

## 33.526 Gateway Plan District

# 33.526

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### General

#### **33.526.010 Purpose**

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

transform Gateway from a suburban low density area to a dense, mixed-use regional center that maximizes the public's significant investment in the transportation infrastructure.

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

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

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

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

### **33.526.030 Early Design Consultation**

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

## **Use Regulations**

### **33.526.100 Purpose**

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

### **33.526.110 Prohibited Uses**

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

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

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

### **Development Standards**

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

They do this by:

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

- Ensuring an attractive transition between the higher density zones within the plan district and the adjacent single-dwelling residential zones.

### 33.526.210 Building Height

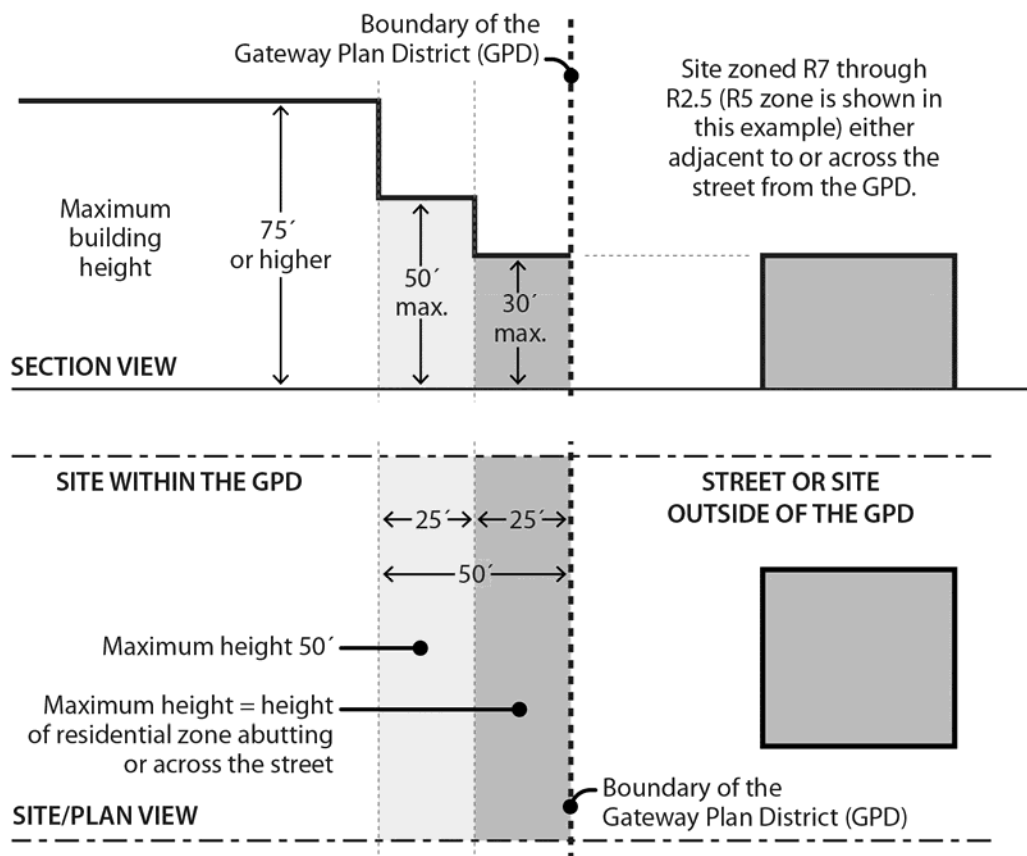
- A. Purpose.** These regulations encourage intense development throughout the plan district, with the highest level of intensity occurring around the light rail stations. This increased development opportunity reinforces Gateway's role as a regional center. In addition, the regulations reduce adverse effects on adjacent single dwelling zones by creating a step-down of building heights at the edge of the plan district.
- B. Maximum building height.** The maximum building heights are shown on Map 526-2, except as specified in Subsection C. Heights greater than shown on Map 526-2 are prohibited unless allowed by Section 33.526.230.
- C. Transition at edges of plan district.**
1. Where these regulations apply. The regulations of this subsection apply to sites that have a maximum building height of 75 feet or more and either:
    - a. Abut a site zones R7 through R2.5 that is not in the plan district; or
    - b. Are across a Local Service Traffic Street from a site zoned R7 through R2.5 that is not in the plan district.
  2. Abutting. Sites that abut a site zoned R7 through R2.5 have height limits that decrease in two steps, as follows. See Figure 526-1:
    - a. On the portion of the site within 25 feet of a site zoned R7 through R2.5, the maximum building height is the same as the abutting residential zone; and
    - b. On the portion of the site that is more than 25 feet but within 50 feet of a site zoned R7 through R2.5, the maximum building height is 50 feet.
  3. Across a street. Sites that are across a Local Service Traffic Street from a site zoned R7 through R2.5 have height limits that decrease in two steps, as follows. See Figure 526-1:
    - a. On the portion of the site within 25 feet of the street lot line, maximum building height is the same as the residential zone across the street; and
    - b. On the portion of the site that is more than 25 feet but within 50 feet of the street lot line, the maximum building height is 50 feet.

### 33.526.220 Floor Area Ratio

- A. Purpose.** These regulations encourage intense development throughout the plan district with a higher level of intensity occurring around light rail stations. This increased development reinforces Gateway's role as a regional center. In addition, the standards ensure a minimum level of development on some sites.
- B. Maximum floor area ratio.** The maximum floor area ratios (FAR) allowed are shown on Map 526-3 at the end of this chapter.

1. On sites with a maximum FAR of 6:1 or less where at least 80 percent of the proposed floor area on the site will be in Residential uses, an additional 2:1 FAR is allowed.
  2. FARs greater than shown on Map 526-3 or allowed by Paragraph B.1 are prohibited unless allowed by Section 33.526.230.
- C. Minimum floor area ratio.** The minimum floor area ratio (FAR) for new development is shown on Map 526-3.
- D. Limit on increased floor area.** Increases in FAR, whether by transfers of floor area or bonus floor area options, of more than 3 to 1 are prohibited.

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



**33.526.230 Floor Area and Height Bonus Options**

- A. Purpose.** Floor area and height bonus options are offered as incentives to encourage facilities and amenities that are desired around the light rail stations and on sites with a Gateway Master Plan.

