

33.532 Hayden Island Plan District

532

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General

33.532.010 Purpose

The regulations in this chapter will preserve and enhance both the character and opportunities of Hayden Island to:

- Create a transportation network that provides for all modes, and allows people to easily move from one mode to another;
- Focus higher intensity, mixed-use development near the Light Rail Station;
- Provide opportunities for a range of housing types, and encourage mixed-use development, including commercial uses, to serve the residential uses;
- Ensure transitions between residential and nonresidential zones and neighborhoods; and
- Recognize the current function of the Jantzen Beach Super Center as an auto-oriented shopping mall and its long-term potential for more intense development that is less auto-oriented and more pedestrian-friendly resulting from major investments in the transportation system.

The environmental zoning that applies to much of the plan district will preserve and restore the unique and valuable natural resources of the island, such as the shallow water habitat.

33.532.020 Where These Regulations Apply

The regulations of this chapter apply to the Hayden Island plan district. The boundaries of the plan district and subdistrict are shown on Map 532-1 at the end of this chapter, and on the Official Zoning Maps.

33.532.030 Application of Regulations Relating to Future Rights-of-Way and Transit Stations

Regulations of this chapter that are based on the location of a right-of-way or Transit Station apply as follows:

- A. If the right-of-way or Transit Station has been improved or dedicated, the regulation applies based on the actual location of the right-of-way, tract, or easement.
- B. If the right-of-way or Transit Station has not been improved or dedicated, the regulation applies based on the location of the right-of-way or Transit Station as shown on the Master Street Plan for the area that has been accepted by City Council. The multi-modal street plan is maintained by the Portland Bureau of Transportation and is documented in the Transportation Element of Portland's Comprehensive Plan.

Development Standards

33.532.110 Additional Regulations in the Open Space Zone

- A. **Purpose.** More intense activities may be appropriate in OS-zoned sites near the Transit Station. Allowing these uses can both provide space for outdoor activities that are appropriate in an urban setting, and increase desirable activity within and near open space.
- B. **Where these regulations apply.** The regulations of this section apply to sites in the OS zone that are within 1,500 feet of the Transit Station.
- C. **Retail Sales And Service.**
 1. Up to 10,000 square feet of net building area in Retail Sales And Service uses or 10 percent of the area of the site, whichever is less, may be requested through a Conditional Use Review. This maximum applies to the cumulative net building area of all Retail Sales And Service uses on a site.
 2. Maximum parking. The maximum parking allowed for Retail Sales And Service uses is 1 space per 250 square feet of net building area.

33.532.210 Maximum Building Height

- A. **Purpose.** The regulations of this section:
 - Allow taller buildings near the Light Rail Station to encourage mixed-use and transit-oriented development;
 - Increase opportunities for creative design to encourage development of interesting buildings that help create a sense of place;
 - Recognize the prominent location of Hayden Island as a gateway to Oregon and the potential for visually interesting development to welcome visitors and residents, while mitigating for potential impacts through excellent design, articulation and step-backs, and the use of quality materials.

B. Maximum building heights.

1. Generally. The maximum building heights are shown on Map 532-2.
2. Height Opportunity Areas. In the Height Opportunity Areas shown on Map 532-2:
 - a. Height may be increased to 90 feet if the maximum building coverage is 20 percent or less;
 - b. Height may be increased to 80 feet if the maximum building coverage is 25 percent or less;
 - c. Adjustments and modifications the standards of this paragraph are prohibited.
3. Jantzen Beach subdistrict. In the Jantzen Beach subdistrict, adjustment may be requested to increase height to the maximum height limit shown on Map 532-2. Heights above the maximum height limit shown on Map 532-2 are prohibited.

33.532.220 Minimum and Maximum Floor Area

A. Purpose. These regulations encourage dense, mixed-use development in the pedestrian district, and reinforce the Jantzen Beach subdistrict as a transit-supportive, mixed-use neighborhood.

