Update Packet #162 (effective 3/1/14)
This Code update is the result of Automatic adjustment for inflation required by Code Section 33.700.075, Automatic Changes to Specified Dollar Thresholds, and is effective March 1, 2014.

Code Update Packet: 162
Effective Date: March 1, 2014
Contact: Julie Ocken, (503-823-6041)
Amends Chapters: 33.258, 33.440, 33.480, 33.510, 33.515, 33.560, 33.565, 33.825, 33.846, 33.910

CONTENTS OF UPDATE PACKET #162 (effective March 1, 2014)

Chapter	**Remove Pages**	**Insert Pages**	**Changed because of:**
258	9-12	9-12	Amendments to 33.258.070.D.2.a and D.2.d(2)
440	7-8	7-8	Amendment to 33.440.230.D.1
480	3-4	3-4	Amendment to 33.480.040.B.2.b(2)
510	29-30 37-40 53-54	29-30 37-40 53-54	Amendments to 33.510.205.G.2.f; 33.510.210.C.15 and 18; and 33.510.253.D.1.a
515	33-34	33-34	Amendment to 33.515.278.B.17.a(1)
560	1-2	1-2	Amendment to 33.560.020
565	7-8	7-8	Amendment to 33.565.310.B.2
825	1-2	1-2	Amendments to 33.825.025.A.1.a, b, e, and f; and 33.825.025.A.2.a, b, and c
846	5-6	5-6	Amendments to 33.846.060.B.2.a, b, f, and g; and 33.846.060.B.4.a, b, c, and d
910	15-16	15-16	Typo

Substantive Changes:

Automatic adjustment for inflation required by Code Section 33.700.075, Automatic Changes to Specified Dollar Thresholds.

d. Bicycle parking by upgrading existing bicycle parking and providing additional spaces in order to comply with 33.266.220;

e. Interior parking lot landscaping. See Subsection 33.730.130.D, Expiration of adjustments approved prior to March 16, 2001;

f. Landscaping in **existing** building setbacks;

g. Minimum landscaped area (where land is not used for structures, parking, or exterior improvements);

h. Screening; and

i. Paving of surface parking and exterior storage and display areas.

j. Exception: Where landscaping in the following areas was conforming after March 16, 2001, and before July 8, 2005, it is exempt from the requirements of D.1.b, e, and f, above:

(1) Landscaped setbacks for surface parking and exterior development areas;

(2) Interior parking lot landscaping; and

(3) Landscaping in existing building setbacks.

(4) This exception expires December 31, 2015.

2. Nonconforming development with an existing nonconforming use, allowed use, limited use, or conditional use. Nonconforming development associated with an existing nonconforming use, an allowed use, a limited use, or a conditional use, must meet the requirements stated below. When alterations are made that are over the threshold of Subparagraph D.2.a., below, the site must be brought into conformance with the development standards listed in Subparagraph D.2.b. The value of the alterations is based on the entire project, not individual building permits.

a. Thresholds triggering compliance. The standards of Subparagraph D.2.b., below, must be met when the value of the proposed alterations on the site, as determined by BDS, is more than $148,700. The following alterations and improvements do not count toward the threshold:

(1) Alterations required by approved fire/life safety agreements;

(2) Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;

(3) Alterations required by Chapter 24.85, Interim Seismic Design Requirements for Existing Buildings;

(4) Improvements to on-site stormwater management facilities in conformance with Chapter 17.38, Drainage and Water Quality, and the Stormwater Management Manual; and

(5) Improvements made to sites in order to comply with Chapter 21.35, Wellfield Protection Program, requirements.

(6) Energy efficiency or renewable energy improvements that meet the Public Purpose Administrator incentive criteria.

b. Standards which must be met. Development not complying with the development standards listed below must be brought into conformance or receive an adjustment.

(1) Landscaped setbacks for surface parking and exterior improvement areas;

(2) Pedestrian circulation systems, as set out in the pedestrian standards that apply to the site;

(3) Bicycle parking by upgrading existing racks and providing additional spaces in order to comply with 33.266.220, Bicycle Parking. Sites that do not have accessory surface parking or are inside the Central City Core Area or Lloyd District, as shown on Map 510-8, are not required to meet this standard for long-term bicycle parking, but are required to meet this standard for short-term bicycle parking;

(4) Interior parking lot landscaping. See Subsection 33.730.130.D, Expiration of adjustments approved prior to March 16, 2001;

(5) Landscaping in existing building setbacks;

(6) Minimum landscaped area (where land is not used for structures, parking, or exterior improvements);

(7) Screening; and

(8) Required paving of surface parking and exterior storage and display areas.

(9) Exception: Where landscaping in the following areas was conforming after March 16, 2001, and before July 8, 2005, it is exempt from the requirements of D.2.b.1, 4, and 5, above:

- Landscaped setbacks for surface parking and exterior development areas;
- Interior parking lot landscaping; and
- Landscaping in existing building setbacks.
- This exception expires December 31, 2015.

c. Area of required improvements.

(1) Generally. Except as provided in D.2.c(2), below, required improvements must be made for the entire site.

(2) Exception for sites with ground leases. Required improvements may be limited to a smaller area if there is a ground lease for the portion of the site where the alterations are proposed. If all of the following are met, the area of the ground lease will be considered as a separate

site for purposes of required improvements. The applicant must meet the following:

- The signed ground lease – or excerpts from the lease document – must be submitted to BDS. The portions of the lease must include the following:
  - The term of the lease. There must be at least one year remaining on the ground lease; and
  - A legal description of the boundaries of the lease.
- The boundaries of the ground lease must be shown on the site plan submitted with the building permit application;
- The area of the lease must include all existing and any proposed development that is required for, or is used exclusively by, uses within the area of the lease; and
- Screening is not required along the boundaries of ground leases that are interior to the site.

d. Timing and cost of required improvements. The applicant may choose one of the following options for making the required improvements:

(1) Option 1. Under Option 1, required improvements must be made as part of the alteration that triggers the required improvements. However, the cost of required improvements is limited to 10 percent of the value of the proposed alterations. It is the responsibility of the applicant to document the value of the required improvements. When all required improvements are not being made, the applicant may choose which of the improvements listed in Subparagraph D.2.b to make. If improvements to nonconforming development are also required by regulations in a plan district or overlay zone, those improvements must be made before those listed in Subparagraph D.2.b.

(2) Option 2. Under Option 2, the required improvements may be made over several years, based on the compliance period identified in Table 258-1. However, by the end of the compliance period, the site must be brought fully into compliance with the standards listed in Subparagraph D.2.b. When this option is chosen, the following applies:

- Before a building permit is issued, the applicant must submit the following to BDS:
  - Application. An application, including a Nonconforming Development Assessment, which identifies in writing and on a site plan, all development that does not meet the standards listed in subparagraph D.2.b.
  - Covenant. The City-approved covenant, which is available in the Development Services Center, is required. The covenant identifies development on the site that does not meet the standards listed in subparagraph D.2.b, and requires the owner to bring that development fully into compliance with

this Title. The covenant also specifies the date by which the owner will bring the nonconforming development into full compliance. The date must be within the compliance periods set out in Table 258-1. The covenant must be recorded as specified in Subsection 33.700.060.B.

- The nonconforming development identified in the Nonconforming Development Assessment must be brought into full conformance with the requirements of this Title that are in effect on the date when the permit application is submitted. The compliance period begins when a building permit is issued for alterations to the site of more than $148,700. The compliance periods are based on the size of the site. The compliance periods are identified in Table 258-1.

- By the end of the compliance period, the applicant or owner must request that the site be certified by BDS as in compliance with the standards listed in Subparagraph D.2.b. on the date when the permit application was submitted. A permit documenting full conformance with these standards is required and must receive final inspection approval prior to BDS certification.

- If certification is requested by the end of the compliance period and BDS certifies the site as in compliance, a two-year grace period begins. The grace period begins at the end of the compliance period, even if BDS certifies the site before the end of the compliance period. During the grace period, no upgrades to nonconforming development are required.

- If certification is not requested, or if the site is not fully in conformance by the end of the compliance period, no additional building permits will be issued until the site is certified.

- If the regulations referred to by Subparagraph D.2.b, or in D.2.b itself, are amended after the Nonconforming Development Assessment is received by BDS, and those amendments result in development on the site that was not addressed by the Assessment becoming nonconforming, the applicant must, at the end of the grace period, address the new nonconforming development using Option 1 or Option 2. If the applicant chooses Option 2, a separate Nonconforming Development Assessment, covenant, and compliance period will be required for the new nonconforming development.

Table 258-1
Compliance Periods for Option 2

Square footage of site	**Compliance period**
Less than 200,000 sq. ft.	2 years
200,000 sq. ft. or more, up to 500,000 sq. ft.	3 years
More than 500,000 sq. ft., up to 850,000 sq. ft.	4 years
More than 850,000 sq. ft.	5 years

D. Exception for sites with an existing nonconforming use, allowed use, limited use, or conditional use. The regulations of this subsection apply to sites with an existing nonconforming use, an allowed use, a limited use, or a conditional use. When alterations are made to a site that does not meet the standards of this section, and the alterations are over the threshold of Paragraph D.1, below, the site must be brought into conformance with the development standards listed in Subsections A, B, and C, above. The value of the alterations is based on the entire project, not individual building permits. The cost of the upgrades required by this chapter may be counted toward the cost of upgrades required by Subsection 33.258.070.D. However, the upgrades required by this chapter must be completed first.

1. Thresholds triggering compliance. The standards of Subsections A, B, and C must be met when the value of the proposed alterations on the site, as determined by BDS, is more than $148,700. Alterations and improvements stated in 33.258.070.D.2.a do not count toward the threshold.

2. Area of required improvements. Except as provided in 33.258.070.D.2.c(2), Exception for Sites With Ground Leases, required improvements must be made to the entire site.

3. Timing and cost of required improvements. The timing and cost of the required improvements is specified in 33.258.070.D.2.d. However, where 33.258.070.D.2.d refers to the standards listed in Subparagraph 33.258.070.D.2.b, the standards of Subsections A, B, and C, above, are also included.

33.440.240 Public Recreational Trails

A. Purpose. Public recreational trails provide public access to and along both sides of the Willamette River. Public recreational trails are one of the tools used to comply with the public access requirements of the Comprehensive Plan and the Willamette Greenway Plan.

B. Public recreational trail requirements. All sites with a public recreational trail symbol shown on the Official Zoning Maps must comply with the requirements of Chapter 33.272, Public Recreational Trails, provide and install the official Greenway Trail signs as required by the Parks Bureau, and meet the trail design guidelines contained in the Willamette Greenway Plan.

C. Recreational trails in the River Natural and River Water Quality zones. Recreational trails must be designed to minimize disturbances on the natural environment of the River Natural and River Water Quality zoned lands.

33.440.250 Public Viewpoints

A. Purpose. Public viewpoints provide stopping places along the Greenway trail and the Willamette River where the public can view and enjoy the natural, scenic, recreational, and economic qualities of the Greenway. Public viewpoints are one of the tools used to comply with the public access requirements of the Comprehensive Plan and the Willamette Greenway Plan.

B. Viewpoint requirements. All sites designated with a viewpoint symbol on the Willamette Greenway Plan are required to provide a public viewpoint. The

viewpoint must meet the viewpoint design guidelines contained in the Willamette Greenway Plan. In addition, the viewpoint must comply with the Use of Trail, Hours of Use, Trespass, and Trail Maintenance and Liability sections of Chapter 33.272, Public Recreational Trails. In order to qualify for the maintenance and liability provisions, the viewpoint must be located along the physically continuous trail segment.

33.440.260 View Corridors

A. Purpose. View corridors provide visual access and connections to the river for neighborhoods and business districts who might otherwise be visually cut-off from the river. View corridors are generally extensions of existing public rights-of-way through to the river. View corridors are one tool used to comply with the public access requirements of the Comprehensive Plan and the Willamette Greenway Plan.

B. Provision of corridors. All view corridors identified in the Willamette Greenway Plan must meet the view corridor design guidelines contained in the Willamette Greenway Plan.

33.440.270 Nonconforming Uses and Development

Nonconforming uses and development in the greenway zones are subject to the regulations and reviews of Chapter 33.258, Nonconforming Situations. The additional regulations stated below apply to development within or riverward of the greenway setback that is not river-dependent or river-related.

A. The development may continue.

B. The development may be changed to an allowed river-dependent or river-related development by right.

C. The development may be changed to another nonconforming development if within a building. If it is outdoors, it may not be changed to another nonconforming development.

D. The development may be expanded, but not within or riverward of the greenway setback.

Greenway Review

33.440.300 Purpose

Greenway review ensures that all proposed changes to a site are consistent with the Willamette Greenway Plan, the Willamette Greenway design guidelines and, where applicable, the water quality element of Title 3 of Metro's Urban Growth Management Functional Plan. The purpose of greenway review is to ensure that:

- Development will not have a detrimental impact on the use and functioning of the river and abutting lands;
- Development will conserve, enhance and maintain the scenic qualities and natural habitat of lands along the river;
- Development will conserve the water surface of the river by limiting structures and fills riverward of the greenway setback;
- Practicable alternative development options are considered, including outside the River Water Quality zone setback; and

(1) Exception for sites with an existing nonconforming use, allowed, use, limited use, or conditional use. The following regulations apply to sites with an existing nonconforming use, an allowed use, a limited use, or a conditional use. When alterations are made to a site that does not meet the landscaping standards of B.2.b, above, and the alterations are over the threshold of B.2.b(2) below, the site must be brought into conformance with the development standards of this B.2.b, above. The value of the alterations is based on the entire project, not individual building permits. The cost of the upgrades required by this chapter may be counted toward the cost of upgrades required by Subsection 33.258.070.D. However, the upgrades required by this chapter must be completed first.

(2) Thresholds triggering compliance. The standards of B.2.b, above, must be met when the value of the proposed alterations on the site, as determined by BDS, is more than $148,700. Alterations and improvements stated in 33.258.070.D.2.a do not count toward the thresholds.

(3) Area of required improvements. Except as provided in 33.258.070.D.2.c(2), Exception for Sites With Ground Leases, required improvements must be made to the entire site.

(4) Timing and cost of required improvements. The timing and cost of the required improvements is specified in 33.258.070.D.2.d. However, where 33.258.070.D.2.d refers to the standards listed in 33.258.070.D.2.b, the standards of B.2.b, above, are also included.

c. Side building setbacks. Buildings, garages, and covered accessory structures are not allowed within the side building setbacks within the first 100 feet from the designated resource. No more than 80 percent of the length of any site can be occupied by structures, excluding fences, as measured parallel to the scenic corridor. This standard applies to an entire attached housing project rather than to individual units.

d. Screening. All garbage cans, garbage collection areas, and mechanical equipment (including heat pumps, air conditioners, emergency generators, and water pumps) must be screened from view or not visible from the designated scenic corridor. Small rooftop mechanical equipment, including vents, need not be screened if the total area of such equipment does not exceed 10 square feet per structure.

e. Fences and hedges. The total maximum height of fences, hedges, and berms within the street setback, or first 20 feet from the designated resource if there is no street setback, is 3 1/2 feet. This provision does not apply to any required screening and buffering.

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

g. Preservation of trees. This provision does not apply if the property is regulated by state statutes for forest management practices. All trees 6 or more inches in diameter that are within the street setback (or first 20 feet if no setback exists) must be retained unless removal conforms to one or more of the following standards:

(1) The tree is located within the footprint or within 10 feet of existing or proposed buildings and structures attached to buildings, such as decks, stairs, and carports, or within 10 feet of a proposed driveway;

(2) The tree is determined by an arborist to be dead, dying or dangerous;

(3) The tree is on the Nuisance Plants List;

(4) The tree must be removed due to installation, repair, or maintenance of water, sewer, or stormwater services. For new installation of services, tree removal allowed under this provision is limited to a single 10 foot wide utility corridor on each site;

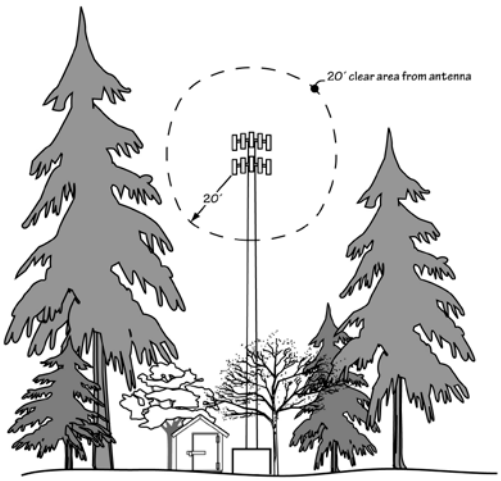
(5) The tree is within a proposed roadway or City-required construction easement, including areas devoted to curbs, parking strips or sidewalks, or vehicle areas;

(6) The tree is within 20 feet of a Radio Frequency Transmission Facility antenna that is a public safety facility. The distance to the antenna is measured vertically and horizontally from the edge of the antenna. See Figure 480-1; or

(7) The tree is at least 6 and up to 12 inches in diameter and does not meet any of the other standards of this subparagraph, but is replaced within the front setback (or first 20 feet if no setback has been established) by trees and shrubs listed in the *Scenic Resources Protection Plan* according to Table 480-1. Replacement plantings must meet Section 33.248.030, Plant Materials.

In addition to these provisions, property owners and others are encouraged to make every effort to locate buildings, easements, parking strips, sidewalks and vehicle areas to preserve the maximum number of trees.

Figure 480-1
Measuring from an RF Transmission Facility Antenna



f. The applicant must contribute $10.30 to the South Waterfront Public Open Space Fund (SWPOSF) for every square foot of floor area over 250 feet in height. The contribution to the SWPOSF must be made before the building permit is issued for the building. Contributions to the fund used to earn bonus floor area under 33.510.210.C.18, Open space fund bonus option, do not count towards meeting this requirement. Adjustments to this standard are prohibited.

g. The applicant must request advice from the Design Commission as described in 33.730.050.F. The design advice request must be submitted before the request for a pre-application conference. In providing their advice to the applicant, the Design Commission will consider protection and enhancement of public views from both the east and west, as identified in adopted plans; development of a diverse, varied and visually interesting skyline; and creation of a district that is visually permeable. These factors will be considered at different scales, including the site of the proposal, the site and adjacent blocks, and the subdistrict as a whole.

H. North Pearl Subarea height opportunity area.

1. Purpose. In the North Pearl Subarea, additional building height may be appropriate to support the goals of the North Pearl Plan. The regulations of this subsection:

- Promote the use of development bonus and transfer provisions to create and support a range of community amenities to serve the diversity of residents and employees in the Central City;
- Create a skyline and urban form that is visually permeable by providing visual access to locations within and beyond the subarea;
- Encourage the development of taller buildings that may accommodate a range and diversity of land uses;
- Result in a dynamic and varied skyline and urban form that contributes to the health, vibrancy, and livability of urban living;
- Shape building massings that allow light and air to penetrate to the street level, enhance pedestrian scale, and create a pleasant, versatile, and active public realm; and
- Provide flexibility to allow a range of uses and building types to be developed in a manner that fulfills the design objectives of this purpose statement.

Additionally, along the waterfront of the North Pearl Subarea the regulations of this subsection also:

- Increase access to sunlight along the greenway and within public and private open space areas developed along the waterfront;
- Develop a dense, active urban waterfront with a vibrant public realm;
- Work with the open area and waterfront development provisions of the North Pearl Subarea in the creation of well designed public and private urban open space amenities;
- Facilitate visual and physical access to and along the riverfront for all members of the public;
- Create expanded opportunities for views of the river as viewed from Naito Parkway and Front Avenue, landward portions of the subarea, and locations west of the subdistrict; and

- Ensure bonus height granted to sites adjacent to the Fremont Bridge does not significantly affect views of or diminish the aesthetic qualities of the bridge or its iconic stature in the Portland skyline.

2. Additional building height above the maximum height limits shown on Map 510-3 may be approved as a modification through design review if H.2.a and b are met, and either H.2.c or d. Except as specifically allowed, adjustments and modifications to this paragraph are prohibited.

   a. The site must be in the height opportunity area shown on Map 510-16.

   b. The floor area of the building above the maximum height limit shown on Map 510-3 must be:

      (1) Earned through bonus FAR provisions;

      (2) Transferred by a Central City Master Plan; or

      (3) Transferred from an Historic Resource in conformance with 33.510.200.H, Transfer of floor area from Historic Resources in specified areas.

   c. The regulations of this subparagraph apply to sites northeast of SW Naito Parkway. Building heights may be increased to 175 feet in the height opportunity area if the following are met:

      (1) The floors of the building above 100 feet are limited to 12,500 square feet in area or less; and

      (2) The length of any façade above 100 feet may not exceed 120 feet. However, a dimension of up to 150 feet may be requested as a modification through design review.

   d. The regulations of this subparagraph apply to sites southwest of SW Naito Parkway. For sites in the height opportunity area where the maximum height allowed for the site by Map 510-3 is 100 feet, applicants may choose to increase height using one of the options of this subparagraph.

      (1) Option One: The height may be increased to 175 feet if the length of any façade above 100 feet in height does not exceed 150 feet. However, a dimension of up to 180 feet may be requested as a modification through design review; or

      (2) Option Two: There is no maximum height limit if the following are met:

         - The floors of the building above 100 feet are limited to 12,500 square feet in area or less; and

         - The length of any façade above 100 feet may not exceed 120 feet. However, a dimension of up to 150 feet may be requested as a modification through design review.

13. Middle-income housing bonus option. Housing for middle-income residents receives bonus floor area. For each square foot of floor area certified by the Portland Development Commission, three square feet of bonus floor area is earned. To qualify for this bonus, the proposed development must meet all of the following requirements:

    a. The applicant must submit with the development application a letter from the Portland Development Commission (PDC) certifying that at least 30 percent of new dwelling units in the proposed development will be affordable to those earning no more than 150 percent of the area median family income;

    b. The property owner must execute a covenant with the City that complies with the requirements of 33.700.060. This covenant must ensure that:

        (1) Rental units used for this bonus will remain affordable to those earning no more than 150 percent of the area median family income for at least 60 years after an occupancy permit is issued; and

        (2) Units for sale used for this bonus will be initially sold at a price that is affordable to those earning no more than 150 percent of area median family income.

    c. Residential portions of mixed-use projects using this bonus must be completed and receive an occupancy permit in advance of or at the same time as an occupancy permit for any nonresidential portion of the project.

14. Small development site option. In the West End subarea, developments on small development sites receive floor area bonuses. To qualify for this bonus, the development site must be 15,000 square feet or less. The development site is all of the lots, lots of record, and plots proposed for the development, including accessory uses. Lots, lots of record, and plots that are under the same ownership, and that are vacant or used for surface parking, and that abut those proposed for the development are included in the development site.

    The amount of the bonus varies with the size of the development site, as follows:

    a. Where the development site is up to 5,000 square feet, the FAR is increased by 1.5;

    b. Where the development site is larger than 5,000 square feet and up to 10,000 square feet, the FAR is increased by 1.0;

    c. Where the development site is larger than 10,000 square feet and up to 15,000 square feet, the FAR is increased by 0.5.

15. Affordable Housing Replacement Fund bonus option. Contributors to the Affordable Housing Replacement Fund (AHRF) receive floor area bonuses. For each $21.00 contributed to the AHRF, one square foot of bonus floor area is earned, up to a maximum of two square feet per square foot of site area. To qualify for this bonus, the following requirements must be met:

    a. The applicant must submit with the development application a letter from the Portland Development Commission (PDC) documenting the amount that has been contributed to the AHRF;

b. The bonus floor area may be used only in the Central City plan district.

c. The Affordable Housing Replacement Fund is to be collected and administered by the Portland Development Commission (PDC). The funds collected may be used only within the Central City plan district, either for acquisition, rehabilitation, remodeling or construction of housing affordable to those households earning no more than 60 percent of area median income.

16. Below-grade parking bonus option. In the West End subarea, where parking on the site is located below grade, a bonus of two additional square feet of floor area is earned for each square foot of below-grade parking. To qualify for this bonus, the following requirements must be met:

    a. Except as allowed by Subparagraph C.15.c., all parking on the site must be below grade. This includes both commercial and accessory parking;

    b. Where accessory parking is off-site, it must be below grade; and

    c. One parking space per 5,000 square feet of site area may be on the ground floor of the building if both the parking spaces and any vehicles parked there are completely screened from all adjacent rights-of-way. These spaces do not qualify for bonus floor area.

17. Open Space bonus option. In the South Waterfront Subdistrict, 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. Open space that will earn bonus floor area under 33.510.210.C.9, South Waterfront Willamette River Greenway bonus option, may not be used to earn additional floor area under this bonus. To qualify for this bonus, the following requirements must be met:

    a. Size and dimensions. The open space must include at least 2,500 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; or

        (2) A public access easement must be provided that allows for public access to and use of all the open space;

    c. Maintenance. The property owner must execute a covenant with the City that ensures the installation, preservation, maintenance, and replacement, if necessary, of the open space features, and that meets the requirements of 33.700.060, Covenants with the City;

    d. Parks approval. The applicant must submit with the application for land use review a letter from Portland Parks and Recreation stating that the open space features meet the requirements of the bureau, and that the space is acceptable to the bureau; and

    e. The bonus floor area may be used only in the South Waterfront Subdistrict.

18. Open space fund bonus option. Contributors to the South Waterfront Public Open Space Fund (SWPOSF) receive floor area bonuses. For each $21.00 contributed to the SWPOSF, one square foot of bonus floor area is earned. To qualify for this bonus, the following requirements must be met:

    a. The applicant must submit with the application for land use review a letter from Portland Parks and Recreation documenting the amount that has been contributed to the SWPOSF;

    b. The bonus floor area may be used only in the South Waterfront Subdistrict; and

    c. The SWPOSF is to be collected and administered by Portland Parks and Recreation. The funds collected may be used only within the South Waterfront Subdistrict of the Central City plan district, either for acquisition, improvement, or maintenance of public open space or for bank restoration or improvement projects along the Willamette River.

19. Efficient family size unit housing bonus option. In the North Pearl Subarea shown on Map 510-1, new development that is designed for family housing receives bonus floor area. Adjustments and modifications to these standards are prohibited.

    a. Number of units. The proposal must include at least 20 efficient family size units.

    b. Size and bonus. The bonus earned varies with the size of the unit, as follows:

        (1) Units with three bedrooms that have no more than 1,200 square feet of floor area earn an additional 3 square feet of floor area for each square foot of area in the unit.

        (2) Units with two bedrooms that have no more than 1,000 square feet of floor area earn an additional 2 square feet of floor area for each square foot of area in the unit.

    c. Outdoor play area. The proposal must include an outdoor play area that is at least 1,400 square feet in area and is designed so that a 25-foot x 25-foot square will fit entirely within it. No portion of this area may be shared with any vehicle area. Outdoor play areas may be sited within plazas, courtyards, rooftop gardens, or similar open area features and may contain play equipment, sports courts, hard or soft surface areas, or other features that accommodate or facilitate play.

    d. Indoor common rooms. The proposal must include at least 400 square feet of indoor occupiable common space that is provided in one or more rooms that are not used for mechanical equipment or storage. These rooms must be accessible to all residents and each room must be at least 200 square feet in area.

D. General bonus heights. Bonus height is also earned at certain locations in addition to the bonus floor area achieved through the bonus options. Bonus height is in addition to the maximum heights of Map 510-3. Qualifying areas, shown on Map 510-3, are located such that increased height will not violate established view corridors, the preservation of the character of historical districts, the protection of public open spaces from shadow, and the preservation of the City's visual focus on important buildings (such as the Union Station Clock Tower).

The height bonus allowed is based on the floor area bonuses and transfers listed in Paragraph D.1., below. The amount of bonus height awarded is specified in Paragraphs D.2. and D.3., below.

1. The height bonus allowed is based on the following:

   a. The floor area bonus options of Subsection 33.510.210.C., above;

   b. The transfer of floor area from sites occupied by SROs, as allowed by Subsection 33.510.200.E; and

   c. The transfer of floor area from sites of Historic Landmarks, as allowed by the regulations of the base zones.

2. In areas qualifying for a height bonus, on sites up to 40,000 square feet in area, the amount of bonus height awarded is based on the following schedule:

   a. For achieving a bonus floor area ratio of at least 1 to 1, but less than 2 to 1, a height bonus of 15 feet is earned.

   b. For achieving a bonus floor area ratio of at least 2 to 1, but less than 3 to 1, a height bonus of 30 feet is earned.

   c. For achieving a bonus floor area ratio of 3 to 1, a height bonus of 45 feet is earned.

3. In areas qualifying for a height bonus, on sites larger than 40,000 square feet in area, the amount of bonus height awarded is based on the following schedule. The height bonus is applied only to the building where the bonus floor area is achieved or transferred, not to the entire site:

   a. For achieving bonus floor area of at least 40,000 square feet, but less than 80,000 square feet, a height bonus of 15 feet is earned.

   b. For achieving bonus floor area of at least 80,000 square feet, but less than 120,000 square feet, a height bonus of 30 feet is earned.

   c. For achieving bonus floor area of 120,000 square feet or more, a height bonus of 45 feet is earned.

E. Bonus height option for housing.

1. Generally. In the bonus height areas, building heights may be allowed to be greater than shown on Map 510-3 if the bonus height is for housing. Although this subsection allows the review body to approve bonus height, the review body may also require reconfiguration of the building, including reducing its height, and may approve all, some or none of the bonus height requested, based on application of the criteria in E.4, below.

2. Standard. The maximum height bonus that may be allowed is 75 feet.

(2) The area must be at least 25 feet deep, measured from the street-facing façade;

(3) The area may be designed to accommodate a single tenant or multiple tenants. In either case, the area must meet the standard of the Accessibility Chapter of the State of Oregon Structural Specialty Code. This code is administered by BDS; and

4. The street-facing façade must include windows and doors.

33.510.253 Greenway Overlay Zone in South Waterfront Subdistrict

A. Purpose. The regulations of this section:

1. Protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along the Willamette River within the South Waterfront Subdistrict of the Central City plan district;

2. Increase public access to and along the Willamette River for the purpose of increasing recreational and transportation opportunities;

3. Support the development of the South Waterfront Subdistrict as a vibrant mixed-use neighborhood within the Central City plan district;

4. Ensure a clean and healthy river for fish, wildlife, and people;

5. Embrace the river as Portland's front yard;

6. Enhance stormwater management in the South Waterfront Subdistrict;

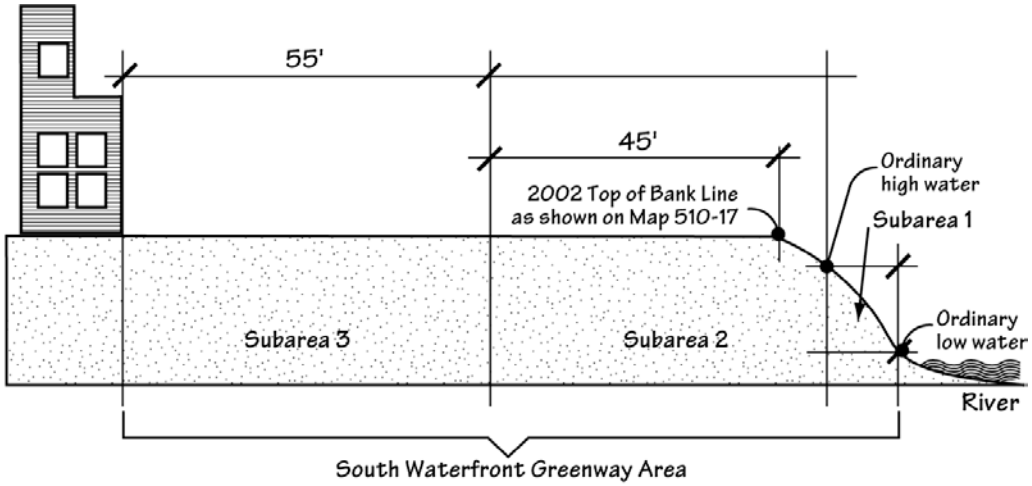
7. Respond to the federal *Endangered Species Act* and *Clean Water Act*; and

8. Implement the *Willamette Greenway Plan* and State law.

B. Relationship to other regulations. Development within the Greenway Overlay Zone in the South Waterfront Subdistrict is also subject to other regulations of the Portland City Code. Development within the Greenway Overlay Zone may also be subject to the regulations and review procedures of state and federal agencies including the Oregon division of State Lands, the National Marine fisheries Service, the US Army Corps of Engineers, and the Oregon Department of Fish and Wildlife.

C. Where these regulations apply. The regulations of this section apply to sites within the South Waterfront Subdistrict where any portion of the site is in the Greenway Overlay Zone, shown on the Official Zoning Map.

Figure 510-2
South Waterfront Greenway Area and Subareas



Greenway Area = from ordinary low water to 100' from 2002 Top of Bank Line as shown on Map 510-17

Subarea 1 = from ordinary low water to ordinary high water

Subarea 2 = from ordinary high water to 45' in from 2002 Top of Bank Line as shown on Map 510-17

Subarea 3 = from 45' in from top of bank to 100' in from 2002 Top of Bank Line as shown on Map 510-17

D. Required South Waterfront Greenway improvements. Adjustments and modifications to this subsection are prohibited.

1. Required landscaping.

   a. When development on the site, or alterations to structures, the site, or rights-of-way are made, and BDS determines that the value of the proposed alterations on the site is more than $148,700, the site must be brought into conformance with the landscape requirements of Paragraph E.5.f. that apply to subareas 2 and 3 of the South Waterfront Greenway Area. The value of the alterations is based on the entire project, not individual building permits. It is the responsibility of the applicant to document the value of the required improvements.

      The following alterations and improvements do not count toward the dollar threshold of this subsection:

      (1) Alterations required by approved fire/life safety agreements;

      (2) Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;

      (3) Alterations required by Chapter 24.85, Interim Seismic Design Requirements for Existing Buildings;

      (4) Improvements to on-site stormwater management facilities in conformance with Chapter 17.38, Drainage and Water Quality, and the Stormwater Management Manual; and

meet the minimum size and shape requirements of Chapter 33.614 and Chapter 33.615, outside of land zoned environmental protection.

13. Location and design of any trail or recreation facilities must conform to standards of the Columbia South Shore plan district. All new trail easements must be in the outer 25 feet of the environmental zone, except as necessary to connect to existing easements or trails on adjacent sites.

14. Construction of the trail or recreation facilities cannot result in the removal of trees more than 6 inches in diameter, measured 4-1/2 feet above the ground, and are not required to be located within wetlands subject to state or federal regulations.

15. Staging areas for slough and drainageway maintenance may have up to 5,000 square feet of gravel, paving, structures, or other ground-disturbing uses or activities exclusive of an access road. Access roads within an environmental zone may be up to 300 feet in length.

16. Water levels in the slough will be maintained at an elevation of between 5 and 10 feet mean sea level in order to preserve wetlands that are protected by an Environmental zone. An exception to this standard is for maintenance or emergency situations when a lower level is necessary.

17. Nonconforming situations

    a. Required improvements.

        (1) Paved areas in Environmental Overlay Zones. When the value of proposed alterations on the site, as determined by BDS, is more than $148,700, paved areas that do not meet plan district regulations must be removed from environmental zoned areas. The value of the alterations is based on the entire project, not individual building permits.

        (2) Unpaved exterior areas. When development is proposed or alterations are made to a site, unpaved exterior improvements must comply fully with development standards.

        (3) The cost of meeting the standards of B.17.a(1) and (2), above, may be counted toward the cost of upgrades required by Subsection 33.258.070.D. However, the requirements of B.17.a(1) and (2) must be met first.

    b. Area of required improvements. Except as provided in 33.258.070.D.2.c(2), Exception for Sites With Ground Leases, required improvements must be made to the entire site.

    c. Timing and cost of required improvements. The timing and cost of the required improvements is specified in 33.258.070.D.2.d. However, where 33.258.070.D.2.d refers to the standards listed in subparagraph 33.258.070.D.2.b, the standards of B.17.a(1) and (2), above, are also included.

    d. Removal of existing bridges, utilities, or public improvements is not required.

18. Land divisions. The following standards apply to land divisions where at least half of the site is within an environmental zone:

a. In residential zones, at least 40 percent of the land division site not in streets must be devoted to open areas;

b. In nonresidential zones, at least 20 percent of the land division site not in streets must be devoted to open areas; and

c. In all zones, at least half of the open area must be in common ownership.

33.515.280 Columbia South Shore Environmental Review

A. Purpose of the review. Environmental review of uses and development in the Environmental zones is intended to provide adequate protection for the identified natural resources. The review provides for flexibility and reasonable development opportunities when development is sensitive to the special environmental concerns of the site. Within the plan district, the applicant should be aware that if an archaeological resource exists on an area to be removed from environmental zones, the protection measures of 33.515.262 still apply.

B. Modifying Environmental Zone boundaries. Environmental zone boundaries may be modified by the City as the result of and concurrent with approving development in a natural resource area. The boundaries may be modified for either of the two situations stated below. All other requests for boundary changes are processed as a change of an overlay zone, as stated in Chapter 33.855, Zoning Map Amendments.

1. Creation of new resource areas. The environmental protection zone will be expanded as part of the environmental review to include areas identified for mitigation.

2. Loss of existing resource areas. The environmental zone may be removed from an existing natural resource zoned environmental conservation where approved development will eliminate the natural resource. The zoning designation will not be removed until after all required mitigation measures have been completed.

C. Procedures. All required reviews are processed through a Type II procedure.

D. Approval criteria.

1. Fill or destruction of a natural resource in an environmental conservation zone will be approved if the review body finds that:

a. All resource values listed in Figure 2-3 of the *Natural Resources Protection Plan for the Columbia South Shore* being altered or destroyed will be replaced through mitigation. If the mitigation site is within a protected resource, values that already exist do not count towards mitigation;

b. The mitigation area is in the Columbia South Shore plan district and abuts or is within a protected resource;

c. If the mitigation area abuts a protected resource, the mitigation area will be at least 110 percent of the size and values of the altered resource area;

d. If the mitigation area is within a protected resource:

CHAPTER 33.560
NORTH CULLY PLAN DISTRICT

(Added by Ord. No. 165190, effective 4/10/92. Amended by: Ord. No. 167650, effective 6/10/94; Ord. No. 181357, effective 11/9/07.)

Sections:
33.560.010 Purpose
33.560.020 Where the Regulations Apply
33.560.030 Procedures
33.560.040 Submittal Requirements
33.560.050 Approval Criteria
33.560.060 Amendments to an Approved Development Plan
Map 560-1 North Cully Plan District

33.560.010 Purpose
The regulations of the North Cully Plan District are intended to ensure compatible redevelopment of certain large parcels as set forth in the Cully Neighborhood Plan. These parcels are developed with gravel pits, a number of smaller, older single family dwellings and trailer parks with redevelopment probable in the next two decades. Properties should be developed in a cohesive pattern in order to encourage compatible development with the neighborhood to the south. North Cully Development review is a master plan review which will ensure compatibility and cohesive design.

33.560.020 Where the Regulations Apply
The regulations for North Cully Development review apply to development within the North Cully Plan District. The boundaries are shown on Map 560-1 at the end of this chapter and on the official zoning map. New construction, building additions and land divisions within the Plan District are regulated by this chapter. Sites under 5 acres and improvements with a value less than $203,600 and modifications to existing single family dwellings and trailer park facilities are exempt from review.

33.560.030 Procedures
Requests for a North Cully Development review are processed through a Type III procedure.

33.560.040 Submittal Requirements
All North Cully Development review applications must comply with 33.730.060, Application Requirements, and the following:

A. General statement. Applications must include a narrative which describes the development plans for the duration of the development plan and an explanation of how the proposed plan meets the Cully Neighborhood Plan.

B. Boundaries of the use. All application submittals must show the current boundaries and possible future boundaries of the development for the duration of the development plan. The boundaries must show all the adjacent properties owned or under the control of the applicant.

C. Uses and functions. All applications must include a description of present and proposed uses.

D. Site plan. All applications must include a site plan, showing the existing and proposed temporary and permanent buildings and other structures, the pedestrian and vehicular circulation system, parking areas, open spaces, and other improvements required by the zoning regulations. All development plans must show the paved areas, landscaping, physical constraints including soil or geologic instablity or anomalies. Conceptual plans for possible future uses will be included when possible, but will require an amendment to the approved plan if the location of facilities is changed or not included in the approval decision.

E. Urban services. All application submittals must show the location and size of urban services. Urban services include but are not limited to: water, stormwater, sewers, streets, fire hydrants and private utilities. Applicants should work with the affected service agency to resolve service concerns prior to application. Utilities should be underground wherever possible.

F. Land divisions. All application submittals must show how land divisions will not fragment the site or cause piecemeal development. A separate land division application will be required. Land divisions will not be approved prior to the North Cully Development review. A concurrent land division application is encouraged.

G. Other reviews. If other reviews are required, the North Cully Development review master plan must include information on any other discretionary reviews. If requested as part of the plan approval, all applicable criteria must be met.

H. Area south of NE Killingsworth. Excavation or mining and filling of sites located south of NE Killingsworth will terminate by December 2002. If excavation or filling activities are proposed to continue past this date, the site will be subject to North Cully Development review.

33.560.050 Approval Criteria

All North Cully Development review applications must meet the following approval criteria.

A. The applicable goals and objectives of the adopted neighborhood plan will be met.

B. The boundaries of the North Cully Development review application coincide with one of the subareas as shown in the adopted Cully Neighborhood Plan or adequate rationale is provided for any deviation.

C. The uses proposed are allowed in the base zone and overlay zones.

D. Public services for water supply, streets, police and fire protection are capable of serving the proposed development and sanitary waste disposal, stormwater disposal systems, streets and traffic circulation meet the requirements of Title 17.

E. The development plan shows a completely developed site which is compatible with the surrounding area. In a phased development, the code requirements will be met at each phase in development.

F. Any land division proposed as part of the application must facilitate the goals and objectives of the adopted Cully Neighborhood Plan and must not cause piecemeal or fragmented development.

Special Notification Requirements in the Airport Subdistrict

33.565.310 Mailed Public Notice for Proposed Development

When development is proposed within the Airport Subdistrict, all of the steps in this section must be completed before an application for a building or zoning permit is submitted.

A Purpose. Mailed public notice informs interested neighborhood associations and district neighborhood coalitions of proposed airport development that is not subject to a land use review and provides them with an opportunity to attend a public meeting to get more information and discuss the proposed development.

B. Where and when mailed public notice is required. Proposals that were part of a land use review are exempt from the requirement of this subsection. Mailed public notice is required in the IG2 zone:

1. When the proposed development will add more than 10,000 square feet of gross building area to the site; or

2. When the value of the proposed development will exceed $540,000.

C. Requirements. The requirements for mailed public notice are:

1. The applicant must send a letter to the neighborhood associations and district neighborhood coalitions of the site or adjacent to the site, by registered or certified mail. The letter must contain, at a minimum, contact information for the applicant, the date, time and location that the project will be presented at a public meeting and a description of the proposed development, including the purpose of the project, total project square footage and project valuation. The letter must be sent at least 14 days before the public meeting where the project will be presented.

2. Copies of letters required by this section, and registered or certified mail receipts, must be submitted with the application for building or zoning permit.

33.565.320 Posted Public Notice Requirements for Land Use Reviews

Posting of notice on the site is required for Type III land use reviews. The requirements for posting notices in Section 33.730.080 apply to sites in the plan district zoned IG2; however, the number and location on the site, specified in Subsection 33.730.080.A, are superseded by the requirements of this section.

A. Outdoor notices. Posted notices must be placed at the following outdoor locations:

1. At each of the two main crosswalks in the arrivals roadway area; and

2. At each of the two pedestrian bridges to the P1 parking garage.

B. Indoor notices. Posted notices must be placed at the following locations inside the terminal building and must be visible to passengers and others in the building:

1. On the second floor of the terminal at each of the two main escalators;

2. On the second floor at each of the two circulation throats; and

3. On the first floor of the terminal at each of the two main escalators.

C. Roadway notice. One posted notice must be placed along a roadway within 800 feet of the proposed structure or development activity. If the nearest roadway is more than 800 feet from the proposed structure or development activity, the notice must be placed at the intersection closest to the proposed structure or development activity.

Environmental Overlay Zones

33.565.500 Purpose

The environmental regulations in the Portland International Airport plan district work in conjunction with the standards of Chapter 33.430 to:

- Protect inventoried significant natural resources and their functional values specific to the plan district, as identified in the Comprehensive Plan;
- Address activities required to manage Port facilities, drainageways and wildlife on and around the airfield for public and avian safety;
- Address resource mitigation and enhancement opportunities consistent with managing wildlife and vegetation on and around the airfield for public safety; and
- Encourage coordination between City, county, regional, state, and federal agencies concerned with airport safety and natural resources.
- Protect inventoried significant archaeological resources where those resources overlap with an environmental protection zone or environmental conservation zone.

33.565.510 Relationship to Other Environmental Regulations

The regulations of Sections 33.565.510 through 33.565.580 are supplemental to or supersede the regulations of Chapter 33.430. Whenever a provision of this plan district conflicts with Chapter 33.430, the plan district provision supersedes.

Specifically, the following sections of Chapter 33.430 are superseded or supplemented by the regulations of sections 33.565.510 through 33.565.580:

- Exemptions in 33.565.540 supplement section 33.430.080;
- Standards in 33.565.560 supplement, with portions superseding, sections 33.430.140 through .190;
- Procedures for Environmental Review, section 33.430.230, are superseded by section 33.565.580 when Wildlife Hazard Management is proposed;
- Submittal requirements for Environmental Reviews of section 33.430.240 are superseded and supplemented by 33.565.580;
- Environmental Plan Check notice and review procedures of 33.430.410 through .430 are completely superseded by Sections 33.565.600 through .620.

This chapter contains only the City's environmental regulations. Activities which the City regulates through this chapter may also be regulated by other agencies. City approval does not imply approval by other agencies.

33.565.520 Where and When These Regulations Apply

The regulations of Sections 33.565.510 through 33.565.580 apply to all environmental zones in the Portland International Airport plan district. The boundaries of this plan district and the subdistricts are shown on Map 565-1. Unless exempted by section 33.565.540, the regulations of Sections 33.565.510 through 33.565.580 apply to the

CHAPTER 33.825
DESIGN REVIEW

(Amended by: Ord. No. 169987, effective 7/1/96; Ord. No. 171219, effective 7/1/97; Ord. No. 171589, effective 11/1/97; Ord. No. 174325, effective 5/5/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. 176742, effective 7/31/02; Ord. No. 177701, effective 8/30/03; Ord. No. 177920, effective 11/8/03; Ord. No. 178423, effective 6/18/04; Ord. No. 178452, effective 7/10/04; Ord. No. 178509, effective 7/16/04; Ord. No. 179092, effective 4/1/05; Ord. No. 181357, effective 11/9/07; Ord. No. 182072, effective 8/22/08; Ord. No. 184016, effective date 08/20/10; Ord. No. 185915, effective 5/1/13.)

Sections:

33.825.010 Purpose
33.825.025 Review Procedures
33.825.035 Factors Reviewed During Design Review
33.825.040 Modifications That Will Better Meet Design Review Requirements
33.825.055 Approval Criteria
33.825.065 Design Guidelines
33.825.075 Relationship to Other Regulations
Map 825-1 Area Where Models of Proposals Are Required
Map 825-2 Albina Community Plan Area
Map 825-3 Outer Southeast Community Plan Area
Map 825-4 Southwest Community Plan Area

33.825.010 Purpose

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area and to promote quality development near transit facilities. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

33.825.025 Review Procedures

This section lists procedures for design review for proposals in design overlay zones. These procedures also apply where design review is required by the regulations of a plan district or overlay zone, or as a condition of approval of a quasi-judicial decision. Procedures for design review vary with the type of proposal being reviewed and the design district in which the proposal's site is located.

The procedures stated in this section supersede procedural and threshold statements in the City's adopted design guidelines documents.

A. Procedures for design review. Procedures for design review vary with the type of proposal being reviewed and the design district in which the site is located. Design review in some design districts requires an additional procedural step, the Neighborhood Contact requirement, as set out in Section 33.700.025, Neighborhood Contact. Some proposals in the Central City plan district must provide a model of the approved proposal, as set out in Paragraph A.5, below.

1. Type III. The following proposals are processed through a Type III procedure:

   a. Proposals in the Downtown Design District that are over 1,000 square feet in area, or require an exterior alteration and have a value over $417,500;

   b. Proposals in the River District Design District that are over 1,000 square feet in area, are in a CX or OS zone, and have a value over $417,500;

c. Proposals in the Terwilliger Parkway Design District that will be visible from Terwilliger Boulevard, other than single-dwelling development;

d. Proposals in the a, Alternative Design Density Overlay Zone, that are using the provisions of Section 33.405.050, Bonus Density for Design Review; or

e. Proposals in the following design districts with a value over $2,087,400:

(1) Lloyd District;

(2) Central Eastside District;

(3) Goose Hollow District;

(4) River District;

(5) South Waterfront District;

(6) South Auditorium Plan District;

(7) Areas subject to design review within the Central City plan district, except Lower Albina;

(8) Macadam Design District; and

(9) Design overlay zones not included in a design district that has its own design guidelines, except for proposals listed in Paragraph A.2, below.

f. Proposals in the Gateway Design District that have a value over $2,087,400, or will be included in a Gateway master plan.

2. Type II. The following proposals are processed through a Type II procedure:

a. Proposals in the Downtown Design District that are up to 1,000 square feet in area, or require an exterior alteration with a value of $417,500 or less;

b. Proposals in the River District Design District that are up to 1,000 square feet in area and are in a CX or OS zone, and have a value of $417,500 or less;

c. Proposals in the design districts identified in Subparagraph 1.e that have a value of $2,087,400 or less;

d. Proposals for single-dwelling developments in the Terwilliger Parkway Design District that will be visible from Terwilliger Boulevard;

e. Proposals in the Southwest Community Plan area's design overlay zones, except for the following proposals:

(1) Proposals in the Macadam Design District;

(2) Proposals in the Terwilliger Parkway Design District; and

(4) By increasing the number of units within existing net building area already in residential use, for example, by converting a duplex to a triplex;

b. Proposals that create more than 10,000 square feet of gross building area for uses in the Commercial or Industrial use categories; or

c. Proposals in the IR zone where the site is not covered by an Impact Mitigation Plan or Conditional Use Master Plan.

2. For Historic Landmarks, including those in Historic Districts or Conservation Districts, when proposals are not exempt from review as specified in Subsection 33.445.140.B, the review procedure is determined by Table 846-1, below:

Table 846-1
Procedure Types for proposals affecting Historic Landmarks

Proposal	Zone	Threshold	Procedure
Alterations of a landmark-designated interior public space	All	Project value > $417,500	Type III
		Project value < $417,500	Type II
Mechanical equipment	All	Exterior	Type Ix
Awnings	All	New or replacement	Type Ix
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > $417,500	Type III
		Project value < $417,500	Type II

3. For Conservation Landmarks, including those in Historic Districts or Conservation Districts, when proposals are not exempt from review as specified in Subsection 33.445.230.B, the review procedure is determined by Table 846-2, below:

Table 846-2
Procedure Types for proposals affecting Conservation Landmarks

Proposal	Zone	Threshold	Procedure
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

4. For Historic Districts, excluding Historic or Conservation Landmarks, when proposals are not exempt from review as specified in Subsection 33.445.320.B, the review procedure is determined by Table 846-3, below:

Table 846-3
Review procedures for proposals within Historic Districts

Proposal	Zone	Threshold	Review Type
New structure	All	Project value > $417,500	Type III
		Project value < $417,500	Type II
New accessory structure	RF-RH		Type I
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF-RH	Affected façade area < 150 sq. ft.	Type I
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All	Project value > $417,500	Type III
		Project value < $417,500	Type II

5. For Conservation Districts, excluding Historic or Conservation Landmarks, when proposals are not exempt from review as specified in Subsection 33.445.420.B, the review procedure is determined by Table 846-4, below:

Table 846-4
Review procedures for proposals within Conservation Districts

Proposal	Zone	Threshold	Review Type
New structure	All		Type II
New accessory structure	RF-RH		Type I
Signs	C, E, I, RX	Sign area < 150 sq. ft.	Type Ix
Alteration to the exterior of a structure	C, E, I, RX	Affected façade area < 500 sq. ft.	Type Ix
Alteration to the exterior of a structure	RF-RH	Affected façade area < 150 sq. ft.	Type I
Historic restoration	RF-RH		Type I
Any other non-exempt exterior alteration or historic restoration proposal	All		Type II

C. Phased proposals.

1. For phased proposals. Applicants may submit design plans for a phase proposal, provided the application includes adequate information to allow review of all phases of the proposal, including anticipated timelines.

aquifer in which the groundwater level and flow characteristics are influenced by the withdrawal of groundwater (areas of influence).

Group Living Structure. See Residential Structure Types.

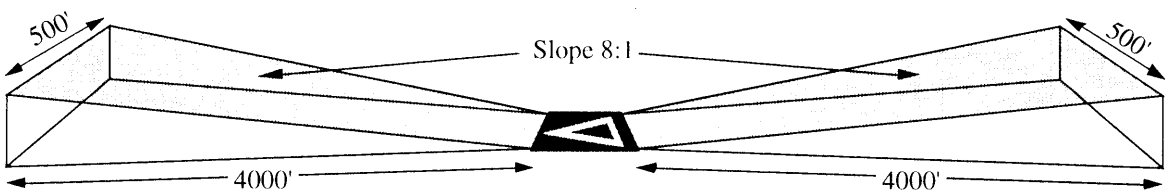
Hazardous Substances. Any substance, material, or waste listed below:

- Nuclear or radioactive materials or waste;
- Chemicals listed in Title III List of Lists: *Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986*, published July, 1987, U.S. Environmental Protection Agency; and
- Hazardous Materials Table, in the Code of Federal Regulations (CFR), Title 49, Part 172.101.

Heavy Truck. See Truck under Vehicle Types.

Helicopter Approach-Departure Flight Path. The approved route used by helicopters when approaching or departing from a helicopter landing facility. In general, the helicopter approach-departure flight path has dimensions as follows: 1) It is a trapezoid-shaped plane; 2) its inner width is the same as the width of the landing pad and its outer width is 500 feet at a distance of 4,000 feet from the landing pad; and 3) it has a slope of 1 (vertical) to 8 (horizontal). See Figure 910-3. See also, FAA Heliport Design Guide for more detailed flight path standards and requirements.

Figure 910-3
Helicopter Approach-Departure Flight Paths



A landing pad with two approach-departure flight paths.

Helicopter Landing Facility (HLF). Any area used for the landing and take off of helicopters including heliports, helipads, and helistops. Peripheral areas, hangars, parking pads, passenger terminals, and helicopter service areas are also part of such facilities.

- **Private Helicopter Landing Facility.** A helicopter landing facility which is restricted to use by the owner or by persons authorized by the owner. Such facilities cannot be used by the general public and are restricted to specific users and purposes.

- **Public Helicopter Landing Facility.** A helicopter landing facility which is open to use by the general public, and where helicopter landings do not require prior permission of the owner. It may be owned by a public agency, an individual, or other legal entity as long as it is open for public use.

Helicopter Trip. Each landing or take-off of a helicopter. A landing and a take-off is counted as two trips.

Historic Landmark. See Historic Resource-Related Definitions.

Historic Landmark Tree. A tree designated by the Historic Landmarks Commission because of its historical or cultural significance.

Historic Resource. See Historic Resource-Related Definitions.

Historic Resource-Related Definitions

- **Conservation Landmark.** A Conservation Landmark may include buildings, a portion of a building, sites, trees, statues, signs, or other objects or spaces that the City has designated or listed for their special historic, cultural, archaeological, or architectural merit. They are primarily of local or neighborhood importance.

- **Contributing Resource.** An associated building, site, structure, or object that adds to the historic associations, historic architectural qualities, or archeological values that make a Historic Landmark, Conservation Landmark, Historic District or Conservation District significant, as identified in the documentation prepared for the listing or designation of the landmark or district.

- **Historic Landmark.** A Historic Landmark designations may include buildings, a portion of a building, sites, trees, statues, signs, or other objects or spaces that the City or the Keeper of the National Register of Historic Places has designated or listed for their special historic, cultural, archaeological, or architectural merit.

- **Historic Resource.** A place, structure or object that has historic significance. Historic Resources include:
  - Historic Landmarks, including those that are listed in the National Register of Historic Places;
  - Conservation Landmarks;
  - Conservation Districts;
  - Historic Districts, including those listed in the National Register of Historic Places;
  - Structures or objects that are identified as contributing to the historic significance of a Historic District or a Conservation District; and
  - Structures or objects that are included in the Historic Resources Inventory.

- **Historic Resources Inventory.** A documentation and preliminary evaluation of the significance of historic resources. Information for each resource may include a photograph, the year the resource was constructed, the builder or architect, original owner, significant features, architectural style, and in most cases, a ranking of significance.

- **Historic Restoration.** Actions undertaken to accurately depict the form, features, and character of a historic resource as it appeared at a particular period of time. This is done by removing features not from that particular period, and reconstructing missing features from that particular period.

- **Historic Value.** A physical, aesthetic, scenic, educational, or other characteristic which is a reminder of important events or developments in Portland's past.

- **Replacement.** Actions to substitute one material or system for another.

Historic Resources Inventory. See Historic Resource-Related Definitions.

Historic Restoration. See Historic Resource-Related Definitions.