33.565 Portland International Airport Plan District

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General

33.565.010 Purpose

The regulations of this chapter implement elements of the Airport Futures Land Use Plan by addressing the social, economic, and environmental aspects of growth and development at Portland International Airport (PDX). PDX is a unique land use within the City and requires tailored regulations to address wildlife hazards and impacts to transportation and natural resources. The

plan district provides flexibility to the Port of Portland—owner of PDX—to address a constantly changing aviation industry, while addressing the broader community impacts of operating an airport in an urban context.

The regulations of this plan district protect significant identified environmental resources consistent with the requirements of airport operations, while maintaining or enhancing the capacity of public and private infrastructure within and serving the district. Additionally, the regulations protect significant archaeological features of the area.

The plan district has two subdistricts: the Airport Subdistrict and the Middle Columbia Slough Subdistrict.

The Airport Subdistrict includes the airport passenger terminal, terminal roadway area, airfield, and other support facilities most of which are owned and operated by the Port of Portland. Also included are other airport-related uses which are generally tenants of the Port. Within the Airport Subdistrict are two unmapped areas known as airside and landside (See Chapter 33.910, Definitions). Airside includes an area defined by a perimeter security fence and the airside uses associated with the airfield which includes runways, taxiways, lighting, etc. The perimeter security fence is not mapped since the fence may move over time due to federal and operational requirements. An area outside the fence—the runway protection zone—is also part of Airside. The airfield and airside uses are also treated differently due to federal regulations. Landside includes the passenger terminal, airport access roadways, parking lots, aircraft maintenance facilities, cargo hangars, maintenance buildings, fire and rescue facilities, and other similar types of development. Also within the Airport Subdistrict is the SW Quadrant Subarea, shown on Map 565-1.

The remainder of the plan district is the Middle Columbia Slough Subdistrict. The primary purpose of the regulations for this subdistrict is to address the unique circumstances related to mitigation and enhancement for development within the Environmental Overlay Zones.

33.565.020 Where These Regulations Apply

The regulations of this chapter apply to the Portland International Airport plan district. The boundaries of the plan district and subdistricts are shown on Map 565-1 at the end of this chapter and on the Official Zoning Map.

The regulations of Sections 33.565.010 through .030 and .110 apply to the entire plan district. The regulations of Sections 33.565.100 and 200 through .240 and 33.565.310 through .320 apply only in the Airport Subdistrict. Section 33.565.250 applies only to the SW Quadrant subarea of the Airport Subdistrict. Sections 33.565.500 through .560 apply in the Environmental Overlay Zones.

Because Federal regulation preempts local rules, development in the Airside portion of the plan district — other than new runways — is not subject to the regulations of this chapter.

33.565.030 Relationship to Other Regulations and Agencies

This chapter contains only some of the City's regulations for the plan district. Other chapters of the Zoning Code may apply in the plan district, including the Noise Impact Overlay Zone, the Aircraft Landing Overlay Zone, and the Environmental Overlay Zones. Activities the City regulates through the Zoning Code may also be regulated by other agencies. In particular, because a large area of the plan district is owned by the Port of Portland and was originally purchased for aviation use, the Federal Aviation Administration (FAA) reviews development proposals and amendments to this chapter to ensure that there are no adverse impacts on airport operations. While the regulations of

this plan district have been designed to minimize any potential conflicts, City approval does not imply approval by the FAA or other agencies.

Use Regulations

33.565.100 Additional Allowed Uses in the Airport Subdistrict

The following additional uses are allowed in the IG2 zone in the Airport Subdistrict:

A. Aviation and Surface Passenger Terminals; and

B. Hotels and motels.

Development Regulations

33.565.110 Archaeological Resource Protection

Archaeological evidence has confirmed that American Indians used the plan district area prior to entry of EuroAmericans to the Portland area. The Port of Portland continuously updates an inventory of cultural resource sites on Port-owned property and is required by Federal regulations to address cultural resources in any development project.

Although the zoning code does not address new discoveries of archaeological resources found during project construction, applicants should be aware of state and federal regulations that apply to such discoveries.

Areas shown on Map 565-2 must meet the requirements of Section 33.515.262 Archeological Resources Protection.

Regulations in the Airport Subdistrict

33.565.200 Supplemental Application Requirement

Applications for building permits, zoning permits, or land use reviews in the IG2 zone must include documentation of current activity levels in terms of Million Annual Passengers. This demonstrates whether a Transportation Impact Analysis Review is required. See Section 33.565.240, Transportation Impact Analysis Review.

33.565.210 New Airport Capacity

A. **Purpose.** Because the potential impacts of a third parallel runway at the airport are so significant, this section prohibits additional runways. The effect of the prohibition is that a legislative project to amend this plan district would be necessary to add a third runway. The legislative project would require the City and Port of Portland to engage the regional community in a cooperative effort to create a development plan for the airport that addresses transportation and infrastructure needs, as well as community impacts, by exploring alternatives to a potential third runway.