B. Where these regulations apply. The regulations of this Subsection apply in the Jantzen Beach subdistrict.

C. Maximum FAR in the Jantzen Beach subdistrict

1. In the Jantzen Beach subdistrict, the maximum FAR is .75 to 1. Floor area used for parking is not counted toward maximum FAR. Transfers of floor area between the West and East subareas are prohibited.
2. Inclusionary housing bonuses. The following inclusionary housing bonus options are allowed. An increase in FAR of more than 3 to 1 on a site that is outside the pedestrian district is not allowed. An increase in FAR of more than .75 to 1 on a site that is inside the pedestrian district is not allowed.
 - a. Mandatory inclusionary housing bonus option. Bonus FAR is allowed for development that triggers 33.245, Inclusionary Housing. The amount of bonus floor area earned is an amount equal to the net building area of the building that triggers 33.245. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met.
 - b. Voluntary inclusionary housing. Bonus FAR is allowed when one of the following voluntary bonus options is met:
 - (1) Bonus FAR is allowed for projects that voluntarily comply with the standards of 33.245.040 and 33.245.050. The amount of bonus floor area allowed is an amount equal to the net building area of the building that complies with 33.245.040 and .050. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the

regulations of 33.245 have been met. The letter is required to be submitted before a building permit can be issued for development, but is not required in order to apply for a land use review; or

- (2) Bonus FAR is allowed in exchange for payment into the Affordable Housing Fund. For each square foot purchased a fee must be paid to the Portland Housing Bureau (PHB). The Portland Housing Bureau collects and administers the Affordable Housing Fund, and PHB determines the fee per square foot and updates the fee at least every three years. The fee schedule is available from the Bureau of Development Services. To qualify for this bonus option, the applicant must provide a letter from the PHB documenting the amount that has been contributed to the AHF. The letter is required to be submitted before a building permit can be issued for the development, but it is not required in order to apply for a land use review.

D. Minimum FAR in Jantzen Beach subdistrict.

1. Purpose. These regulations ensure that development is distributed throughout the Jantzen Beach subdistrict to maximize the positive benefits of pedestrian-friendly, properly-scaled development without the negative impacts of over-sized buildings surrounded by large surface parking lots.
2. West subarea. In the West subarea, the minimum amount of the West subarea that must be covered with buildings is 300,000 square feet.
3. East subarea. In the East subarea, the amount of East subarea that must be covered with buildings is 300,000 square feet.

E. Adjustments to maximum floor area or maximum FAR. Adjustments to the maximum floor area or FAR regulations of this Chapter must meet the following approval criterion in addition to the approval criteria of Chapter 33.805: The transportation system is capable of supporting the proposal in addition to the existing uses in the area. Evaluation factors including capacity of Interstate 5 on and off ramps on Hayden Island.

F. Land Divisions in the Jantzen Beach Subdistrict.

1. Supplemental application requirement. Applications for land divisions in the Jantzen Beach subdistrict must specify how the minimum and maximum floor area required by this chapter will be allocated to each lot, parcel, and tract.
2. Supplemental approval criterion. The allocation of minimum and maximum floor area to each lot, parcel, and tract must be found to still meet the requirements of this chapter.
3. The applicant must execute a covenant with the City which is attached to and recorded with the deed of each lot, parcel, and tract. The covenant must identify the minimum and maximum floor area designated for each lot, parcel and tract.

33. 532.230 Transition Between Zones

- A. Purpose.** These regulations limit some of the negative impacts of larger-scale development in commercial/mixed use or industrial zones on buildings in adjacent residential zones.

Requiring development to step down near the residential zones avoids having an abrupt transition between the zones, as does the limitation on large blank walls facing residential sites.

B. Where these regulations apply. The regulations of this section apply to sites in commercial/mixed use and industrial zones.

C. Maximum building height.

1. Sites abutting a residential zone. On the portion of a site within 30 feet of a residential zone, the maximum building height is 25 feet. See Figure 532-1.
2. Sites across a street from a residential zone. On the portion of a site within 15 feet of the lot line across the street from a residential zone, the maximum building height is 25 feet. See Figure 532-2.

