

Update Packet #160 (effective 10/22/13)

This Code update is to fix typos and formatting/printing issues only and is effective October 22, 2013.

Code Update Packet: 160
Effective Date: October 22, 2013
Contact: Julie Ocken, (503-823-6041)
Amends Chapter: 33.110, 33.120, 33.555, 33.730, 33.855, 33.920

CONTENTS OF UPDATE PACKET #160 (effective October 22, 2013)

Chapter	Remove Pages	Insert Pages	Changed because of:
110	37-38	37-38	Typos
120	51-52	51-52	Typos
555	3-6	3-6	Typos
730	13-14	13-14	Typos
855	3-6	3-6	Typos
920	17-18	17-18	Typos

Substantive Changes:

Fix typos and formatting/printing issues only

Figure 110-13
Street Lot Line Setback

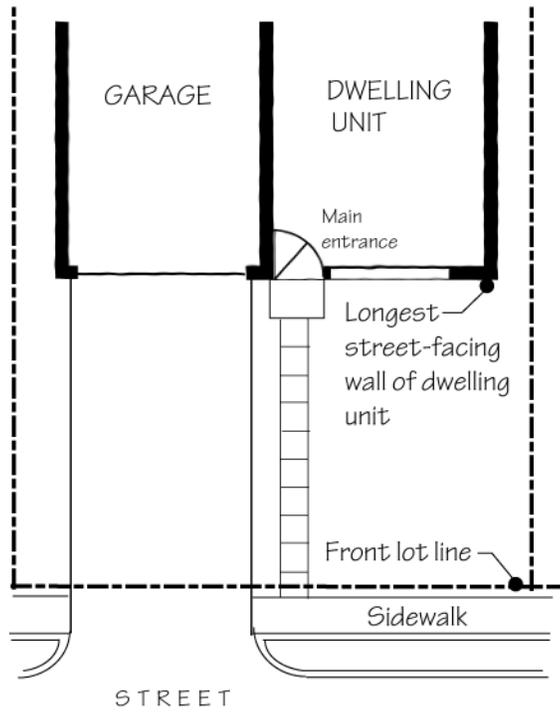
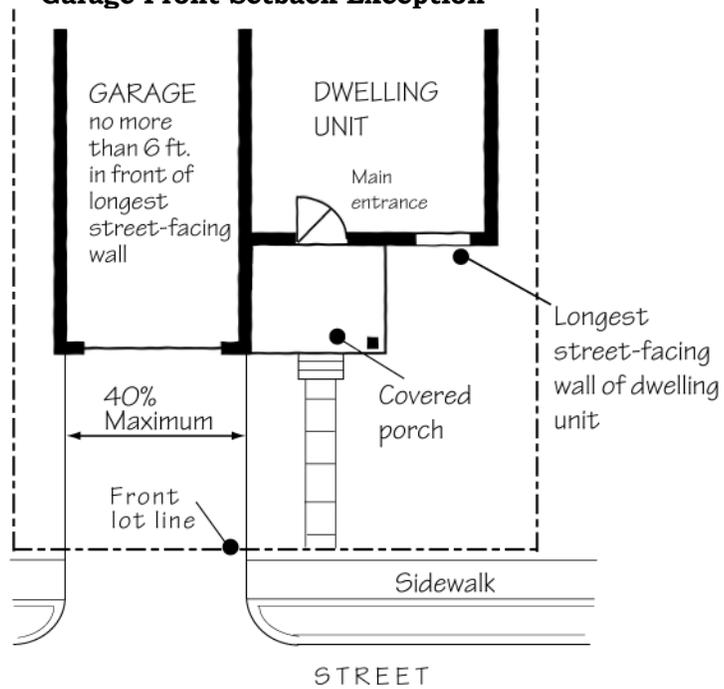


Figure 110-14
Garage Front Setback Exception



33.110.255 Fences

- A. Purpose.** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.
- B. Types of fences.** The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.
- C. Location and height.**
1. Front building setbacks. Fences up to 3-1/2 feet high are allowed in required front building setbacks.
 2. Side and rear building setbacks.
 - a. Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a pedestrian connection.
 - b. Fences abutting a pedestrian connection.
 - (1) Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
 - (2) Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
 3. Exceptions for corner lots. On corner lots, if the main entrance is on the façade facing the side street lot line, the applicant may elect to meet the following instead of C.1 and C.2. See Figure 110-15.
 - a. Fences up to 3-1/2 feet high are allowed within the first 10 feet of the side street lot line.
 - b. Fences up to 3-1/2 feet high are allowed in required setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide;
 - c. Fences up to 8 feet high are allowed in the required front building setback, outside of the area subject to 3a.
 - d. Fences up to 8 feet high are allowed in all other side or rear building setbacks.
 4. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.

33.120.285 Fences

- A. Purpose.** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access, lessen solar access, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.
- B. Types of fences.** The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.
- C. Location and height.**
1. Street building setbacks.
 - a. Measured from front lot line. Fences up to 3-1/2 feet high are allowed in a required street building setback, or within the first 5 feet, whichever is greater, measured from a front lot line.
 - b. Measured from a side lot line. Fences up to 8 feet high are allowed in a required street building setback that is measured from a side lot line.
 2. Side and rear building setbacks.
 - a. Fences up to 8 feet high are allowed in required side or rear building setbacks that do not abut a pedestrian connection.
 - b. Fences abutting a pedestrian connection.
 - (1) Fences up to 8 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is at least 30 feet wide.
 - (2) Fences up to 3-1/2 feet high are allowed in required side or rear building setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide.
 3. Exception for corner lots in R3 and R2 zones. On corner lots in the R3 and R2 zones, if the main entrance is on the façade facing the side street lot line, the applicant may elect to meet the following instead of C.1. and C.2.:
 - a. Fences up to 3-1/2 feet high are allowed within the first 10 feet of the side street lot line.
 - b. Fences up to 3-1/2 feet high are allowed in required setbacks that abut a pedestrian connection if the pedestrian connection is part of a right-of-way that is less than 30 feet wide;
 - c. Fences up to 8 feet high are allowed in the required front building setback, outside of the area subject to 3a.

- d. Fences up to 8 feet high are allowed in all other side or rear building setbacks.
4. Not in building setbacks. The height for fences that are not in required building setbacks is the same as the regular height limits of the zone.

D. Reference to other regulations.

1. Building permits. Building permits are required by the Bureau of Development Services, for fences over 6 feet in height.
2. Fence materials regulated by other bureaus. Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

33.120.290 Demolitions

The demolition of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.

33.120.300 Nonconforming Development

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

33.120.305 Parking and Loading

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

33.120.310 Signs

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

33.120.315 Street Trees

Street trees are required for all developments by the City Forester. See Chapter 20.40, Street Trees and Other Public Tree Regulations.

subdistrict. This limitation applies to the floor area of the three use categories added together.

33.555.130 Additional Conditional Uses in Subdistricts A through D

The following are conditional uses in Subdistricts A, B, C, and D:

- A. Household Living.** Household Living in multi-dwelling structures is a conditional use. The approval criteria are 33.815.130.B, C, and E. Household Living in other structure types is prohibited.
- B. Rail Lines And Utility Corridors.** Rail Lines And Utility Corridors are a conditional use.

33.555.140 Basic Utilities in the OS Zone

Suspended cable transportation systems are allowed in the OS zone. All other Basic Utilities are regulated by the base zone.

33.555.150 Impacts of a Suspended Cable Transportation System in the OS Zone

In those portions of the plan district within the OS Zone, a suspended cable transportation system is subject to Section 33.262.050, Noise; Section 33.262.060, Vibration; and Section 33.262.080, Glare. These regulations must be met only within those portions of the plan district within the OS Zone.

33.555.160 Temporary Activities in the OS Zone

Staging areas for institutional development are allowed in the OS Zone subject to the requirements stated in Paragraph 33.296.030.A.7.

Development Standards

33.555.200 Purpose

The development standards of this chapter foster a dense urban institutional campus with an emphasis on attractive, well-designed buildings, and a positive and well-designed pedestrian environment. The standards also help establish an attractive transition between institutional development and adjacent residential development, Terwilliger Parkway, and undeveloped open areas.

33.555.210 Relationship to Base Zone Regulations.

If not addressed by the development standards of this plan district, the development standards of the base zone apply; however, development in the plan district is exempt from the following standards:

- A.** Paragraph 33.140.215.B.2, Building setbacks on a transit street or in a pedestrian district;
- B.** Section 33.140.230, Ground Floor Windows in the EX Zone;
- C.** Section 33.140.240, Pedestrian Standards;
- D.** Section 33.140.242, Transit Street Main Entrances;

- E.** Section 33.266.100.C, Calculations of Amounts of Required and Allowed Parking;
- F.** Section 33.266.115, Maximum Allowed Parking Spaces;
- G.** Section 33.266.130.C, On-site Locations of Vehicle Areas; and
- H.** Sections 33.266.300 through 33.266.310, Loading.

33.555.220 Drive-Through Facilities

- A. Purpose.** Drive-through facilities are not allowed within the plan district as such facilities and the uses they serve are not consistent with those uses typically associated with institutional uses, with the exception of facilities that support the purposes of a medical institutions, such as a drive-through facility associated with a pharmacy.
- B. Standard.** Drive-through facilities are not allowed.

33.555.230 Maximum Height

- A. Purpose.** The height limits in the plan district protect views and create a “step-down” effect towards adjacent areas to the east, south, and west.
- B. Height regulations in Subdistricts A through D.** The regulations of this subsection apply in Subdistricts A, B, C, and D.
 1. **Standard.** The maximum heights allowed are shown on Map 555-2. Except as allowed by Subparagraph B.2.c, heights greater than those shown on Map 555-2 are prohibited.
 2. **Measurement.** Height is measured as follows:
 - a. Height is measured from sea level, not grade.
 - b. Height is measured to the top of the highest element of a structure, including rooftop equipment, mechanical equipment, mechanical penthouses, and helicopter landing facilities, other than those listed in Subparagraph B.2.c.
 - c. Radio and television antennas, utility power poles, and public safety facilities are exempt from the height limits of this section.
 - d. The provisions of 33.930.050, Measuring Height, do not apply in subdistricts A, B, C, and D.
 3. **Supplemental application requirements.** Applications for land use reviews and building permits for new buildings and additions of square footage must include the following information. Applications for land use reviews and building permits for other development that may affect the height of a structure also must include the following information. Additional information may also be requested through the review process. Site plans must show the following:
 - a. Boundary lines between areas with different height requirements;

- b. Topography shown by contour lines at five foot vertical contours measured in feet above sea level;
- c. Elevations at the corners of proposed structures or structures being altered, measured in feet above sea level; and
- d. Elevation of the highest point of the structure, including rooftop equipment, mechanical equipment, mechanical penthouses, and helicopter landing facilities, other than those listed in Subparagraph B.2.c, measured in feet above sea level.

33.555.240 Maximum Floor Area Ratio in Subdistricts A through D.

The regulations of this section apply to sites in Subdistricts A, B, C, and D.

- A. Purpose.** The floor area ratios (FARs) regulate the amount, or intensity, of use allowed in each subdistrict. The FARs provide a means to match the potential amount of uses with the desired character of the area. FARs also work with the height and building coverage standards to control the overall bulk of development.
- B. Calculations.** In Subdistricts A, B, C, and D, FAR is calculated as the amount of floor area in relation to the amount of area in each subdistrict, expressed in square feet.
- C. Standards.** The maximum FAR allowed in Subdistricts A, B, and D is 3:1. The maximum FAR allowed in Subdistrict C is 2:1. Adjustments to these maximums are prohibited.

33.555.250 Maximum Building Coverage

- A. Purpose.** The building coverage standards work with the FAR and height standards to control the overall scale of development and promote development consistent with the desired character of the plan district. The standards also limit the total area of each subdistrict that will be developed with buildings to limit the amount of impervious surfaces created by buildings.
- B. Calculations.** Building coverage is calculated in relation to the amount of area in each subdistrict.
- C. Standards.**
 - 1. Subdistrict E. The maximum building coverage allowed in the EX zone in Subdistricts E is 15 percent.
 - 2. Subdistricts A through D. In Subdistricts A, B, C, and D, there is no limitation on building coverage in each subdistrict; however, the maximum building coverage allowed in the four subdistricts together is 65 percent. Adjustments to this standard are prohibited.

33.555.260 Formal Open Areas in Subdistricts A through D.

- A. Purpose.** The requirements of this section ensure that the institutionally-developed portions of the plan district contain an adequate amount of formal open area, such as plazas, courtyards, and similar features, that enhance the character of the area; provide opportunities for passive recreation and both formal and informal gatherings; and result in a network of attractive and integrated exterior spaces and pedestrian corridors that link buildings and various activities within the plan district.

These formal open areas are medium to large spaces that are open to the public and are typically located along primary pedestrian routes. Small gardens and courtyards that are not generally accessible to the public and are developed primarily to serve as retreats for patients and their visitors, such as healing gardens or play areas for young patients or their visitors, are not formal open space areas.

- B. When formal open area is required.** In Subdistricts A, B, C, and D, when more than 10,000 square feet of gross floor area is proposed in a subdistrict, formal open area must be developed within that subdistrict as part of the proposal, until the minimum square footage of formal open area required in the subdistrict is met. Existing plazas and other open areas may be used to meet this requirement, but will be reviewed as if they are being created as part of the project. Additional improvements may be required.

- C. Minimum square footage required.** The minimum square footage of formal open area required in Subdistrict A is 20,000 square feet. The minimum square footage of formal open area required in Subdistricts B and D is 25,000 square feet in each subdistrict. The minimum square footage of formal open area required in Subdistrict C is 40,000 square feet.

- D. Standards.** Formal open area used to meet the requirement of Subsection B must meet the following standards:

1. Amount of area required. At least one square foot of formal open area must be developed for each 50 square feet of floor area, up to the minimum required square footage of formal open area for the subdistrict;
2. Minimum size. Each formal open area must be at least 2,000 square feet in area, and be of such shape to allow a square 40 feet on a side to fit entirely in the area.
3. Use of area. Formal open areas may not also be used for parking, exterior storage, or exterior work areas.
4. Adjustments prohibited. Adjustments to the regulations of this subsection are prohibited. However, modifications may be requested as part of the design review process, as allowed by Chapter 33.825, Design Review.

- B. Application.** The applicant must submit an application on the appropriate form and accompanied by the correct fee. The application must contain all information required by 33.730.060, Application Requirements, and any additional information required for the specific type of land use review.
- C. Processing time.** Upon determining that the application is complete, the Director of BDS will schedule a public hearing to take place within 71 days. The applicant may extend the time limit.
- D. Notice of a request.**
1. Mailed notice. At least 20 days before the scheduled hearing, the Director of BDS will mail a notice of the request to the regional transit agency, Metro, the Oregon Department of Transportation, all property owners within 400 feet of the site when inside the Urban Growth Boundary (UGB) and within 500 feet when outside the UGB, to the recognized organization(s) in which the lot is located, and to all recognized organizations within 1,000 feet of the lot. See 33.730.070.D, Type III and IV notice of request.
 2. Posting notice on the site. The applicant must place a public notice about the request on the site. The posting must meet the standards of 33.730.080, below.
- E. Advice from Historic Landmarks Commission.** BDS staff will ask the Historic Landmarks Commission to review the proposal at a public meeting where members of the public may comment. The Historic Landmarks Commission may offer comments or suggestions, in the form of a letter or testimony, to the review body. Such comments or suggestions are advisory to the review body and are not a land use decision. In addition to any comments or suggestions, the Historic Landmarks Commission will forward to the review body tapes or transcripts of any public meetings at which the Historic Landmarks Commission reviewed the proposal, and any correspondence or other documents received at such meetings.
- F. Decision by review body.**
1. BDS recommendation. The Director of BDS will prepare a report with recommendations, and file the report with the review body and make the report available to the public at least 10 days prior to the hearing. A copy will be mailed to the applicant and to any recognized organizations whose boundaries include the site.
 2. Public hearing. The public hearing will be conducted by the assigned review body. It will be held in accordance with the requirements of 33.730.100, Public Hearing Requirements.
 3. Review body decision.
 - a. The review body may adopt the Director of BDS' report and recommendation, modify it, or reject it based on information presented at the hearing and in the record. If the review body modifies or rejects the report and recommendation, an amended report with findings supporting the decision must be prepared as provided in Subparagraph b., below. The report must comply with 33.730.090, Reports and Record Keeping.

- b. The review body may make a tentative action and direct that proposed findings and a decision be prepared. If the prevailing party is represented by a land use professional or attorney, the prevailing party must provide findings and conclusions to support the review body's decision. If the prevailing party is not represented by a planning professional or attorney, the Director of BDS will provide findings and conclusions to support the review body's decision. Prior to final adoption, all findings must be reviewed and approved by the City Attorney. The findings and decision must be adopted by review body vote. An additional public hearing is not required if the vote is at a subsequent public meeting.
4. Notice of the final decision. Within 5 days of final review body action, the City Auditor will mail the notice of final decision to the applicant, owner, and to any recognized organizations or persons who responded in writing to the notice, testified at the hearing, or requested notice of the decision. In the case of multiple signatures on a letter or petition, the person who submitted the letter or petition or the first signature on the petition will receive the notice. See 33.730.070.I, Notice of final decision.
5. Date that decision is final and effective. The decision of the review body is final and effective on the day the notice of decision is mailed by the City Auditor.
6. Decision final. The decision of the review body is final and may not be appealed to another review body within the City.

33.730.040 Final Council Action Required

In the case of certain quasi-judicial land use reviews, such as Comprehensive Plan Map amendments and Statewide Planning Goal exceptions, final City Council action is required in addition to the normal Type III procedure. In these cases, the initial processing of the land use review is the same except the decision of the initial review body becomes a recommendation to Council. The post-acknowledgment procedures required by ORS 197.610 through 197.650 are followed, and the case is scheduled for a public hearing before City Council. The 120-day review period required by ORS 227.178(1) does not apply to Comprehensive Plan Map amendments, including Statewide Planning Goal Exceptions, or to land use reviews processed concurrently with Comprehensive Plan Map amendments.

General Information on Procedures

33.730.042 Concurrent Reviews

The following regulations apply to applications for more than one land use review on a site:

- A. Applications for more than one land use review on a site may be consolidated into a single application package;
- B. When more than one review is requested and the reviews have different procedures, the overall application is processed using the highest procedure type. A Type III procedure is the highest, followed by Type IIx, Type II, Type Ix and then Type I;

- a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.
 - b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.
 - c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or mitigation measures may be necessary in order to assure transportation services are adequate.
3. Services to a site that is requesting rezoning to IR Institutional Residential, will be considered adequate if the development proposed is mitigated through an approved impact mitigation plan or conditional use master plan for the institution.

C. When the requested zone is IR, Institutional Residential. In addition to the criteria listed in subsections A. and B. of this Section, a site being rezoned to IR, Institutional Residential must be under the control of an institution that is a participant in an approved impact mitigation plan or conditional use master plan that includes the site. A site will be considered under an institution's control when it is owned by the institution or when the institution holds a lease for use of the site that covers the next 20 years or more.

D. Location. The site must be within the City's boundary of incorporation. See Section 33.855.080.

33.855.060 Approval Criteria for Other Changes

In addition to the base zones and Comprehensive Plan designations, the Official Zoning Maps also show overlay zones, plan districts, and other items such as special setback lines, recreational trails, scenic viewpoints, and historic resources. Amendments to all of these except historic resources and the creation of plan districts are reviewed against the approval criteria stated in this section. Historic resources are reviewed as stated in Chapter 33.846, Historic Resource Reviews. The creation of a new plan district is subject to the approval criteria stated in 33.500.050. An amendment will be approved (either quasi-judicial or legislative) if the review body finds that all of the following approval criteria are met:

- A.** Where a designation is proposed to be added, the designation must be shown to be needed to address a specific situation. When a designation is proposed to be removed, it must be shown that the reason for applying the designation no longer exists or has been addressed through other means;
- B.** The addition or removal is consistent with the purpose and adoption criteria of the regulation and any applicable goals and policies of the Comprehensive Plan and

any area plans; and

- C. In the Marquam Hill plan district, relocation of a scenic viewpoint must be shown to result in a net benefit to the public, taking into consideration such factors as public access, the quality of the view, the breadth of the view, and the public amenities that are or will be available.

33.855.070 Corrections to the Official Zoning Maps

The Director of BDS may initiate and approve a review following the Type II procedure for the types of discretionary corrections to the Official Zoning Maps listed below.

Nondiscretionary corrections to the Official Zoning Maps may be initiated by the Director of Planning as described in Section 1.01.037 of the Portland City Code.

- A. **Mapping errors.** The correction may be made for mapping errors such as:
 1. A map line that was intended to follow a topographical feature does not do so. Topographical features include the tops and bottoms of hillsides, the banks of water bodies, and center lines of creeks or drainage ditches; or
 2. There is a discrepancy between maps and on balance there is sufficient evidence of legislative intent for where the line should be located.
- B. **Movement of the reference item for the map line.** The correction may be made when it can be clearly shown that a map line is based on the location of a reference item that has since been moved. Reference items are rights-of-way, tentative rights-of-way, utility easements and similar type items. Map line changes in these cases must not be more than a trivial change to the map pattern and must not result in any significant impacts to abutting lots.
- C. **Land within the Urban Growth Boundary.** The correction may be made when it involves the removal of the Future Urban overlay zone from properties that are now within the Urban Growth Boundary.

33.855.075 Automatic Map Amendments For Historic Resources

The Official Zoning Maps will be amended automatically to add or remove historic resources as follows:

- A. **Resources listed in the National Register of Historic Places.**
 1. When a historic resource is listed in the National Register of Historic Places, it is automatically identified on the Official Zoning Maps as a Historic Landmark or Historic District on the date the Bureau of Planning receives notification from the State Historic Preservation Office of the listing of the resource in the National Register; and
 2. When a historic resource is removed from the National Register of Historic Places and it has no local historic designation, it is automatically removed from the Official Zoning Maps as a Historic Landmark or Historic District on the date the Bureau of Planning receives notification from the State Historic Preservation Office of the removal of the resource from the National Register.
- B. **Removal after destruction.** If a Historic Landmark or Conservation Landmark is destroyed by causes beyond the control of the owner, the Landmark designation for the resource is automatically removed from the Official Zoning Maps.

- C. Removal after demolition.** If a Historic Landmark or Conservation Landmark is demolished, after either approval of demolition through demolition review or after demolition delay or demolition delay extension review, the Landmark designation for the resource is automatically removed from the Official Zoning Maps.
- D. Removal after relocation.** If a Historic Landmark or Conservation Landmark is relocated, the Landmark designation for the resource is automatically removed from the sending site on the Official Zoning Maps.

33.855.080 Automatic Zone Map Amendments for Annexed Areas

- A. Areas with Multnomah County zoning.** Areas annexed into the City from Multnomah County with Multnomah County zoning automatically receive comparable City zoning upon officially being incorporated into the City. Comparable zoning is shown in Table 855-1 and will apply to the area unless it is superseded by a special area study or a plan district.
- B. Areas with City zoning.** In areas annexed into the City from Multnomah County that already have City zoning and *Comprehensive Plan* designations, zoning is automatically changed to conform with the *Comprehensive Plan* designation when the site is officially incorporated into the City.

Table 855-1	
Assigned City Zoning for Multnomah County Zones	
Multnomah County Zones	Assigned City Zoning
Base zones	
Areas with farm or residential zoning outside the UGB	RF + f
Areas with commercial zoning outside the UGB	CN2
CFU, F2, MUA-20, RR, SR, LR-40, R-40, LR-30, R-30, MUF-19, MUF-38	RF [1]
UF-10, UF-20 inside the UGB	[2]
RC inside the UGB	CN2
LR-20, R-20	R20
LR-10, R-10	R10
LR-7, R7	R7
LR-7.5	R7 + Glendoveer Plan District
LR-5	R5
MR-4, MR-3	R3[3]
HR-2, A-2	R2[3]
HR-1, A1B	R1[3]
BPO	CO2
LC, C4, SC	CN2
GC, EC, C2, NC, C3	CG
LM, M3, M4	EG1
GM, M2	IG2
HM, M1	IH
THR	RH + t
TMR	R3 + t[3]
TLR-5	R5 + t
TLC	CN2 + t
TNC	CS + t
TGC	CS + t
TO	CO2 + t
TLM	EG1 + t
Overlay zones	
SEC	p, c [4]
FH, FF, FW	not mapped; handled by Bureau of Development Services

NI	x
PD, RPD	not mapped; becomes an approved PUD
OP	not mapped
CS	if open space, then OS base zone; just the base zone otherwise
HP	d
LF	h
WRG	g, r, i, n [4]

Notes:

- [1] The designation will be RF unless this land is in an approved subdivision at a density higher than RF or has been preplanned by an adopted City plan, in which case a higher density zone may be applied.
- [2] Reviewed through a quasi-judicial review; initiated by the Director of BDS.
- [3] Sites with a documented, approved office are CO1. Sites with a documented, approved retail or commercial use are CN1.
- [4] The most appropriate overlay zone will be applied based on any approved City plans.

D. Exceptions.

1. Bus and rail passenger stations for subregional service such as mass transit stops are classified as Basic Utilities. Park-and-ride facilities are classified as Community Service.
2. Marine passenger docks for subregional marine travel such as Columbia River cruise ships, water taxis, or recreational boating; and other marine tie ups (such as the seawall between the Broadway bridge and the Hawthorne bridge) are not included in this category and are classified as accessory to their adjacent facilities. Marine passenger terminals that are accessory to marine freight terminals are classified as accessory facilities in the Warehouse And Freight Movement category.
3. Private helicopter landing facilities which are accessory to another use, are considered accessory uses. However, they are subject to all the regulations and approval criteria for helicopter landing facilities.

33.920.520 Detention Facilities

- A. Characteristics.** Detention Facilities includes facilities for the judicially required detention or incarceration of people. Inmates and detainees are under 24 hour supervision by peace officers, except when on an approved leave.
- B. Accessory Uses.** Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities, food membership distribution, and hobby and manufacturing activities.
- C. Examples.** Examples include prisons, jails, probation centers, and juvenile detention homes.
- D. Exceptions.** Programs that provide care and training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by peace officers are classified as Group Living. Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by peace officers, are also classified as Group Living.

33.920.530 Mining

- A. Characteristics.** Mining includes mining or extraction of mineral or aggregate resources from the ground for off-site use.
- B. Accessory uses.** Accessory uses include storage, sorting, stockpiling, or transfer off-site of the mined material
- C. Examples.** Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil, gas, or geothermal drilling.

33.920.540 Radio Frequency Transmission Facilities

- A. Characteristics.** Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self supporting, guyed, or mounted on poles or buildings.
- B. Accessory Uses.** Accessory use may include transmitter facility buildings.
- C. Examples.** Examples include broadcast towers, communication towers, and point to point microwave towers.
- D. Exceptions.**
 - 1. Receive-only antenna are not included in this category.
 - 2. Radio and television studios are classified in the Office category.
 - 3. Radio Frequency Transmission Facilities that are public safety facilities are classified as Basic Utilities.

33.920.550 Rail Lines And Utility Corridors

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