**B. General regulations.**

1. Eligible sites. The mandatory inclusionary housing and voluntary inclusionary housing bonus options may be used in the R3, R2, R1, RH, commercial and EX zones in the Gateway plan district. The other bonus options may be used only in areas shown on Map 526-5, and on sites with a Gateway Master Plan.
2. New floor area. Only new floor area is eligible for the bonuses unless specifically stated otherwise. Exceptions to the requirements and the amount of bonus floor area or height earned are prohibited.
3. Number of bonus options. Proposals may use more than one bonus option unless specifically stated otherwise. Bonuses may be done in conjunction with allowed transfers of floor area.
4. Maximum floor area increase. The maximum floor area increase that may be earned through the bonus options must be within the limits for overall floor area increases stated in 33.526.220.D.
5. Maximum height increase. Buildings using bonus floor area must not exceed the maximum height limits shown on Map 526-2 unless eligible for bonus height.

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

1. Mandatory inclusionary housing. Projects that trigger the requirements of 33.245, Inclusionary Housing earn an additional FAR of 3 to 1. 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.
2. Voluntary inclusionary housing. Projects that voluntarily provide affordable housing earn bonus FAR as follows:
  - a. An additional FAR of 3 to 1 is earned for projects the voluntarily provide affordable housing at one of the following rates. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the development meets one of the standards stated above and any administrative requirements. The letter is required to be submitted before a building permit can be issued for the development, but is not required in order to apply for a land use review. The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must be provided prior to issuance of a building permit, and must ensure that the affordable dwelling units will remain affordable to households meeting the income restriction, and will meet the administrative requirements of the Portland Housing Bureau:
    - (1) On-site affordable dwelling units. When the affordable dwelling units will be located on-site, affordable dwelling units must be provided at one of the following rates:

- 10 percent of the total number of new dwelling units or bedrooms on the site must be affordable to those earning no more than 60 percent of the area median family income; or
  - 20 percent of the total number of new dwelling units or bedrooms on site must be affordable to those earning no more than 80 percent of the area median family income.
- (2) Off-site affordable dwelling units in a new building. When the affordable dwelling units will be provided by constructing new dwelling units off-site, affordable dwelling units must be provided at one of the following rates. The number of affordable dwelling units required is calculated based on the total number of new dwelling units proposed to be built on the site that is taking advantage of this FAR bonus option:
- 10 percent of the total number of new dwelling units must be affordable to those earning no more than 30 percent of the area median family income; or
  - 20 percent of the total number of new dwelling units must be affordable to those earning no more than 60 percent of the area median family income.
- (3) Off-site affordable dwelling units in an existing building. When the affordable dwelling units will be provided by dedicating existing dwelling units that are off- site as affordable, affordable dwelling units must be provided at one of the following rates. The number of affordable dwelling units required is calculated based on the total number of new dwelling units proposed to be built on the site that is taking advantage of this FAR bonus option:
- 15 percent of the total number of new dwelling units must be affordable to those earning no more than 30 percent of the area median family income; or
  - 25 percent of the total number of new dwelling units must be affordable to those earning no more than 60 percent of the area median family income.
- b. Bonus FAR is allowed in exchange for payment into the Affordable Housing Fund. Up to 3 to 1 FAR can be earned by paying into the fund. For each square foot of floor area purchased a fee must be paid to the Portland Housing Bureau (PHB). For sites where density is calculated in dwelling units, the amount of floor area purchased is converted to dwelling units at a rate of 1 dwelling unit per 800 square feet. The Portland Housing Bureau collects and administers the Affordable Housing Fund, 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, the applicant must provide a letter from PHB documenting the amount that has been contributed. 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.
3. Open Space bonus option. Proposals that provide open space that may be used by the public will receive bonus floor area. For each square foot of open space provided, a

bonus of one square foot of additional floor area is earned. To qualify for this bonus, the following requirements must be met:

- a. Size and dimensions. The open space must include at least 5,000 square feet of contiguous area;
  - b. Ownership and use. One of the following must be met:
    - (1) The open space must be dedicated to the City, subject to paragraph 2.d.; or
    - (2) A public access easement must be provided that allows for public access to and use of all the open space;
  - c. Maintenance. The property owner must execute a covenant with the City that ensures the installation, preservation, maintenance, and replacement, if necessary, of the open space features, and that meets the requirements of 33.700.060, Covenants with the City; and
  - d. Parks approval. The applicant must submit with the application for land use review a letter from Portland Parks and Recreation stating that the open space features meet the requirements of the bureau, and that the space is acceptable to the bureau.
4. Eco-roof bonus option. Eco-roofs are encouraged in the Gateway Regional Center because they reduce stormwater run-off, counter the increased heat of urban areas, and provide habitat for birds. An eco-roof is a rooftop stormwater facility that has been certified by the Bureau of Environmental Services (BES).
- a. Bonus. Proposals that include eco-roofs receive bonus floor area as follows:
    - (1) Where the total area of the eco-roof is at least 10 percent but less than 30 percent of the building's footprint, each square foot of eco-roof earns one square foot of additional floor area.
    - (2) Where the total area of the eco-roof is at least 30 percent but less than 60 percent of the building's footprint, each square foot of eco-roof earns two square feet of additional floor area.
    - (3) Where the total area of the eco-roof is at least 60 percent of the building's footprint, each square foot of eco-roof earns three square feet of additional floor area.
  - b. Before an application for a land use review will be approved, the applicant must submit a letter from BES certifying that BES approves the eco-roof. The letter must also specify the area of the eco-roof.
  - c. The property owner must execute a covenant with the City ensuring installation, preservation, maintenance, and replacement, if necessary, of the eco-roof. The covenant must comply with the requirements of 33.700.060, Covenants with the City.
- D. General bonus heights.** Bonus height is also earned in addition to the bonus floor area achieved through the bonus options. Bonus height is in addition to the maximum heights



of Map 526-2. The height bonus allowed is based on the floor area bonuses and transfers listed in paragraph D.1., below. The amount of bonus height awarded is specified in paragraphs D.2. and D.3., below.

1. The height bonus allowed is based on the floor area bonus options of Subsection 33.526.230.C., above;
2. In areas qualifying for a height bonus, on sites up to 40,000 square feet in area, the amount of bonus height awarded is based on the following schedule:
  - a. For achieving a bonus floor area ratio of at least 1 to 1, but less than 2 to 1, a height bonus of 15 feet is earned.
  - b. For achieving a bonus floor area ratio of at least 2 to 1, but less than 3 to 1, a height bonus of 30 feet is earned.
  - c. For achieving a bonus floor area ratio of 3 to 1, a height bonus of 45 feet is earned.
3. In areas qualifying for a height bonus, on sites larger than 40,000 square feet in area, the amount of bonus height awarded is based on the following schedule. The height bonus is applied only to the building where the bonus floor area is achieved or transferred, not to the entire site:
  - a. For achieving bonus floor area of at least 20,000 square feet, but less than 80,000 square feet, a height bonus of 15 feet is earned.
  - b. For achieving bonus floor area of at least 40,000 square feet, but less than 120,000 square feet, a height bonus of 30 feet is earned.
  - c. For achieving bonus floor area of 80,000 square feet or more, a height bonus of 45 feet is earned.

**E. Bonus height option for housing.**

1. Generally. In the areas eligible for bonus height shown on Map 526-5, building heights may be allowed to be greater than shown on Map 526-2 if the bonus height is for housing.
2. Standard. The maximum height bonus that may be allowed is 75 feet. Projects may use both the bonus height options of this subsection and Subsection D., above. However, if both options are used, the combined bonus height may not exceed 75 feet. Bonus height in excess of the maximum allowed through Subsection D., above, must be exclusively for housing.
3. Approval criteria. The approval of the bonus height is made as part of the design review of the project. The bonus height will be approved if the review body finds that the applicant has shown that the following criteria have been met:
  - a. If the site is within 500 feet of an R zone, the proposed building will not cast shadows that have significant negative impacts on dwelling units in the R zone; and

- b. The increased height will result in a project that better meets the applicable design guidelines.

### 33.526.240 Open Area

- A. Purpose.** The open area requirement ensures provision of adequate amounts of open area, including light and air, for those who live, work and visit the Gateway plan district. Open area can provide passive or active recreational opportunities, and help to soften the built environment. In order to provide flexibility, this provision allows the requirement to be met by phasing the open area, locating it off site, or paying into a fund.
- B. Calculations.** For purposes of this section, site area dedicated for public right-of-way is subtracted from the total site or lot area;
- C. Where these regulations apply.** The requirements of this section apply to sites 5 acres or more in area.
- D. Additions of floor area to the site.** The requirements of this subsection apply to sites where the proposal will result in an increase of at least 5,000 square feet of floor area on the site. The applicant may choose from the three options below:
  - 1. On-site option. If the open area will be on-site, the following standards must be met:
    - a. At least 0.5 square foot of open area is required for each square foot of floor area proposed for the site, up to a maximum requirement of 15 percent of the site area. Adjustments to this standard are prohibited.
    - b. Open areas are parks; plazas; or other similar areas approved through design review. These areas may include improvements such as children’s play equipment, picnic areas, landscaping, benches, paved walkways or trails, gardens, organized sport fields or courts, or other outdoor amenities. Open areas do not include areas used for parking or loading, or landscaping within parking areas.
    - c. Existing open areas on the site may be used to meet this requirement. Open areas used for stormwater management or required recreation area may also be used to meet the requirements of this section. Open areas used to earn bonus floor area may not be used to meet the requirements of this section.
    - d. The open area must be located outdoors on the site and abut either the public sidewalk or the site’s pedestrian circulation system.
    - e. Open area may be provided in a variety of sizes, but each open area must be large enough that a 20-foot x 20-foot square can fit entirely within it.
    - f. The application must identify the location, proposed improvements, and timing of the improvements.
  - 2. Off-site option. If the open area will be off-site, the following standards must be met:
    - a. The area that will be used to meet this requirement must be:

- (1) Identified as proposed open space on the Gateway urban design concept or approved by Portland Parks and Recreation;
      - (2) Under the applicant's control; and
      - (3) Vacant or used for surface parking.
    - b. At least 0.5 square foot of open area is required for each square foot of floor area proposed for the site, up to a maximum requirement of 15 percent of the site area. Adjustments to this standard are prohibited.
    - c. The application must identify when the proposed open area site will be transferred into the ownership of the Portland Bureau of Parks and Recreation.
  3. Gateway Regional Center Public Open Area Fund option. As an alternative to developing open area, the applicant may pay \$30.00 per required square foot of open area into the Gateway Regional Center Public Open Area Fund (Open Area Fund). The Open Area Fund is collected and administered by the Portland Bureau of Parks and Recreation. The funds collected must be used within the Gateway plan district, either for acquisition or improvement of public open areas. If using this option, the following must be met:
    - a. The required square footage of open area is calculated as 0.5 square foot of open area for each square foot of floor area proposed for the site, up to a maximum requirement of 15 percent of the site area;
    - b. When applying for building permits or land use reviews on the site, the applicant must submit with the application a letter from the Portland Bureau of Parks and Recreation documenting the amount that has been contributed to the Open Area Fund.
- E. Land Divisions.** The standards and approval criteria of this subsection apply to sites where a land division is proposed:
1. The regulations of this subsection do not apply to proposed lots 5 acres or more in area. The regulations will apply if such lots are divided further.
  2. The regulations of this paragraph apply to proposed lots less than 5 acres in area.
    - a. For each lot, an area equal to at least 15 percent of the area of the lot must be in open area.
    - b. For each lot, the applicant may choose to locate the required amount of open area on the lot, elsewhere on the land division site, or off-site. The applicant may also choose to make a contribution to the Open Area Fund. The application must specify which of these options, or combination of options, will be used to meet the requirements of this subsection.
      - (1) If the open area requirement will be met on the lot, the applicant must specify the location.
      - (2) If the open area requirement will be met elsewhere on the land division site, the required area must be in a tract.

- (3) If the open area requirement will be met off-site or through a contribution to the Open Area Fund, the requirements of Paragraphs C.2 or C.3 must be met:
  - c. If the requirements of this subsection will be met on the land division site or on the lot, the applicant must indicate when improvements will be made to the open area, what the extent of the improvements will be, and who will be responsible for the improvements and maintenance of the improvements. The following additional approval criteria must also be met:
    - (1) Location. Each open area must be located on a part of the site that can be reasonably developed to meet the standards of this section;
    - (2) Improvements. The proposed improvements must be consistent with the purpose of this section; and
    - (3) Timing. The timing of the improvements must be reasonably related to the timing of other development on the site.

### **33.526.250 Connectivity**

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

### **33.526.260 Pedestrian Standards**

- A. Purpose.** These regulations ensure direct pedestrian connections between the street and buildings on a site and between buildings and other activities within the site. Together with the Enhanced Pedestrian Street, entrance, and ground floor window regulations, the pedestrian standards ensure that the sidewalks in the plan district, especially on Enhanced Pedestrian Streets, are convenient, active, pleasant environments with pedestrian amenities.

**B. Standards.**

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

**33.526.270 Entrances**

- A. Purpose.** These regulations ensure that at least one main entrance into a building, and each tenant space in a building that faces a street, be oriented to public streets or the light rail alignment. This requirement enhances pedestrian access from the sidewalk to adjacent buildings. Together with the Enhanced Pedestrian Street, ground floor window, and pedestrian standards, the entrance standards ensure that the sidewalks in the plan district are convenient, active, pleasant environments with pedestrian amenities.
- B. Where these regulations apply.** In R1, RH, RX, C, and EX zones, buildings must meet the standards of Subsection C., below.
- C. Entrances.** For portions of a building within the maximum building setback, at least one main entrance for each tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent street grade. Entrances that open into lobbies, reception areas, or common interior circulation space must also meet the standards of this section. The entrances must:
  1. Face a public street or light rail alignment;
  2. Be within 15 feet of the public street or light rail alignment it faces;
  3. Be oriented to nearby transit facilities as follows:

- a. If a site abuts a light rail alignment along East Burnside Street, the main entrance must orient to that alignment. If the proposed building is within 100 feet of a transit station, at least one entrance must be along the first 25 feet of the wall nearest the station.
- b. If a site abuts a transit street other than a light rail alignment, the entrance must orient to that street.
- c. If the site abuts intersecting transit streets, the main entrance must orient to the street with the highest classification.
- d. If the site abuts intersecting transit streets with the same classification, the entrance may be at a 45 degree angle to both streets or within 25 feet of the corner along either transit street.

### **33.526.280 Enhanced Pedestrian Street Standards**

- A. Purpose.** These regulations enhance and ensure the continuity of the pedestrian environment along key streets in the Gateway plan district. The standards help maintain an urban character along the Enhanced Pedestrian Streets by reinforcing the continuity of pedestrian-oriented, active ground-level uses and strengthening the relationship between those uses and the pedestrian environment. Active uses include but are not limited to: lobbies, retail, residential, commercial, and office. Together with the ground floor window, entrance, and pedestrian standards, the Enhanced Pedestrian Street standards foster an efficient, safe, and interesting route for pedestrians to move through the Gateway plan district.
- B. Where these regulations apply.** Development on sites abutting an Enhanced Pedestrian Street as shown on Map 526-4, where the development is new development or that adds at least 40,000 square of net building area to the site, must meet the standards of this section. Development where there has been a school use on the site since June 18, 2004 is exempt from this requirement.
- C. Required building lines.** Either Paragraph C.1. or C.2., below, must be met. Exterior walls of buildings designed to meet the requirements of this subsection must be at least 15 feet high.
  1. The building must extend to the street lot line along at least 75 percent of the lot line; or
  2. The building must extend to within 12 feet of the street lot line for 75 percent of the lot line and the space between the building and the street lot line must be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes or vendor's stands.
- D. Ground floor active uses.** Buildings must be designed and constructed to accommodate uses such as those listed in Subsection A, above. Areas designed to accommodate these uses may be developed at the time of construction, or may be designed for later conversion to active uses. This standard must be met along at least 50 percent of the ground floor of walls that front onto a sidewalk, plaza, or other public open space. Areas designed to accommodate active uses must meet the following standards:

1. The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
2. The area must be at least 25 feet deep, measured from the street frontage wall;
3. The area may be designed to accommodate a single tenant or multiple tenants;
4. The street-facing façade must include windows, or be structurally designed so doors and windows can be added when the space is converted to active building uses; and
5. Parking is not allowed in the areas that are required to meet the standard of this subsection.

### **33.526.290 Ground Floor Windows**

- A. Purpose.** In the Gateway plan district, blank walls on the ground level of buildings are limited in order to:
- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;
  - Encourage continuity of retail and service uses;
  - Encourage surveillance opportunities by restricting fortress-like facades at street level; and
  - Avoid a monotonous pedestrian environment.
- B. Standard.** All exterior walls on the ground level which face a street lot line, sidewalk, plaza, or other public open space or right-of-way must meet the Ground Floor Window requirements of the CX zone.

### **33.526.300 Required Windows Above the Ground Floor**

- A. Purpose.** These regulations prevent large blank walls above the ground floor from facing residential sites outside the plan district. Together with the height regulations, this helps lessen the impact of tall buildings in the regional center on adjacent residential neighborhoods.
- B. Required windows above the ground floor.** Sites across a street and within 50 feet of R7 through R2.5 zones outside the plan district must provide windows in façades that face a residential zone. The windows must cover at least 15 percent of the area of the façade above the ground level. This requirement is in addition to any required ground floor windows.

### **33.526.310 Exterior Display and Storage**

Exterior display and storage are prohibited except for outdoor seating for restaurants and pedestrian-oriented accessory uses, including flower, food, or drink stands. Temporary open-air markets and carnivals are also allowed.

### **33.526.320 Drive-Through Facilities**

Drive-through facilities are prohibited.

### 33.526.330 Gateway Master Plan

- A. Purpose.** The Gateway master plan adds development potential and flexibility for projects in specified areas. A carefully considered master plan has the potential to ensure that new development moves sites in the plan district closer to the goals of the Gateway Regional Center, while allowing for flexibility, additional development capacity, and phasing of change. The additional development potential and flexibility are possible because the master plan demonstrates that the policy objectives of the Outer Southeast Community Plan are advanced and can be met in the long term. The Gateway master plan is an option; it is not a requirement.
- B. Flexibility achieved.** An approved Gateway master plan allows additional flexibility in any of the following situations:
1. Allocates allowed floor area to individual development sites that will not remain in the same ownership;
  2. Allows uses to be arranged on the site in the most appropriate manner by allowing uses to be located in zones where they are otherwise not permitted.
  3. Allows the development of required housing at an alternate location;
  4. Defers the building of required open area;
  5. Defers the construction of required streets, accessways, and other transportation elements; or
  6. Allows applicants to take advantage of bonus options in 33.526.230.
- C. Contents of a Gateway master plan.** In addition to the application requirements of Section 33.730.060, a Gateway master plan must contain the components listed below. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases. The plan must include:
1. Floor area. How allowable floor area will be distributed throughout the site. This can be shown by location of buildings, by subareas of the site, or by amount assigned to each lot. Floor area may be reallocated within the site.
  2. Location of uses. The location of proposed uses on the site. If a use is allowed on the site, it may be located on a portion of the site where the zoning would otherwise not permit it. Regardless of use, the base zone development standards will apply.
  3. Housing.
    - a. The location, density, and general type of housing to be built. If residential development is required by the base zone, the plan must show how the requirement will be met.
    - b. If the required housing is proposed for a location outside of the residentially-zoned area, the proposed site must meet the following requirements. The site must be under the applicant's control. The site must be vacant or used for surface parking, or have improvements with an assessed value less than one-



third the value of the land. The site must be within the Gateway plan district and be zoned CX or EX. The proposed housing site must be of suitable size and location to be attractive for the required amount of housing.