Figure 532-1
Height limits on sites abutting R zones

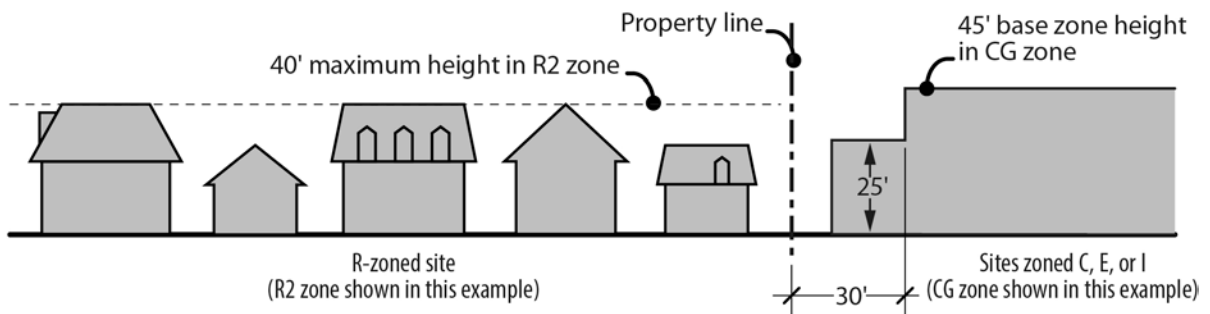
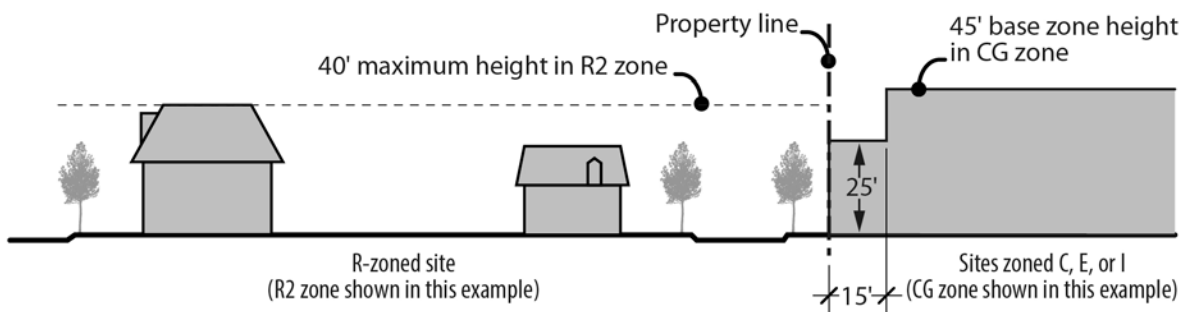


Figure 532-2
Height limits on sites across a street from R zones



D. Required windows above the ground floor.

1. Sites abutting a residential zone. On the portion of a site within 30 feet of a residential zone, at least 15 percent of the area of the façade above the ground level must be windows. This requirement is in addition to any required ground floor windows.
2. Sites across a street from a residential zone. On the portion of a site within 15 feet of the lot line across the street from a residential zone, at least 15 percent of the area of the façade above the ground level must be windows. This requirement is in addition to any required ground floor windows.

33.532.240 Transfer of Residential Density

- A. Purpose.** Residential density is limited by the Portland International Airport Noise Impact Overlay Zone (the “x” overlay zone), which applies to much of the plan district. In some instances, residential development is tied to previous Multnomah County Comprehensive Plan designations. Allowing transfers of residential density provides development flexibility while adhering to the limits of the overlay zone.
- B. Density transfers.** Residential density may be transferred among sites in the plan district if all of the following are met:
1. The receiving sites must be located within the same or lesser noise contour of the x overlay as the sending sites;
 2. The receiving site must be in a C or R zone;
 3. The maximum density allowed on the receiving site, including transferred density, is 1 dwelling unit per 700 square feet of site area; and
 4. The property owners of both sending and receiving sites must execute a covenant with the City that is attached to and recorded with the deeds of both the sending and receiving sites reflecting the respective increase and decrease of potential density. The covenant must meet the requirements of Section 33.700.060.

33.532.245 Maximum Setbacks in Commercial/Mixed Use Zones

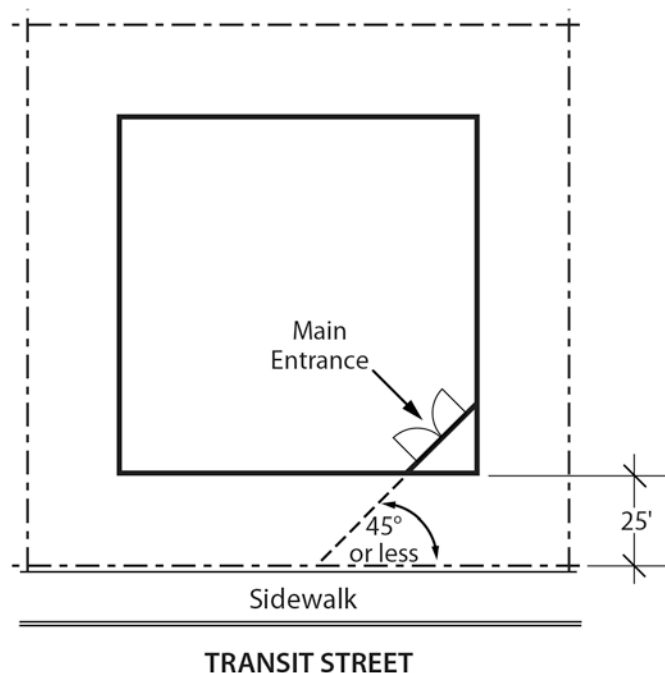
The maximum setbacks that apply to sites in commercial/mixed use zones in Pedestrian Districts apply to all sites in commercial/mixed use zones in the plan district.

33.532.250 Main Entrance

- A. Purpose.** Locating the main entrance of a use near the street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.
- B. Where these regulations apply.** The regulations of this section apply to sites in commercial/mixed use zones. If a site has frontage on more than one street, and one of the streets is an Island Core Access Street, the main entrance must face the Core Street. If the site has frontage on two Core Access Streets, or on two non-Core Access Streets, this standard must be met on only one of the frontages. Island Main Core Access Streets are shown on Map 532-3.

- C. Location.** For each building, at least one main entrance must:
1. Be within 25 feet of a street;
 2. Allow pedestrians to both enter and exit the building; and
 3. Either:
 - a. Face the street; or
 - b. Be at an angle of up to 45 degrees from the street, measured from the street property line, as shown in Figure 532-3, below.
- D. Unlocked during regular business hours.** The main entrance that meets the standards of Subsection C, above, must be unlocked during regular business hours.

**Figure 532-3
Main Entrance**



33.532.255 Buildings Fronting on Internal Accessways

- A. Purpose.** Internal accessways allow an alternative for larger retail buildings on very large sites to provide functional pedestrian connections, building locations, and main entrance placement without meeting the standards of the base zone. These larger retail buildings can still meet the intent of the base zone regulations and be transit-supportive and pedestrian-friendly by requiring the building to meet standards associated with transit streets on the internal accessway. These accessways provide a finer network of street and pedestrian connectivity linking development to public streets.

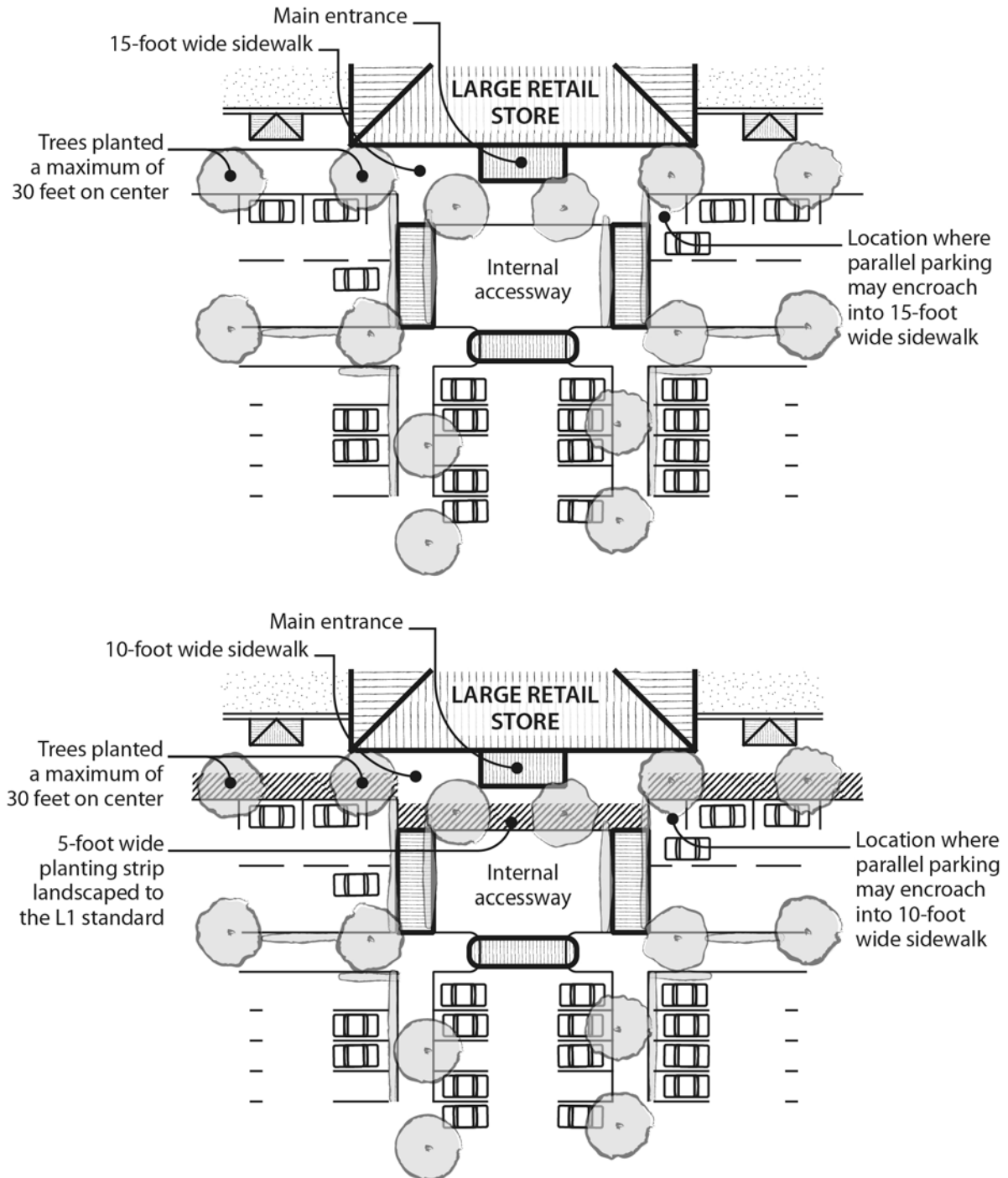
- B. Where these regulations apply.** The regulations of this section apply to buildings in the Jantzen Beach subdistrict where a single use occupies over 60,000 square feet of floor area in a single story.
- C. Building regulations.** Buildings which front on an internal accessway are exempt from the maximum building setback, ground floor windows and transit street main entrance standards of the base zone and the Hayden Island plan district if the buildings meet the base zone standard for maximum building setback, ground floor windows and transit street main entrance along an internal accessway. The internal accessway must meet the requirements for Subsection D.
- D. Internal accessways.** The internal accessway must meet the following:
1. The internal accessway must have at least one auto travel lane, curbs, and an unobstructed sidewalk which separates the building from the curb.
 2. The drive aisle may be up to 25 feet wide, and must provide a direct connection to an Island commercial core street or to a Transit Station.
 3. One of the following must be met, as shown in Figure 532-4:
 - a. The sidewalk must be at least 15 feet wide and planted with trees a maximum of 30 feet on center. Trees must be planted in the center of unpaved tree wells at least 18 square feet, with a minimum dimension of 3 feet. The unpaved area may be covered with a tree grate. Tree wells must be adjacent to the curb, and must be located so there is at least 6 feet of unobstructed sidewalk; or
 - b. The sidewalk must be at least 10 feet wide. There must be a planting strip at least 5 feet wide. The planting strip must be between the curb and the sidewalk, and be landscaped to at least the L1 standard, except that trees cannot be grouped.
 4. Parallel parking is allowed between the sidewalk and the drive aisle provided if it is at least 50 feet from the main entrance. Parallel parking may reduce the width of the sidewalk to 10 feet with trees a maximum of 30 feet on center or 6 feet with a 4-foot wide planting strip.

33.532.260 Street Connectivity

- A. Purpose.** The connectivity requirement ensures that adequate street and pedestrian/bicycle connections will be provided for local access to development and access for emergency vehicles. This regulation implements the Hayden Island Master Street Plan and improves vehicular, pedestrian, and bicycle movement throughout the plan district, while reducing congestion. Where full street connections are not feasible, pedestrian and bicycle connections provide access for those users most sensitive to the lack of direct connections.
- B. Requirements.**
1. The Portland Bureau of Transportation determines the location and widths of rights-of-way and extent and timing of street improvements based on the Hayden Island Master Street Plan in the Transportation Element of the Comprehensive Plan.

2. New street alignments as identified in the Hayden Island Master Street Plan are regulated by Chapter 17.88.

Figure 532-4
Buildings On Internal Accessways



33.532.270 Drive-Through Facilities

A. Purpose.

1. In the area west of Center Avenue which is designated as a pedestrian district, these regulations discourage development that adversely affects the pedestrian environment, and limits auto-oriented uses.
2. The area east of Center Avenue is not designated as a pedestrian district and is appropriate for auto-oriented uses, based on the current uses and the proximity to the bridge; these uses serve both those in autos and those on foot. These regulations preserve the ability of existing and future businesses to have drive-through facilities.