B. **Regulations:**

1. New runways are prohibited; however, extending, widening, or reconfiguring existing runways, taxiways, or airfield roadways is allowed; and

2. New passenger terminals.

   a. New passenger terminals for General Aviation are allowed.

   b. New commercial passenger terminals with passenger processing facilities are allowed only if they have access directly from Airport Way; if they do not have access directly from Airport Way, they are prohibited.

33.565.220 Landscaping

A. Purpose. Plant selection is an especially important component of the plan district. Collisions between birds and aircraft ("bird strikes") are a significant hazard to aircraft, birds, and public safety in and around Portland International Airport due to existing natural features and ecosystems. In an effort to reduce this hazard, the Airport Plant List provides a selection of appropriate plant materials and spacing standards that increase the distance between plants that may be used in the plan district. The Airport Plant List is part of the *Portland Plant List*. These plants were selected because they are generally non-seeding or non-fruiting and therefore do not attract wildlife. In addition, they do not provide attractive roosting habitat for species posing a threat to aviation safety.
The airport landscaping standards:

- Preserve and enhance Portland's urban forest;
- Promote the reestablishment of vegetation in urban areas for aesthetic reasons;
- Establish and enhance a pleasant visual character which recognizes aesthetics, wildlife hazard, and aviation safety issues;
- Unify development, and enhance and define public and private spaces; and
- Define the parking and circulation areas

B. Airport subdistrict. No landscaping is required inside the perimeter fence or within 300 feet of the perimeter fence. All landscaping, screening, and development outside the perimeter fence in the Airport Subdistrict must meet the following requirements:

1. Only trees and shrubs listed in the Airport Plant List section of the *Portland Plant List* may be planted. An applicant may request to use a tree or shrub not listed in the Airport Plant List by using the process outlined in the Airport Plant List.

2. All trees and shrubs must meet the spacing and diversity requirements of this section.

3. Where meeting the spacing standards results in fewer plants or less plant diversity than required by other provisions of this Title, the number of plants required is reduced to meet the spacing standard of this section.

4. Spacing standards:

   a. Non-columnar trees must be planted at a distance of at least 40 feet on center.

   b. Columnar trees must be planted at a distance of at least 25 feet on center.

   c. Evergreen shrubs may be planted adjacent to each other in groups of up to five. If there is more than one group of evergreen shrubs, there must be at least 10

feet between each group of shrubs. If shrubs are not planted in groups, there must be at least 10 feet between each shrub.

d. There must be at least 10 feet between trees and shrubs.

5. Plant diversity standards

a. Tree diversity

(1) If there are more than 8 required trees, no more than 40 percent of them can be of one species. If there are more than 24 required trees, no more than 24 percent of them can be of one species. This standard applies only to trees being planted to meet the regulations of this Title, not to existing trees.

(2) No more than 20 percent of trees may be evergreen trees.

b. Shrub diversity

(1) No more than 50 percent of shrubs may be evergreen.

(2) If more than 25 shrubs are required, no more than 75 percent of them can be of one species.

6. Ground cover. The remainder of the required landscaped area must be planted in ground cover plants.

33.565.230 Pedestrian Standards for Specified Uses

A. Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system for Retail Sales And Service and Office uses. They ensure direct pedestrian connections among sidewalks, paths used by both bicycles and pedestrians, buildings, and other activities.

B. The standards. The pedestrian standards of the EG and EX zones apply to all sites in the Airport subdistrict with Retail Sales And Service or Office uses, except:

1. The standards apply to the area of each ground lease, rather than to each site; and

2. Paths used by both bicycles and pedestrians may substitute for required sidewalks or pedestrian-only connections.

33.565.240 Transportation Impact Analysis Review

A. Purpose. The regulations of this section ensure that the impacts of airport growth on the surface transportation system will be identified and mitigated.

B. When a Transportation Impact Analysis (TIA) Review is Required. An Airport Transportation Impact Analysis Review is required for any proposed development in the IG2 zone once the airport begins serving more than 21 Million Annual Passengers (MAP). As part of the review, the Port of Portland may request approval of development for an additional increment up to 6 MAP. Each time the airport begins serving the additional increment of 6 MAP, another TIA Review is required. The Port of Portland may not request approval of an increment larger than 6 MAP.

The Port may also request a TIA Review at any time.

C. Supplemental application requirements. In addition to the application requirements of Section 33.730.060, the applicant must submit the following:

1. A description of proposed development, or growth scenarios;
2. A Transportation Impact Analysis (TIA) that includes the following:
   a. Delineation of the study area, and rationale for the delineation;
   b. Traffic forecasts and distribution;
   c. Where development is proposed, primary traffic access routes to and from the study area;
   d. Evaluation of:
      (1) Access requirements;
      (2) Impacts on street function, capacity and level of service;
      (3) Impacts on transit operations and movements;
      (4) Impacts on pedestrian and bicycle routes and safety; and
      (5) Impacts on the immediate airport area and adjacent neighborhoods.
   e. Recommended mitigation measures, including transportation system management, transportation demand management, and transportation improvements.

33.565.250 Development and Availability of Public Services in the Southwest Quadrant

A. Purpose. The regulations of this section ensure that adequate public services are available prior to development in the Southwest Quadrant.

B. When a Southwest Quadrant Public Services Review is required. A Southwest Quadrant Public Services Review is required when a proposal will increase development in the land side of the Southwest Quadrant by more than 40,000 square feet. The area of development includes the square footage of any floor area plus the square footage of any exterior development. See Chapter 33.806, Airport Reviews.

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 $566,200.

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 33.565.620 either supplement 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.

The following sections supersede or supplement the regulations of Chapter 33.430:

- Exemptions in Section 33.565.540 supplement exemptions in section 33.430.080;
- Standards in Section 33.565.550 supplement or supersede standards in Sections 33.430.140 through .190;
- When wildlife hazard management is proposed and an environmental review is required the procedure type specified in Subsection 33.565.560.A supersedes the procedure type specified in Section 33.430.230;
- When wildlife hazard management is proposed and an environmental review is required the requirements of Subsection 33.565.560.B supersede the requirements of Subsection 33.430.240.B;
- When wildlife hazard management is proposed and an environmental review is required the approval criteria of Subsection 33.565.560.C supersede the approval criteria of Subsections 33.430.250.E through .F;
- The environmental Plan Check notice and review procedures of Sections 33.565.600 through .620 supersede the notice and review procedures of Sections 33.430.410 through .430.

This chapter contains only the City's environmental regulations. Activities that 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 33.565.620 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 33.565.500 through 33.565.620 apply to the activities listed below. Items not specifically addressed in these sections must comply with the regulations of Chapter 33.430.

A. Development;

B. Removing, cutting, mowing, clearing, burning or poisoning native vegetation listed in the *Portland Plant List*;

C. Planting or removing nuisance plants listed in the *Portland Plant List*;

D. Changing topography, grading, excavating, and filling;

E. Dedications, expansions, and improvements within rights-of-way;

F. Road improvements; and

G. Resource enhancement.

33.565.540 Exemptions

In addition to the exemptions listed in 33.430.080, the following items are exempt from both the environmental regulations of the Airport Plan District and Chapter 33.430, Environmental Zones. Other City regulations, including Title 10, Erosion Control, and Title 11, Trees, still apply:

A. When performed to comply with the FAA Part 77 Regulated Surface requirements or a FAA authorized Wildlife Hazard Management Plan:

1. Crown maintenance of trees that project above, or will upon maturity project above, the height limit delineated by the h overlay zone;
2. Crown maintenance of trees that are identified in the FAA authorized Wildlife Hazard Management Plan as attracting wildlife species of concern;
3. Mechanical removal of grasses and shrubs less than 3 feet in height;
4. Discing to reduce habitat that attracts wildlife species of concern as identified in the FAA authorized Wildlife Hazard Management Plan; and
5. Grading or filling of ponding water; ponding water does not include water bodies identified as a slough, stream, drainageway or wetland in the natural resources inventory.

B. When performed within the existing landscaped area of a golf course in a transition or resource area of an environmental zone:

1. Existing development, operations, and improvements, including the following activities:
   a. Maintenance, repair, and replacement of structures and exterior improvements. Replacement is not exempt whenever coverage is increased;
   b. Continued maintenance of existing planted areas, including but not limited to topdressing, leveling tees, and rebuilding greens, and pruning trees and shrubs within proper arboricultural practices. Such pruning is exempt from Title 11 permits. Topping trees is prohibited.
   c. Installation and removal of irrigation and drainage facilities, erosion control features, signage, and fencing; and

d. Changing topography, grading, excavating, and filling in areas that are within an environmental conservation zone. Removal of trees or snags is not included in this exemption.

e. When removing dead, dying, or dangerous trees from existing planted areas, the requirement that sections of wood greater than 12 inches in diameter remain, or be placed, within the resource area as required by Section 33.430.080 does not apply.

C. Existing exterior work activities associated with existing development. Expansion of these areas is not included in this exemption.

33.565.550 Development Standards

Unless exempted by section 33.565.540 or by 33.430.080, the standards of this section and the standards of 33.430 must be met. Compliance with the standards is determined as part of a development or zoning permit application process and processed according to the procedure described in 33.565.600 through .620. For proposals that cannot meet the standards, environmental review is required as described in Sections 33.430.210 through .280 and, where applicable, 33.565.560. Adjustments to the standards are prohibited. Other City regulations, including Title 10, Erosion Control, and Title 11, Trees, still apply.

A. General development standards

1. Tree and snag removal.

a. If the tree or snag, 6 inches or greater in diameter, is removed as part of a resource enhancement project, the requirements of 33.565.550.B apply;

b. If the tree or snag, 6 inches or greater in diameter, is removed for either of the following reasons, then the standards in Subparagraphs 1.c through 1.g, below must be met instead of 33.430.140.K:

(1) the tree or snag currently projects, or the tree will upon maturity project, above the height limit of the h overlay zone; or

(2) the tree or snag is identified in the FAA authorized Wildlife Hazard Management Plan as attracting wildlife species of concern.

c. Each tree or snag, 6 inches or greater in diameter, removed must be replaced as specified in Table 565-1, Tree and Snag Replacement;

Table 565-1
Tree and Snag Replacement

Size of tree or snag to be removed (inches in diameter)	Option A (no. of trees to be planted)	Option B (combination of trees and shrubs)
6 to 12	2	not applicable
13 to 18	3	1 tree and 3 shrubs
19 to 24	5	3 trees and 6 shrubs
25 to 30	7	5 trees and 9 shrubs
over 30	10	7 trees and 12 shrubs

d. Replacement trees and shrubs must be native and selected from the *Portland Plant List*;

e. Replacement shrubs must be in at least a 2-gallon container or the equivalent in ball or burlap;

f. Replacement trees must:

(1) Be at least one-half inch in diameter and have a maximum height-at-maturity that will not project above the height limit of the h overlay zone; and

(2) Be planted within a transition area or resource area on a property owned by the applicant; or for which the applicant possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry out and ensure success of the mitigation; or can demonstrate legal authority to acquire the site through eminent domain.

g. If the replacement trees are planted within 100 feet of the Columbia Slough main channels or secondary drainageways, the trees must be planted above the Base Floodplain Elevation (BFE), as defined on the Federal Emergency Management Agency Flood Insurance Rate Maps.

2. Wildlife exclusions. Instead of standards listed in 33.430.140, all of the following standards must be met when installing wildlife exclusionary structures or fencing to comply with the FAA authorized Wildlife Hazard Management Plan within the resources area or transition area of the conservation or protection overlay zone:

a. Trees or snags, 6 inches or greater in diameter, that are removed must be replaced to meet the standards in Subparagraphs 1.c through 1.g, above; and

b. Temporary disturbance areas must be replanted so that the area achieves a 90 percent vegetation cover within one year. Vegetation must be native and selected from the *Portland Plant List*.

3. Golf cart paths. Instead of the standards listed in 33.430.140, all of the following standards must be met for new or relocated golf cart paths:

a. The disturbance area must be set back at least 5 feet from the resource area of any environmental protection zone;

b. The golf cart path is no more than eight feet wide;

c. The disturbance area is no more than 18 feet wide;

d. Trees or snags, 6 inches or greater in diameter, removed must be replaced and meet the standards in Subparagraphs 1.c through 1.g above;

e. Temporary disturbance areas must be replanted so that the area achieves a 90 percent vegetation cover within one year; and

f. Exterior lights must be spaced at least 25 feet apart. Incandescent lights exceeding 200 watts, or other light types exceeding the brightness of a 200-watt

incandescent light, must be placed so they do not shine directly into the resource area of the protection overlay zone.

4. Golf course vegetation. References to the *Portland Plant List* in Chapter 33.430 are superseded by the following:

   a. Grasses and forbs planted in the existing landscaped portions of the resource or transition area on a golf course may be non-native; and

   b. Poa annua may be planted to maintain existing landscaped portions of the resource or transition area on a golf course.

5. Golf course disturbance. Instead of standards listed in 33.430.140, any activity that changes topography or results in grading, excavating, or filling of areas in an environmental protection zone must meet the following standards:

   a. The activity is in an existing landscaped area of the golf course; and

   b. The activity results in disturbance of less than 10,000 square feet;

6. Vehicle or pedestrian crossings. New or altered vehicle or pedestrian crossings of the Middle Columbia Slough, Whitaker Slough, Buffalo Slough, or Elrod Slough must be by bridge except as follows:

   a. At locations where BES determines that a water control structure is necessary;

   b. The addition of guard rails to an existing crossing.

B. Standards for resource enhancement. An applicant may choose to meet all of the standards of 33.430.170 or all of the standards of this section. In either case, the applicant must meet the standards of 33.430.170.C.4 through 6.

1. Wetland habitat conversion. Within the Airport Subdistrict, conversion from an emergent or herbaceous wetland to a scrub-shrub or forested wetland is allowed if all of the following are met:

   a. There may be no excavation, fill, grading or construction activity;

   b. The habitat conversion area must be replanted, at a minimum, in accordance with one of the following options:

      (1) Ten native shrubs for every 100 square feet of area and a native grass and forb seed mix at a ratio of 20 pounds per acre; or

      (2) One native tree, three native shrubs and four other native plants for every 100 square feet. Trees may be clustered;

   c. Trees must have a maximum height at maturity that will not project above the height limit delineated by the h overlay zone; and

   d. Permanent irrigation is not allowed.

2. Forest or woodland habitat conversion. Within the Airport Subdistrict, forest or woodland conversion to a different native tree association is allowed if all of the following are met:

   a. There may be no excavation, fill, grading or construction activity;

   b. The habitat conversion area must be replanted, at a minimum, to meet one of the following:

      (1) Generally. One native tree, three native shrubs and four other native plants for every 100 square feet of area. Trees may be clustered. Trees must have a maximum height at maturity that will not project above the height limit delineated by the h overlay zone;

      (2) Exception. If the maximum height of all appropriate tree species would project above the height limited delineated by the h overlay zone, the habitat conversion area must be replanted with at least 10 native shrubs for every 100 square feet of area and a native grass and forb seed mix at a ratio of 20 pounds per acre;

   c. Permanent irrigation is not allowed.

33.565.560 Special Provisions for Wildlife Hazard Management

These provisions apply to wildlife hazard management activities that are required in order to implement a Federal Aviation Administration (FAA) authorized Wildlife Hazard Management Plan within environmental overlay zones in the Airport Subdistrict.

A. Procedure type. Within the Airport Subdistrict, all activities required in order to implement an FAA authorized Wildlife Hazard Management Plan within the resource area or transition area of the conservation or protection overlay zones that require environmental review are processed through the Type II procedure.

B. Application requirements. Within the Airport Subdistrict and for activities required to implement an FAA authorized Wildlife Hazard Management Plan, an alternatives analysis is not required. Specifically, instead of the supplemental narrative requirements of 33.430.230.B, the following is required:

1. Activity description. Describe the activity and why it is necessary to implement an FAA authorized Wildlife Hazard Management Plan;

2. Documentation of resources and functional values. Documentation of resources and functional values is required to determine compliance with the approval criteria. In the case of a violation, documentation of resources and functional values is used to determine the nature and scope of significant detrimental impacts.

   a. Identification, by characteristics and quantity, of the resources and their functional values found on the site;

   b. In the case of a violation, determination of the impact of the violation on the resources and functional values.

3. Construction management plan. Identify measures that will be taken during the activity or remediation to protect the remaining resources and functional values at and near the site and a description of how undisturbed areas will be protected. For example, describe how trees will be protected, erosion controlled, equipment controlled, and the timing of activity; and

4. Mitigation or remediation plan. The purpose of a mitigation or remediation plan is to compensate for unavoidable significant detrimental impacts that result from the chosen activity or violation as identified in the impact evaluation. A mitigation or remediation plan includes:

   a. Resources and functional values to be restored, created, or enhanced on the mitigation or remediation site;

   b. Documentation of coordination with appropriate local, regional, special district, state, and federal regulatory agencies;

   c. Activity timetables;

   d. Operations and maintenance practices;

   e. Monitoring and evaluation procedures;

   f. Remedial actions for unsuccessful mitigation; and

   g. Information showing compliance with Section 33.248.090, Mitigation and Restoration Plantings.

C. Approval criteria. The following approval criteria apply to activities required in order to implement an FAA authorized Wildlife Hazard Management Plan within the resource area or transition area of the conservation or protection overlay zones that require environmental review. These criteria supersede the criteria in 33.430.250.E and F:

1. There will be no significant detrimental impact on resources and functional values in areas designated to be left undisturbed;

2. The mitigation plan demonstrates that all significant detrimental impacts on resources and functional values will be compensated for;

3. Mitigation will occur within the same watershed as the proposed use or development and within the Portland city limits except when the purpose of the mitigation could be better provided elsewhere; and

4. The applicant owns the mitigation site; possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry out and ensure the success of the mitigation program; or can demonstrate legal authority to acquire property through eminent domain.

Notice and Review Procedure for Permits Within Environmental Overlay Zones

33.565.600 Purpose

The purpose of this notice and review procedure is to notify the public of the permit review process for development proposed in areas having identified significant resources and functional values.

33.565.610 When These Regulations Apply

These regulations apply when a building permit or development permit application is requested within an environmental overlay zone and is subject to the Development Standards of Section 33.430.110 through .190, 33.430.405.B, or 33.430.405.C, or 33.565.510 through .580. These regulations apply instead of the regulations of 33.430.410 through .430. These regulations do not apply to building permit or development permit applications for development that has been approved through environmental review.

33.565.620 Procedure

Applications for building permits or development permits as specified in Section 335.430.420 or 33.565.610 will be processed according to the following procedures:

A. Application. The applicant must submit a site plan with an application for a permit. The site plan must contain all information required by 33.430.130, Permit Application Requirements, and any additional information required for a building permit or development permit review.

B. Notice of an application.

1. Notice on website. Upon receipt of a complete application for a building or development permit, the Director of BDS will post a notice of the application on the BDS website and mail a notice of the request to all recognized organizations within 400 feet of the site. The posted notice of the application will contain at least the following information:

   - A statement that a building or development permit has been applied for that is subject to the Development Standards of Section 33.430.110 through .190, 33.430.405.B, 33.430.405.C, or 33.565.510 through .580.
   - The legal description and address of the site;
   - A copy of the site plan;
   - The place where information on the matter may be examined and a telephone number to call; and
   - A statement that copies of information on the matter may be obtained for a fee equal to the City's cost for providing the copies.

   The notice will remain on the website until the permit is issued and administrative decision is made, or until the application is withdrawn.

2. E-mailed notice to recognized neighborhood associations. At the time a notice is posted on the BDS website, the Director of BDS will e-mail information about the internet posting to all recognized neighborhood associations and neighborhood

coalition offices within 400 feet of the site. When an e-mail address is not available, the notice will be mailed to the neighborhood association and coalition office.

C. Posting the site and marking development. The applicant must post notice information on the site and identify disturbance areas as specified below.

1. Posting notice on the site. The applicant must post public notice of the proposed activity or development following the procedure listed in 33.565.320.C. The posted notice will contain the same information as the notice posted on the internet.

2. Marking proposed development on site. Prior to inspection of the site, the applicant will mark all trees over six inches diameter to be removed on the site and the building and pavement outlines with high visibility tape. The extent of the disturbance area must be marked with orange construction fencing or similar highly visible material. For corrections to violations, the disturbance area and remediation area to be planted must be identified with high visibility tape or similar high visibility material.

D. Site inspection. A BDS inspector will inspect the site prior to issuance of the permit and will provide the Director of BDS with one of the following:

1. An inspection report that confirms the accuracy of the site plan and conformance with the applicable development standards; or

2. A check sheet identifying the deficiencies in the plan. Deficiencies must be corrected before a building permit is approved, or they may be addressed through environmental review as described in Sections 33.430.210 through 33.430.280.

E. Comments. Any interested person may comment on the permit application by writing and specifically identifying errors or non-compliance with development standards.

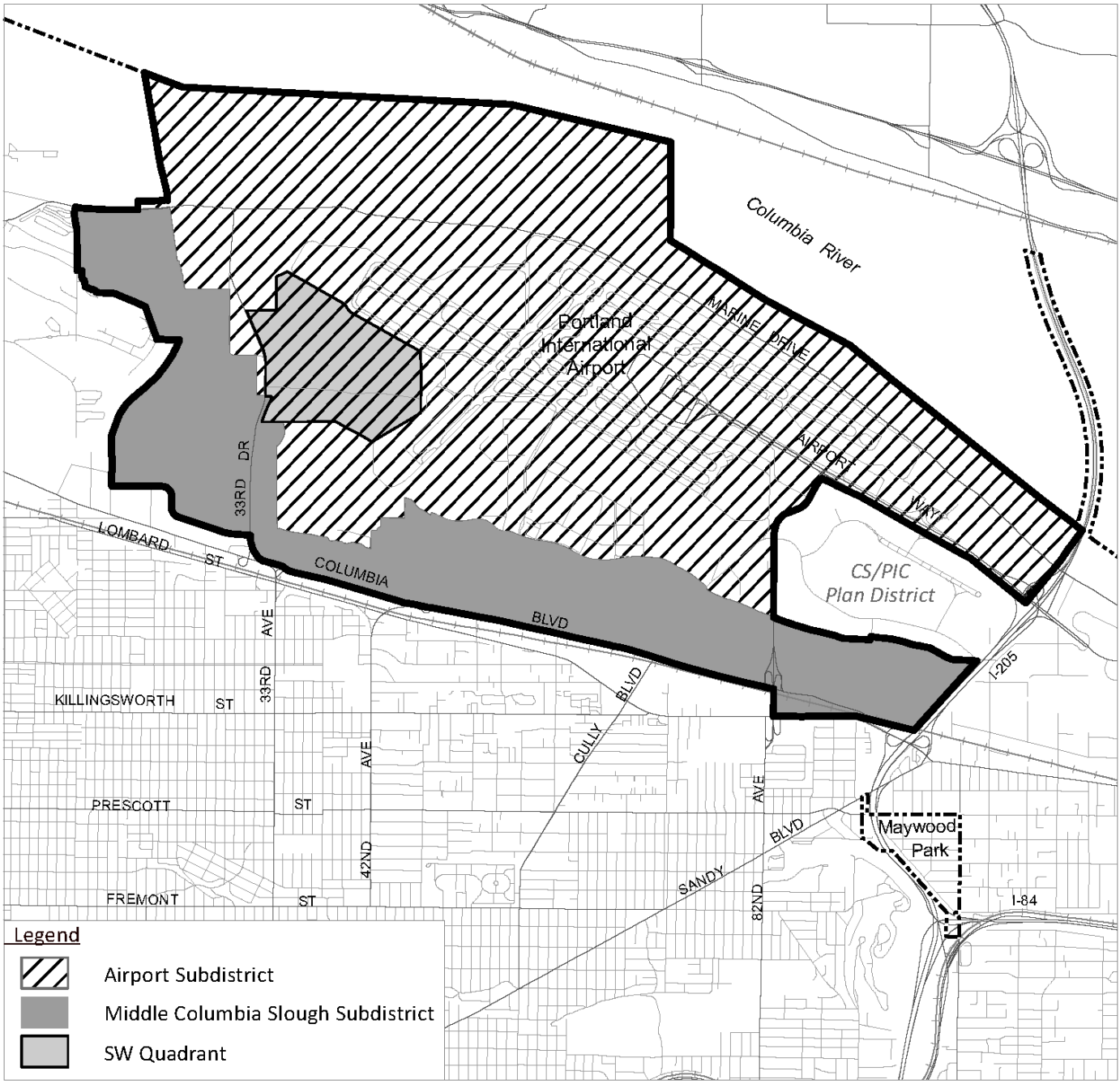
F. Response to comments. If a comment is received, the Director of BDS will respond in writing or in a manner suitable to the comment. The response will specifically address each comment that concerns compliance with the development standards of Section 33.430.140 through .190 and 33.565.560 through .580. The Director of BDS will recheck permits for compliance with development standards and approve the permit if compliance is reaffirmed or when identified deficiencies are corrected, and when all applicable standards and regulations of the Zoning Code are met.

(Added by Ord. No. 184521, effective 5/13/11. Amended by: Ord. No. 186639, effective 7/11/14; Ord. No. 187216, effective 7/24/15.)

Portland International Airport Plan District and Subdistricts

Map 565-1

Map Revised March 1, 2015



City Boundary

Plan District Boundary

NORTH

0 3,000 6,000

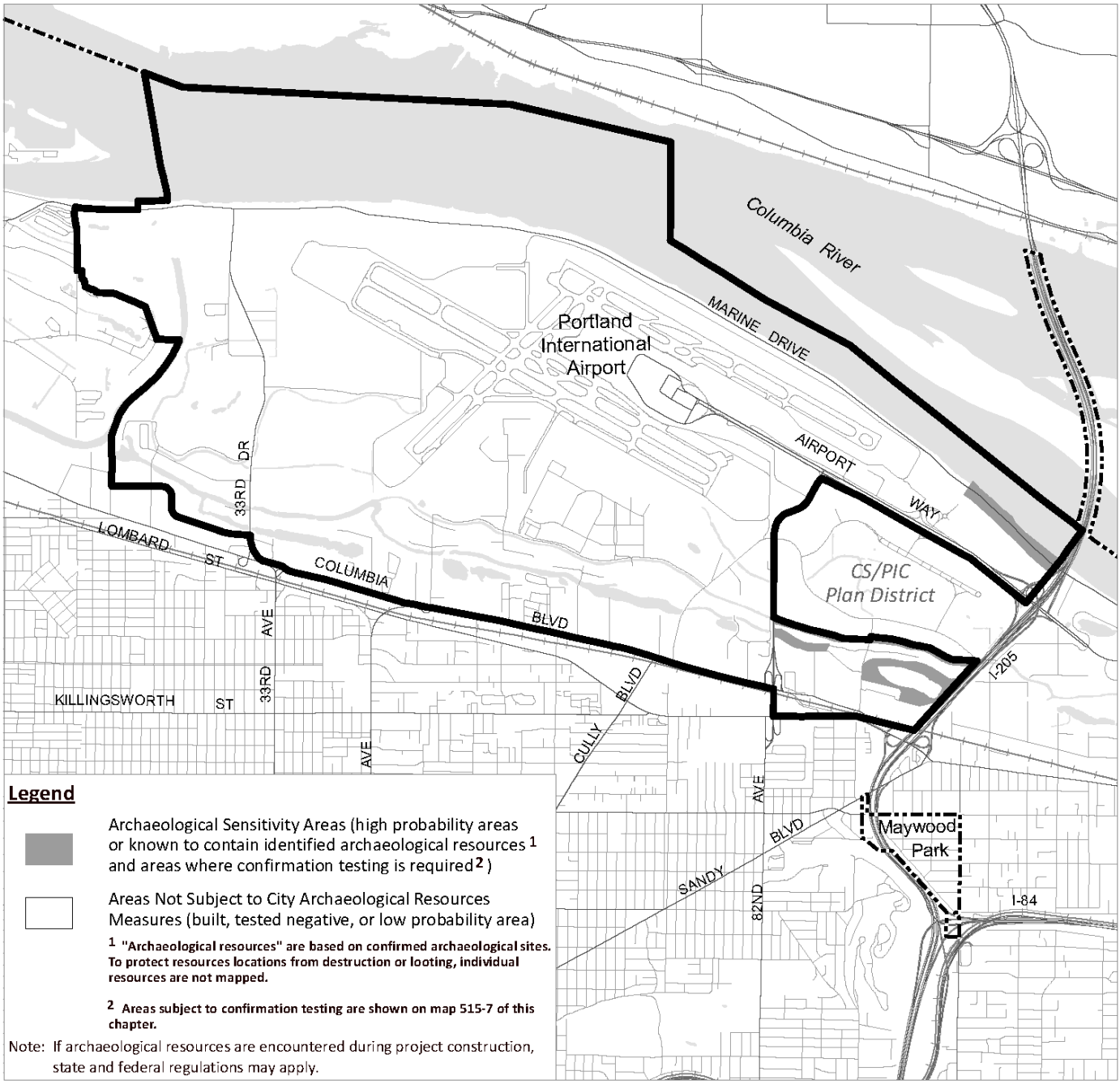
Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon

Portland International Airport Plan District
Areas of Archaeological Interest

Map 565-2

Map Revised March 1, 2015



City Boundary

Plan District Boundary

NORTH

0 3,000 6,000

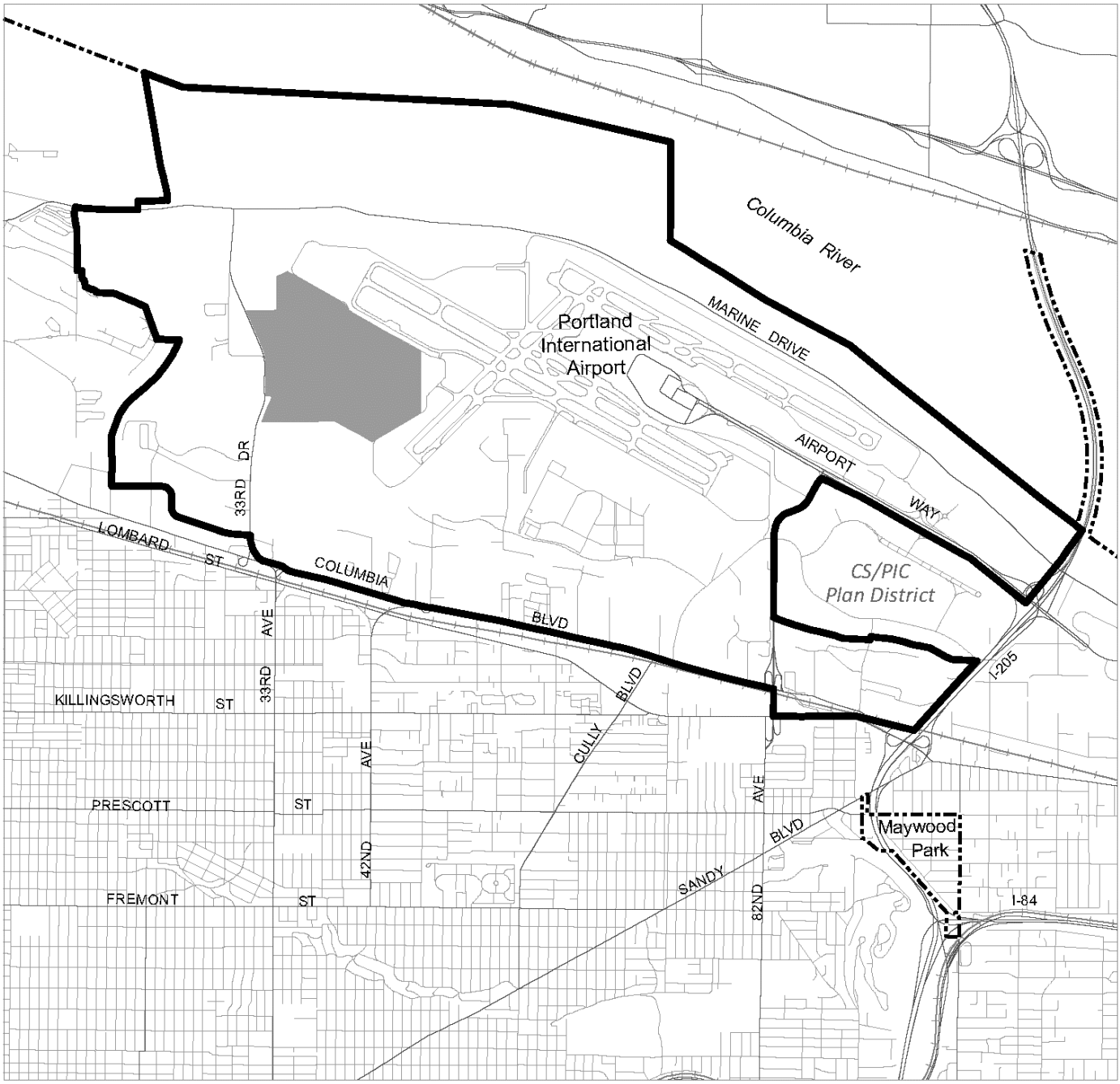
Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon

Portland International Airport Plan District
SW Quadrant

Map 565-3

Map Revised March 1, 2015



City Boundary

Plan District Boundary

SW Quadrant

NORTH

0 3,000 6,000

Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon