090.~~

**~~B.~~ Maximum limits.** The proposal is within the maximum limits of Table 420-1.

<b>Table 420-1</b>	
<b>Maximum Limits for Use of the Community Design Standards [1]</b>	
<b>Zones</b>	<b>Maximum Limit—New Floor Area</b>
<u>RM2, RM3, RM4R1, RH, RX,</u> C, E, & CI Zones	20,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan or Conditional Use Master Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"><li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade.</li><li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li></ul>
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.

### 33.420.060 When Community Design Standards May Not Be Used

The Community Design Standards may not be used as an alternative to design review as follows:

**A.-E.** [No change]

**F.** For non-residential development in the RF through RM2R1 zones;

**G.-J.** [No change]

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## Commentary

### **33.445 Historic Resource Overlay Zone**

Amendments to this page reflect discontinuation of the Albina Community plan district design review provisions (see pages 108-117 of this volume).

## 33.445 Historic Resource Overlay Zone

445

### 33.445.140 Alterations to a Historic Landmark

Alterations to a Historic Landmark require historic resource review to ensure the landmark's historic value is considered prior to or during the development process.

- A. When historic resource review for a Historic Landmark is required.** Unless exempted by Subsection B, below, the following proposals are subject to historic resource review. Some modifications to site-related development standards may be reviewed as part of the historic resource review process; see Section 33.445.050:
- 1.-3. [No change]
  4. Alteration of an interior space when that interior space is designated as a Historic Landmark; and
  5. Proposals using any of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080; and
  6. ~~Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5 Zoned Areas.~~
- B.** [No change]

### 33.445.230 Alterations to a Conservation Landmark

Alterations to Conservation Landmarks require historic resource review to ensure the landmark's historic value is considered prior to or during the development process.

- A. When historic resource review for a Conservation Landmark is required.** Unless exempted by Subsection B, below, the following proposals are subject to historic resource review. Some may be eligible to use the Community Design Standards as an alternative; see Section 33.445.710:
- 1.-3. [No change]
  4. Alteration of an interior space when that interior space is designated as a Conservation Landmark; and
  5. Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080; and
  6. ~~Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5 Zoned Areas.~~
- B.** [No change]

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## Commentary

### 33.445.320 Development and Alterations in a Historic District

Amendments to this page reflect the following:

- Discontinuation of the Albina Community plan district design review provisions (see pages 108-117 of this volume).
- Updates to the multi-dwelling zone names.

### **33.445.320 Development and Alterations in a Historic District**

Building a new structure or altering an existing structure in a Historic District requires historic resource review to ensure the resource's historic value is considered prior to or during the development process.

- A. When historic resource review is required in a Historic District.** Unless exempted by Subsection B, below, the following proposals in a Historic District are subject to historic resource review:

- 1.-3. [No change]
4. Nonstandard improvements in the public right-of-way, such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping. Nonstandard improvements in the public right-of-way must receive approval from the City Engineer prior to applying for historic resource review; and
5. Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080; and
6. ~~Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5 Zoned Areas.~~

- B. Exempt from historic resource review.**

- 1.-9. [No change]
10. Vents. On all residential structures in the RF through RM2R1 zones and residential structures with up to three dwelling units in other zones, vents that meet all of the following:
  - a.-b. [No change]
- 11.-22. [No change]

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## Commentary

### 33.445.420 Development and Alterations in a Conservation District

Amendments to this page reflect the following:

- Discontinuation of the Albina Community plan district design review provisions (see pages 108-117 of this volume).
- Updates to the multi-dwelling zone names.

### **33.445.420 Development and Alterations in a Conservation District**

Building a new structure or altering an existing structure in a Conservation District requires historic resource review to ensure the resource's historic value is considered prior to or during the development process.

- A. When historic resource review is required in a Conservation District.** Unless exempted by Subsection B., below, the following proposals in a Conservation District are subject to historic resource review. Some may be eligible to use the Community Design Standards as an alternative; see Section 33.445.710:
- 1.-3 [No change]
  - 4. Nonstandard improvements in the public right-of-way, such as street lights, street furniture, planters, public art, sidewalk and street paving materials, and landscaping. Nonstandard improvements in the public right-of-way must receive approval from the City Engineer prior to applying for historic resource review; and
  - 5. Proposals using one of the provisions of the a, Alternative Design Density Overlay Zone, specified in Sections 33.405.040 through .080; and
  - ~~6. Proposals in the Albina Community plan district using the provisions of Section 33.505.220, Parking Requirement Reduction, or Section 33.505.230, Attached Residential Infill on Vacant Lots in R5-Zoned Areas.~~
- B. Exempt from historic resource review.**
- 1.-9. [No change]
  - 10. Vents. On all residential structures in the RF through ~~RM2R1~~ zones and residential structures with up to three dwelling units in other zones, vents that meet all of the following:
    - a.-b. [No change]
  - 11.-22. [No change]

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## Commentary

### **33.445.610 Historic Preservation Incentives**

Amendments to this page reflect the following:

- Updated reference to Chapter 33.120 transfer of FAR regulations.
- Updates to the multi-dwelling zone names.



### 33.445.610 Historic Preservation Incentives

A.-B. [No change]

C. **Incentives.** The following incentives are allowed if the requirements of Subsection D, Covenant, are met. The incentives are:

1. Transfer of density and floor area ratio (FAR). Transfer of density from a landmark to another location is allowed in multi-dwelling, commercial/mixed use, and employment zones. In multi-dwelling zones, the transfer is regulated by Subsection 33.120.205.E 210.D, Transfer of ~~Density~~ FAR. In commercial and employment zones, the transfer of FAR is regulated by Subsections 33.130.205.C and 33.140.205.C.

2-7. [No change]

8. Nonresidential uses in the RM1, RM2, RM3 and RM4RH, R1 and R2 zones. In the RM1, RM2, RM3 and RM4RH, R1 and R2 zones, up to 100 percent of the net building area of a structure may be approved for Retail Sales And Service, Office, or Manufacturing And Production as follows:

a.-b. [No change]

9. [No change]

D. [No change]

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## **Commentary**

### **33.445.710 When Community Design Standards May Be Used**

### **33.445.720 When Community Design Standards May Not Be Used**

Amendments to this page reflect the following:

- Updates to the multi-dwelling zone names.
- Discontinuation of the a-overlay zone bonus provisions that provided options for additional density for projects in the multi-dwelling zones approved through design review (see pages 206-213 in Volume 2).

### **33.445.710 When Community Design Standards May Be Used.**

Unless excluded by Section 33.445.720, When Community Design Standards May Not Be Used, proposals that meet all of the requirements of this section may use the Community Design Standards as an alternative to historic resource review.

- A. [No change]
- B. **Maximum limits.** The proposal is within the maximum limits of Table 445-1.

<b>Table 445-1</b>	
<b>Maximum Limits for Use of the Community Design Standards</b>	
<b>Zones</b>	<b>Maximum Limit—New Dwelling Units or Floor Area</b>
Single Dwelling Zones	5 dwelling units
<del>RM1 Zone</del> <u>R2 &amp; R3 Zones</u>	10 dwelling units
<del>RM2, RM3, RM4</del> <u>R1, RH, RX, C, E, &amp; CI Zones</u>	20,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"><li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade.</li><li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li></ul>
IR Zone	See institution's Impact Mitigation Plan.

### **33.445.720 When Community Design Standards May Not Be Used.**

The Community Design Standards may not be used as an alternative to historic resource review as follows:

- A.-B. [No change]
- C. For mixed-use or non-residential development in the RF through RM2~~R4~~ zones;
- D. If the site is in a Historic District or the proposal is for alteration to a Historic Landmark; and
- ~~E. If the proposal uses Section 33.405.050, Bonus Density for Design Review; and~~
- F. For installation of solar panels on a conservation landmark.

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## **Commentary**

### **33.470 Portland International Airport Noise Impact Zone**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.470 Portland International Airport Noise Impact Zone

470

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### 33.470.040 Regulations for Residential Uses

A.-C. [No change]

**D. Residential use and density.**

1. [No change]
2. Within the 65 DNL noise contour. Where a site is within the 65 DNL noise contour, it is subject to the following:
  - a. [No change]
  - b. Except as provided in paragraph D.3, sites that have a commercial Comprehensive Plan Map designation are prohibited from developing to a residential density higher than that of the RM2R1 zone.
3. [No change]

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## Commentary

### 33.480 Scenic Resource Zone

Amendments to this page are updates to the multi-dwelling zone names.

## 33.480 Scenic Resource Zone

480

### 33.480.040 Development Standards

The development standards of the Scenic Resource zone apply based on the mapping designations shown in the *Scenic Resources Protection Plan*. The standards for each subsection below apply only to areas with that designation in the Plan. The resource is defined as the width of the right-of-way or top of bank to top of bank for scenic corridors. Setbacks are measured from the outer boundary of the right-of-way unless specified otherwise in the ESEE Analysis and as shown on the Official Zoning Maps. In some cases, more than one development standard applies. For example, within a scenic corridor, a view corridor standard will apply where a specific view has been identified for protection.

- A. [No change]
- B. **Scenic Corridors.** All development and vegetation with a scenic corridor designation in the *Scenic Resources Protection Plan* are subject to the regulations of this Subsection.
  - 1. [No change]
  - 2. Standards.
    - a. Scenic Corridor Setback. A scenic corridor setback per Table 480-1 applies along street lot lines that abut the Scenic Corridor identified in the *Scenic Resources Protection Plan*.

Table 480-1 Scenic Corridor Setback [1]	
Zone	Minimum Setback from Street Lot Line
IR, CI	1' per 2' of building height, not less than 10'
<del>RM2R1</del>	3'
EG1, IH	5'
EG2, IG2	25'
All other base zones	20'

Notes:

[1] Larger minimum setbacks in overlay zone and plan district supersede this setback

- b.-h. [No change]

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## Commentary

### 33.505 Albina Community Plan District

The Albina Community plan district includes pioneering implementation approaches, such as allowances for ground-floor commercial uses in the RH zone along Martin Luther King Jr. Boulevard and allowances for no off-street parking on small sites, that served as models for regulatory approaches now proposed to be applied citywide as part of the Better Housing by Design Proposed Draft amendments. Because the proposed citywide application of these approaches now makes these Albina Community plan district regulations redundant, they are proposed to be discontinued. The only plan district regulation that is being retained is an allowance for attached residential infill on vacant lots in the R5 zone.

The following summarizes provisions of the Albina Community plan district that are being discontinued.

- **Allowances for limited amounts of ground-floor commercial uses in the RH zone along Martin Luther King Jr. Boulevard (33.505.100).** The BHD Proposed Draft proposes to allow limited amounts of ground-floor commercial uses in multi-dwelling zone along major corridors citywide, including along NE Martin Luther King Jr. Boulevard (see pages 32-39 of Volume 2).
- **Minimum density standard for RH zoning abutting Martin Luther King Jr. Boulevard (33.505.200).** This regulation allows for a minimum density that is lower than the base zone regulations for the RH zone. Along Martin Luther King Jr. Boulevard, this plan district regulation allows for a minimum density of 1 unit per 2,000 square feet of site area, which is a townhouse density that is the same as is allowed in the low-scale R2 zone. This low-level of density has not been used by new development along this corridor within the plan district over the past 10 years, and newer residential development has typically consisted of multi-level multi-dwelling buildings that reflect the intended development intensities of the RH zone. Discontinuing this plan district regulation means that development will need to meet the minimum density requirements of the RM3/RM4 (former RH) zones, which is 1 unit per 1,000 square feet of site area, which sets a higher expectation for housing density that reflects this boulevard's status as a Civic Corridor that is intended to be the location for larger buildings and concentrations of housing.
- **Reduced minimum parking requirements (33.505.220).** The plan district allows for small sites (up to 7,500 square feet) in the R2.5, R2, and R1 zones to not provide off-street parking, in exchange for going through design review or meeting the community design standards. This will be replaced by proposed multi-dwelling zone regulations that exempt projects from needing to provide off-street parking on small sites (up to 10,000 - see pages 204-205 in Volume 2). Also, the Residential Infill Project is proposing to discontinue off-street parking requirements in the R2.5 and other single-dwelling zones.