B. Regulation.

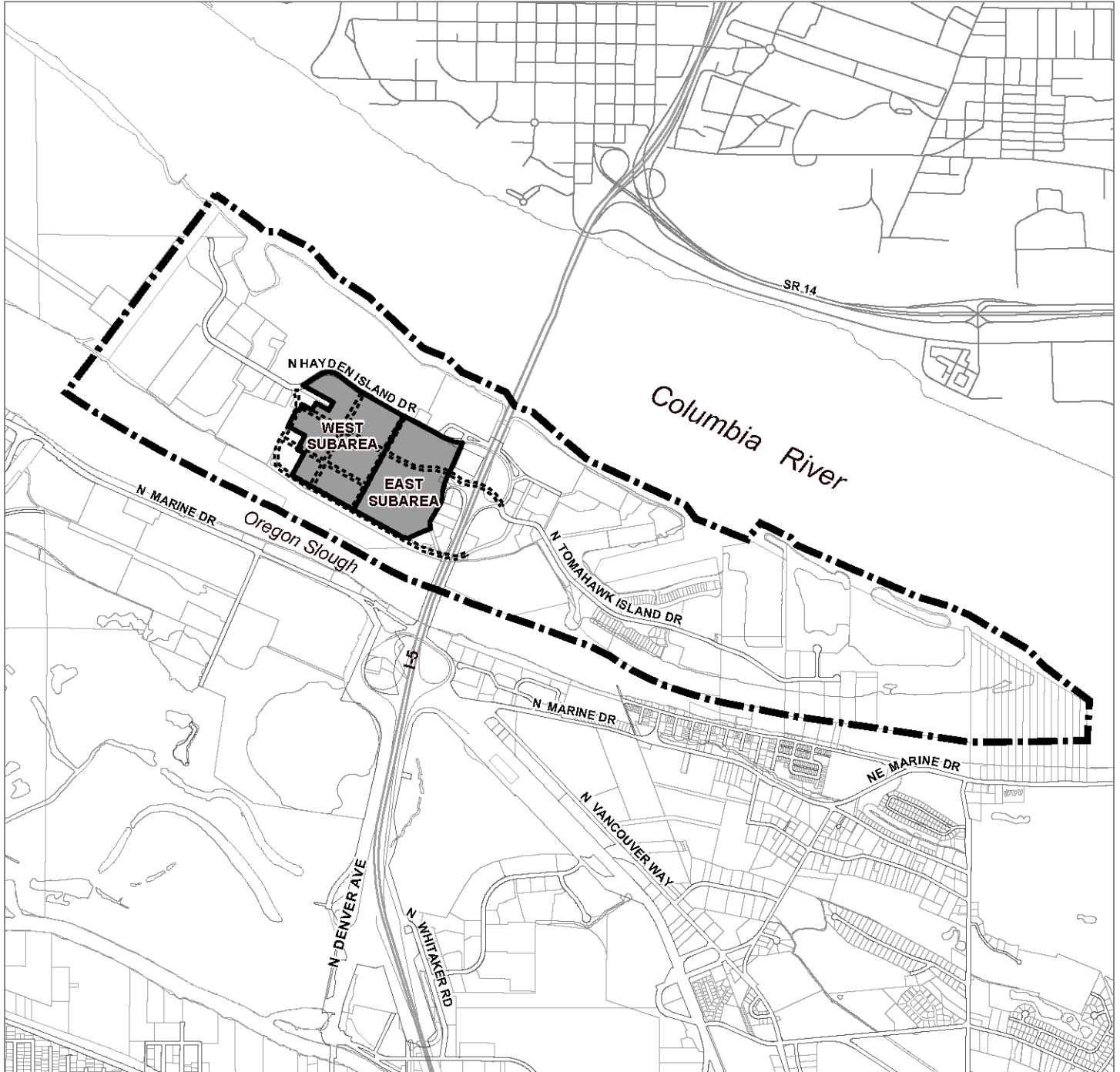
1. West of Center Avenue, drive-through facilities are prohibited on the portion of a site within a pedestrian district. This prohibition includes curb cuts and driveways used for access to the drive-through facility, stacking lanes for queuing vehicles, and the facility itself, such as the drive-up window or gas pump island.
2. East of Center Avenue, drive-through facilities are allowed on the portion of a site within a CM1 zone. Access must be from N. Jantzen Drive, but location is not otherwise limited to particular streets.




(Added by Ord. No. 183124, effective 9/18/09. Amended by: Ord. No. 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. _____, effective 5/24/18.)

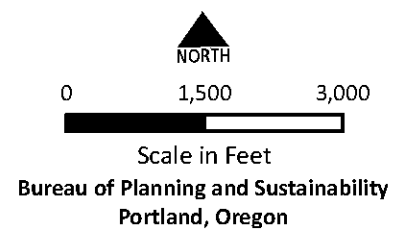
Hayden Island Plan District and Jantzen Beach Subdistrict

Map 532-1

Map Revised July 24, 2015



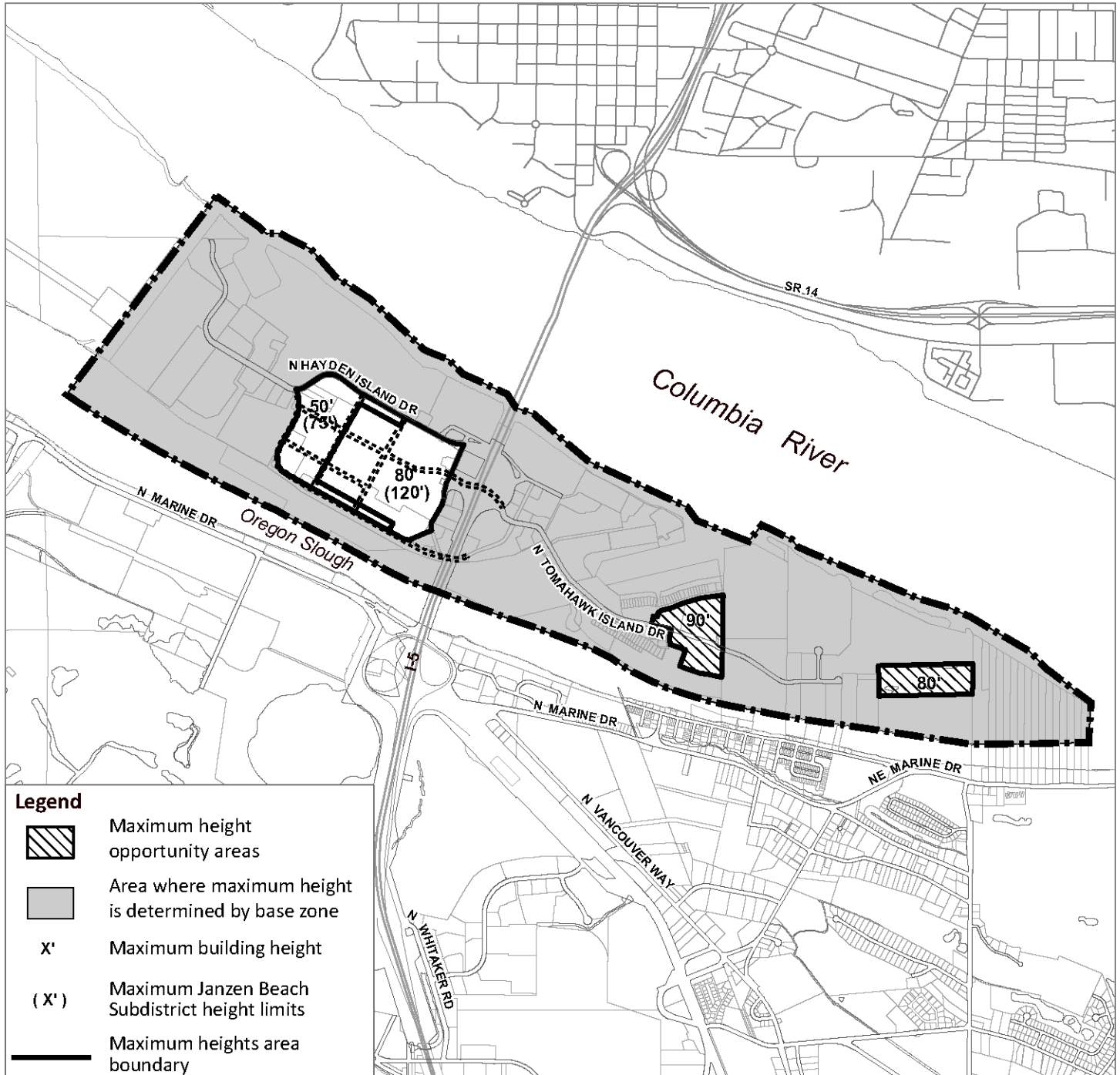
-  Plan District Boundary
-  Subdistrict
-  Proposed right-of-way



Hayden Island Plan District Maximum Heights

Map 532-2

Map Revised July 24, 2015



Legend



Maximum height opportunity areas



Area where maximum height is determined by base zone

X'

Maximum building height

(X')

Maximum Janzen Beach Subdistrict height limits



Maximum heights area boundary



Plan District Boundary



Proposed right-of-way



NORTH

0 1,500 3,000



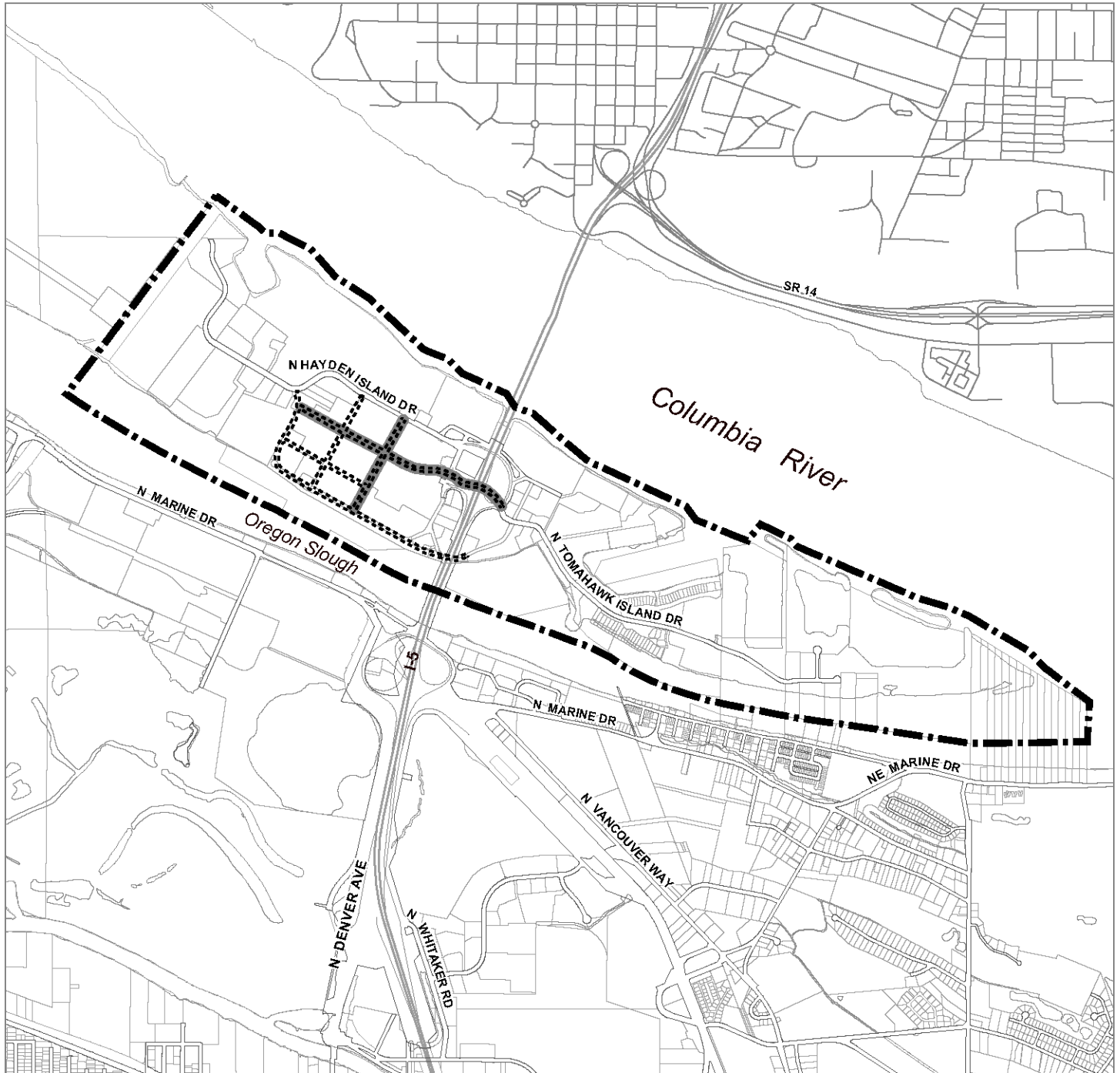
Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon

Hayden Island Plan District Island Core Access Streets

Map 532-3

Map Revised July 24, 2015



Plan District Boundary



Island core access street



Proposed right-of-way



NORTH

0 1,500 3,000



Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon

