

**Update Packet #159 (effective 06/27/13)**

This Code update is to resolve typos only and is effective June 27, 2013.

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**Code Update Packet:** 159  
**Effective Date:** June 27, 2013  
**Contact:** Julie Ocken, (503-823-6041)  
**Amends Chapter:** 33.266, 33.460, 33.526

**CONTENTS OF UPDATE PACKET #159 (effective June 27, 2013)**

<b>Chapter</b>	<b>Remove Pages</b>	<b>Insert Pages</b>	<b>Changed because of:</b>
266	1-2	1-2	Typos
460	1-2, 7-8	1-2, 7-8	Typos
526	1-6, 11-12, 15-16	1-2, 11-12, 15-16	Typos

**Substantive Changes:**

Fixing typos from May 10, 2013 update package.



**CHAPTER 33.266  
PARKING AND LOADING**

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

Sections:

- 33.266.010 Introduction
- Motor Vehicle Parking
- 33.266.100 General Regulations
- 33.266.110 Minimum Required Parking Spaces
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- 33.266.120 Development Standards for Houses and Duplexes
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- 33.266.300 Purpose
- 33.266.310 Loading Standards

**33.266.010 Introduction**

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

**Motor Vehicle Parking**

**33.266.100 General Regulations**

- A. Where the regulations apply.** The regulations of this chapter apply to all parking areas in all zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a Commercial Parking use, or for a park and ride facility in the Community Services use category.

- B. Occupancy.** All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in Chapter 33.248, Landscaping and Screening.
- C. Calculations of amounts of required and allowed parking.**
1. When computing parking spaces based on floor area, areas used for parking are not counted.
  2. The number of parking spaces is computed based on the primary uses on the site except as stated in Paragraph C.3., below. When there are two or more separate primary uses on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual primary uses. For joint use parking, see Paragraph 33.266.110.B., below.
  3. When more than 20 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 40,000 square foot building with a 30,000 square foot warehouse and a 10,000 square foot accessory office area. The required or allowed parking would be computed separately for the office and warehouse uses.
  4. If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.
  5. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
- D. Use of required parking spaces.** Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. See 33.266.110.B. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
- E. Proximity of parking to use.** Required parking spaces for residential uses must be located on the site of the use or within a shared court parking tract owned in common by all the owners of the properties that will use the tract. On-street parking within a private street-tract other than a shared court does not count towards this requirement. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas whose closest point is within 500 feet of the site.
- F. Stacked parking.** Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking. See also 33.266.140.
- G. Office of Transportation review.** The Office of Transportation reviews the layout of parking areas for compliance with the curb cut and access restrictions of Section 17.28.110, Driveways – Permits and Conditions.

**CHAPTER 33.460**  
**MAIN STREET CORRIDOR OVERLAY ZONE**

(Added by Ord. No. 174325, effective 5/5/00. Amended by: Ord. No. 178452, effective 7/10/04;  
Ord. No. 179925, effective 3/17/06; Ord. No. 181357, effective 11/9/07; Ord. No.  
182429, effective 1/16/09; Ord. No. 182474, effective 2/13/09.)  
(Previously, Natural Resource Zone, repealed by Ord. No. 163770, effective 2/8/91,  
and replaced by Chapter 33.435, Future Urban Zone; Ord. No. 185974, effective 5/10/13.)

Sections:

General

- 33.460.010 Purpose
- 33.460.020 Short Name and Map Symbol
- 33.460.030 Where These Regulations Apply
- 33.460.040 Building Coverage

North Lombard Regulations

- 33.460.100 Additional Regulations in the CN1 Zone
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- 33.460.120 Minimum Density in the R1 Zone

Sandy Boulevard Regulations

- 33.460.200 Bonus Building Height
- 33.460.210 Transition Between Residential and Commercial Zones
- 33.460.220 On-Site Location of Vehicle Areas Along Sandy Boulevard in the CS Zone
- 33.460.230 Building Facades Facing Sandy Boulevard
- 33.460.240 Required Design Review

Division Street Regulations

- 33.460.300 Purpose
- 33.460.310 Additional Standards

**General**

**33.460.010 Purpose**

These regulations encourage higher density residential uses by allowing greater building heights, reducing required building coverage for residential development; and allowing more flexibility in site design. The intent of the zone is to provide transit-supportive levels of residential and mixed-use development along identified main streets.

**33.460.020 Short Name and Map Symbol**

The Main Street Corridor Overlay Zone is also referred to as the m zone, and is shown on the Official Zoning Maps with an "m" map symbol.

**33.460.030 Where These Regulations Apply**

The regulations of this chapter apply to sites in the Main Street Corridor Overlay Zone. Sections 33.460.010 through 33.460.040 apply to all sites in this overlay zone. Sections 33.460.100 through 33.460.120 apply to sites with frontage on North Lombard. Sections 33.460.200 through 33.460.240 apply to sites with frontage on Sandy Boulevard. Sections 33.460.300 through 33.460.310 apply to sites with frontage on Division Street.

### **33.460.040 Building Coverage**

On sites in the CS zone, where 100 percent of the floor area of a building is in residential uses, the minimum building coverage is reduced to 40 percent.

## **North Lombard Regulations**

### **33.460.100 Additional Regulations in the CN1 Zone**

- A. Purpose.** These regulations encourage residential mixed use development and housing, in addition to small scale commercial development along sections of North Lombard Street to foster a transit-oriented main street environment. Size of uses are specified to promote commercial uses along the main street that serve a local market area, while limiting their potential impacts on residential uses. Parking standards for the CN1 zone are revised to provide adequate parking opportunity for development along a main street.
- B. Where these regulations apply.** These regulations apply to sites in the CN1 zone.
- C. Floor area for Retail Sales And Service and Office uses.** Each individual use is limited to 10,000 square feet of total floor area exclusive of parking areas.
- D. Maximum allowed parking.** The maximum allowed parking in the CN1 zone is Standard B in Table 266-2.
- E. Bonus option for housing.** Proposals providing housing receive bonus floor area. Where floor area is being added to a site, and at least 25 percent of the new floor area will be in residential use, a bonus of 0.25 FAR is earned for non-residential uses on the site. Proposals using this bonus are subject to the following development standards:
1. Height. The maximum building height is 45 feet.
  2. The maximum FAR for non-residential uses is 1:1. Adjustments to this maximum are prohibited.

### **33.460.110 Additional Standards in the R1 Zone**

- A. Purpose.** These standards ensure that development of sites with the potential for medium density development along or adjacent to the main street:
- contributes positively to established neighborhoods and the area's character;
  - creates a strong physical and visual connection between the living area and the street, and the main entrance and the street; and
  - improves the transition between development in the commercial and single-dwelling zone areas.
- B. Where these standards apply.** The standards of this section apply to duplexes, attached houses, and multi-dwelling structures in the R1 zone.
- C. Adjustments.** Adjustments may be requested to these standards; they may not be modified through design review.

- C. When design review is required.** Design review is required for new development and exterior alterations.
- D. 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 Subsection E, below, proposals that are within the limits of Table 460-1 may use the Community Design Standards as an alternative to design review.

- E. When Community Design Standards may not be used.** The Community Design Standards may not be used as an alternative to design review as follows:
  1. For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan; and
  2. For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use.

<b>Table 460-1 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>•Alterations to the street-facing facade that affect less than 50 percent of the area of the façade, regardless of the square footage of the area affected; and</li> <li>•Alterations to the street-facing facade that affect less than 1,500 sq. ft. of the facade, regardless of the percentage of the facade affected.</li> </ul>
IR Zone	See institution's Impact Mitigation Plan.

Notes:

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

### **Division Street Regulations**

#### **33.460.300 Purpose**

These regulations promote development that fosters a pedestrian- and transit-oriented main street and reinforces the pattern of older industrial, commercial, and residential buildings along the street. These regulations ensure that development:

- Activates Division Street corners and enhances the pedestrian environment;
- Steps down building heights to reduce the negative impacts of larger scale buildings on the adjoining single-dwelling zones;
- Is constructed with high quality materials in combinations that are visually interesting;
- Consists of retail that primarily serves the surrounding neighborhood, is small in scale and promotes pedestrian activity; and
- Provides neighbors with the opportunity to give early input to developers on significant projects.

### **33.460.310 Additional Standards.**

**A. Reinforce the corner.** This standard applies to all sites where any of the floor area on the site is in nonresidential uses. Where a site abuts both Division Street and an intersecting street:

1. Setbacks. The requirements of Subparagraph 33.130.215.C.2.e, Setbacks in a Pedestrian District must be met;
2. Main entrance. 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. The main entrance must:
  - a. Be within 5 feet of the façade facing Division Street; and
  - b. Either:
    - (1) Face Division Street; or
    - (2) Be at an angle of up to 45 degrees from Division Street, measured from the street property line.
3. Surface parking areas are not allowed within 40 feet of the corner.

**B. Height limits for sites abutting R5 – R2.5 zones.**

1. Generally. If a site has frontage on Division Street, on the portion of a site within 25 feet of a site zoned R5 through R2.5, the maximum building height is 35 feet.
2. Exceptions.
  - a. Railings may extend up to 3-1/2 feet above the 35-foot height limit if the railing is set back at least 4 feet from all roof edges.
  - b. Walls or fences designed to provide visual screening between individual roof-top decks may extend up to 6 feet above the 35-foot height limit if the visual screen is set back at least 4 feet from all roof edges.

**C. Exterior finish materials.** Plain concrete, concrete block, corrugated metal, plywood and sheet pressboard are not allowed as exterior finish material, except as secondary finishes if they cover no more than 10 percent of the surface of each façade. This standard applies on all building façades. Items that are exempt from this standard are listed in Section 33.420.045, Exempt From Design Review.

**D. Floor area for Retail Sales And Service.**

1. Generally. Each individual Retail Sales And Service use is limited to 10,000 square feet of net building area.
2. Exceptions.
  - a. Supermarkets are exempt from this regulation.



**CHAPTER 33.526  
GATEWAY PLAN DISTRICT**

(Added by Ord. No. 169763, effective 3/25/96. Amended by: Ord. 172010, effective 3/18/98; Ord. No. 174980, effective 11/20/00; Ord. No. 175837, effective 9/7/01; Ord. No. 177028, effective 12/14/02; Ord. No. 178423, effective 6/18/04; Ord. No. 179092, effective 4/1/05; Ord. No. 179980, effective 4/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 185974, effective 5/10/13.)

Sections:

General

- 33.526.010 Purpose
- 33.526.020 Where These Regulations Apply
- 33.526.030 Early Design Consultation

Use Regulations

- 33.526.100 Purpose
- 33.526.110 Prohibited Uses
- 33.526.120 Retail Sales and Service Uses

Development Standards

- 33.526.200 Purpose
- 33.526.210 Building Height
- 33.526.220 Floor Area Ratio
- 33.526.230 Floor Area and Height Bonus Options
- 33.526.240 Open Area
- 33.526.250 Connectivity
- 33.526.260 Pedestrian Standards
- 33.526.270 Entrances
- 33.526.280 Enhanced Pedestrian Street Standards
- 33.526.290 Ground Floor Windows
- 33.526.300 Required Windows Above the Ground Floor
- 33.526.310 Exterior Display and Storage
- 33.526.320 Drive-Through Facilities
- 33.526.330 Gateway Master Plan
- 33.526.340 Parking

Map 526-1 Gateway Plan District

Map 526-2 Maximum Heights

Map 526-3 Floor Area Ratios

Map 526-4 Enhanced Pedestrian Streets

Map 526-5 Bonus Option Areas

**General**

**33.526.010 Purpose**

Gateway is Portland's only regional center. As designated in the Outer Southeast Community Plan, the Gateway Regional Center is targeted to receive a significant share of the city's growth. Gateway is served by Interstates 205 and 84, MAX light rail, and TriMet bus service. At the crossroads of these major transportation facilities and high-quality transit service, Gateway is positioned to become the most intensely developed area outside of the Central City. Future development will transform Gateway from a suburban low density area to a dense, mixed-use regional center that maximizes the public's significant investment in the transportation infrastructure.

The regulations of this chapter encourage the development of an urban level of housing, employment, open space, public facilities, and pedestrian amenities that will strengthen the role of Gateway as a regional center. The regulations also ensure that future development will provide for greater connectivity of streets throughout the plan district. This development will implement the Gateway Regional Center Policy of the Outer Southeast Community Plan. Together, the use and development regulations of the Gateway plan district:

- Promote compatibility between private and public investments through building design and site layout standards;
- Promote new development and expansions of existing development that create attractive and convenient facilities for pedestrians and transit patrons to visit, live, work, and shop;
- Ensure that new development moves the large sites in the plan district closer to the open space and connectivity goals of the Gateway Regional Center;
- Create a clear distinction and attractive transition between properties within the regional center and the more suburban neighborhoods outside; and
- Provide opportunities for more intense mixed-use development around the light rail stations.

#### **33.526.020 Where These Regulations Apply**

The regulations of this chapter apply to development in the Gateway plan district. The boundaries of the plan district are shown on Map 526-1 at the end of this chapter, and on the Official Zoning Maps.

#### **33.526.030 Early Design Consultation**

Applicants are encouraged to meet with staff of the Bureau of Planning, the Bureau of Development Services, the Portland Development Commission, the Portland Office of Transportation, and Portland Parks and Recreation three to six months before applying for a pre-application conference or a land use review. This consultation provides an opportunity for both funding and regulatory agencies to work closely with the property owner to determine the best combination of plan, regulation, and urban renewal involvement to meet the fiscal needs and responsibilities of the owner, accomplish public purposes, and leverage public dollars on behalf of new development.

### **Use Regulations**

#### **33.526.100 Purpose**

The use regulations of this chapter encourage uses that support transit patrons and pedestrians. They do this by limiting auto-oriented uses and promoting small scale commercial development. Small scale commercial development increases the variety and diversity of services and goods available; helps reduce traffic congestion associated with large-scale retailers; enhances the mixed-use character and pedestrian environment of the plan district; and improves the economic viability of higher density residential development.

#### **33.526.110 Prohibited Uses**

- A.** Vehicle Repair, Quick Vehicle Servicing, Commercial Parking, and Self-Service Storage are prohibited in the plan district.
- B.** Sale or lease of consumer vehicles, including passenger vehicles, motorcycles, light and medium trucks, travel trailers, and other recreational vehicles is prohibited on the portion of a site within 200 feet of a light rail alignment. Offices for sale or lease of vehicles, where the vehicles are displayed or stored elsewhere, are allowed.

### **33.526.120 Retail Sales and Service Uses**

- A.** On sites in the EX zone, Retail Sales And Services uses are allowed up to 5,000 square feet of floor area for each use.
- B.** On portions of sites zoned Institutional Residential, IR, and within 1000 feet of the Main Street LRT Station, Retail Sales And Service uses are allowed up to 10,000 square feet of floor area for each use. The Retail Sales And Service uses must be included in a Conditional Use Master Plan or Impact Mitigation Plan for the site. Retail Sales And Service uses larger than 10,000 square feet of floor area for each use are prohibited.
- C.** On sites in the RX zone, Retail Sales And Service and Office uses are allowed as follows. Adjustments to the regulations of this paragraph are prohibited.
  1. Commercial uses in new residential development.
    - a. Up to 40 percent of the net building area of a new residential building may be in Retail Sales And Service or Office uses.
    - b. On the portion of a site within 1/4 mile of a Transit Station, up to 50 percent of the net building area of a new residential building may be in Retail Sales And Service or Office uses.
  2. Commercial uses in existing residential buildings. Up to 40 percent of existing net building area in a building that is totally residential may be converted to Retail Sales And Service or Office uses. The conversion may not result in a net loss in the number of dwelling units on the site.

### **Development Standards**

**33.526.200 Purpose.** The development standards foster an intense mixed-use urban character with a high quality pedestrian environment and an interconnected, dense street grid. They do this by:

- Promoting the Enhanced Pedestrian Streets as the primary pedestrian routes in the plan district and focusing more active uses and pedestrian amenities on these streets;
- Increasing the development potential throughout the district and focusing the most intense development potential around the light rail stations;
- Discouraging development, such as exterior display and storage and drive-throughs, that adversely affect the pedestrian environment;
- Requiring larger sites within the plan district to provide connectivity, open space and a mixture of uses; and
- Ensuring an attractive transition between the higher density zones within the plan district and the adjacent single-dwelling residential zones.

### **33.526.210 Building Height**

- A. Purpose.** These regulations encourage intense development throughout the plan district, with the highest level of intensity occurring around the light rail stations. This increased development opportunity reinforces Gateway's role as a regional

center. In addition, the regulations reduce adverse effects on adjacent single dwelling zones by creating a step-down of building heights at the edge of the plan district.

**B. Maximum building height.** The maximum building heights are shown on Map 526-2, except as specified in Subsection C. Heights greater than shown on Map 526-2 are prohibited unless allowed by Section 33.526.230.

**C. Transition at edges of plan district.**

1. Where these regulations apply. The regulations of this subsection apply to sites that have a maximum building height of 75 feet or more and either:
  - a. Abut a site zones R7 through R2.5 that is not in the plan district; or
  - b. Are across a Local Service Traffic Street from a site zoned R7 through R2.5 that is not in the plan district.
2. Abutting. Sites that abut a site zoned R7 through R2.5 have height limits that decrease in two steps, as follows. See Figure 526-1:
  - a. On the portion of the site within 25 feet of a site zoned R7 through R2.5, the maximum building height is the same as the abutting residential zone; and
  - b. On the portion of the site that is more than 25 feet but within 50 feet of a site zoned R7 through R2.5, the maximum building height is 50 feet.
3. Across a street. Sites that are across a Local Service Traffic Street from a site zoned R7 through R2.5 have height limits that decrease in two steps, as follows. See Figure 526-1:
  - a. On the portion of the site within 25 feet of the street lot line, maximum building height is the same as the residential zone across the street; and
  - b. On the portion of the site that is more than 25 feet but within 50 feet of the street lot line, the maximum building height is 50 feet.

**33.526.220 Floor Area Ratio**

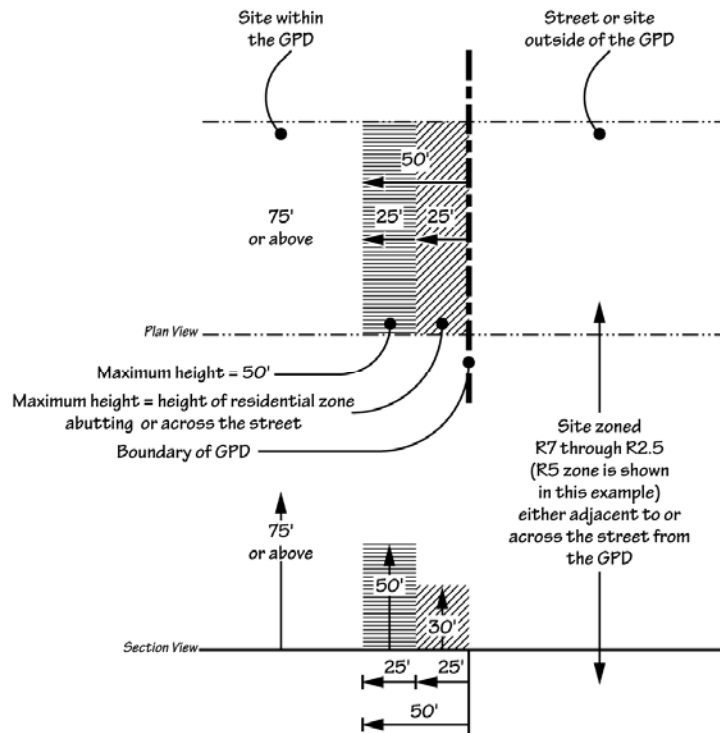
**A. Purpose.** These regulations encourage intense development throughout the plan district with a higher level of intensity occurring around light rail stations. This increased development reinforces Gateway's role as a regional center. In addition, the standards ensure a minimum level of development on some sites.

**B. Maximum floor area ratio.** The maximum floor area ratios (FAR) allowed are shown on Map 526-3 at the end of this chapter.

1. On sites with a maximum FAR of 6:1 or less where at least 80 percent of the proposed floor area on the site will be in Residential uses, an additional 2:1 FAR is allowed.
2. FARs greater than shown on Map 526-3 or allowed by Paragraph B.1 are prohibited unless allowed by Section 33.526.230.

- C. **Minimum floor area ratio.** The minimum floor area ratio (FAR) for new development is shown on Map 526-3.
- D. **Limit on increased floor area.** Increases in FAR, whether by transfers of floor area or bonus floor area options, of more than 3 to 1 are prohibited.

**Figure 526-1**  
**Height Limits on Sites Abutting R7 – R2.5 Zones**



### 33.526.230 Floor Area and Height Bonus Options

- A. **Purpose.** Floor area and height bonus options are offered as incentives to encourage facilities and amenities that are desired around the light rail stations and on sites with a Gateway Master Plan.
- B. **General regulations.**
  1. **Eligible sites.** The bonus options may be used only in areas shown on Map 526-5, and on sites with a Gateway Master Plan. The residential bonus option may be used only in those areas on sites in a C or E zone.
  2. **New floor area.** Only new floor area is eligible for the bonuses unless specifically stated otherwise. Exceptions to the requirements and the amount of bonus floor area or height earned are prohibited.
  3. **Number of bonus options.** Proposals may use more than one bonus option unless specifically stated otherwise. Bonuses may be done in conjunction with allowed transfers of floor area.

4. Maximum floor area increase. The maximum floor area increase that may be earned through the bonus options must be within the limits for overall floor area increases stated in 33.526.220.D.
5. Maximum height increase. Buildings using bonus floor area must not exceed the maximum height limits shown on Map 526-2 unless eligible for bonus height.

**C. Bonus floor area options.** Additional development potential in the form of floor area is earned for a project when the project includes any of the features listed below. The bonus floor area amounts are additions to the maximum floor area ratios shown on Map 526-3.

1. Residential bonus option.
  - a. Proposals providing housing receive bonus floor area. New development and alterations to existing development are eligible for this bonus. For each square foot of floor area developed and committed as housing, a bonus of 1 square foot of additional floor area is earned, up to an additional floor area ratio of 3 to 1.
  - b. The additional floor area may be used entirely for housing or partially for nonresidential uses.
  - c. Residential portions of mixed-use projects using this bonus must be completed and receive an occupancy permit in advance or at the same time as an occupancy permit for any nonresidential portion of the project. The property owner must execute a covenant with the City ensuring continuation and maintenance of the housing by the property owner. The covenant must comply with the requirements of 33.700.060, Covenants with the City.
2. Open Space bonus option. Proposals that provide open space that may be used by the public will receive bonus floor area. For each square foot of open space provided, a bonus of one square foot of additional floor area is earned. To qualify for this bonus, the following requirements must be met:
  - a. Size and dimensions. The open space must include at least 5,000 square feet of contiguous area;
  - b. Ownership and use. One of the following must be met:
    - (1) The open space must be dedicated to the City, subject to paragraph 2.d.; or
    - (2) A public access easement must be provided that allows for public access to and use of all the open space;

### **33.526.250 Connectivity**

- A. Purpose.** The connectivity requirement ensures that adequate street and pedestrian/bicycle connections will be provided for local access to development and access for emergency vehicles. This regulation implements the Gateway Master Street Plan and improves vehicular, pedestrian, and bicycle circulation throughout the plan district, while minimizing congestion on the arterial system. Where full street connections are not feasible, pedestrian and bicycle connections provide access for those most sensitive to the lack of direct connections.
- B. Where these regulations apply.** The requirements of this section apply to all sites in the plan district.
- C. Requirements.**
1. The Portland Office of Transportation determines the location and widths of rights-of-way and extent and timing of street improvements based on the Gateway Master Street Plan in the Transportation Element of the Comprehensive Plan.
  2. Proposed development that may obstruct new street alignments as identified in the Gateway Master Street Plan is regulated by Chapter 17.88.

### **33.526.260 Pedestrian Standards**

- A. Purpose.** These regulations ensure direct pedestrian connections between the street and buildings on a site and between buildings and other activities within the site. Together with the Enhanced Pedestrian Street, entrance, and ground floor window regulations, the pedestrian standards ensure that the sidewalks in the plan district, especially on Enhanced Pedestrian Streets, are convenient, active, pleasant environments with pedestrian amenities.
- B. Standards.**
1. All sites in the plan district are subject to the Pedestrian Standards of Paragraph 33.130.240.B.1. through 3.
  2. Improvements between buildings and the street. Development on sites abutting an Enhanced Pedestrian Street as shown on Map 526-4 must meet Standard B.2.b. Development on all other sites must meet the standards of either B.2.a or b. Development where there has been a school use on the site since June 18, 2004, must meet the standards of either B.2.a. or b.
    - a. Landscaped. The area between a building or exterior improvement and a street lot line must be landscaped to meet the L1 standard in Chapter 33.248, Landscaping and Screening;
    - b. Hard-surfaced. The area between a building or exterior improvement and a street lot line must be hard-surfaced and developed for use by pedestrians, outdoor seating for restaurants, or pedestrian-oriented accessory activities including stands selling flowers, food or drinks. The area must contain amenities such as benches, trees (tree wells with grates are exempt from the hard-surface requirement), drinking fountains, planters, and kiosks. At least one or these amenities must be provided for each 100 square feet of pedestrian use area in the setback.
  3. Bicycle parking may be located in the area between a building and a street lot line.

### 33.526.270 Entrances

- A. Purpose.** These regulations ensure that at least one main entrance into a building, and each tenant space in a building that faces a street, be oriented to public streets or the light rail alignment. This requirement enhances pedestrian access from the sidewalk to adjacent buildings. Together with the Enhanced Pedestrian Street, ground floor window, and pedestrian standards, the entrance standards ensure that the sidewalks in the plan district are convenient, active, pleasant environments with pedestrian amenities.
- B. Where these regulations apply.** In R1, RH, RX, C, and EX 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 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. Face a public street or light rail alignment;
  2. Be within 15 feet of the public street or light rail alignment it faces;
  3. Be oriented to nearby transit facilities as follows:
    - a. If a site abuts a light rail alignment along East Burnside Street, the main entrance must orient to that alignment. If the proposed building is within 100 feet of a transit station, at least one entrance must be along the first 25 feet of the wall nearest the station.
    - b. If a site abuts a transit street other than a light rail alignment, the entrance must orient to that street.
    - c. If the site abuts intersecting transit streets, the main entrance must orient to the street with the highest classification.
    - d. If the site abuts intersecting transit streets with the same classification, the entrance may be at a 45 degree angle to both streets or within 25 feet of the corner along either transit street.

### 33.526.280 Enhanced Pedestrian Street Standards

- A. Purpose.** These regulations enhance and ensure the continuity of the pedestrian environment along key streets in the Gateway plan district. The standards help maintain an urban character along the Enhanced Pedestrian Streets by reinforcing the continuity of pedestrian-oriented, active ground-level uses and strengthening the relationship between those uses and the pedestrian environment. Active uses include but are not limited to: lobbies, retail, residential, commercial, and office. Together with the ground floor window, entrance, and pedestrian standards, the Enhanced Pedestrian Street standards foster an efficient, safe, and interesting route for pedestrians to move through the Gateway plan district.



- C. Contents of a Gateway master plan.** In addition to the application requirements of Section 33.730.060, a Gateway master plan must contain the components listed below. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases. The plan must include:
1. Floor area. How allowable floor area will be distributed throughout the site. This can be shown by location of buildings, by subareas of the site, or by amount assigned to each lot. Floor area may be reallocated within the site.
  2. Location of uses. The location of proposed uses on the site. If a use is allowed on the site, it may be located on a portion of the site where the zoning would otherwise not permit it. Regardless of use, the base zone development standards will apply.
  3. Housing.
    - a. The location, density, and general type of housing to be built. If residential development is required by the base zone, the plan must show how the requirement will be met. If the required housing is not proposed to be built in advance or concurrently with other development, the plan must demonstrate that the proposed location for housing is of suitable size and location for the required amount of housing. The plan must identify a schedule or development phase when the required housing will be built.
    - b. If the required housing is proposed for a location outside of the residentially-zoned area, the proposed site must meet the following requirements. The site must be under the applicant's control. The site must be vacant or used for surface parking, or have improvements with an assessed value less than one-third the value of the land. The site must be within the Gateway plan district and be zoned CX or EX. The proposed housing site must be of suitable size and location to be attractive for the required amount of housing.
  4. Minimum and maximum requirements. The total combined floor area for the entire site and for each use must be within the minimum required and maximum allowed, including bonus floor area, for the plan area. Floor area transfers outside of the Gateway master plan site are prohibited.
  5. Infrastructure capability. The plan must identify and link the development of each phase of the project to the provision of services necessary to meet the infrastructure service needs of the development associated with that phase.
  6. Circulation. The plan must identify a clear internal circulation system that joins the surrounding street system at logical points and meets the needs of pedestrians, bicyclists, and drivers.
  7. Open area. The plan must identify when and where the open area will be built.
  8. Connectivity. The plan must identify when and where the streets, accessways, and other internal connections will be built.
  9. Proposed reviews and criteria. Required reviews, such as design and other land use reviews, for all phases may be done as part of the initial master plan review, or may be done separately at the time of each new phase of development.

- a. If the applicant requests that all of the required reviews be done as part of the review of the master plan, the plan must explain and provide enough detail on how the proposals comply with the approval criteria for the reviews.
- b. If the applicant decides to defer these reviews to the time of future development, the plan must specify what review procedures and approval criteria will be used for reviewing that development.
- c. Adjustments and modifications. If any adjustments or modifications are being requested in conjunction with the Gateway master plan review, the application must include a statement as to how each adjustment and modification complies with the approval criteria for the adjustment or modification.

**D. Duration and expiration of a Gateway master plan.**

1. A Gateway master plan must include currently proposed developments and developments that might be proposed within at least 3 years.
2. An approved Gateway master plan remains in effect until development allowed by the plan has been completed, the plan is amended or superseded, or it becomes void as specified in Paragraph D.3., below.
3. If there has been no development on the site within 10 years after the Gateway master plan is approved, the Gateway master plan is void, and no further development will be allowed on any area previously covered by the plan until a new or updated plan is approved.

**E. Implementation.**

1. Development in conformance with a Gateway master plan.
  - a. Development that is consistent with and conforms to the specific Gateway master plan is not required to go through another Gateway master plan review, but may be subject to additional reviews specified by the plan.
  - b. Any transportation, water, stormwater disposal, or wastewater disposal systems identified in the plan as necessary to serve the development are in place or will be in place when the project is ready for occupancy.
2. Development not in conformance with Gateway master plan. Development that is not in conformance with the Gateway master plan requires an amendment to the plan.

**33.526.340 Parking**

- A. Purpose.** The regulations of this section ensure that development is oriented to transit, bicycling, and pedestrian travel while ensuring accessibility for motor vehicles. Limiting the number of parking spaces promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for a better pedestrian environment, and protects air and water quality. Parking that is provided in structures is preferred over parking in surface lots because, as a more efficient use of land, structured parking promotes compact urban development. In addition, parking structures with active uses on the ground floor provide a better environment for pedestrians and contribute to the continuity of street-level retail and service uses that support a thriving urban area.