4. Minimum and maximum requirements. The total combined floor area for the entire site and for each use must be within the minimum required and maximum allowed, including bonus floor area, for the plan area. Floor area transfers outside of the Gateway master plan site are prohibited.
5. Infrastructure capability. The plan must identify and link the development of each phase of the project to the provision of services necessary to meet the infrastructure service needs of the development associated with that phase.
6. Circulation. The plan must identify a clear internal circulation system that joins the surrounding street system at logical points and meets the needs of pedestrians, bicyclists, and drivers.
7. Open area. The plan must identify when and where the open area will be built.
8. Connectivity. The plan must identify when and where the streets, accessways, and other internal connections will be built.
9. Proposed reviews and criteria. Required reviews, such as design and other land use reviews, for all phases may be done as part of the initial master plan review, or may be done separately at the time of each new phase of development.
  - a. If the applicant requests that all of the required reviews be done as part of the review of the master plan, the plan must explain and provide enough detail on how the proposals comply with the approval criteria for the reviews.
  - b. If the applicant decides to defer these reviews to the time of future development, the plan must specify what review procedures and approval criteria will be used for reviewing that development.
  - c. Adjustments and modifications. If any adjustments or modifications are being requested in conjunction with the Gateway master plan review, the application must include a statement as to how each adjustment and modification complies with the approval criteria for the adjustment or modification.

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

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

**E. Implementation.**

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

**33.526.340 Parking**

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

The parking ratios in this section will accommodate most auto trips to a site and take into account the intensity of development in the area, on-street parking supply, pedestrian activity, and proximity to frequent transit service.

Limiting the location of parking and access on light rail alignments improves access to transit, supports a transit-oriented development pattern, and reduces conflicts between motor vehicles and pedestrians or bicycles. In particular, it reduces conflicts between motor vehicles and light rail trains, especially where the access would require cars to cross the light rail tracks.

**B. Number of parking spaces.**

1. Minimum required parking spaces. There is no minimum number of required parking spaces.
2. Maximum allowed parking spaces.
  - a. Except as specified in B.2.b., the maximum number of parking spaces allowed for nonresidential uses is 150 percent of Standard A in Table 266-2 of Chapter 33.266, Parking and Loading. The maximums apply to both surface and structured parking.
  - b. Exceptions.

- (1) Medical and dental offices. The maximum number of parking spaces allowed for medical and dental offices is 1 space per 204 square feet of net building area. The maximum applies to both surface and structured parking.
- (2) Office uses. If all of the parking accessory to Office uses is in structured parking, the maximum number of parking spaces allowed for Office uses is 1 space per 294 square feet of net building area.
- (3) Park-and-ride facilities. There is no maximum for park-and-ride facilities.

**C. Location.**

1. Vehicle areas are not allowed between a primary structure and any street, except as follows:
  - a. Sites with through lots or with three frontages may have vehicle areas between a primary structure and one Local Service Transit Street.
  - b. Sites on full blocks may have vehicle areas between a primary structure and two Local Service Transit Streets.
  - c. Driveways are allowed between a building and a street that is not a light rail alignment if the driveway provides a straight line connection between a street and parking area inside the building. Driveways between a building and a light rail alignment are not allowed.
2. Vehicle areas are not allowed on the portion of the site within 100 feet of a street that is a light rail alignment.

- D. Structured parking near light rail.** In C and E zones, areas of structured parking located within 100 feet of a light rail alignment must meet the standards of 33.526.280.D, Ground Floor Active Uses, along at least 50 percent of the structure's ground floor walls that face the light rail alignment and front onto a sidewalk, plaza, or other public open space.

**33.526.350 Required Design Review**

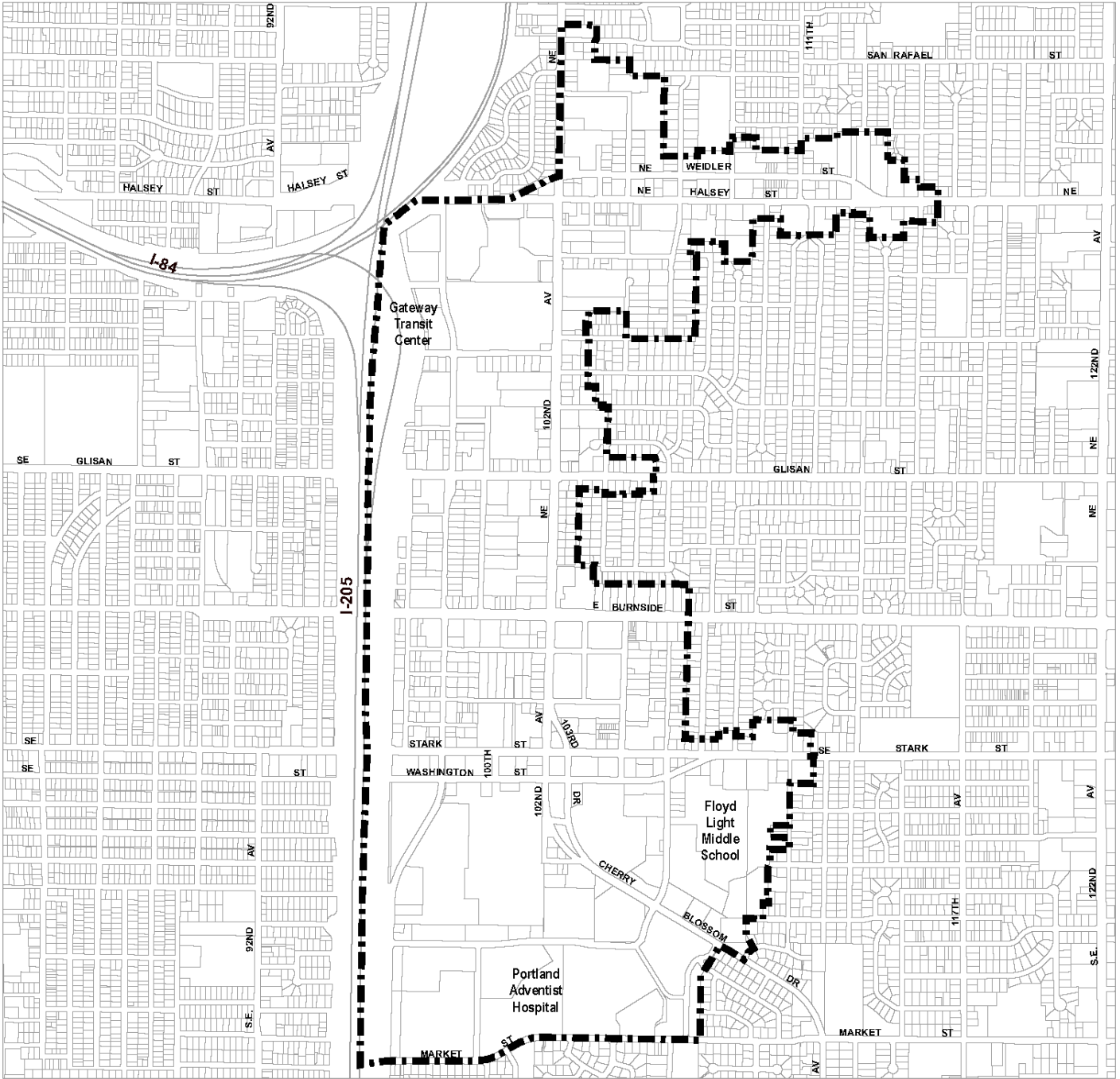
The regulations of Chapter 33.420, Design Overlay Zones apply in all areas of the plan district that are within the Design Overlay Zone.

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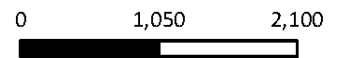
*(Added by Ord. No. 169763, effective 3/25/96. Amended by: Ord. 172010, effective 3/18/98; Ord. No. 174980, effective 11/20/00; Ord. No. 175837, effective 9/7/01; Ord. No. 177028, effective 12/14/02; Ord. No. 178423, effective 6/18/04; Ord. No. 179092, effective 4/1/05; Ord. No. 179980, effective 4/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 185974, effective 5/10/13; Ord. No. 186639, effective 7/11/14; Ord. No. 187216, effective 7/24/15; Ord. No. 188162, effective 2/1/17).*



Map Revised February 13, 2015



Plan District Boundary



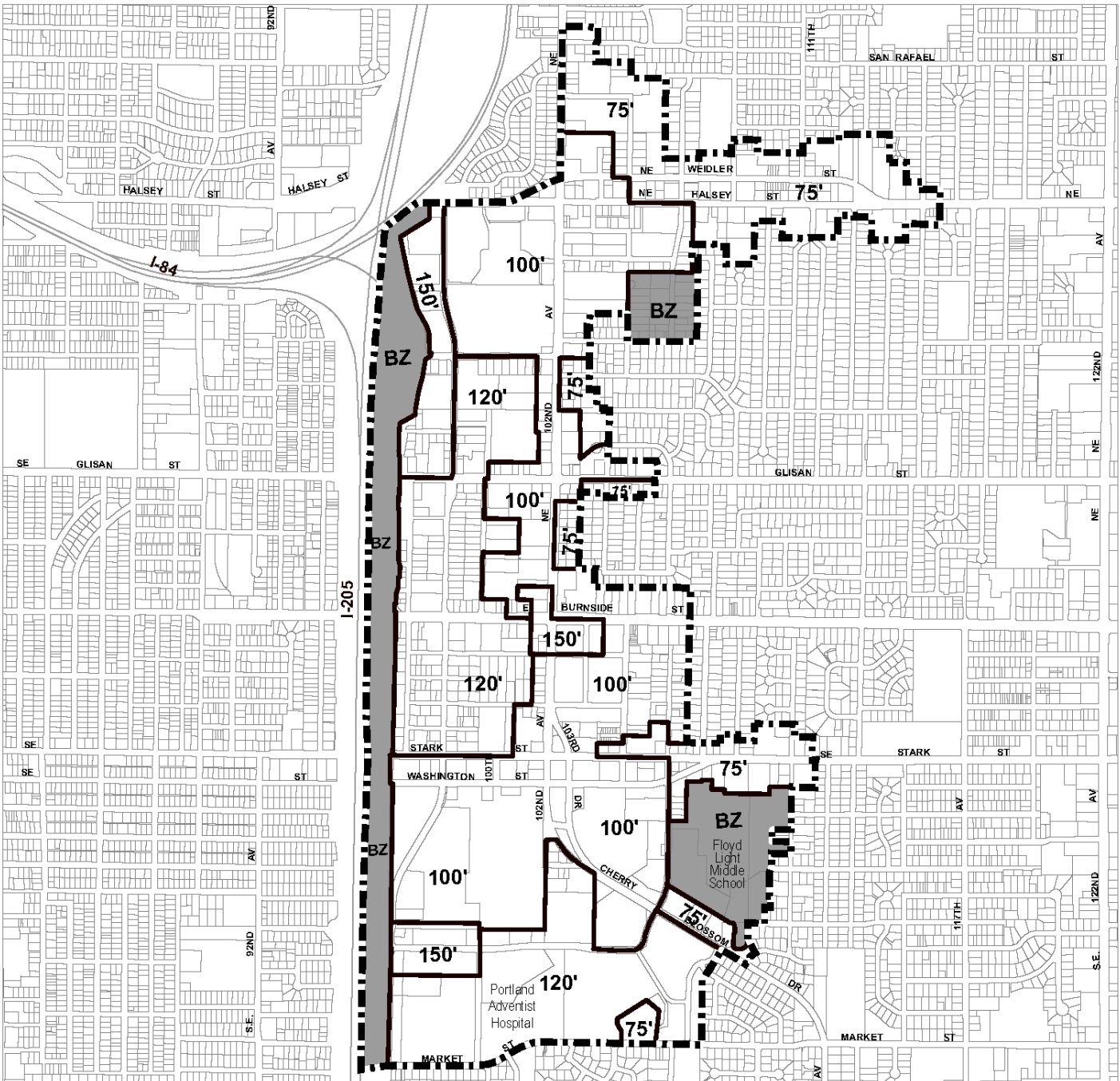
Scale in Feet





Bureau of Planning and Sustainability  
Portland, Oregon


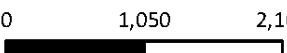
# Gateway Plan District Maximum Heights

# Map 526-2

Map Revised February 13, 2015



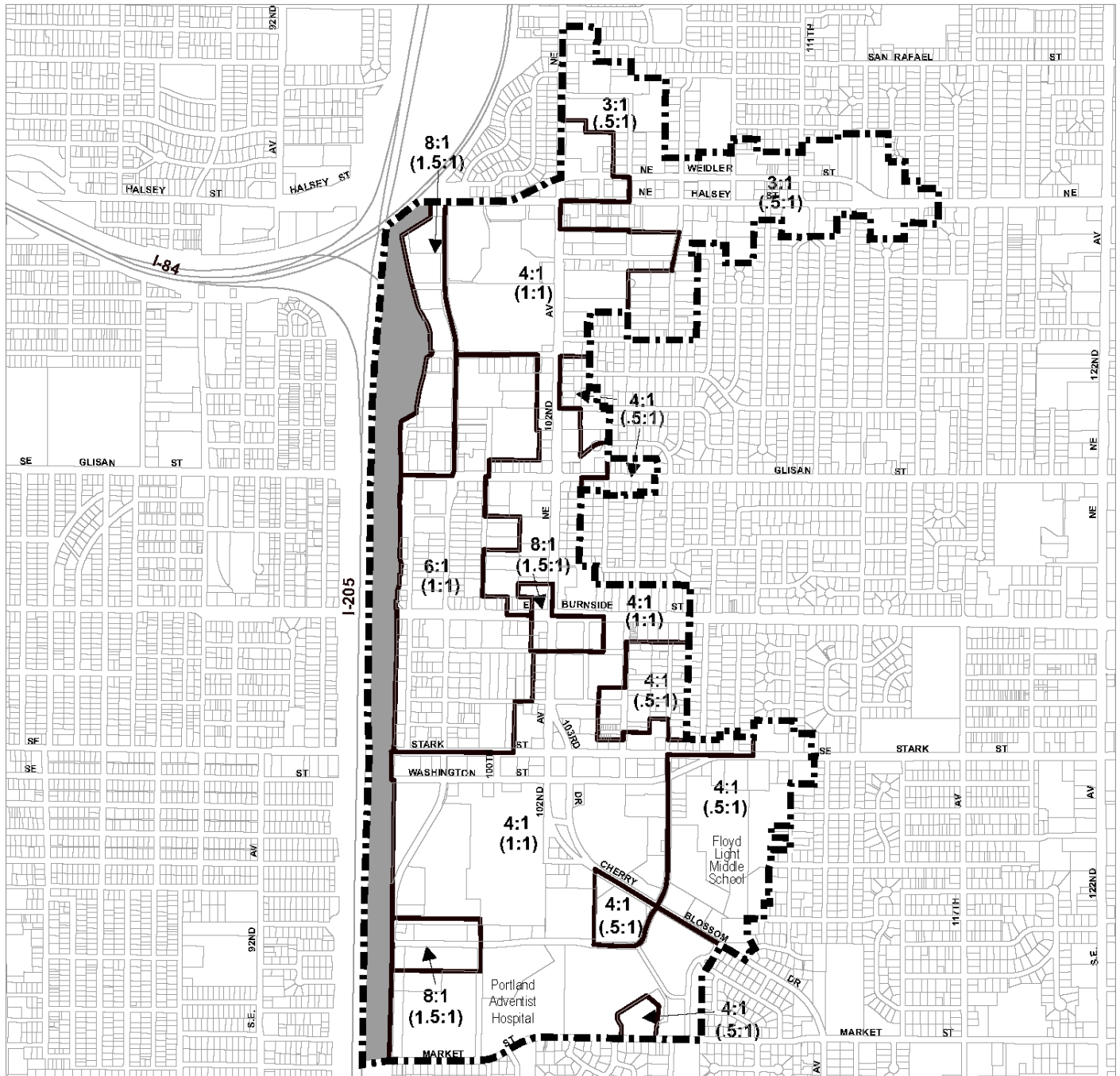
-  Plan District Boundary
-  Maximum building height boundary
-  Maximum building height
-  Area where base zone heights apply




  
 NORTH  
  
 0 1,050 2,100  
 Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Gateway Plan District Floor Area Ratios (FAR)

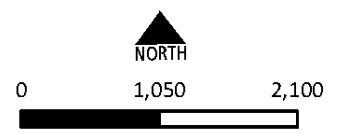
# Map 526-3

Map Revised February 13, 2015



-  Plan District Boundary
-  FAR Boundary
-  Area where FAR is determined by the Base Zone

- X = Gross square foot of building
- Y = Square foot of site
- X:Y Maximum FAR
- (X:Y) Minimum FAR

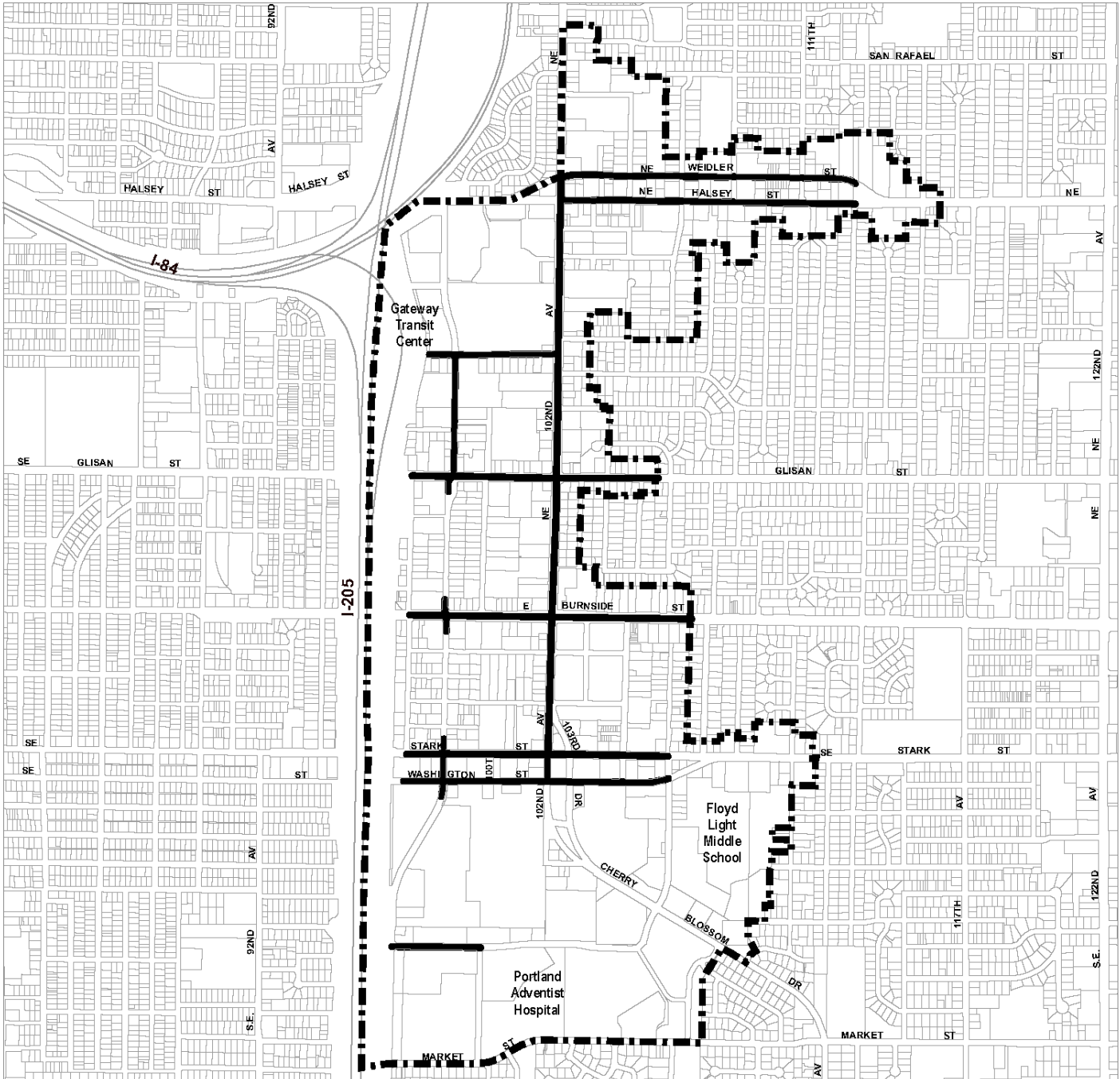




Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

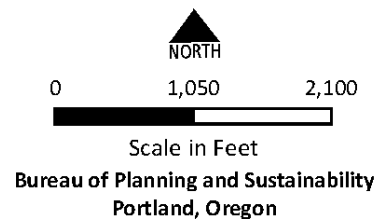
# Gateway Plan District Enhanced Pedestrian Streets

# Map 526-4

Map Revised February 13, 2015



-  Plan District Boundary
-  Enhanced Pedestrian Streets

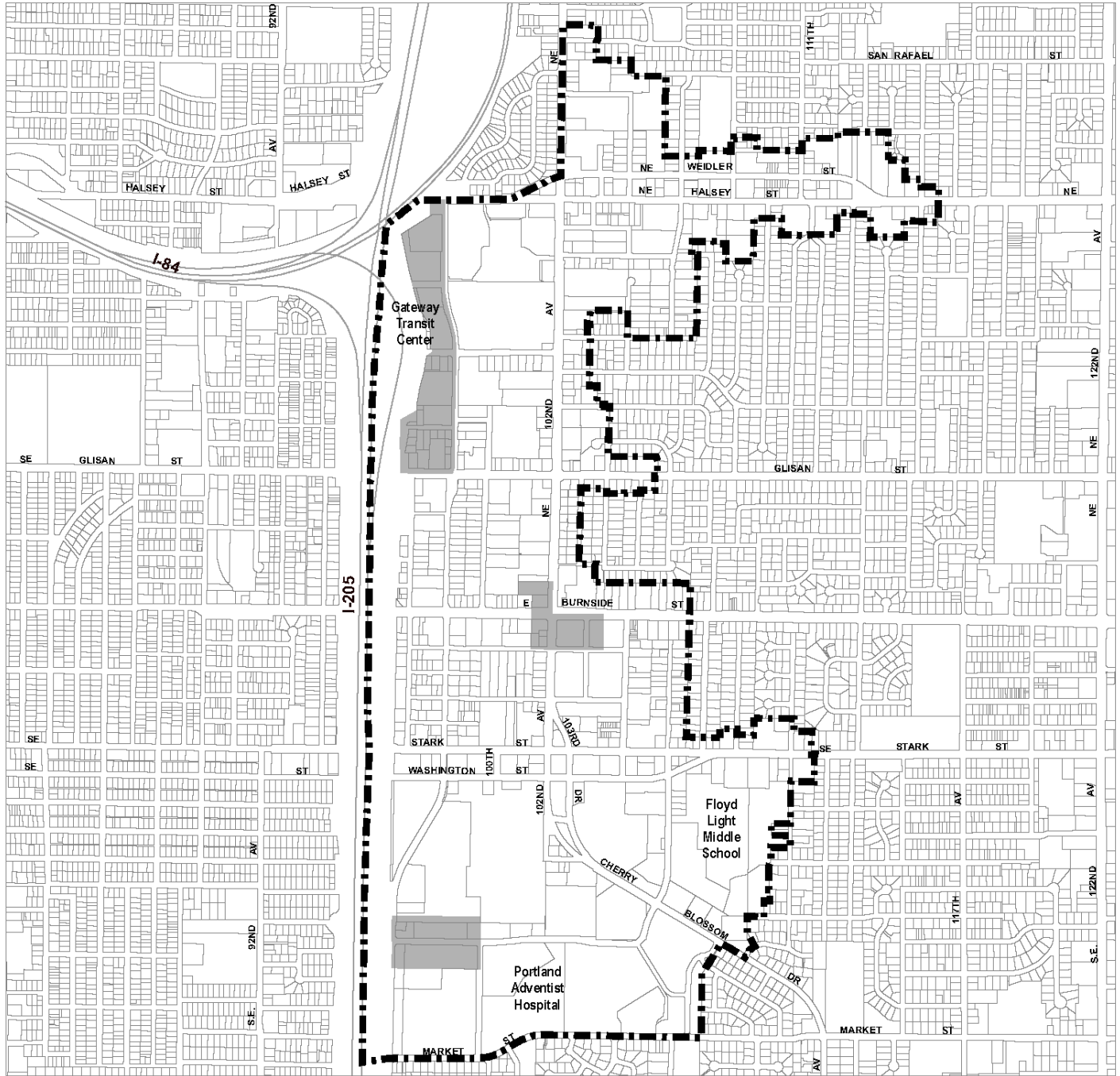




# Gateway Plan District Bonus Option Areas

# Map 526-5

Map Revised February 13, 2015



Plan District Boundary



Areas eligible for bonus height and FAR



0 1,050 2,100

Scale in Feet

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