## 33.505 Albina Community Plan District

505

### Sections:

#### General

33.505.010 Purpose

33.505.020 Where These Regulations Apply

#### ~~Use Regulations~~

~~33.505.100 Commercial Uses in the RH Zone~~

#### Development Standards

~~33.505.200 Minimum Density Standards~~

~~33.505.220 Parking Requirement Reduction~~

33.505.230 Attached Houses Residential Infill on Vacant Lots in R5 Zoned Areas

~~33.505.240 Design Review and Community Design Standards~~

~~33.505.245 When Community Design Standards May Be Used~~

~~33.505.248 When Community Design Standards May Not Be Used~~

Map 505-1 Albina Community Plan District

### General

#### 33.505.010 Purpose

The Albina Community plan district implements the Albina Community Plan. The plan district's provisions are intended to provide additional opportunities for owner-occupied housing that can serve as less expensive alternatives to lower-density houses and that do not involve demolition of existing sound housing. ~~ensure that new higher density commercial and industrial developments do not overwhelm nearby residential areas. Infill housing compatibility and affordability is encouraged by eliminating off-street parking requirements for small multi-dwelling housing projects. The plan district's provisions also encourage the development of new housing along Martin Luther King Jr. Boulevard by allowing new housing projects to include ground level commercial uses that orient to King Boulevard.~~

#### 33.505.020 Where These Regulations Apply

The regulations of this chapter apply to the Albina Community plan district. The boundaries of the plan district are shown on Map 505-1 at the end of this chapter, and on the Official Zoning Maps.

### ~~Use Regulations~~

#### ~~33.505.100 Commercial Uses in the RH Zone~~

~~A. — Purpose. A limited amount and type of commercial uses are allowed in new mixed commercial/residential projects along Martin Luther King Jr. Boulevard. These uses are permitted in recognition of the Boulevard's designation as a Major City Traffic Street in the Transportation Element of the Comprehensive Plan, high traffic counts on King Boulevard, and the City's desire to encourage residential development by permitting some commercial space as part of new residential projects.~~

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## **Commentary**

### **33.505 Albina Community Plan District**

See previous commentary.

- ~~B. Locations and uses permitted.~~** RH-zoned sites located on blocks that abut Martin Luther King Jr. Boulevard may include Retail Sales and Service and Office uses as part of new residential developments. Other commercial uses are prohibited.
- ~~C. Regulations for commercial uses.~~** Commercial development in new mixed commercial/residential projects is allowed when the following standards are met:
- ~~1. The project must include the development of new housing. The floor area for the commercial uses is not required to be in a new building;~~
  - ~~2. Commercial uses are allowed only on the ground floor of a building;~~
  - ~~3. Up to 35 percent of the total building's floor area may be developed for commercial uses. More than 35 percent is prohibited;~~
  - ~~4. Access to parking for mixed commercial/residential development is limited as follows:~~
    - ~~a. Access must be from an arterial; or~~
    - ~~b. Access must be from a Local Service Traffic Street which is within 150 feet of the intersection with a street designated as an arterial; and~~
  - ~~5. Signs. The sign standards are stated in Title 32, Signs and Related Regulations.~~

### **Development Standards**

#### **33.505.200 Minimum Density Standards**

The minimum density for RH and RX-zoned sites on blocks that abut Martin Luther King Jr. Boulevard is one dwelling unit for each 2,000 square feet of site area.

#### **33.505.220 Parking Requirement Reduction**

- ~~A. Purpose.~~** The reduction of parking requirements is offered to allow development that is more compatible with Albina's older neighborhoods than projects built with one or more parking spaces. New housing developed without parking will also cost less than comparable housing built with off-street parking. Reducing the cost of housing will help increase affordable housing within the plan district. Performance of these provisions and any problems associated with them will be reviewed when this plan district is reviewed for timeliness.
- ~~B. Where these regulations apply.~~** The provisions of this section apply in areas zoned R2.5, R2 and R1 that are more than 1500 feet from a transit station, or more than 500 feet from a transit street with 20-minute peak hour service.
- ~~C. Regulations.~~** New residential developments may be built without off-street parking when the following requirements are met:
- ~~1. The lot on which the project is built must be 7,500 square feet or smaller in size;~~
  - ~~2. There will be no more than 5 dwelling units on the lot when the project is complete;~~

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## Commentary

### 33.505.230 Attached Houses on Vacant Lots in R5 Zoned Areas

This section of the Albina Community Plan District because it provides an allowance that is not made redundant either by the BHD Proposals or by the Residential Infill Project's proposals. It allows for attached houses to be built on vacant lots in the R5 zone, at the same attached house densities allowed in the R2.5 zone (allowing for 2 attached houses on a 5,000 square foot lot). This provides an option for compact ownership housing that can be less expensive than larger new single-family houses. While the Residential Infill Project is proposing to allow duplexes, triplexes, and fourplexes on lots in the R5 zone, it does not allow for this greater density to be provided by attached houses on individual lots. Amendments to this section include:

- Changing "attached residential" to "attached houses" as there is no definition for "attached residential" in the zoning code.
- Removing design requirements because design issues are addressed by the stricter design standards that now apply or are proposed in the single-dwelling zones for narrow lots. Also corresponds to the DOZA proposal to not provide design review for attached houses in the design overlay zone.

- ~~3. If there are existing dwelling units on the site with parking the parking provided for the existing dwellings must not be reduced to less than one space per dwelling unit or the existing number of spaces, whichever is less; and~~
- ~~4. Design review required.~~
  - ~~a. Generally. Proposals taking advantage of the provisions of this section must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.505.240, Design Review and Community Design Standards, below; and~~
  - ~~b. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~

### **33.505.230 Attached Houses Residential Infill on Vacant Lots in R5 Zoned Areas**

- A. Purpose.** The increased density permitted by this section encourages infill development in areas that are generally well served by existing public services. The increase allows the area to absorb additional growth without creating market pressure that might lead to the early removal of existing sound housing. The increased density will lower the cost of housing while increasing opportunities for owner-occupied housing. Required design review of new development ensures that the new housing will make a positive contribution to the neighborhood's character.
- B. Attached ~~houses~~residential infill.** Attached ~~houses~~ residential development is allowed in the R5 zone if all of the following are met. Adjustments to Subparagraphs B.1 through B.4, below, are prohibited:
  1. The proposed attached housing ~~residential~~ development will be on a lot or lot of record that was created at least five years ago;
  2. There has not been a dwelling unit on the lot or lot of record for at least five years;
  3. A land division creating an individual lot for each attached housing unit is recorded; and
  4. The proposed attached housing ~~residential~~ development meets all development standards for attached housing ~~residential~~ development in the R2.5 zone; ~~and~~
- ~~5. Design review required:~~
  - ~~a. Generally. Attached residential development must be approved through design review or meet the Community Design Standards in Chapter 33.218, as set out in Section 33.505.240, Design Review and Community Design Standards, below; and~~
  - ~~b. Exception. If the site is a Historic or Conservation Landmark, or in a Historic or Conservation District, it is subject to the regulations for historic resource review as set out in Chapter 33.445, Historic Resource Overlay Zone.~~

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## Commentary

### 33.505 Albina Community Plan District

These sections related to design review and the use of the Community Design Standards are proposed to be discontinued, since the plan district-specific requirements for design review and the use of the Community Design Standards are being discontinued. However, development in the Albina Community Plan Area located in the design ("d") overlay zone or in Historic or Conservation districts will still be subject to requirements for design or historic review, with continued options for using design standards.

### **33.505.240 Design Review and Community Design Standards**

Design Review ensures that development conserves and enhances the recognized special design values of a site or area, and promotes the conservation, enhancement, and continued vitality of special areas of the City. The Community Design Standards in Chapter 33.218 provide an alternative process to design review for some proposals. Where a proposal is eligible to use the Community Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of this chapter. If the proposal meets the Community Design Standards, no design review is required.

### **33.505.245 When Community Design Standards May Be Used**

The Community Design Standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through the Design Review process.

Unless excluded by 33.505.248, When Community Design Standards May Not Be Used, below, proposals that are within the limits of Table 505-1 may use the Community Design Standards as an alternative to design review.

<b>Table 505-1</b>	
<b>Maximum Limits for Use of the Community Design Standards [1]</b>	
<b>Zones</b>	<b>Maximum Limit—New Floor Area</b>
R1, RH, RX, C, & E Zones	20,000 sq. ft. of floor area
I Zones	40,000 sq. ft. of floor area
IR Zone	See institution's Impact Mitigation Plan.
<b>Zones</b>	<b>Maximum Limit—Exterior Alterations</b>
All except IR	<ul style="list-style-type: none"><li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the facade.</li><li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li></ul>
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.

### **33.505.248 When Community Design Standards May Not Be Used**

The Community Design Standards may not be used as an alternative to design review as follows:

- A.** For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan;
- B.** For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use;
- C.** For non-residential development in the RF through R1 zones; and
- D.** For historic resources, unless allowed by Chapter 33.445, Historic Resource Protection Overlay Zone.

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## **Commentary**

### **33.505 Albina Community Plan District – Map 505-1**

No change to this map.





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## Commentary

### 33.510 Central City Plan District

Amendments to this page reflect the following:

- Updates to the multi-dwelling zone names.

## 33.510 Central City Plan District

510

### 33.510.205 Floor Area Bonus and Transfer Options

- A. [No change]
- B. [No change]
- C. **Floor area bonus options.** Additional development potential in the form of floor area is earned for a project when the project includes any of the specified features listed below. The bonus floor area amounts are additions to the maximum floor area ratios shown on Map 510-2.
  - 1. General regulations.
    - a. [No change]
    - b. Bonus FAR is only available to sites zoned RM3, RM4, ~~RH~~, RX, CX, or EX, unless specifically stated otherwise.
    - c. [No change]
    - d. [No change]
    - e. [No change]
  - 2. [No change]

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## **Commentary**

### **33.510 Central City Plan District (continued)**

Amendments to this page reflect the following:

- Updates to the multi-dwelling zone names.

- D. Floor area transfer options.** Transferring floor area from one site to another is allowed as follows. The transferred floor area is in addition to the maximum floor area ratio shown on Map 510-2. There is no limit to the amount of floor area that can be transferred to a site. Transferring floor area is only allowed in situations where stated. Adjustments to the floor area transfer requirements are prohibited. When FAR is transferred from one site to another, the sending site must retain an amount equal to the minimum FAR required by 33.510.200.C., or an amount equal to the total surface parking area on the site multiplied by the maximum floor area ratio allowed shown on Map 510-2, whichever is more.
1. Transfer of floor area from a Historic Resource. The following regulations apply to transferring floor area from a Historic Resource:
    - a. [No change]
    - b. Sites eligible to send floor area. In order to send floor area the site must meet the following requirements. Sites that are eligible to send floor area are allowed to transfer unused FAR up to the maximum FAR allowed on the site plus an additional 3 to 1:
      - (1) Be in a RM3, RM4, RH, RX, CX, EX, or OS zones, and
      - (2) [No change]
    - c. Sites eligible to receive floor area:
      - (1) Must be zoned RM3, RM4, RH, RX, CX or EX; and
      - (2) [No change]
    - d. [No change]
    - e. Exceptions.
      - (1) Sites with eligible historic resources in a RM3, RM4, RH, RX, CX or EX zone may elect to transfer floor area to a receiving site outside of the Central City plan district if they meet the standards of 33.120.210.D, ~~33.120.205.G~~, 33.130.205.C or 33.140.205.D.
      - (2) Sites with eligible historic resources in the RM1 and RM2 ~~R1, R2 and R3~~ zones may transfer floor area density if they meet the standards of 33.120.210.D ~~33.120.205.G~~.
  2. [No change]

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## Commentary

### 33.521 East Corridor Plan District

Amendments to this page reflect the following:

- Updates to the multi-dwelling zone names.
- Clarification to the Entrances section that requirements that each ground-floor tenant space have a street-oriented entrance applies only to nonresidential tenant spaces, such as commercial uses, and not to ground-floor residential units (which can be served by a lobby or other shared entrance). This language was previously added to other zoning code chapters (such as those related to transit street main entrances) to provide this clarification.

## 33.521 East Corridor Plan District

# 521

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### 33.521.250 Entrances

- A. [No change]
- B. **Where these regulations apply.** In the ~~RH, R1~~RM2, RM3, RM4, and C zones, buildings must meet the standards of Subsection C., below.
- C. **Entrances.** For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. Entrances that open into lobbies, reception areas, or common interior circulation space must also meet the standards of this section. The entrances must:
  - 1.-2 [No change]

### 33.521.260 Building Design

- A. [No change]
- B. **Applicability.** All sites in the ~~RH, R1~~RM2, RM3, RM4, and C zones where any of the floor area on the site is in nonresidential uses must meet the standards of Subsection C., below.
- C. [No change]

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## Commentary

### 33.521.300 Additional Standards in the 122nd Avenue Subdistrict

Amendments to this page are intended to achieve the following purposes:

- Update the multi-dwelling zone names.
- Amend the Retail Sales and Service and Office uses allowances to be consistent with the limited commercial use allowances proposed in the multi-dwelling base zone regulations (see pages 32-39 in Volume 2). A difference in this plan district regulation is that it allows these limited commercial uses broadly within the RH (new RM3 and RM4) zones in the subdistrict, rather than limiting them to Civic and Neighborhood corridors (to which they are limited in the multi-dwelling base zone regulations).



### 33.521.300 Additional Standards in the 122nd Avenue Subdistrict

A.-C. [No change]

**D. Retail Sales And Service and Office uses in the RHRM3 and RM4 zones.**

1. Purpose. This regulation provides opportunity for mixed use development in the RHRM3 and RM4 zones by allowing a limited amount of commercial use while ensuring that development in residential zones is predominately residential in character.
2. Retail Sales And Service and Office uses are allowed in the RHRM3 and RM4 zones if they meet the following regulations:
  - a. The total amount of Retail Sales And Service and Office use does not exceed 2,000 square feet of net building area per use up to a total combined floor area ratio of 0.4 to 1. More than than 2,000 square feet per use is prohibited, and more than 0.4 to 1 total on the site is prohibited;
  - b. All of the gross building area that is in a Retail Sales And Service or Office use is located on the ground floor within 100 feet of a street lot line; and
  - c. There are no exterior activities associated with the Retail Sales And Service or Office use other than for outdoor seating.
  - a. ~~The uses are allowed in new multi-dwelling developments only. Conversion of existing structures is prohibited; and~~
  - b. ~~The uses are limited to 20 percent of the net building area of the development. More than 20 percent of the net building area used for Retail Sales And Service or Office is not allowed.~~

E.-F [No change]

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## Commentary

### 33.526 Gateway Plan District

Amendments to this page reflect the following:

- Updates to the multi-dwelling zone names.
- Revisions to the open area requirements to set a minimum dimension of 20 feet. This brings consistency with the new minimum common area dimension in Chapter 33.120 (see page 123 in Volume 2). As currently written, this plan district provision would allow a large required amount of outdoor area to include a single 20 foot x 20 foot square space, with the rest of the required open area in the form of narrower spaces that may only be usable as pedestrian connections.
- Clarification to the Entrances section that requirements that each ground-floor tenant space have a street-oriented entrance applies only to nonresidential tenant spaces, such as commercial uses, and not to ground-floor residential units (which can be served by a lobby or other shared entrance). This language was previously added to other zoning code chapters (such as those related to transit street main entrances) to provide this clarification.

## 33.526 Gateway Plan District

526

### 33.526.230 Floor Area and Height Bonus Options

- A. [No change]
- B. **General regulations.**
  - 1. Eligible sites. The inclusionary housing and Affordable Housing Fund bonus options may be used in the ~~R3, R2, R1, RH, RX,~~multi-dwelling, commercial, EX, and CI2 zones in the Gateway plan district. The other bonus options may be used only in areas shown on Map 526-5, and on sites with a Gateway Master Plan.
  - 2.-5 [No change]
- C.-E. [No change]

### 33.526.240 Open Area

- A.-C. [No change]
- D. **Additions of floor area to the site.** The requirements of this subsection apply to sites where the proposal will result in an increase of at least 5,000 square feet of floor area on the site. The applicant may choose from the three options below:
  - 1. On-site option. If the open area will be on-site, the following standards must be met:
    - a.-d. [No change]
    - e. Open area may be provided in a variety of sizes, but each open area must ~~be large enough that a 20-foot x 20-foot square can fit entirely within it~~measure at least 20 feet in all directions.
    - f. [No change]
  - 2.-3. [No change]

### 33.526.270 Entrances

- A. [No change]
- B. **Where these regulations apply.** In ~~R1, RHRM2, RM3, RM4,~~ RX, C, E, and CI zones, buildings must meet the standards of Subsection C., below.
- C. **Entrances.** For portions of a building within the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. Entrances that open into lobbies, reception areas, or common interior circulation space must also meet the standards of this section. The entrances must:
  - 1.-2. [No change]

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## Commentary

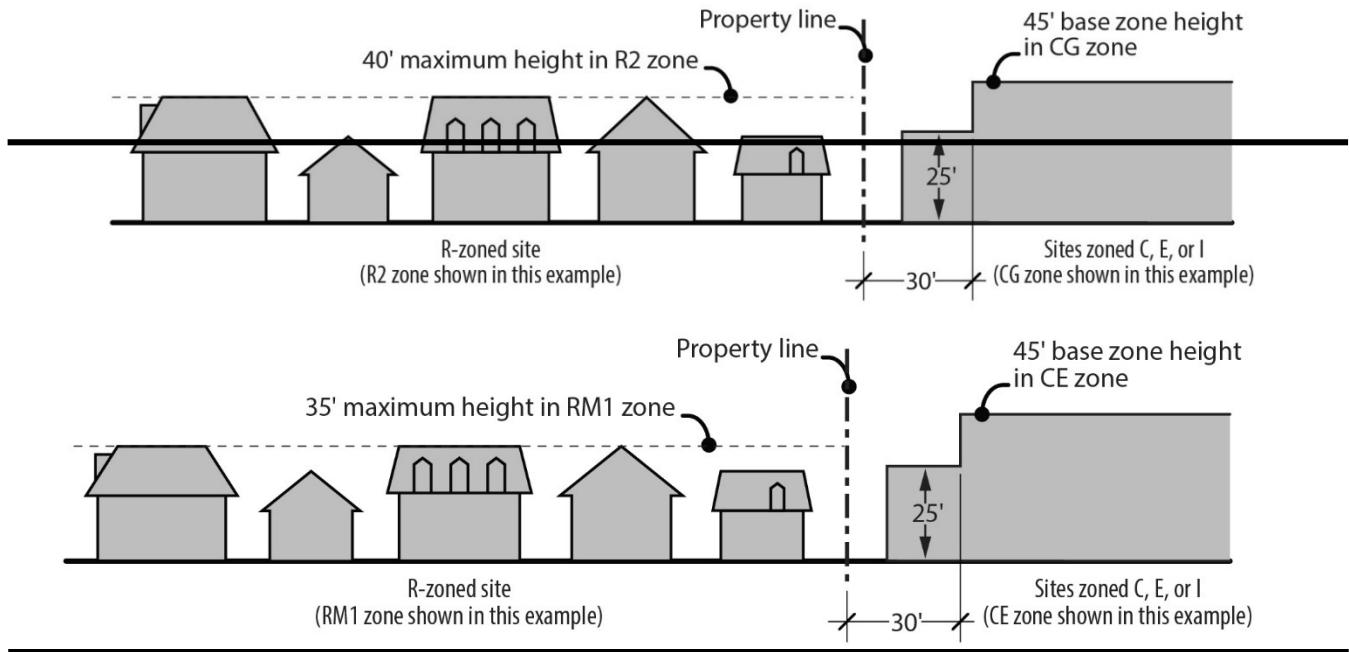
### 33.532 Hayden Island Plan District

Amendments to the figures on this page are updates to the zone names, reflecting both the new commercial zone and proposed multi-dwelling zone names. The diagrams have also been amended to show the proposed 35-foot maximum height of the RM1 zone, instead of the 40-foot height of the R2 zone.

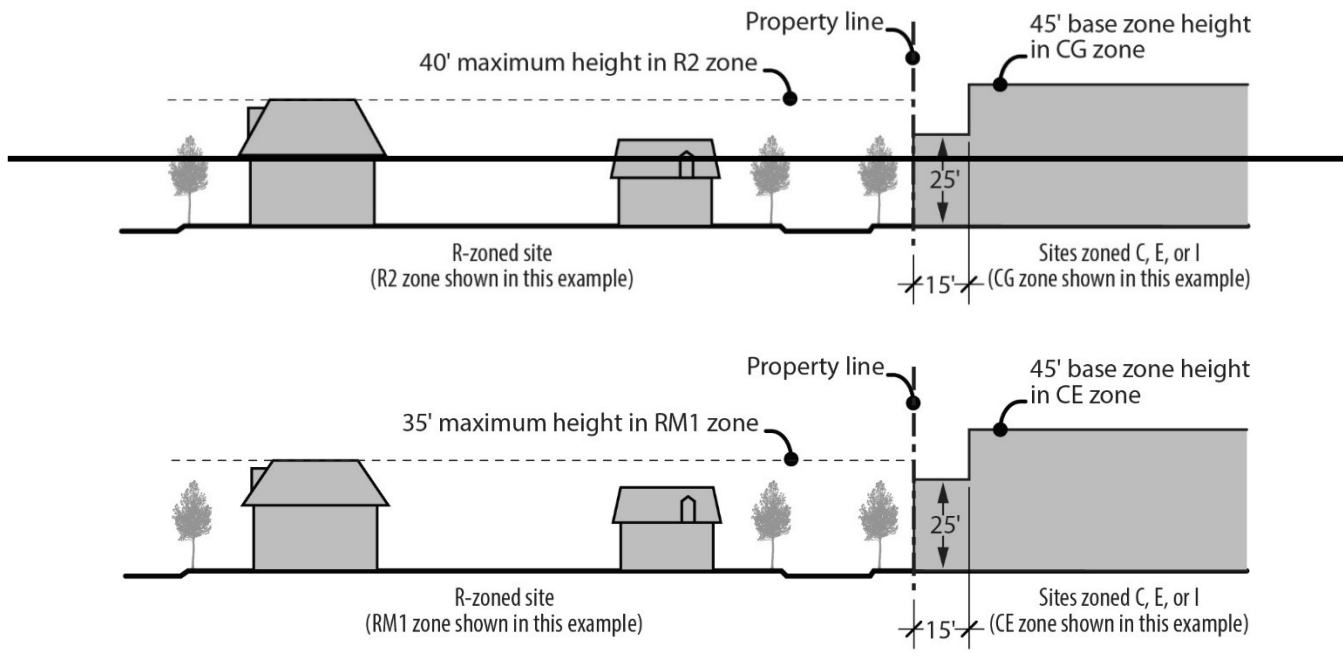
### 33.532 Hayden Island Plan District

532

**Figure 532-1**  
**Height limits on sites abutting R zones**



**Figure 532-2**  
**Height limits on sites across a street from R zones**



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## **Commentary**

### **33.534 Hillsdale Plan District**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.534 Hillsdale Plan District

534

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### 33.534.210 Setbacks

- A. Front building setback in the ~~R1RM2~~ zone. A setback of at least 10 feet is required in the R1RM2 zone along streets designated as Local Service Streets in the Transportation Element of the Comprehensive Plan.
- B. Building setback in C zones. Buildings in the commercial/mixed use zones that are entirely 200 feet or more from a street that abuts the site are exempt from the maximum building setback of the base zone for that street. See Figure 534-1.

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## **Commentary**

### **33.536 Hollywood Plan District**

Amendments to this page are updates to the multi-dwelling zone names.



## 33.536 Hollywood Plan District

536

### 33.536.230 Transition Between Residential and Commercial/Mixed Use Zones

**A.-B.** [No change]

**C. Maximum building height.**

1. Generally. The maximum allowed building height is shown on Map 536-2, Building Heights, except as specified in Paragraphs C.2 and C.3 below:
2. Sites abutting RF - ~~R1~~RM2 zones. Sites abutting RF through ~~R1~~RM2 zones have height limits that decrease in two steps near the residential zone. See Figure 536-1. These height limits are:
  - a. On the portion of a site within 25 feet of a site zoned RF through ~~R1~~RM2, the maximum building height is the same as the abutting residential zone.
  - b. On the portion of a site that is more than 25 feet but within 50 feet of a site zoned RF through ~~R1~~RM2, the maximum building height is 45 feet.
3. Sites across a street from RF – ~~RM2~~R1 zones. Sites across a street from RF through ~~RM2~~R1 zones have height limits that decrease near the residential zone. On the portion of the site within 15 feet of the lot line across the street from a site zoned RF though ~~R1~~RM2, the maximum building height is the same as the residential zone across the street. See Figure 536-2.

**D.** [No change]

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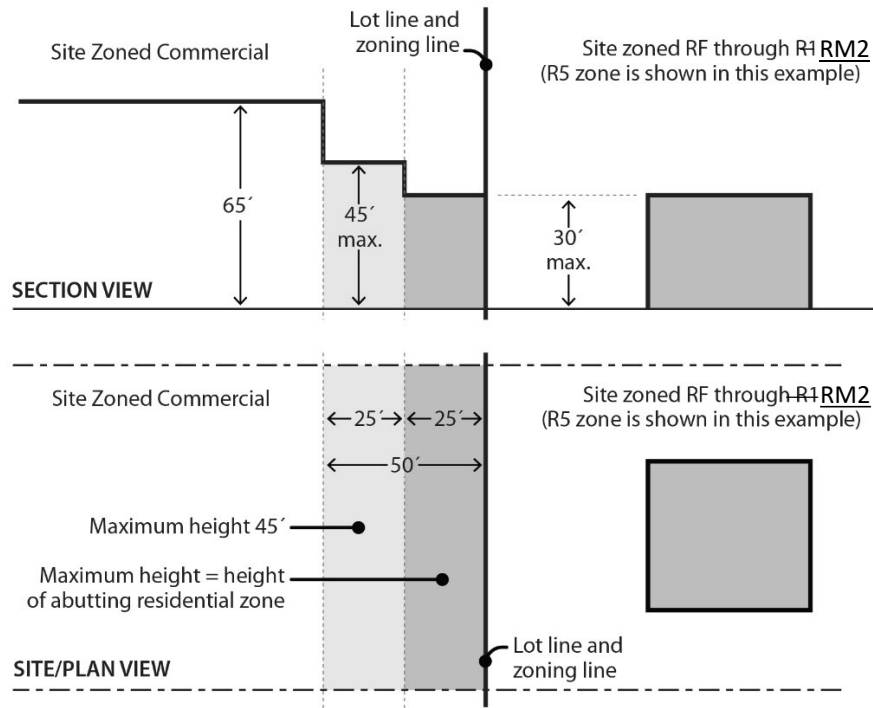
## **Commentary**

### **33.536 Hollywood Plan District**

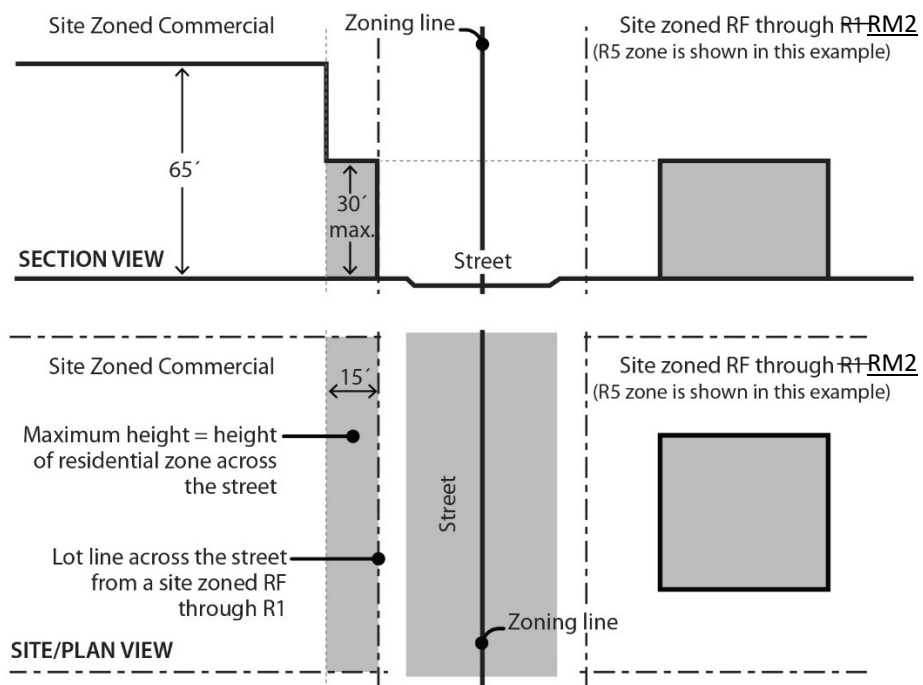
Amendments to the graphics on this page are updates to the multi-dwelling zone names.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 536-1**  
**Height limits on sites abutting RF - ~~R1~~RM2 zones**



**Figure 536-2**  
**Height limits on sites across a street from RF - ~~R1~~RM2 zones**



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## Commentary

### 33.536 Hollywood Plan District

Amendments to this page reflect recent zoning changes (undertaken previously as part of the Map Refinement Project) that rezoned RX zones in the plan district to the RH zone (4 to 1 FAR), which is now being renamed to RM4. The proposed amendments assign to the RM4 zone the same maximum parking amounts that had applied in the RX zone, except for Household Living (see below). The new RM4 zone allows limited amounts of commercial uses along major corridors, such as NE Halsey in the plan district.

**Table 536-1** is being amended to apply maximum parking ratios to surface parking for Household Living uses. This brings consistency with maximum parking ratios proposed for the multi-dwelling zones in locations close to frequent transit (see page 207 in Volume 2) and that were recently adopted for the commercial/mixed use zones. The Hollywood plan district was adopted when there were no maximum parking requirements for Household Living uses, but the maximum parking ratios in Table 536-1 were generally intended to not allow as much parking in this transit-rich plan district as the general citywide standard.

The amendments to the Household Living maximum parking ratios in this table ensure that the plan district regulations do not allow for more parking than does the general citywide standard, in accordance with the intent of the plan district regulations. The maximum parking ratio amendments provide exemptions for structured parking and for houses, attached houses and duplexes, to correspond to exemptions provided in Chapter 33.266 (see Table 266-2 on page 207 of Volume 2).

### 33.536.290 Maximum Parking Allowed in the ~~RXRM4~~, CM2, and CM3 zones

- A. [No change]
- B. **Where these regulations apply.** These regulations apply to accessory parking in the ~~RXRM4~~, CM2, and CM3 zones.
- C. [No change]

<b>Table 536-1</b> <b>Maximum Parking Spaces Allowed in the <del>RXRM4</del>, CM2, and CM3 Zones</b>		
Use Categories	Specific Uses	Maximum Parking Spaces Allowed
<b>Residential</b>		
Household Living, <del>Group Living</del>		<u>1.35 per unit for surface parking. No maximum for structured parking and for houses, attached houses, and duplexes.</u>
<del>Group Living</del>		<u>No maximum</u>
<b>Commercial</b>		
Retail Sales And Service	Retail, personal service, repair oriented	1 per 250 sq. ft. of net building area
	Restaurants and bars	1 per 75 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
	Temporary lodging	1 per rentable room; for associated uses such as restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area
Office	General office	1 per 400 sq. ft. of net building area
	Medical/Dental office	1 per 330 sq. ft. of net building area
Quick Vehicle Servicing		1 per 500 sq. ft. of net building area
Vehicle Repair		1 per 750 sq. ft. of net building area
Commercial Parking		Not applicable
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.
Commercial Outdoor Recreation		20 per acre of site
Major Event Entertainment		1 per 8 seats or per CU review
<b>Industrial</b>		
Manufacturing And Production		1 per 750 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
Wholesale Sales, Industrial Service, Railroad Yards		1 per 750 sq. ft. of net building area
Waste-Related		Per CU review

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## Commentary

### 33.536 Hollywood Plan District

Amendments to this page reflect recent zoning changes (undertaken previously as part of the Map Refinement Project) that rezoned RX zones in the plan district to the RH zone (4 to 1 FAR), which is now being renamed to RM4. The proposed amendments assign to the RM4 zone the same maximum parking amounts that had applied in the RX zone, except for Household Living uses (see previous commentary). The new RM4 zone allows limited amounts of commercial uses along major corridors, such as NE Halsey in the plan district.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 536-1</b>		
<b>Maximum Parking Spaces Allowed in the <del>RXRM4</del>, CM2, and CM3 Zones</b>		
<b>Use Categories</b>	<b>Specific Uses</b>	<b>Maximum Parking Spaces Allowed</b>
<b>Institutional</b>		
Basic Utilities		None
Community Service		1 per 500 sq. ft. of net building area
Parks And Open Areas		Per CU review for active areas
Schools	Grade, elementary, junior high	1 per classroom
	High school	7 per classroom
Medical Centers		1 per 500 sq.ft. of net building area; or per CU review or Impact Mitigation Plan approval
Colleges		1 per 600 sq. ft. of net building area exclusive of dormitories, plus 1 per 4 dorm rooms; or per CU review or Impact Mitigation Plan approval
Religious Institutions		1 per 100 sq. ft. of main assembly area
Daycare		1 per 500 sq. ft. of net building area
<b>Other</b>		
Agriculture		None, or per CU review
Aviation, Detention Facilities, Aggregate Extraction		Per CU review
Radio Frequency Transmission Facilities	Personal wireless service and other non-broadcast facilities	None
	Radio or television broadcast	2 per site
Rail Lines & Utility Corridors		None

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## Commentary

### 33.537 Johnson Creek Basin Plan District

Amendments to this page include:

- Updates to the multi-dwelling zone names.
- In the **Bonus Density** section, replacement of the term "attached residential" with "any housing type that has at least two units in each structure." This responds to the fact that the zoning code has no definition for "attached residential," providing no clarity as to the intended housing type. The new language would allow a wide variety of housing types with attached units, including attached houses, multi-dwelling structures, fourplexes, triplexes, and duplexes. Such housing allows for more compact site layouts than do detached houses, helping to minimum stormwater impacts.
- In the **Floodplain Standards** section, a similar change is being made to allow for a variety of housing types with attached units, instead of listing every housing type that has more than one unit in a structure.



## 33.537 Johnson Creek Basin Plan District

537

### 33.537.120 Bonus Density

A.-B. [No change]

C. **Maximum density.** Proposals that meet the requirements of Subsection D, below, may increase their maximum density by 50 percent. Bonus density may be combined with transfer of development rights. The maximum increase in density that will be allowed when bonus and transfer development rights are combined is 100 percent.

D. **Requirements.** Proposals to use density bonuses must meet the following:

1. Development. Development must be any housing type that has at least two units in each structure or attached houses~~residential~~ and must meet the development standards for ~~attached-residential development in the RM1R2 zones~~. Adjustments to this paragraph are prohibited.
2. [No change]

### 33.537.130 Springwater Corridor Standards

A.-B. [No change]

C. **Standards.**

1. General standards.
  - a. [No change]
  - b. Waste collection and waste storage areas. In ~~R3, R2, R1, RH, RX, IR, multi-dwelling, C, E, and I, and IR~~ zones, exterior waste collection and waste storage areas must be screened from the corridor, the screen must be at least five feet deep and meet the L2 standard of Chapter 33.248, Landscaping and Screening;
  - c. [No change]
2. [No change]

### 33.537.150 Floodplain Standards

A.-B. [No change]

C. **Housing Types.** In ~~R3, R2, and R1~~ the RM1 and RM2 zones, allowed housing types are limited to residential structures with at least two units in each structure ~~multi-dwelling structures, duplexes, and attached housing~~houses. A house is allowed on lots of record that cannot accommodate more than one dwelling unit under the provisions of Section 33.120.205, Density. Adjustments to this section are prohibited.

D.-E. [No change]

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## **Commentary**

### **33.545 Lombard Street Plan District**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.545 Lombard Street Plan District

545

### Sections

#### General

33.545.010 Purpose

33. 545.020 Where These Regulations Apply

#### Development Standards

33.545.100 Standards for Community Corner

33.545.110 Additional Regulations in the CM1 Zone

33.545.120 Additional Standards in the RM2R1 Zone

Map 545-1 Lombard Street Plan District

### 33.545.120 Additional Standards in the RM2R1 Zone

- A. [No change]
- B. **Where these standards apply.** The following standards apply to duplexes, attached houses, and multi-dwelling structures on sites in Subdistrict A shown on Map 545-1 that are zoned RM2R1.
- C. **Standards.** Adjustments may be requested to these standards; they may not be modified through design review.
  - 1.-5. [No change]
  - 6. On lots less than 10,000 square feet in the RM2R1 zone, the minimum density is 1 unit per 2,250 square feet of site area. This standard does not apply on corner lots.

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## Commentary

### 33.561 North Interstate Plan District

The Commercial Uses in the RH Zone code section is proposed to be deleted because it is largely redundant with proposed allowances for limited amounts of ground-floor commercial uses in multi-dwelling zones along major corridors, including along Interstate Avenue, where this plan district regulation applies (see pages 32-39 of Volume 2). The plan district regulations and the proposed multi-dwelling base zone regulations vary in detail, but both limit commercial uses to the ground floor of buildings and they are only allowed in conjunction with residential uses.

## 33.561 North Interstate Plan District

# 561

### Sections:

#### General

33.561.010 Purpose

33.561.020 Where These Regulations Apply

#### ~~Use Regulations~~

~~33.561.100 Commercial Uses in the RH Zone~~

#### Development Standards

33.561.210 Maximum Building Height

33.561.220 Floor Area Ratios

33.561.230 Transition Between Zones

~~33.561.240 Minimum Density in the RH Zone~~

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 R2.5 and RM1R2 Zones

33.561.320 Required Design Review

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

### ~~Use Regulations~~

#### ~~33.561.100 Commercial Uses in the RH Zone~~

~~**A. Purpose.** Allowing a limited amount of commercial uses in the RH zone along Interstate Avenue improves the economic viability of residential development by allowing mixed use development, while ensuring that residential uses remain the dominant use in the zone. It also provides a more interesting and active ground floor along this busy arterial and provides an interim use for houses where owners want to add commercial uses to the ground floor.~~

~~**B. Commercial uses allowed.** Commercial uses are allowed in the RH zone on sites that have frontage on Interstate Avenue, as follows:~~

- ~~1. Only Retail Sales And Service and Office uses are allowed;~~
- ~~2. There must be floor area in Residential use on the site, either existing or proposed for development concurrent with the commercial floor area;~~
- ~~3. The commercial uses are allowed only on the ground floor of a building; and~~
- ~~4. Up to 35 percent of the total floor area on the site may be developed for commercial uses. More than 35 percent is prohibited.~~

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## Commentary

### 33.561.230 Transition Between Zones

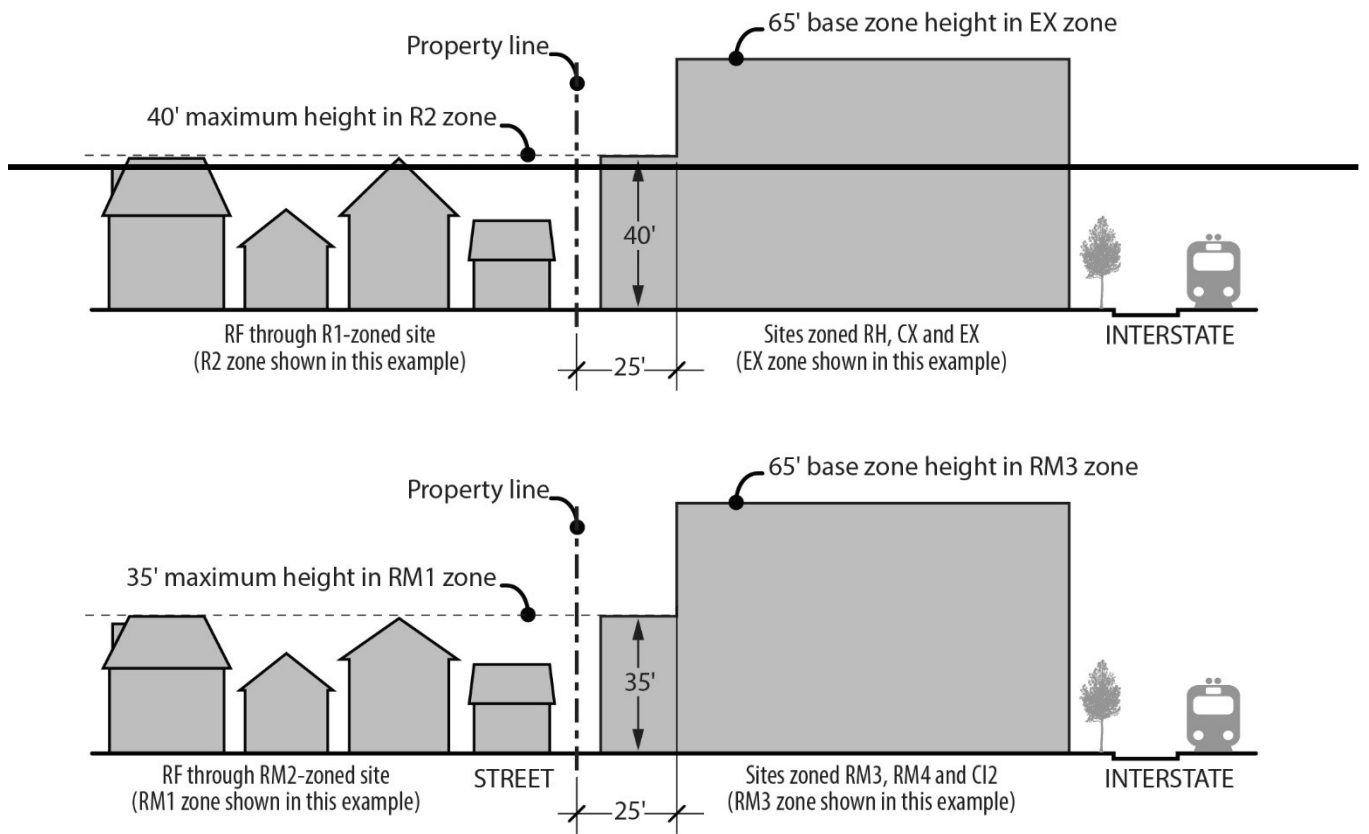
Amendments to the text on this page are updates to the multi-dwelling zone names. Figure 561-1 is also being amended to show the maximum height 35-foot height of the RM1 zone, instead of the 40-foot height of the R2 zone.

The plan district's required height limit transitions, which apply when the RH (new RM3) zone is adjacent to lower-scale multi-dwelling zones (which is not the case with the proposed Chapter 33.120 step down heights) is being continued to respond to the greater building heights allowed in the plan district compared to the base zone RH (RM3) regulations. The plan district regulations provide allowances for maximum building heights of 85 to 100 feet, instead of the maximum building height of 65 feet that otherwise applies in the RH (RM3) zone.

### 33.561.230 Transition Between Zones

- A. Purpose.** These regulations ensure that there is a transition in height when high intensity zones abut or are across the street from low and medium density residential zones.
- B. Where these regulations apply.** The regulations of this section apply to sites in ~~RHRM3~~, RM4, CX, and CI2 zones that abut or are across a street from an RF through ~~R1RM2~~ zone
- C. Maximum building height.**
1. Sites abutting RF-~~R1RM2~~ zones. On sites abutting RF-~~R1RM2~~ zones, on the portion of the site within 25 feet of a site zoned RF-~~R1RM2~~, the maximum building height is the same as the abutting residential zone. See Figure 561-1.
  2. Sites across a street from RF-~~R1RM2~~ zones. On sites across a street from RF-~~R1RM2~~ zones, on the portion of the site within 15 feet of the lot line across the street from a site zoned RF-~~R1RM2~~, the maximum building height is the same as the residential zone across the street. See Figure 561-2.

**Figure 561-1**  
**Height limits on sites abutting RF - ~~R1RM2~~ zones**



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## Commentary

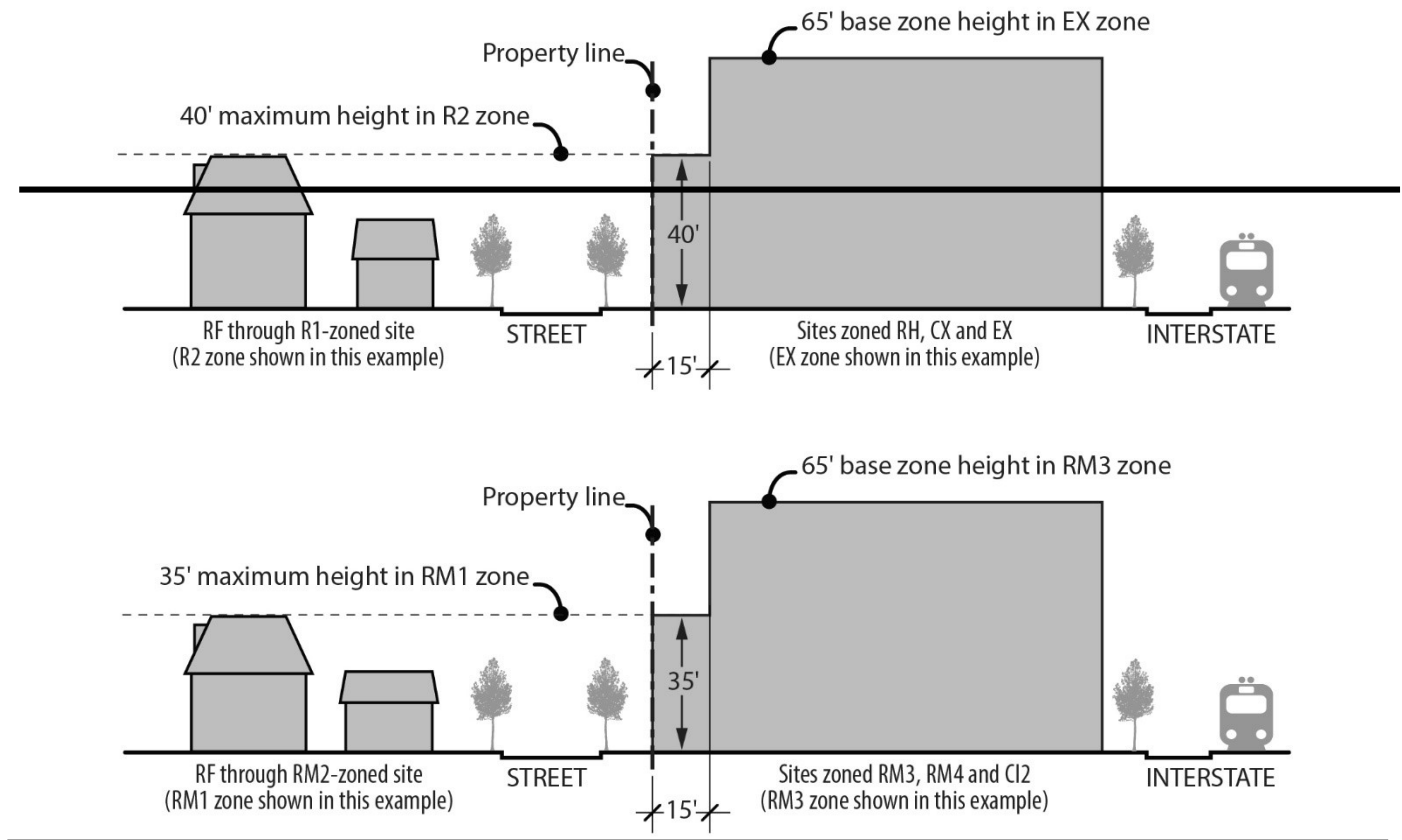
### 33.561 North Interstate Plan District

Amendments to the text on this page are for the following purposes:

- Updates to the multi-dwelling zone names.
- Figure 561-2 is being amended to show the maximum 35-foot height of the RM1 zone, instead of the 40-foot height of the R2 zone.
- Deletion of the minimum density in the RH zone section. The RH (new RM3) zoning in the plan district is located close to the light rail corridor and is intended to be a focus for higher-density housing. The plan district provides allowances for an FAR of 4 to 1 and maximum heights of 85 to 100 feet for this RH zoning, but also allows a low-scale of development in the RH zone that is equivalent to R2 densities intended for duplexes or townhouses (1 unit per 2,000 square feet of site area). With deletion of this plan district regulation, new development in the RM3 (former RH) zone would need to meet RM3 base zone minimum density requirements for at least 1 unit per 1,000 square feet of site area (5 units on a 5,000 square foot lot). This amendment is part of a broader Better Housing by Design approach intended to strengthen minimum density requirements (see also Volume 2, pages 70-73 and 202-203). The base zone minimum density requirements will apply to new development, but would allow existing houses to add an accessory dwelling unit or to be converted to multiple units, without needing to come all the way to conformance with minimum density.



**Figure 561-2**  
**Height limits on sites across a street from RF – ~~RM2~~R1 zones**



### **~~33.561.240~~ Minimum Density in the RH Zone**

- ~~A. Purpose.~~** Reducing the minimum density on small lots in the RH zone provides flexibility for development of a broader range of dwelling types.
- ~~B. Standard.~~** In the RH zone, the minimum residential density on sites up to 5,000 square feet in area is one unit per 2,000 square feet of site area. This standard does not apply on corner lots or portions of sites within 200 feet of Interstate Avenue.

### **33.561.250 Exterior Display and Storage**

In the RM3, RM4, RH and CM3 zones, exterior display and storage are prohibited except for outdoor seating for restaurants and pedestrian-oriented accessory uses, including flower, food, or drink stands. Temporary open-air markets and carnivals are also allowed.

### **33.561.310 Compatibility Standards in the R2.5 and RM1~~R2~~ Zones**

- A.** [No change]
- B. Where these standards apply.** The standards of this section apply to duplexes, attached houses, and multi-dwelling structures in the R2.5 and RM1 zones.
- C.** [No change]

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## Commentary

### 33.562 Northwest Plan District

The Northwest Plan District sections listing is being amended to reflect the proposed deletion of the Retail Sales and Service and Office Uses in the RH Zone section (see next pages).

## 33.562 Northwest Plan District

562

### Sections:

#### General

33.562.010 Purpose

33.562.020 Where These Regulations Apply

#### Use Regulations

33.562.100 Residential Use Limitation

33.562.110 Retail Sales And Service Uses in the EG and CM3 Zones

~~33.562.120 Retail Sales And Service and Office Uses in the RH Zone~~

33.562.130 Commercial Parking in Multi-Dwelling Zones

#### Development Standards

33.562.200 Purpose

33.562.210 Maximum Height

33.562.220 Floor Area Ratios

33.562.230 Bonus Options

33.562.240 Standards on Main Streets and the Streetcar Alignment

33.562.250 Drive-Through Facilities Prohibited

33.562.260 Mechanical Equipment in the CM3 Zone

33.562.270 Minimum Active Floor Area

33.562.280 Parking

33.562.290 Use of Accessory Parking for Commercial Parking

33.562.300 Northwest Master Plan

33.562.310 Required Design Review

Map 562-1 Northwest Plan District

Map 562-2 Limited Use Areas

Map 562-3 Commercial Parking in Multi-Dwelling Zones

Map 562-4 Maximum Heights

Map 562-5 Floor Area Ratios

Map 562-6 Bonus Areas

Map 562-7 Areas with Special Development Standards

Map 562-8 Sites where Accessory Parking May be Operated as Commercial Parking

Map 562-9 Northwest Master Plan Required

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## Commentary

### 33.562 Northwest Plan District

The Retail Sales and Service and Office Uses in the RH Zone section is proposed to be deleted because it is largely redundant with proposed allowances for limited amounts of ground-floor commercial uses in multi-dwelling zones along major corridors, including along the street alignment in the Northwest District where this regulation applies (see pages 32-39 of Volume 2).

Other amendments to this page are updates to the multi-dwelling zone names.

### **33.562.120 Retail Sales And Service and Office Uses in the RH Zone**

- A. Purpose.** ~~Certain commercial uses are allowed as limited uses in the RH zone to encourage mixed-use development along the streetcar alignment, while preserving the residential emphasis of areas zoned RH.~~
- B. Regulations.** ~~Retail Sales And Service and Office uses are allowed in the RH zone as follows:~~
- ~~The uses must be located on the portion of the site within 100 feet of a streetcar alignment; and~~
  - ~~The uses are limited to 20 percent of the net building area on the site.~~

### **33.562.130 Commercial Parking in Multi-Dwelling Zones**

**A.-E.** [No change]

<b>Table 562-1</b>		
<b>Parking Structure Setbacks From Lot Lines Abutting an R Zone</b>		
<b>Site No.</b>	<b>Setback from the side lot line of an R-zoned lot</b>	<b>Setback from the rear lot line of an R-zoned lot</b>
2, 3	Regulations of the <del>RHRM3 and RM4</del> Zones apply	
4	Regulations of the CM2 Zone apply; See Table 130-4	
5, 6, 1	None	None

- F. Conditional Use.** Commercial Parking may be requested as a Conditional Use if all of the following standards are met. The entire site must meet the standards including any portion of the site that is in a C zone. Adjustments to paragraphs F.1 through F.4 are prohibited.
- ~~1.-2.~~ [No change]
  - Maximum height.
    - Generally. On the portion of a site within an R zone, the maximum height allowed is 30 feet. On the portion of a site within a C zone, the maximum height is 45 feet;
    - Exception. If at least 50 percent of the floor area of the structure containing the Commercial Parking is in residential use, then the maximum height allowed on the portion of the site in the ~~RHRM3 and RM4~~ zones is 75 feet;
  - ~~4.-5.~~ [No change]
- G.-H.** [No change]

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## Commentary

### 33.564 Pleasant Valley Plan District

**Planned Development.** Triplexes and fourplexes are being added to this list of prohibited uses and development because they were previously categorized as a type of multi-dwelling structure, but multi dwelling structures are now defined as buildings with five or more units.

## 33.564 Pleasant Valley Plan District

564

### 33.564.360 Planned Development

The following uses and development are prohibited through a planned development:

- A. Attached houses;
- B. Attached duplexes;
- C. Triplexes;
- D. Fourplexes;
- ~~EC.~~ Multi-dwelling structures; and
- ~~FD.~~ Commercial uses.

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## **Commentary**

### **33.575 Sandy Boulevard Plan District**

Amendments to this page are updates to the multi-dwelling zone names.



## 33.575 Sandy Boulevard Plan District

575

### 33.575.100 Transition Between Residential and Commercial Zones

A.-B. [No change]

C. **Height limits for sites abutting or across the street from a RF-~~RM2R1~~ zones.** Sites in commercial zones abutting or across the street from RF through RM2R1 zones have special height limits that create a transition to the residential zone. The height limits are as follows:

1. Sites abutting RF - ~~RM2R1~~ zones. Sites abutting RF through RM2R1 zones have height limits that decrease in two steps near the residential zone. See Figure 575-1. These height limits are:
  - a. On the portion of a site within 25 feet of a site zoned RF through RM2R1, the maximum building height is the same as the abutting residential zone.
  - b. On the portion of a site that is more than 25 feet but within 50 feet of a site zoned RF through RM2R1, the maximum building height is 45 feet.
2. Sites across a street from RF - ~~RM2R1~~ zones. Sites across a street from RF through RM2R1 zones have height limits that decrease near the residential zone. On the portion of the site within 15 feet of the lot line across the street from a site zoned RF though RM2R1, the maximum building height is the same as the residential zone. See Figure 575-2.

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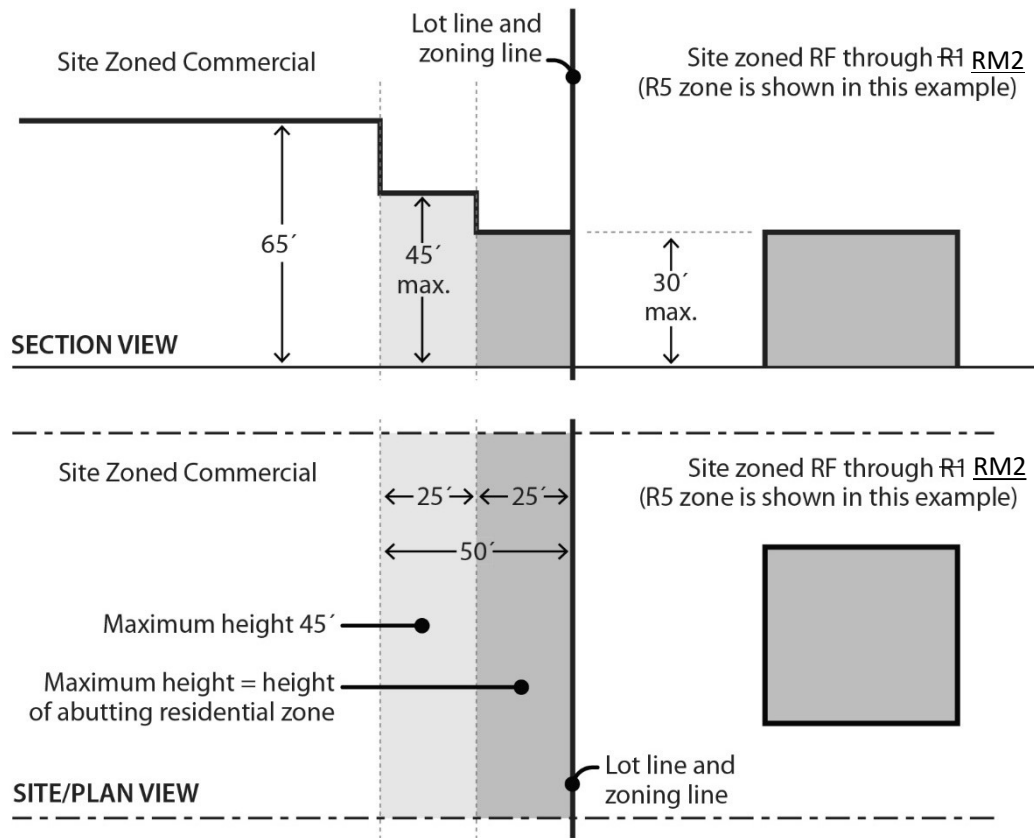
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## **Commentary**

### **33.575 Sandy Boulevard Plan District**

Amendments to the graphics on this page are updates to the multi-dwelling zone names.

**Figure 575-1**  
**Height limits on sites abutting RF – ~~RM2~~R1 RM2 zones**



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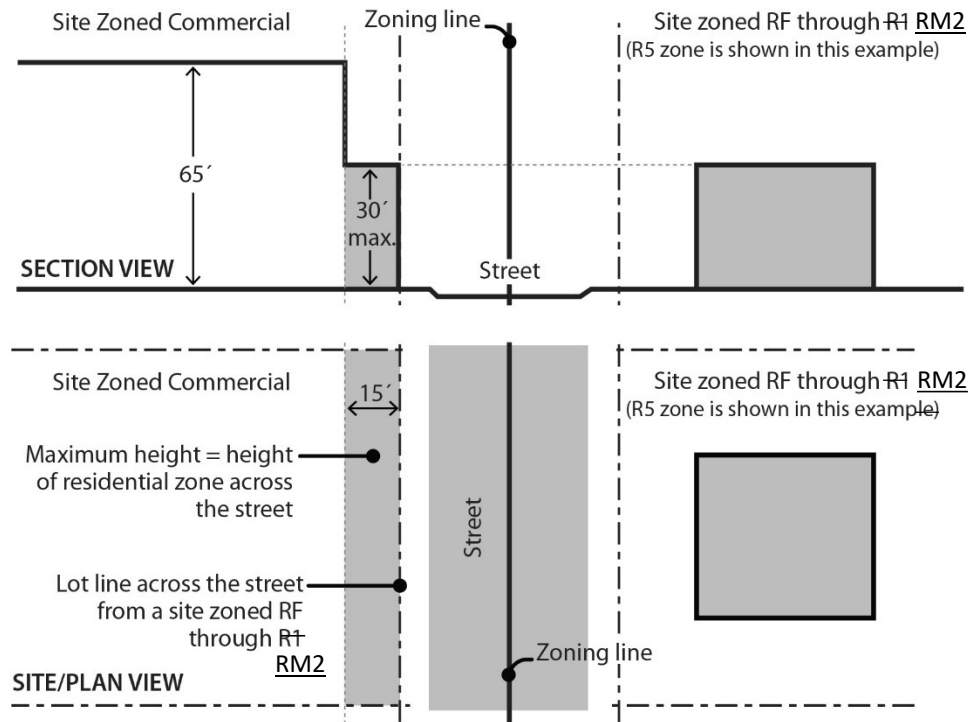
## **Commentary**

### **33.575 Sandy Boulevard Plan District**

Amendments to the graphics on this page are updates to the multi-dwelling zone names.

Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

**Figure 575-2**  
**Height limits on sites across a street from zones RF - RM2~~R1~~ zones**



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## Commentary

### 33.583 St. Johns Plan District

The Minimum Density in the R1 Zone section is proposed to be deleted, which will instead require that new development meet the standard base zone minimum density requirements for the R1 (new RM2) zone. The St. Johns plan district is a designated Town Center, which indicates the area's intended role as a place with concentrations of services and housing. The plan district provides a lower minimum density for the R1 zone, 1 units per 2,250 square feet of site area, which would allow for 4 units on a site just under 10,000 square feet. In comparison, the base R1 (new RM2) regulations require a minimum density of 1 unit per 1,450 square feet of site area (at least 7 units on a 10,000 square-foot site).

Especially because St. Johns is a designated Town Center, there is not a compelling reason for why minimum densities should continue to be less than what is generally required in the R1 (RM2) zone. The base zone minimum densities will still allow for a diversity of housing options, as it is not uncommon to have 8 to 10 townhouse units on a 10,000 square foot site (as well as a variety of multi-dwelling housing types with smaller units).

This amendment is part of a broader Better Housing by Design approach intended to strengthen minimum density requirements (see also Volume 2, pages 70-73 and 202-203). The base zone minimum density requirements will apply to new development, but would allow existing houses to add an accessory dwelling unit or to be converted to multiple units, without needing to come all the way to conformance with minimum density.

## 33.583 St. Johns Plan District

# 583

### Sections:

#### General

33.583.010 Purpose

33.583.020 Where These Regulations Apply

#### Use Regulations

33.583.100 Purpose

33.583.110 Prohibited Uses

33.583.120 Retail Sales And Service Uses in the CM3 Zone

#### Development Standards

33.583.200 Purpose

33.583.210 Drive-Through Facilities

33.583.220 Exterior Activities in the EG and CM3 Zones

33.583.230 Detached Houses Prohibited in the CM3 Zone

~~33.583.240 Minimum Density in the R1 Zone~~

33.583.250 Maximum Building Height

33.583.270 Building Coverage in the EX Zone

33.583.285 Additional Regulations in the Riverfront Subdistrict

33.583.290 Required Design Review

Map 583-1 St. Johns Plan District

Map 583-2 Maximum Heights

### ~~33.583.240 Minimum Density in the R1 Zone.~~

~~A. **Purpose.** Reducing the minimum density on small lots in the R1 zone provides flexibility for development of a broad range of dwelling types.~~

~~B. **Standard.** On lots less than 10,000 square feet in the R1 zone, the minimum density is 1 unit per 2,250 square feet of site area. This standard does not apply on corner lots.~~

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## **Commentary**

### **33.631 Sites in Flood Hazard Areas**

Amendments to this page are updates to the multi-dwelling zone names.



## 33.631 Sites in Flood Hazard Areas

# 631

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### 33.631.100 Flood Hazard Area Approval Criteria

- A. [No change]
- B. ~~R3RM1~~ through RMP, C, E, I, IR, and CI zones. The following criteria must be met in the ~~R3RM1~~ through RMP, C, E, I, IR, and CI zones:
  - 1.-2. [No change]
- C. [No change]

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## Commentary

### 33.634 Required Recreation Area

Amendments to this page are primarily updates to the multi-dwelling zone names. "IR" is no longer being included among the range of multi-dwelling zones because this zone had been moved from the multi-dwelling zones (Chapter 33.120) to the Campus Institutional zones (Chapter 33.150) in previous amendments to the zoning code.

The regulations of this chapter apply to land divisions in residential zones when the proposed density is 40 or more dwelling units.

## 33.634 Required Recreation Area

# 634

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### 33.634.200 Required Recreation Area Standards

The following standards must be met:

- A. [No change]
- B. **RF-RM1R2 and RMP zones.** In the RF-RM1R2 and RMP zones, the recreation area must be in one or more recreation area tracts. Recreation area tracts must meet the requirements of Subsection D., below.
- C. **RM2-RX and IR zones~~R1-IR zones~~.** In the RM2-RX, and IR zones~~R1-IR zones~~, the recreation area may be in one or more recreation area tracts, in a roof-top garden, or in floor area improved for the purpose of passive or active recreation. Recreation area tracts must meet the requirements of Subsection D., below.
- D. [No change]

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## **Commentary**

### **33.667 Property Line Adjustment**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.667 Property Line Adjustment

667

### 33.667.300 Standards

The site of a Property Line Adjustment is the two properties affected by the relocation of the common property line. A request for a Property Line Adjustment will be approved if all of the following are met:

- A. [No change]
- B. **Regular ~~Lot~~ Lines.** In the R10 through ~~RM4RH~~ RM4RH and RMP zones, the adjusted property line must be a straight line or up to 20 percent shorter or 20 percent longer than the existing lot line. Lines that are adjusted to follow an established zoning line or the boundary of the special flood hazard area or floodway are exempt from this requirement.
- C.-F. [No change]

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## **Commentary**

### **33.805 Adjustments**

Amendments to this page are updates to the multi-dwelling zone names.

## 33.805 Adjustments

805

### 33.805.030 Regulations Which May and May Not Be Adjusted

- A. [No change]
- B. **Ineligible regulations.** Adjustments are prohibited for the following items:
  - 1.-3. [No change]
  - 4. As an exception to a qualifying situation for a regulation, such as zones allowed or items being limited to new development. An example of this is 33.251.030.C, which says that manufactured dwelling parks are allowed only in the RM1 zone~~R3 and R2 zones~~. An adjustment could not be granted to allow a manufactured dwelling park in any other R zone;
  - 5.-6. [No change]
  - 7. To allow an increase in density in the RF through RM2R1 or RMP zones.

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## Commentary

### 33.815 Conditional Uses

The sections listing on this page is being amended to remove the RX zone from the title of Section 33.815.125. The Hollywood plan district conditional use allowance for commercial parking in the RX zone was deleted as part of the Code Reconciliation Project (effect May 24, 2018).



## 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 Housing and Mass Shelters in R 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 ~~RX~~, CM2, and CM3 Zones, in the Hollywood Plan District
- 33.815.125 Specified Uses in Industrial Zones
- 33.815.126 Office Uses in the IG1 Zone in the Central City Plan District
- 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
- 33.815.140 Specified Mass Shelters, Short Term Housing, And Group Living Uses in the C, E, and CI Zones
- 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

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## Commentary

### **33.815.121 Commercial Parking Facilities in the RX, CM2 and CM3 Zones in the Hollywood Plan District**

The title of this section is being amended to remove the RX zone. The Hollywood plan district conditional use allowance for commercial parking in the RX zone was deleted as part of the Code Reconciliation Project (effect May 24, 2018).

- 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

**33.815.121 Commercial Parking Facilities in the ~~RX~~, 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.-C.**[No change]

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## Commentary

### 33.825 Design Review

No change to the portion of Table 825-1 on this page.

## 33.825 Design Review

825

Table 825-1			
Procedure Type for Design Review Proposals			
Design Districts	Proposal	Threshold	Procedure
Downtown Design District	New floor area	> 1,000 s.f.	Type III
		≤ 1,000 s.f.	Type II
	Exterior alteration	Value > \$459,450	Type III
		Value ≤ \$459,450	Type II
River District Design District	New floor area or Exterior alteration in CX or OS zone	>1,000 s.f. and value > \$459,450	Type III
		≤ 1,000 s.f. or value ≤ \$459,450	Type II
Gateway Design District	Development proposals	Value > \$2,297,050 included in a Gateway Master Plan Review	Type III
		Value ≤ \$2,297,050 and not part of Gateway Master Plan Review	Type II
Marquam Hill Design District	Development proposals	In design overlay zones	Type II
Sellwood-Moreland Design District			
Terwilliger Parkway Design District	Proposals that are visible from Terwilliger Boulevard	Non single-dwelling development	Type III
		Single-dwelling development	Type II
Central Eastside	Development proposals	Value > \$2,297,050	Type III
Goose Hollow			
Lloyd District			
Macadam		Value ≤ \$2,297,050	Type II
River District			
South Waterfront			
Community Plans			
Albina Community Plan area, including Lower Albina	Development proposals	In design overlay zones	Type II
Outer Southeast Community Plan area, excluding Gateway Design District			
Southwest Community Plan Area, excluding Macadam & Terwilliger Design Districts			

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## Commentary

### 33.825 Design Review

Amendments to Table 825-1 correspond to the discontinuation of "a"-overlay provisions for additional density in the multi-dwelling zones when approved through design review (Section 33.405.050 - see pages 224-227 in Volume 2).

Table 825-1			
Procedure Type for Design Review Proposals			
Plan Districts	Proposal	Threshold	Procedure
Central City Plan District, excluding Lower Albina	Development proposals	In design overlay zones and value > \$2,297,050	Type III
Northwest Plan District		In design overlay zones and value ≤ \$2,297,050	Type II
South Auditorium Plan District			
Albina Plan District	Development proposals	In design overlay zones	Type II
Hollywood Plan District			
North Interstate Plan District			
St. Johns Plan District			
Overlay Zones			
“a” Alternative Design Density overlay	Additional density in R3, R2, R1 zone	Using bonus density provisions in 33.405.050	Type III
	Using other provisions in 33.405	Not subject to 33.405.050 In single dwelling zones	Type II
“d” Design overlay	Development proposals	Not identified elsewhere in this table and value > \$2,297,050	Type III
		Not identified elsewhere in this table and value < \$2,297,050	Type II
Base Zones			
All zones	Signs	In design overlay zones	Type II
	Exterior mechanical equipment		
	New or replacement awnings		
C zones	Planned Development	Using the Planned Development bonus provision described in 33.130.212	Type III
C, E, I, RX, CI zones	Facade alteration	≤ 500 square feet in design overlay zones	Type II
RF - R2.5 zones	Subject to section 33.110.213, Additional Development Standards	Requests to modify standards	Type II
IR zone site with an approved Impact Mitigation Plan (IMP)	Proposals that are identified in IMP	IMP design guidelines are qualitative	Type II
	Proposals that are identified in IMP	IMP design guidelines are objective or quantitative	Type Ix

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## Commentary

### 33.846 Historic Resource Reviews

Amendments to the tables on this page are updates to the multi-dwelling zone names.



## 33.846 Historic Resource Reviews

846

<b>Table 846-1</b> <b>Procedure Types for proposals affecting Historic Landmarks</b>			
Proposal	Zone	Threshold	Procedure
Alterations of a landmark-designated interior public space	All	Project value > \$459,450	Type III
		Project value ≤ \$459,450	Type II
Mechanical equipment	All	Exterior	Type Ix
Awnings	All	New or replacement	Type Ix
Signs	C, E, I, RX, CI	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX, CI	Affected facade area < 500 sq. ft.	Type Ix
Historic restoration	RF- <u>RM4RH</u>		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > \$459,450	Type III
		Project value ≤ \$459,450	Type II

<b>Table 846-2</b> <b>Procedure Types for proposals affecting Conservation Landmarks</b>			
Proposal	Zone	Threshold	Procedure
Signs	C, E, I, RX, CI	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX, CI	Affected facade area < 500 sq. ft.	Type Ix
Historic restoration	RF- <u>RM4RH</u>		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

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## Commentary

### 33.846 Historic Resource Reviews

Amendments to the tables on this page are updates to the multi-dwelling zone names.

Language to be **added** is underlined  
 Language to be **deleted** is shown in ~~strikethrough~~

<b>Table 846-3</b> <b>Review procedures for proposals within Historic Districts</b>			
<b>Proposal</b>	<b>Zone</b>	<b>Threshold</b>	<b>Review Type</b>
New structure	All	Project value > \$459,450	Type III
		Project value ≤ \$459,450	Type II
New accessory structure	RF- <del>RM4RH</del>		Type I
Signs	C, E, I, RX, CI	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX, CI	Affected facade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF- <del>RM4RH</del>	Affected facade area < 150 sq. ft.	Type I
Historic restoration	RF- <del>RM4RH</del>		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > \$459,450	Type III
		Project value ≤ \$459,450	Type II

<b>Table 846-4</b> <b>Review procedures for proposals within Conservation Districts</b>			
<b>Proposal</b>	<b>Zone</b>	<b>Threshold</b>	<b>Review Type</b>
New structure	All		Type II
New accessory structure	RF- <del>RM4RH</del>		Type I
Signs	C, E, I, RX, CI	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX, CI	Affected facade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF- <del>RM4RH</del>	Affected facade area < 150 sq. ft.	Type I
Historic restoration	RF- <del>RM4RH</del>		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

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## Commentary

### 33.854 Planned Development Review

Amendments to this page are primarily updates to the multi-dwelling zone names. "IR" is no longer being included among the range of multi-dwelling zones because this zone had been moved from the multi-dwelling zones (Chapter 33.120) to the Campus Institutional zones (Chapter 33.150) in previous amendments to the zoning code.

## 33.854 Planned Development Review

854

### 33.854.340 Proposals Without a Land Division

The approval criteria of this section apply to Planned Developments that do not include a land division, except Planned Developments that are only using the commercial/mixed use zones Planned Development bonus. The approval criteria are:

**A.-B.** [No change]

**C. Flood hazard areas.**

1. RF through R2.5 zones. In the RF through R2.5 zones, all proposed building locations must be outside of the flood hazard area.
2. ~~R1RM2~~ through ~~RXIR~~, C, E, ~~and I~~, and IR zones. In the ~~R1RM2~~ through ~~RXIR~~, C, E, ~~and I~~, and IR zones, all proposed building locations must be outside of the flood hazard area where possible. Where it is not possible to have all building locations outside of the flood hazard area, all proposed building locations must be configured to reduce the impact of flooding and to provide the greatest protection for development from flooding. Proposed building locations must be clustered on the highest ground and near the highest point of access, and they must be configured in a manner that will minimize obstruction of floodwaters.

**D.-G.** [No change]

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## Commentary

### 33.855 Zoning Map Amendments

Amendments to Table 855-1 are updates to the multi-dwelling zone names.

### 33.855 Zoning Map Amendments

855

<b>Table 855-1</b> <b>Assigned City Zoning for Multnomah County Zones</b>	
<b>Multnomah County Zones</b>	<b>Assigned City Zoning</b>
<b>Base zones</b>	
Areas with farm or residential zoning outside the UGB	FR + f
Areas with commercial zoning outside the UGB	CM1
CFU, F2, MUA-20, RR, SR, LR-40, R-40, LR-30, R-30, MUF-19, MUF-38	RF [1]
UF-10, UF-20 inside the UGB	[2]
RC inside the UGB	CM1
LR-20, R-20	R20
LR-10, R-10	R10
LR-7, R7	R7
LR-7.5	R7 + Glendoveer Plan District
LR-5	R5
MR-4, MR-3	<del>RM1R3</del> [3]
HR-2, A-2	<del>RM1R2</del> [3]
HR-1, A1B	<del>RM2R1</del> [3]
BPO	CM2
LC, C4, SC	CM1
GC, EC, C2, NC, C3	CE
LM, M3, M4	EG1
Gm, M2	IG2

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## Commentary

### 33.855 Zoning Map Amendments

Amendments to Table 855-1 are updates to the multi-dwelling zone names.



<b>Table 855-1 Assigned City Zoning for Multnomah County Zones</b>	
HM, M1	IH
THR	<u>RM3RH</u>
TMR	<u>RM1R3</u> [3]
TLR-5	R5
TLC	CM1
TNC	CM2
TGC	CM2
TO	CM2
TLM	EG1
<b>Overlay zones</b>	
SEC	p, c [4]
FH, FF, FW	not mapped; handled by Bureau of Development Services
NI	X
PD, RPD	Not mapped; becomes an approved PUD
OP	Not mapped
CS	If open space, then OS base zone; just the base zone otherwise
HP	D
LF	H
WRG	<u>g, r, i, n</u> [4]

Notes:

[1] The designation will be RF unless this land is in an approved subdivision at a density higher than RF or has been preplanned by an adopted City plan, in which case a higher density zone may be applied.

[2] Reviewed through a quasi-judicial review; initiated by the Director of BDS.

[3] Sites with a documented, approved office are CM1. Sites with a documented, approved retail or commercial use are CM1.

[4] The most appropriate overlay zone will be applied based on any approved City plans.

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## **Commentary**

## **Section 2:**

# **Amendments to Titles 18 and 32**

This section presents proposed code amendments to the following City Code titles:

**Title 18, Noise Control**

**Title 32, Signs and Related Regulations**

The amendments update references to multi-dwelling zones to correspond to the proposed new zone names (see page 2 of this document for a summary of the current and proposed new multi-dwelling zones).

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## Commentary

### Title 18, Noise Control

Amendments to Title 18 are updates to the multi-dwelling zone names (see listing of corresponding old and new zone names, below).

### Current and Corresponding New Zones

Current Short Name	Current Full Name	New Short Name	New Full Name
R3 R2	Residential 3,000 Residential 2,000	RM1	Residential Multi-Dwelling 1
R1	Residential 1,000	RM2	Residential Multi-Dwelling 2
RH	High Density Residential (2:1 FAR)	RM3	Residential Multi-Dwelling 3
RH	High Density Residential (4:1 FAR)	RM4	Residential Multi-Dwelling 4

## TITLE 18

### NOISE CONTROL

#### 18.04.040 Definitions.

(Amended by Ordinance Nos. 159276, 164010, 175772 and 184101, effective October 8, 2010.) The following words shall have the meanings ascribed to them in this Section:

**A.-EE.** [No Change]

**FF.** Zone: A classification of area of the City of Portland as described in Title 33 of the City Code, relating to the use to which property may be put. For the purposes of this title, the zones are based upon the Land Use Zones, as defined in Title 33 as follows:

Category	Zones
Open Space	Open Space
Residential	Residential Farm/Forest Residential 20,000 Residential 10,000 Residential 7,000 Residential 5,000 Residential 2,500 <del>Residential 3,000</del> <del>Residential 2,000</del> <del>Residential 1,000</del> <del>High Density Residential</del> <u>Residential Multi-Dwelling 1</u> <u>Residential Multi-Dwelling 2</u> <u>Residential Multi-Dwelling 3</u> <u>Residential Multi-Dwelling 4</u> Central Residential Residential Manufactured Dwelling Park Commercial Residential Institutional Residential Campus Institutional 1
Commercial/Mixed Use	[No Change]
Industrial	[No Change]

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## **Commentary**

### **Title 18, Signs and Related Regulations**

Amendments to this page of Title 18 are updates to the multi-dwelling zone names.

## **TITLE 32**

### **SIGNS AND RELATED REGULATIONS**

#### **32.12.020 Exemptions.**

(Amended by Ordinance Nos. 178946 and 182962, effective July 31, 2009.) The following are exempt from the regulations of this Title, but may be subject to other portions of the City Code:

**A.** [No Change]

**B.** Signs inside a building. However:

- 1.** In the OS, RF through RM4RH, RMP, CI1, CR, and IR zones, illuminated signs in windows are not exempt; and
- 2.** Signs located within malls and atriums must comply with all provisions of this Title except Chapters 32.30 through 32.38;

**C.-J.** [No Change]

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## Commentary

### Title 18 (Base Zone Regulations)

Amendments to this page of Title 18 are updates to the multi-dwelling zone names.

Signs associated with the commercial uses that are proposed to be allowed in multi-dwelling zones abutting Civic or Neighborhood corridors (see pages 32-39 of Volume 2) will be subject to the sign standards of the RX zone (signs in this zone are limited to 50 square feet, compared to 100 square feet in the CM2 and CX zones).



## Chapter 32.32

### BASE ZONE REGULATIONS

#### Sections:

- 32.32.010 Standards in the Residential Zones, Campus Institution 1, Commercial Residential, and Open Space Zone.
- 32.32.020 Standards in the Commercial/Mixed Use, Employment, and Industrial Zones.
- 32.32.030 Additional Standards in All Zones.

#### 32.32.010 Standards in the Residential Zones, Campus Institution 1, Commercial Residential, and Open Space Zone.

- A. General standards. The standards for permanent signs in the RF through RM4RH zones and for the RMP, IR, CI1, CR and OS zones are stated in Table 1. The sign standards for the RX zone are stated in Table 2. All signs must conform to the regulations of Section 32.32.030.

Table 1 Standards for Permanent Signs in CI1, CR, IR, OS and RF Through RM4RH Zones [1]					
Use Category/Structure Type[2]	Number of Signs	Max. Sign Face Area	Types of Signs Allowed	Maximum Sign Height	Additional Signs Allowed [3]
Household Living/ Houses, Duplexes, Attached Houses.	1 per site	1 sq. ft.	Fascia, Painted Wall  Freestanding	Top of wall, or 10 ft. whichever is less.  6 ft.	lawn signs, directional signs
Household Living/ Townhouse, Multi-dwelling Group Living, Day Care, Nonresidential category uses not listed below.	1 per building	10 sq. ft.	Fascia, Awning, Painted Wall  Freestanding	Top of wall  10 ft.	lawn signs, directional signs
Subdivisions, PUDs, Houseboat Moorages, Mobile Home Parks, Agricultural Uses. [4]	1 per entrance	32 sq. ft.	Monument	10 ft.	lawn signs, directional signs
Parks and Open Areas [5]	1 per street frontage	10 sq. ft.	Monument	10 ft	lawn signs, directional signs
Colleges, Community Service, Medical Centers, Religious Institutions, Schools, Commercial Outdoor Recreation, Major Event Entertainment, and uses in Commercial and Industrial use categories.	The sign standards of the RX zone apply. See Section 32.32.020.				

#### Notes:

- [1] Temporary signs are regulated by 32.32.030 K, Temporary Signs.
- [2] See 32.30.030, Uses, Use Categories, and Structure Types.
- [3] These signs are allowed in addition to other signs when they meet the standards of 32.32.030 H.-J.
- [4] These signs are allowed in addition to those for individual buildings.
- [5] Signs in, or adjacent to and facing, a sports fields associated with Parks and Open Areas are subject to the standards of the CN zone. See 32.32.020.

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## Commentary

### Title 18 (Base Zone Regulations)

Amendments to this page of Title 18 include the following:

- Updates to the multi-dwelling zone names.
- Removal of the Albina Community plan district provisions specific to commercial uses in the RH zone, since this plan district provision is being replaced by a citywide allowance for commercial uses on major corridors (see pages 108-111 of this volume).

- B.** Sign features. Signs in the RF through RM4RH zones and in the RMP, IR, CI1, CR, and OS zones, except for those subject to the RX zone sign standards, are subject to the standards of this subsection. Illuminated signs placed in windows are subject to these sign regulations. Extensions into the right-of-way are prohibited. Changing image sign features are prohibited and only indirect lighting is allowed.

**32.32.030 Additional Standards in All Zones.**

(Amended by Ordinance Nos. 176469 and 185915, effective May 1, 2013.)

**A.-E.** [No Change]

**F.** Freestanding signs and monument signs.

**1.-2.** [No Change]

**3.** Undeveloped sites. Permanent freestanding signs on sites without a primary use are subject to the regulations for Subdivisions shown in Table 1, Standards for Permanent Signs in the IR, OS and RF-RM4RH Zones.

**4.** [No Change]

**G.-K.** [No Change]

**32.34.030 Additional Standards in Plan Districts.**

(Amended by Ordinance Nos. 176469, 179092 and 182072, effective August 22, 2008.)

Plan districts are shown on the Official Zoning Maps.

~~**A.** Albina Community plan district.~~

~~**1.** Where this regulation applies. The regulation of this subsection applies to signs in the Albina Community plan district.~~

~~**2.** Sign standard. Signs for commercial uses in the RH zone are subject to the sign regulations for the CX zone.~~

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## Commentary

### Title 18 (Base Zone Regulations)

Amendments to this page of Title 18 are limited to re-lettering the paragraphs to accommodate deletion of the Albina Community plan district provisions.

**~~B.-F.~~** Re-letter to **A.-E.**

**FG.** South Auditorium plan district

1. Where these regulations apply. The regulations of this subsection apply to the South Auditorium plan district.
2. Standards.
  - a. Design review. Unless exempted under Subparagraphs ~~GF.2.f.~~ and g., below, all exterior signs, regardless of size, are subject to design review. See Chapter 33.420, Design Overlay Zone.
  - b.-d.** [No Change]
  - e. Signs for other uses and developments. The maximum total sign area allowed per frontage for uses or developments not listed in Subparagraphs ~~GF.2.c.~~ and d., above is 1 square foot for each 3 lineal feet of primary building wall. Only signs attached to buildings are allowed, except in a commercial zone where up to two freestanding signs per arterial street frontage are allowed. One sign is not allowed to exceed 12 feet in height and 100 square feet in area, and the other sign is not allowed to exceed 5 feet in height and 10 square feet in area. The regulations of the base zone supersede the regulations of this subparagraph when they are more restrictive.
  - f. Temporary signs, portable signs, and lawn signs. Temporary signs, portable signs, and lawn signs are exempt from the sign regulations of Subparagraph ~~GF.2.a.~~ through e., above. Temporary signs and portable signs are limited to a total combined area of 25 square feet per site.
  - g. Directional signs. Directional signs are exempt from the sign regulations of Subparagraph ~~GF.2.c.~~ through e., above.

**~~H.-I.~~** Re-letter to **G.-H.**

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## Commentary

### Title 18 (Base Zone Regulations)

Amendments to this page of Title 18 are limited to re-lettering the paragraphs to accommodate deletion of the Albina Community plan district provisions.

**II.** North Interstate plan district.

1. Purpose. Encouraging retention of the mid-century signs identified in this subsection will represent Interstate Avenue Corridor’s rich past as US Route 99, which was the West Coast’s major north-south highway before Interstate 5 was built. Because their current locations may preclude desired development, allowing them to move to other locations along the corridor is necessary to ensure preservation.
2. Where these regulations apply. The regulations of this subsection apply only to signs in the North Interstate plan district listed in Paragraph II.4.
3. Relocation allowed. The special signs listed in Paragraph II.4, below, may be relocated as follows:
  - a.-h. [No Change]
4. [No Change]

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## **Commentary**

### **Title 18 (Base Zone Regulations)**

Amendments to this page of Title 18 are updates to the multi-dwelling zone names.



**32.32.030 Additional Standards in All Zones.**

(Amended by Ordinance Nos. 176469 and 185915, effective May 1, 2013.)

**A.-E.** [No Change]

**F.** Freestanding signs and monument signs.

**1.-2.** [No Change]

**3.** Undeveloped sites. Permanent freestanding signs on sites without a primary use are subject to the regulations for Subdivisions shown in Table 1, Standards for Permanent Signs in the IR, OS and RF-~~RM4RH~~ Zones.

**4.** [No Change]

**G.-K.** [No Change]

