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Portland requires all new buildings with a net building area of 20,000 square feet or more in the Central City Plan District zoned CX, EX, RX, and IG1 to have green roofs (33.510.243 Ecoroofs). Up to 40% of the roof can alternatively house mechanical equipment, skylights, solar panels, wind turbines, rain capture equipment, or common areas. Green roofs are cooler than conventional roofs, help with air pollution, and keep buildings cooler.

## 33.510 Central City Plan District

# 510

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## General

### 33.510.010 Purpose

The Central City plan district implements the Central City 2035 Plan. The regulations address the unique role the Central City plays as the region's premier center for jobs, health and human services, tourism, entertainment and urban living. The regulations encourage a high-density urban area with a broad mix of commercial, residential, industrial and institutional uses, and foster transit-supportive development, pedestrian and bicycle-friendly streets, a vibrant public realm and a healthy urban river.

### 33.510.020 Where the Regulations Apply

The regulations of this chapter apply to the Central City plan district. The boundaries of the plan district and its subdistricts are shown on Map 510-1 at the end of this chapter, and on the Official Zoning Maps. For other regulations, in cases of conflict the most restrictive regulation controls. The

information depicted on Maps 510-1 through 510-23 is part of the plan district regulations and is subject to the same amendment procedures as amendments to the text of this chapter.

### **33.510.030 Application of Regulations Along Proposed Rights-of-Way and Accessways**

Where Maps 510-1 through 510-23 identify a right-of-way as a “proposed right-of-way” or “proposed accessway,” the location of the right-of-way or accessway on the map represents only a conceptual location. When dedicated or improved, the location of the right-of-way or accessway may vary from the conceptual location shown on these maps. Regulations of this chapter that are based on the location of a proposed right-of-way or accessway apply as follows:

- A.** If the right-of-way or accessway 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 accessway has not been improved or dedicated, the regulation applies based on the location of the facility as shown on the street plan for the area that has been accepted by City Council. The street plan is maintained by the Portland Office of Transportation and is documented in the Transportation Element of Portland’s Comprehensive Plan.

## **Use Regulations**

### **33.510.100 Vehicle Repair and Vehicle Sales or Leasing**

- A.** Vehicle Repair uses are prohibited in the areas shown on Map 510-17.
- B.** The sale or leasing of consumer vehicles, including passenger vehicles, motorcycles, trucks, travel trailers, and other recreational vehicles, is prohibited in the areas shown on Map 510-17, with the following exceptions:
  - 1. Offices for the sale or leasing of consumer vehicles where the vehicles are displayed or stored elsewhere are allowed; and
  - 2. The temporary sale or leasing of consumer vehicles is allowed for up to 14 consecutive days. The time between temporary sales or leasing events must be 4 times as long as the duration of the last event.

### **33.510.110 Mixed Use Waterfront Development**

- A. Purpose.** The Central City 2035 Plan area fronts on portions of the working harbor. The working harbor is the area downstream from the Broadway Bridge. Sites developed for mixed use projects in residential zones along the working harbor will better implement the Central City 2035 Plan, Willamette Greenway Plan, Lower Willamette River Management Plan, and Comprehensive Plan if compatible river dependent industrial activities are allowed as part of mixed use projects.
- B. Where these regulations apply.** The regulations of this section apply to portions of sites in the RX zone that are next to the Willamette River, and are downstream from the Broadway Bridge.
- C. Additional uses allowed.** The following uses are allowed in the nonresidential portion of a mixed use development:



1. Passenger ship docking facilities and accessory customs and cargo handling facilities; and
2. Marinas.

**D. Minimum residential density.** Where there are any non-residential uses on the site, minimum residential densities are one dwelling unit for each 2,000 square feet of site area.

### **33.510.112 Commercial Parking**

Commercial Parking is subject to special regulations in Sections 33.510.261 and 33.510.262. Visitor Parking and Undedicated General Parking, as described in Sections 33.510.261 and 33.510.262, are Commercial Parking. The other types of parking are accessory parking, although either may operate as commercial parking according to 33.510.261 and 33.510.262.

### **33.510.114 Exemptions for Portland State University**

Development by Portland State University within the University District / South Downtown is exempt from the Conditional Use requirements of Chapter 33.815, Conditional Uses, in situations where a use would be allowed if it was not associated with the University. Instead, such development is subject only to the regulations of the base zone, overlay zone, and plan district.

### **33.510.115 Additional Uses Allowed in the Open Space Zone**

- A. Purpose.** Additional uses are allowed on sites zoned OS within the Central City plan district in recognition of the diversity of functions that Central City open spaces provide to residents and visitors. The Central City's open spaces tend to be more urban than open spaces found outside the Central City. Plazas, parks, and other improved outdoor spaces found in the Central City may be designed for a more intensive use, and may include little or no green space. These open spaces may contain buildings, benches, art, coffee shops or restaurants, or other small retail shops. These uses are encouraged in urban parks in the Central City to help promote downtown as a regional attraction, enhance the Central City's role in culture and entertainment, provide space for outdoor activities that are appropriate in an urban setting, and increase desirable activity within and near the open space.
- B. Additional uses allowed.**
1. Retail Sales and Service uses are allowed as follows:
    - a. On sites that are 1 acre or less in size, the total net building area of all Retail Sales and Service uses on the site may be up to 2,500 square feet.
    - b. On sites that are more than 1 acre in size, the total net building area of all Retail Sales And Service uses on the site may be up to 10,000 square feet, or 5 percent of the total site area, whichever is less.
  2. Parking that is totally below grade and existed as of February 9, 2000; and
  3. The uses listed in Subparagraph B.3.a. are allowed on sites that meet the requirements of Subparagraph B.3.b. Adjustments to this paragraph are prohibited.

- a. Uses allowed:
  - (1) Major Event Entertainment;
  - (2) Commercial Outdoor Recreation; and
  - (3) Up to 15,000 square feet of Office.
- b. Requirements for sites where uses in Subparagraph B.3.a. are proposed:
  - (1) The site must be at least 5 acres in area;
  - (2) The site must be within 500 feet of a Transit Station;
  - (3) The site is not within the River General (g\*) overlay zone;
  - (4) The standards of Chapter 33.262, Off-Site Impacts, must be met;
  - (5) The site must have an unexpired Good Neighbor Agreement that is approved by City Council as described in 33.510.115.C, below;
  - (6) The site must have a Comprehensive Transportation Management Plan that is approved by City Council as described in 33.510.115.D, below; and
  - (7) If the site is not managed by the owner, the site must have an Operating Agreement that is approved by City Council.

**C. Good Neighbor Agreement**

1. Purpose. The Good Neighbor Agreement requirements provide an opportunity to consider the impacts of a Major Event Entertainment or Commercial Outdoor Recreation use on nearby residents and businesses. This is achieved by requiring owners or operators to meet with interested parties and by requiring the formulation of a written implementation program referred to as a "Good Neighbor Agreement" before a building permit is issued.
2. When a Good Neighbor Agreement is required. A Good Neighbor Agreement, approved by the City Council, is required before a building permit will be issued for sites with a Major Event Entertainment or Commercial Outdoor Recreation use. The Good Neighbor Agreement does not have to be updated before each building permit is issued, but it must be current at the time of permit issuance.
3. Required process for development and approval of a Good Neighbor Agreement. The owner or operator of the Major Event Entertainment or Commercial Outdoor Recreation use must complete the steps listed in this paragraph. For purposes of this requirement, "applicant" means the owner or operator.
  - a. Develop a Draft Good Neighbor Agreement. The applicant must develop a Draft Good Neighbor Agreement that includes all of the elements listed in Paragraph C.4., below.
  - b. Contact the neighbors. The applicant must contact neighboring property owners and organizations as described below:

- (1) Schedule a meeting. The applicant must schedule a meeting to discuss the draft agreement;
  - (2) Mail notice of the meeting to neighbors. The applicant must mail written notice of the meeting, as specified below:
    - The notice must be mailed at least 14 days before the date of the meeting;
    - The notice must be mailed to all property owners within 1,000 feet of the site and to recognized organizations in which the site is located and recognized organizations within 1,000 feet of the site; and
    - The notice must include the date, time, and place of the meeting, and a copy of the Draft Good Neighbor Agreement.
- c. Hold the Good Neighbor Agreement meeting. Hold the meeting as described below:
- (1) Purpose of meeting. The purpose of the meeting is to provide the opportunity for all interested parties to identify concerns that should be considered through the Good Neighbor Agreement. The anticipated outcome of the meeting is an agreement between the neighbors—including residents and businesses—and the applicant as to how each issue will be considered in the Good Neighbor Agreement. However, a consensus is not required;
  - (2) Attendance by City staff. City staff may attend the meetings to offer suggestions or information, identify potential problems with the Draft Good Neighbor Agreement, or to observe. Participation by City staff in the meeting is not required and does not indicate City approval of the Good Neighbor Agreement;
  - (3) Additional meetings. Additional meetings may be held.
- d. City Council hearing. The applicant must request a City Council hearing. The applicant must request City Council to consider both the Comprehensive Transportation Management Plan and the Good Neighbor Agreement at the same hearing. The purpose of the hearing is for Council to ensure that the applicant has taken the procedural steps required by this paragraph and has adequately addressed the elements in the Good Neighbor Agreement required by Paragraph C.4. City staff from the Office of Management and Finance and the Bureau of Transportation will provide advice to City Council. The Council may approve, approve with modifications, or reject the Good Neighbor Agreement.

At least 14 days before the hearing, the applicant must file the following materials with the City Auditor's Office:

- (1) A copy of the notice of the Good Neighbor Agreement meeting mailed to neighbors as required by C.3.b.(2), above;
- (2) The names and addresses of all those to whom the notice of the Good Neighbor Agreement meeting was mailed;

- (3) The names and addresses of those who attended the meeting;
  - (4) The Draft Good Neighbor Agreement and, if different, the version of the Good Neighbor Agreement that the applicant requests Council to approve;
  - (5) Any other versions of the Good Neighbor Agreement which were reviewed at the meeting;
  - (6) A copy of the notice of City Council hearing required by C.3.e.(1), below; and
  - (7) The names and addresses of all those to whom the notice of City Council hearing was mailed.
- e. Notice of City Council hearing. The applicant must mail written notice of the City Council hearing as specified below:
- (1) The notice must be mailed to all property owners within 1,000 feet of the site, to recognized organizations in which the site is located and recognized organizations within 1,000 feet of the site, and to those who attended the Good Neighbor Agreement meeting;
  - (2) The notice must also be published in a recognized newspaper;
  - (3) The notice must be mailed at least 14 days before the hearing; and
  - (4) The notice must contain at least the following information:
    - The date, time, and place of the City Council hearing;
    - A copy of the Good Neighbor Agreement that is filed with the City Auditor's Office, as specified in C.3.d.(4);
    - The street address or other easily understood geographical reference to the property to be covered by the Good Neighbor Agreement;
    - A statement that the purpose of the hearing is for Council to ensure that the applicant has taken the procedural steps required by Paragraph 33.510.115.C.3. of the Zoning Code, and has included the elements in the Good Neighbor Agreement required by Paragraph 33.510.115.C.4. of the Zoning Code;
    - A statement that Council may approve, approve with modifications, or reject the Good Neighbor Agreement;
    - An explanation of the local decision-making process for making this decision, as described in this section of the Zoning Code;
    - An invitation to comment, in writing, on the proposal and the place, date, and time that comments are due. This date and time must be at least 14 days from the mailing date of the notice;
    - A statement that all information submitted by the applicant is available for review from the City Auditor, and that copies can be obtained for a fee equal to the City's cost for providing the copies; and
    - A statement that issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised before the comment period expires and that such issues must be raised with sufficient

specificity to afford the City Council an opportunity to respond to the issues.

- f. Notice of City Council decision. The City Auditor will file the notice of decision by the next working day after the decision is made. Within 5 days of filing the notice of decision, the City Auditor will mail a notice of the decision to all property owners within 1,000 feet of the site, to recognized organizations in which the site is located and recognized organizations within 1,000 feet of the site, and to all who testified at the Council hearing, submitted written comments, or requested such notice in writing.
4. Elements of a Good Neighbor Agreement. The Good Neighbor Agreement must consider all of the following items:
    - a. Event schedules, including coordination with nearby facilities to minimize impacts on the neighborhood of concurrent events;
    - b. Event limitations;
    - c. Noise management;
    - d. Box Office hours of operation;
    - e. Litter management;
    - f. Lighting;
    - g. Communications, including a process for receiving, recording, and responding to community comments;
    - h. Alcohol management;
    - i. Security;
    - j. Hours of operation including those for set-up and take-down;
    - k. Community use of the site;
    - l. Motorized events;
    - m. Oversight committee;
    - n. Enforcement of the Good Neighbor Agreement;
    - o. Exceptions to the Good Neighbor Agreement;
    - p. Process and requirements for updating, amending, or terminating the Good Neighbor Agreement; and
    - q. Effective date, term of the agreement, and date of expiration.

**D. Comprehensive Transportation Management Plan**

1. Purpose. The Comprehensive Transportation Management Plan requirements provide an opportunity to consider the impacts of traffic and parking on nearby residents and businesses. This is achieved by requiring owners or operators to complete an analysis

of traffic issues, suggest mitigation measures, and make the draft report available to the neighbors of the site.

2. When a Comprehensive Transportation Management Plan is required. A Comprehensive Transportation Management Plan is required before a building permit will be issued for sites with a Major Event Entertainment or Commercial Outdoor Recreation use.
3. Required process for development and approval of a Comprehensive Transportation Management Plan. The owner or operator of the Major Event Entertainment or Commercial Outdoor Recreation use must complete the steps listed in this paragraph. For purposes of this requirement, "applicant" means the owner or operator
  - a. Develop a Draft Comprehensive Transportation Management Plan. The applicant must develop a Draft Comprehensive Transportation Management Plan that includes all of the elements listed in Paragraph D.4., below.
  - b. Notice of Draft Plan. The applicant must mail written notice to all property owners within 1,000 feet of the site and to recognized organizations in which the site is located and recognized organizations within 1,000 feet of the site that the Draft Comprehensive Transportation Management Plan is available.
  - c. City Council hearing. The applicant must request a City Council hearing. The Comprehensive Transportation Management Plan must be considered at a City Council hearing held to also consider the Good Neighbor Agreement. The hearing must be at least 14 days after the notice to neighbors that the Draft Comprehensive Transportation Management Plan is available, as required by Subparagraph D.3.b., above, is mailed.

The purpose of the hearing is for Council to ensure that the applicant has taken the procedural steps required by this paragraph and has adequately addressed the elements in the Comprehensive Transportation Management Plan required by Paragraph D.4. City staff from the Office of Management and Finance and the Bureau of Transportation will provide advice to City Council. The Council may approve, approve with modifications, or reject the Comprehensive Transportation Management Plan.

At least 14 days before the hearing, the applicant must file the following materials with the City Auditor's Office:

- (1) A copy of the notice to neighbors that the Draft Comprehensive Transportation Management Plan is available, as required by D.3.b., above;
- (2) The names and addresses of all those to whom notice that the Draft Comprehensive Transportation Management Plan is available was mailed;
- (3) The Draft Comprehensive Transportation Management Plan that has been made available to the neighbors, and, if different, the version of the Comprehensive Transportation Management Plan that the applicant requests Council to approve;

- (4) A copy of the notice of City Council hearing required by Subparagraph D.3.d., below; and
  - (5) The names and addresses of all those to whom the notice of City Council hearing was mailed.
- d. Notice of City Council hearing. The applicant must mail written notice of the City Council hearing as specified below:
- (1) The notice must be mailed to all property owners within 1,000 feet of the site, and to recognized organizations in which the site is located and recognized organizations within 1,000 feet of the site;
  - (2) The notice must also be published in a recognized newspaper;
  - (3) The notice must be mailed at least 14 days before the hearing; and
  - (4) The notice must contain at least the following information:
    - The date, time, and place of the City Council hearing;
    - A copy of the Comprehensive Transportation Management Plan requested to be approved by Council and filed with the City Auditor's Office, as specified in D.3.c.(3);
    - The street address or other easily understood geographical reference to property to be covered by the Comprehensive Transportation Management Plan;
    - A statement that the purpose of the hearing is for Council to ensure that the applicant has taken the procedural steps required by Paragraph 33.510.115.D.3. of the Zoning Code, and has included the elements in the Comprehensive Transportation Management Plan required by Paragraph 33.510.115.D.4. of the Zoning Code;
    - A statement that Council may approve, approve with modifications, or reject the Comprehensive Transportation Management Plan;
    - An explanation of the local decision-making process for making this decision, as described in this section of the Zoning Code;
    - An invitation to comment, in writing, on the proposal and the place, date, and time that comments are due. This date and time must be at least 14 days from the mailing date of the notice;
    - A statement that all information submitted by the applicant is available for review, and that copies can be obtained for a fee equal to the City's cost for providing the copies; and
    - A statement that issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised before the comment period expires and that such issues must be raised with sufficient specificity to afford the City Council an opportunity to respond to the issues.
- e. Notice of City Council decision. The City Auditor will file the notice of decision by the next working day after the decision is made. Within 5 days of filing the notice of decision, the City Auditor will mail a notice of the decision to all property owners within 1,000 feet of the site, to all neighborhood associations and

business associations within 1,000 feet of the site, and to all who testified at the Council hearing, submitted written comments, or requested such notice in writing.

4. Elements of a Comprehensive Transportation Management Plan. The Comprehensive Transportation Management Plan must consider all of the following items:
  - a. Existing conditions, including traffic counts, parking availability, attendee mode splits, and site access and circulation;
  - b. Impacts of anticipated Major Event Entertainment and Commercial Outdoor Recreation uses, including a parking demand analysis; and
  - c. Proposed mitigation measures.

#### **33.510.116 Retail Sales And Service Uses for Specified Sites in the CX and EX Zones**

- A. Purpose.** Limits on the size of Retail Sales And Service uses promote neighborhood-serving commercial development and help reduce traffic congestion associated with large-scale retailers.
- B. Retail Sales and Service Limitation.** On sites shown on Map 510-12, Retail Sales And Service uses are limited to 50,000 square feet of net building area per use. Approval through a conditional use review is required for any individual Retail Sales And Service use over 50,000 square feet of net building area, but individual Retail Sales And Service uses with more than 60,000 square feet of net building area are prohibited. These limitations do not apply to hotel uses.

#### **33.510.117 Retail Sales And Service and Office Uses in the RX Zone**

- A. Purpose.** The provisions of this section enhance the residential character of the RX zone, improve the economic viability of residential development and promote active streetscapes by allowing commercial uses. At the same time, commercial uses are regulated to assure that residential uses are the primary use in the zone.
- B. Where these regulations apply.** The regulations of this section apply to sites in the RX zone.

The regulations of Paragraph D.2. apply to sites that are not on the Park Block frontages; the regulations of Paragraph D.3. apply to sites that are on the Park Block frontages. The South Park Block frontages are shown on Map 510-14.

- C. Adjustments prohibited.** Adjustments to the regulations of this section are prohibited.
- D. Retail Sales And Service and Office uses in the RX zone.**
  1. Outdoor activities on all sites. All commercial uses must be conducted entirely within fully enclosed buildings. Exterior display of goods and exterior storage are not allowed. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, are exempt from this requirement.
  2. Sites not on Park Block frontages. On sites that are not on the South Park Block frontages, shown on Map 510-14, the following regulations apply:



- a. New multi-dwelling development. Retail Sales And Service or Office uses are allowed as part of a new multi-dwelling development as follows:
  - (1) Up to 20 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office use; or
  - (2) Up to 40 percent of the net building area of a new multi-dwelling development may be in Retail Sales And Service or Office use if at least 50 percent of the area of the ground floor contains Retail Sales And Service or Office uses.
- b. Conversion of existing development.
  - (1) Up to 60 percent of net building area in a multi-dwelling development that existed on July 9, 2018 may be converted to Retail Sales And Service and Office uses.
  - (2) Up to 100 percent of the net building area of any building may be converted to Retail Sales And Service and Office use if:
    - A legally-established non-residential use was operating in the building on July 9, 2018 and
    - The development maintains the same number of dwelling units in the building after the conversion.
3. Sites on South Park Block frontages. On sites that are on the Park Block frontages, shown on Map 510-14, the following regulations apply:
  - a. Up to 100 percent of the floor area of the ground floor of a building may be in Retail Sales And Service and Office use; and
  - b. Up to 20 percent of the net building area located somewhere other than the ground floor is allowed if approved through a Conditional Use review.

### **33.510.119 Retail Sales And Service and Office Uses in the IG1 Zone**

#### **A. Generally.**

1. The regulations of this subsection apply to sites in the IG1 zone that are not subject to Subsections B. or C., below.
2. Allowed uses. One Retail Sales And Service or Office use is allowed per site. The square footage of the net building area plus the exterior display and storage area may be up to 3,000 square feet.
3. Conditional uses.
  - a. More than one Retail Sales And Service or Office use on a site is a conditional use.
  - b. Retail Sales And Service uses where the net building area plus the exterior display and exterior storage area is more than 3,000 square feet are a conditional use. Retail Sales And Service uses where the net building area plus the exterior display

and storage area is more than 25,000 square feet, or the square footage of the site area, whichever is less, are prohibited.

- c. Office uses where the net building area plus the exterior display and storage area is more than 3,000 square feet are a conditional use. Office uses where the net building area is more than 60,000 square feet or the square footage of the site area, whichever is less, are prohibited.

#### **B. Historic Resources**

1. The regulations of this subsection apply in the IG1 Zone to historic resources that are listed on the National Register of Historic Places or are identified as contributing to the historic significance of a Historic District or a Conservation District.
2. Allowed uses.
  - a. Retail Sales And Service and Traditional Office. Up to 12,000 square feet on a site may be in Retail Sales And Service or Traditional Office use. The total amount of square footage includes net building area, exterior display, and exterior storage area of all Retail Sales And Service and Traditional Office uses on the site. More than 12,000 square feet on a site in Retail Sales And Service uses is prohibited.
  - b. Industrial Office. Up to 100 percent of the gross building area on a site may be in an Industrial Office use including gross building area added inside of the building as it existed on July 9, 2018. In addition, up to 5,000 square feet of floor area added to the roof of the building as it existed on July 9, 2018 can be in Industrial Office use. Industrial Office use in more than 5,000 square feet of floor area added to the roof of the building is prohibited.
3. Conditional uses. More than 12,000 square feet on a site may be in Traditional Office uses if approved through a conditional use. The total amount of square footage includes net building area, exterior display, and storage area of Traditional Office uses on the site. If there are also Retail Sales And Service uses on the site, no more than 12,000 square feet may be in Retail Sales And Service use.

#### **C. Central Eastside Subdistrict**

1. Purpose. The regulations of this subsection are intended to broaden the mix of employment uses in the Central Eastside Industrial District in a manner that increases the vitality of the district without negatively impacting the viability of industrial uses and development. The additional uses allowed by the regulations are uses that build on the economic strengths, locational advantages and urban character of the Central Eastside.
2. Where these regulations apply. The regulations of this subsection apply to sites zoned IG1 in the Central Eastside Subdistrict that are not subject to Subsection B.
3. Allowed uses.
  - a. Retail And Service and Traditional Office uses.

- (1) Sites up to 40,000 square feet in size. The following regulations apply to Retail Sales And Service and Traditional Office uses on sites that are 40,000 square feet or less in size:
    - Up to 5,000 square feet of the net building area plus the exterior display and storage area on a site may be in Retail Sales And Service use. More than 5,000 square feet in Retail Sales And Service use on a site is prohibited.
    - Up to 5,000 square feet of net building area on a site may be in Traditional Office use. More than 5,000 square feet in Traditional Office use on a site is prohibited.
  - (2) Sites over 40,000 square feet in size. The following regulations apply to Retail Sales And Service and Traditional Office uses on sites that are more than 40,000 square feet in size:
    - Retail Sales and Service uses on a site are allowed but net building area plus exterior display and storage is limited to an amount equal to 12.5 percent of the total site area. More than 12.5 percent in Retail Sales And Service use is prohibited.
    - Traditional Office uses on a site are allowed but net building area is limited to an amount equal to 12.5 percent of the total site area. More than 12.5 percent in Traditional Office use is prohibited.
- b. Industrial Office.
- (1) Generally, Industrial Office uses are allowed but net building area plus exterior display and storage is limited to up to an amount equal to three times the square footage of the site. Unless allowed by one of the exceptions below, Industrial Office use in excess of three times the square footage of the site is prohibited.
  - (2) Exceptions.
    - Exception 1. When the following four standards are met, Industrial Office uses are allowed but net building area plus exterior display and storage is limited to an amount equal to four times the total square footage of the site. Industrial Office use in excess of four times the square footage of the site is prohibited:
      - At least 33 percent or 5,000 square feet, whichever is more, of the total amount of ground-floor floor area on the site must be in a Manufacturing and Production, Warehouse and Freight Movement, or Industrial Service use. The required industrial use can be consolidated in one building on the site or can be spread out through multiple buildings on the site;
      - Each space for the required industrial use must be on the ground floor and must be at least 5,000 square feet in area;
      - The minimum floor to ceiling height of each space for the required industrial use must be 20 feet; and
      - Each space for the required industrial use must include at least one loading door or entrance that serves the industrial space. If more than one industrial space is created then each space

must have at least one loading door or entrance, or must have access to a shared loading door or entrance in a common area accessible from each industrial space located on the ground floor.

- Exception 2. If the site is 20,000 square feet or less in size, up to 60,000 square feet of net building area may be in an Industrial Office use. More than 60,000 square feet per site is prohibited.
  - Exception 3. Industrial Office uses are allowed in buildings that existed on December 21, 2016. In this case, 100 percent of the net building area may be in an Industrial Office use including floor area added inside of the building as it existed on December 21, 2016. In addition, up to 5,000 square feet of floor area added to the roof of the building as it existed on December 21, 2016 can be in Industrial Office use. Industrial Office use in more than 5,000 square feet of floor area added to the roof of the building is prohibited.
- c. Group Living, Daycare and Community Services uses. Group Living, Daycare and Community Services uses are allowed on sites that had Group Living, Daycare and Community Service uses operating at the same time on July 9, 2018. The total amount of net building area allowed for Group Living, Daycare and Community Service uses combined is an amount equal to 3 times the total site area. If the Group Living use allowed by this section is discontinued for 3 continuous years, Group Living uses are no longer allowed on the site. If the Daycare or Community Service uses allowed by this subparagraph are discontinued for 3 continuous years, new Daycare or Community Service uses are subject to the use provisions of the IG1 zone.

### **33.510.120 Retail Sales And Service and Office Uses in Specified Historic Resources in the IH Zones**

- A. Where these regulations apply.** The regulations of this subsection apply in the IH Zone to historic resources that are listed on the National Register of Historic Places or to structures or objects that are identified as contributing to the historic significance of a Historic District or a Conservation District.
- B. Allowed uses.** Up to 12,000 square feet on a site may be in Retail Sales And Service or Office use. The total amount of square footage includes net building area, exterior display, and storage area of all Retail Sales And Service and Office uses on the site. More than 12,000 square feet on a site in Retail Sales And Service uses is prohibited.
- C. Conditional uses.** More than 12,000 square feet on a site may be in Office uses if approved through a conditional use. The total amount of square footage includes net building area, exterior display, and storage area of Office uses on the site. If there are also Retail Sales And Service uses on the site, no more than 12,000 square feet may be in Retail Sales And Service use.

### 33.510.121 Residential Uses in the EX Zone

- A. Purpose.** Residential uses are restricted in portions of the EX zone in the Lower Albina and Central Eastside subdistricts in order to avoid conflicts between residential and industrial activities.
- B. Residential use restrictions.**
1. Residential uses are prohibited in the areas shown on Map 510-6.
  2. Residential uses are only allowed through a Central City Master Plan in the areas shown on Map 510-6.

### Development Standards

#### 33.510.200 Floor Area Ratios

- A. Purpose.** Floor area ratios (FARs) work with the height, setback, and building coverage standards to control the overall bulk of development. Generally, the highest FARs in Portland are applied in the Central City plan district to support its role as the region's premier center for jobs, health and human services, and urban living. The minimum FARs required in the Central City plan district are intended to ensure a minimum level of development on a vacant site, ensure that not all development potential is transferred off a site, and ensure redevelopment of under-utilized sites. The maximum FARs allowed in the Central City plan district balance multiple objectives of the Central City 2035 Plan including:
- Locating the largest floor area ratios along the Transit Mall and high-capacity transit lines;
  - Varying building bulk across the Central City;
  - Generally, stepping down allowed building bulk to the Willamette River and neighborhoods adjacent to the Central City; and
  - Ensuring that building bulk is compatible within historic districts.
- B. Adjustments.** Adjustments to floor area ratio regulations are prohibited.
- C. Floor area ratio.**
1. Generally, maximum floor area ratio (FAR) for sites in the Central City plan district are shown on Map 510-2. Maximum FAR can be increased on a site if FAR is transferred or earned through a bonus as allowed by 33.510.205, Floor Area Bonus and Transfer Options. Increases in FAR on a site are limited as described in Subsection D. Exemptions are in Subsection E.
  2. On the site shown on Map 510-2 as requiring residential use, the maximum FAR for the entire site is 9 to 1 if all floors above the ground floor on the western half of the block are in a residential use.
  3. Minimum floor area ratio. Minimum FAR is required as follows:
    - a. For sites where the maximum allowed FAR before bonuses and transfers is up to 4 to 1, the minimum FAR is 1 to 1;

- b. For sites where the maximum allowed FAR before bonuses and transfers is between 5 to 1 and 8 to 1, the minimum FAR is 2 to 1; and
- c. For sites where the maximum allowed FAR before bonuses and transfers is 9 to 1 or greater, the minimum FAR is 3 to 1.

**D. Limits on increased floor area.** Maximum FAR can be increased on a site if FAR is transferred or bonus FAR is earned as allowed by 33.510.205, Floor Area Bonus and Transfer Options. The following limits apply to increases in FAR:

- 1. Unless otherwise specified in Paragraphs D.2. and D.3, the maximum amount of FAR that can be earned on a site through use of bonus options is 3 to 1. There is no limit on the amount of FAR that can be transferred to a site.
- 2. South Park Blocks frontages. Transferring floor area to sites, or portions of sites, zoned RX is prohibited within the South Park Block frontage areas shown on Map 510-14.
- 3. South Waterfront subdistrict. In the South Waterfront subdistrict the following applies:
  - a. An FAR of more than 3 to 1 may be earned on a site through the use of bonuses if at least 1 to 1 FAR is earned on the site through the use of the open space bonus option, the open space fund bonus option, or the South Waterfront Willamette River Greenway bonus option. However, the total amount of floor area on a site, including bonus floor area and transferred floor area, must not be more than 9 to 1.
  - b. The total floor area on a site, including bonus floor area and transferred floor area, may be more than 9 to 1 if all of the following are met:
    - (1) The floor area above the 9 to 1 ratio is transferred from the South Waterfront Greenway Area shown on Figure 510-3; and
    - (2) The portion of the South Waterfront Greenway Area that floor area is being transferred from must have been dedicated to the City after September 1, 2002.

**E. Exemptions.** The following are exemptions from the regulations in Subsection C.:

- 1. Neighborhood facilities.
  - a. Purpose. This regulation encourages creation of facilities to serve those who live and work in the Central City. These facilities are necessary elements of a complete neighborhood.
  - b. Standards. Floor area used for specified neighborhood facilities is not counted towards maximum FAR for the site. The specified neighborhood facilities are public schools, public community centers, daycare facilities for children, and public libraries. To qualify for this provision, the following requirements must be met:

- (1) Schools. Floor area to be used for public schools does not count towards maximum FAR for the site if the school will be operated by or for a public school district.
  - (2) Daycare. Floor area to be used for daycare facilities for children does not count towards maximum FAR for the site. The facility must be open at least five days each week and fifty weeks each calendar year.
  - (3) Libraries. Floor area to be used for public libraries does not count towards maximum FAR for the site if the library will be operated by the Multnomah County Library or does not charge membership fees.
  - (4) Public community centers. Floor area to be used for community centers does not count towards maximum FAR for the site. Public community centers are not for exclusive use by residents of a site and their guests.
  - (5) All facilities. All neighborhood facilities must meet the following:
    - The floor area of the facility must be reserved for the exclusive use of the neighborhood facility for at least 10 years from the date a certificate of occupancy is issued for the qualifying floor area. No uses other than those listed in this subsection are allowed;
    - The applicant must document that there is a binding agreement with an operator for each facility. This documentation must be submitted with the application for design review; and
    - The property owner must execute a covenant with the City which is attached to and recorded with the deed of the site. The covenant must ensure that the owner will reserve the floor area as specified above. The covenant must comply with the requirements of Section 33.700.060.
2. South Waterfront subdistrict. In South Waterfront subdistrict, floor area used for automated parking is not counted towards maximum FAR for the site. The automated parking facility must rely on a mechanical system instead of a vehicle operator to transport vehicles to a storage space within the facility.
  3. Minimum FAR. Sites zoned Industrial or Open Space, and sites with a school that will be operated by or for a public school district are exempt from the minimum floor area ratio.

### **33.510.205 Floor Area Bonus and Transfer Options**

- A. Purpose.** Floor area bonus and transfer options allow additional floor area as an incentive for certain uses and types of development that provide a public or community benefit. The bonus floor area can be gained in exchange for affordable housing or riverfront open space in new development. Transfer options can be used in exchange for historic preservation and transferring FAR within a subdistrict. In the South Waterfront subdistrict new development gains bonus floor area and height in exchange for creating open space and expanding the Willamette River Greenway within the subdistrict.
- B. Priorities for the use of bonus and transfer options.** When FAR will be increased using bonuses or transfers, the following regulations specify which bonus and transfer options must be used before other bonus or transfer options:

1. Unless otherwise specified in Subparagraph B.2. the first 3 to 1 of any increase in FAR on a site must be earned or gained through use of one of the following options:
    - a. The inclusionary housing bonus option described in Subparagraph C.2.a;
    - b. The Affordable Housing Fund bonus option described in Subparagraph C.2.b.;
    - c. The historic resources transfer provisions described in Paragraph D.1. or
    - d. The riverfront open space bonus option described in Subparagraph C.2.c.
  2. Exceptions. The following exceptions apply to the bonus and transfer option priorities specified in Paragraph B.1:
    - a. The South Waterfront subdistrict is exempt from the bonus and transfer options usage priorities specified in Paragraph B.1. However, if the site is within the Greenway bonus target area shown on Map 510-5, and the development does not trigger the requirements of 33.245, Inclusionary Housing, the South Waterfront Willamette River Greenway bonus option must be used before any other bonus. Bonus floor area of at least 7,500 square feet from the South Waterfront Willamette River Greenway bonus option must be earned before the project qualifies for other bonus options;
    - b. Floor area transferred legally through a covenant recorded prior to July 9, 2018 may be used to increase maximum FAR on a site before using one of the bonus or transfer options listed in Paragraph B.1. until July 9, 2020. For the purposes of this subparagraph, used means that the transferred floor area has been shown on an eligible receiving site in a complete application for design review; and
    - c. Unused floor area earned through a bonus that no longer exists in the zoning code can be utilized on the site where it was earned before using one of the bonus or transfer options listed in Paragraph B.1.
- C. Floor area bonus options.** Additional development potential in the form of floor area is earned for a project when the project includes any of the specified features listed below. The bonus floor area amounts are additions to the maximum floor area ratios shown on Map 510-2.
1. General regulations.
    - a. The bonus options are only allowed in situations where stated. Adjustments to the requirements or to the amount of bonus floor area earned are prohibited.
    - b. Bonus FAR is only available to sites zoned RM3, RM4, RX, CX, or EX, unless specifically stated otherwise.
    - c. Projects may use more than one bonus option unless specifically stated otherwise. Bonuses may be done in conjunction with allowed transfers of floor area, however in some cases, certain bonus options must be used before other bonus options can be used or transferring can occur. See Subsection B.
    - d. 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 33.510.200.D.



- e. Buildings using bonus floor area must not exceed the maximum height limits shown on Map 510-3 unless eligible for bonus height.
2. Bonus floor area options.
- a. Inclusionary housing bonus option. Projects that include buildings that trigger 33.245, Inclusionary Housing, receive bonus floor area. The amount of bonus floor area earned is an amount equal to the net building area of the building that triggers 33.245, up to a maximum increase of 3 to 1 FAR on the site.
  - b. Affordable Housing Fund bonus option. Proposals that contribute to the Affordable Housing Fund (AHF) receive bonus floor area. Up to 3 to 1 FAR can be earned by paying into the fund. For each square foot purchased a fee must be paid to the Portland Housing Bureau (PHB). Until January 9, 2020 the applicant will receive 1.5 square feet of bonus floor area for each square foot purchased from PHB. After January 9, 2020 the applicant will receive 1 square foot of bonus floor area for each square foot purchased. 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.
  - c. Riverfront open space bonus option. The riverfront open space bonus provides an opportunity to expand publicly accessible open space along the Willamette River. Proposals that provide open space adjacent to the river setback area will receive bonus floor area. For each square foot of open space provided, a bonus of 3 square feet of additional floor area is earned. To qualify for this bonus, the following requirements must be met:
    - (1) Location. The open space must be located outside of but adjacent to the river or greenway setback. When the setback area is increased in conformance with 33.475.210.E., Encroachment into the setback, the open space must be located outside of but adjacent to the increased setback area;
    - (2) Size and dimensions. The open space must include at least 2,500 square feet of contiguous area. Each area must be designed so that a 25 foot by 25 foot square will fit entirely within it;
    - (3) Ownership and use. A public access easement must be provided that allows for unrestricted public access from 5 am to 12 midnight unless otherwise specified by the terms of the easement; and
    - (4) Maintenance. The property owner must execute a covenant with the City that ensures the preservation, maintenance and continued operation of the open space by the property owner. The covenant must meet the requirements of 33.700.060, Covenants with the City, and must be recorded and attached to the deed for the open space.

- d. South Waterfront Willamette River Greenway bonus option. To complement and enhance the existing public corridor, projects along the Willamette River Greenway in the South Waterfront subdistrict that provide open space for public activity will receive bonus floor area. For each square foot of open space dedicated, a bonus of 3 square feet of additional floor area is earned. Open space that will earn bonus floor area under Subparagraph C.2.e, Open Space bonus option, may not be used to earn additional floor area under this bonus. To qualify for this bonus, the following requirements must be met:
- (1) Location. The open space must abut the South Waterfront Greenway Area, as shown on Figure 510-3;
  - (2) Size and dimensions. The open space must include at least 2,500 square feet of contiguous area; the north-south dimension of the area must be at least twice as long as the east-west dimension of the area;
  - (3) Connection to the trail. A direct pedestrian connection must be provided between the open space and any required trail or trail easement on the site;
  - (4) Ownership and use. One of the following must be met:
    - The open space and pedestrian connection must be dedicated to the City; or
    - A public access easement must be provided that allows for public access to and use of all the open space and the pedestrian connection;
  - (5) 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. The covenant must meet the requirements of 33.700.060, Covenants with the City, and must be recorded and attached to the deed for the open space;
  - (6) Landscaping. The open space must be landscaped to meet the requirements of Paragraphs 33.510.253.E. 5.a.(2) and E.5.f.(5) that apply to South Waterfront Greenway subarea 3;
  - (7) Open space features. Public seating such as benches must be provided at a ratio of at least 5 seats per 1,000 square feet of open space; and
  - (8) Timing. The requirements of this paragraph must be met before an occupancy permit for any building using the bonus floor area is issued.
- e. Open Space bonus option. In the South Waterfront subdistrict, proposals that provide open space that may be used by the public will receive bonus floor area. For each square foot of open space provided, a bonus of 1 square foot of additional floor area is earned. Open space that will earn bonus floor area under Subparagraph C.2.d., South Waterfront Willamette River Greenway bonus option, may not be used to earn additional floor area under this bonus. To qualify for this bonus, the following requirements must be met:

- (1) Size and dimensions. The open space must include at least 2,500 square feet of contiguous area;
  - (2) Ownership and use. One of the following must be met:
    - The open space must be dedicated to the City; or
    - The property owner must record a public access easement that has been attached to the deed for the open space and allows for public access to and use of all the open space;
  - (3) Maintenance. The property owner must execute a covenant with the City that ensures the preservation, maintenance and continued operation of the open space by the property owner. The covenant must meet the requirements of 33.700.060, Covenants with the City, and must be recorded and attached to the deed for the open space;
  - (4) Parks approval. The applicant must submit with the application for land use review a letter from Portland Parks and Recreation stating that the open space features meet the requirements of the bureau, and that the space is acceptable to the bureau; and
  - (5) The bonus floor area may be used only in the South Waterfront subdistrict.
- f. Open space fund bonus option. In the South Waterfront subdistrict, contributors to the South Waterfront Public Open Space Fund (SWPOSF) receive bonus floor area. For each \$12.10 contributed to the SWPOSF, one square foot of bonus floor area is earned. To qualify for this bonus, the following requirements must be met:
- (1) The applicant must submit with the application for land use review a letter from Portland Parks and Recreation documenting the amount that has been contributed to the SWPOSF;
  - (2) The bonus floor area may be used only in the South Waterfront subdistrict; and
  - (3) The SWPOSF is to be collected and administered by Portland Parks and Recreation. The funds collected may be used only within the South Waterfront, either for acquisition, improvement, or maintenance of public open space or for bank restoration or improvement projects along the Willamette River.
- D. Floor area transfer options.** Transferring floor area from one site to another is allowed as follows. The transferred floor area is in addition to the maximum floor area ratio shown on Map 510-2. There is no limit to the amount of floor area that can be transferred to a site. Transferring floor area is only allowed in situations where stated. Adjustments to the floor area transfer requirements are prohibited. When FAR is transferred from one site to another, the sending site must retain an amount equal to the minimum FAR required by 33.510.200.C., or an amount equal to the total surface parking area on the site multiplied by the maximum floor area ratio allowed shown on Map 510-2, whichever is more.

1. Transfer of floor area from a Historic Resource. The following regulations apply to transferring floor area from a Historic Resource:
  - a. Purpose. This transfer option improves public safety by encouraging seismic upgrades of historic resources, and encourages the preservation of historic resources by reducing redevelopment pressure.
  - b. Sites eligible to send floor area. In order to send floor area the site must meet the following requirements. Sites that are eligible to send floor area are allowed to transfer unused FAR up to the maximum FAR allowed on the site plus an additional 3 to 1:
    - (1) Be in a RM3, RM4, RX, CX, EX, or OS zones, and
    - (2) Contain a Historic or Conservation Landmark or a contributing resource in a Historic or Conservation district for which the Bureau of Development Services verifies the following:
      - If the building is classified as Risk category I or II, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the American Society of Civil Engineers (ASCE) 41- BPOE improvement standard as defined in City of Portland Title 24.85;
      - If the building is classified as Risk category III or IV, as defined in the Oregon Structural Specialty Code, it has been shown to meet or exceed the ASCE41- BPON improvement standard as defined in City of Portland Title 24.85; or
      - The owner of the landmark or contributing resource has entered into a phased seismic agreement with the City of Portland as described in Section 24.85.
  - c. Sites eligible to receive floor area:
    - (1) Must be zoned RM3, RM4, RX, CX or EX; and
    - (2) Must be within the Central City plan district outside of the South Waterfront subdistrict.
  - d. Covenants. The owners of both the sending and receiving sites must execute a covenant with the City. The covenant must meet the requirements of 33.700.060, and must be attached to and recorded with the deed. The covenants may not be revoked or rescinded. The covenants must include the following:
    - (1) The covenant for each site must reflect the existing floor area on each site and the respective increase and decrease of potential floor area; and
    - (2) The covenant for the sending site must state that the owner will not demolish or relocate the historic resource unless the City approves the demolition or relocation through demolition review.
  - e. Exceptions.
    - (1) Sites with eligible historic resources in a RM3, RM4, RX, CX or EX zone may elect to transfer floor area to a receiving site outside of the Central City plan

district if they meet the standards of 33.120.210.D, 33.130.205.C or 33.140.205.D.

- (2) Sites with eligible historic resources in the RM1 and RM2 zones may transfer floor area if they meet the standards of 33.120.210.D.
2. Transfer of floor area within a floor area transfer sector. In the RX, CX, EX, and OS zones, floor area, including bonus floor area and bonus floor area earned through a bonus that no longer exists in the zoning code, may be transferred between sites. The sites are not required to be abutting, however both the sending site and the receiving site must be located within the same floor area transfer sector shown on Map 510-23. In addition, floor area transfers are subject to the following requirements:
    - a. The sending site must not be a Historic or Conservation landmark or a contributing resource in a historic or a conservation district;
    - b. If bonus floor area is included in the transfer, the public benefit to be provided in exchange for the bonus floor area must be completed in advance or at the time of issuing any occupancy permit on the receiving site taking advantage of the bonus floor area; and
    - c. The property owner(s) must execute a covenant for both sites. The covenants must comply with the regulations of 33.700.060, must be recorded with the deeds for each site, and must reflect the existing floor area on each site and the respective increase and decrease of potential floor area.

### 33.510.210 Height

- A. Purpose.** The building height standards are intended to implement and balance multiple objectives of the Central City 2035 Plan. Generally, the tallest heights in the Portland region are applied in the Central City to support its role as the region's premier center for jobs, services, and urban living. Other objectives include:
  - Locating the tallest building heights along the Transit Mall and high-capacity transit lines;
  - Protecting designated public views;
  - Varying building height across the Central City;
  - Generally, stepping down height to the Willamette River and neighborhoods adjacent to the Central City;
  - Emphasizing bridgehead locations with taller buildings;
  - Limiting shadows on public open spaces; and
  - Ensuring building height compatibility within historic districts.
- B. Base height.**
  1. Base heights are shown on Map 510-3. Heights greater than shown on Map 510-3 are allowed through the bonus height or height transfer options specified in Subsections D. and E. Adjustments to height limits shown on Map 510-3 are prohibited.

2. Exceptions to base height. Generally, the following minor projections are allowed to extend above the base heights shown on Map 510-3. However, in a view corridor shown on Map 510-20, if the site is not eligible for a height increase, projections above the height limit shown on Map 510-3 are prohibited. Eligibility for a height increase is shown on Map 510-3. In a view corridor shown on Map 510-20, if the site is eligible for a height increase, the following minor projections are allowed, but the projection must not extend above the height limit shown on Map 510-4. Small wind turbines are subject to the standards of Chapter 33.299:
  - a. Chimneys, vents, flag poles, satellite receiving dishes, and other similar items that are attached to a building and have a width, depth or diameter of 5 feet or less may extend 10 feet above the base height limit, or 5 feet above the highest point of the roof, whichever is greater. If the item is more than 5 feet wide, deep, or tall, it is subject to the height limit;
  - b. Parapets and railings. Parapets and rooftop railings may extend 4 feet above the base height limit;
  - c. Walls or fences located between individual rooftop decks may extend 6 feet above the base height limit if the wall or fence is set back at least 4 feet from the edges of the roof;
  - d. Rooftop mechanical equipment and any required screening for the mechanical equipment, and stairwell enclosures that provide rooftop access may extend above the base height limit as follows. The equipment and enclosures must be set back at least 15 feet from roof edges on street facing facades:
    - (1) Elevator mechanical equipment may extend up to 16 feet above the base height limit; and
    - (2) Other mechanical equipment, required screening, and stairwell enclosures may extend up to 10 feet above the base height limit if the equipment or enclosures do not cumulatively cover more than 10 percent of the roof area;
  - e. Roof mounted solar panels may extend above the height limit as follows:
    - (1) On flat roofs and on the horizontal portion of mansard roofs, solar panels may extend up to 5 feet above the top of the highest point of the roof; and
    - (2) On pitched, shed, hipped or gambrel roofs, solar panels must be mounted no more than 12 inches from the surface of the roof at any point, and may not extend above the ridgeline of the roof. The 12 inches is measured from the upper side of the solar panel; and
  - f. Antennas, power poles and public safety facilities.
- C. **Shadow study.** Sites shown on Map 510-3 as requiring a shadow analysis must provide a shadow study that shows that the shadow cast by the proposed buildings or other structures does not cover more than 50 percent of the adjacent open space at noon on March 21, June 21 and September 21, and not more than 75 percent of the adjacent open space at noon on December 21, and 3:00 pm on March 21, June 21, and September 21.

Adjacent includes open space across a right-of-way from the site subject to the shadow study standard.

**D. Bonus height options.** Bonus height can be achieved through the following options:

1. Bonus height in the South Waterfront subdistrict. Within the South Waterfront subdistrict, buildings that include any floor area achieved through bonuses or from transfers onto the site earn a height bonus as follows:
  - a. In the area located between 125 feet to 150 feet landward of the South Waterfront height reference line shown on Map 510-16, buildings may earn a height bonus of 25 feet if approved as a modification through design review. Projections above 150 feet are prohibited.
  - b. In the area located between 150 feet landward of the South Waterfront height reference line shown on Map 510-16 and the western boundary of the subdistrict, buildings earn a height bonus of 125', up to a maximum building height of 250 feet. Adjustments are prohibited.
2. South Waterfront height opportunity area.
  - a. Purpose. In the core of the South Waterfront subdistrict, additional building heights may be appropriate to support the goals of the South Waterfront Plan. The regulations of this subsection are intended to:
    - Support the growth of an Innovation Quadrant in the Central City;
    - Provide diverse housing opportunities;
    - Support the density goals of the subdistrict while ensuring quality design;
    - Create additional opportunities for visual access through the subdistrict;
    - Promote the development of slender towers with an east-west orientation;
    - Develop an exceptional and varied skyline enhancing the district's setting against the Tualatin Hills to the west and the Cascade Range to the east;
    - Establish and maintain a pedestrian environment with access to sunlight;
    - Contribute to the district's urban variety, adding visual interest at the pedestrian level and from vantage points outside of the district;
    - Create an urban form that is visually permeable; and
    - Continue to maintain all protected public views and view corridors, on the east and west side of the Willamette River, as identified in adopted plans.
  - b. Additional building height may be requested as a modification through design review as follows:
    - (1) The site must be in the South Waterfront height opportunity area shown on Map 510-16;
    - (2) The maximum height that may be approved is 325 feet, including projections, roof top mechanical equipment, and any other structures that project above the roof of the building;
    - (3) One of the following must be met:

- The average floor-to-floor height in the building must be at least 16 feet and floors of the building above 75 feet must be 25,000 square feet in area or less; or
  - Floors of the building above 75 feet must be 10,000 square feet in area or less;
  - Adjustments to the standards of this subparagraph are prohibited; however, modifications through design review may be requested as follows:
    - A modification to the 25,000 square foot limitation may be requested;
    - A modification to the 10,000 square foot limitation may be requested if the north-south dimension of the building above 75 feet is 112 feet or less. The north-south dimension is measured as specified in 33.510.251.A.3.e. However, modifications to allow floors larger than 12,500 square feet are prohibited;
- (4) The portion of the proposed building that is greater than 250 feet in height must be at least 200 feet from the portion of any other existing or approved building that is greater than 250 feet in height, and that used the provisions of this subsection to achieve additional height. Approved buildings are those with an unexpired design review approval. Adjustments to this standard are prohibited; however, modifications to the 200 foot minimum distance requirement may be requested through design review. In reviewing such a request, the review body will consider the results of the South Waterfront Public Views and Visual Permeability Assessment for the proposal;
- (5) Where a block is less than 80,000 square feet in area, only one building on the block may use the provisions of this subsection. Where a block is at least 80,000 square feet in area but less than 120,000, only two buildings on the block may use the provisions of this subsection. Where a block is at least 120,000, only three buildings on the block may use the provisions of this subsection.
- Applications for land divisions of sites that include a building that has used the provisions of this subsection must show how the land division will not move the site out of conformance with this subsection;
- (6) The applicant must contribute \$24.10 to the South Waterfront Public Open Space Fund (SWPOSF) for every square foot of floor area over 250 feet in height. The contribution to the SWPOSF must be made before the building permit is issued for the building. Contributions to the fund used to earn bonus floor area under 33.510.205.C.2.f, Open space fund bonus option, do not count towards meeting this requirement. Adjustments to this standard are prohibited; and
- (7) The applicant must request advice from the Design Commission as described in 33.730.050.F. The design advice request must be submitted before the request for a pre-application conference. In providing their



advice to the applicant, the Design Commission will consider protection and enhancement of public views from both the east and west, as identified in adopted plans; development of a diverse, varied and visually interesting skyline; and creation of a district that is visually permeable. These factors will be considered at different scales, including the site of the proposal, the site and adjacent blocks, and the subdistrict as a whole.

3. Bonus height earned through an FAR bonus or transfer. Except for sites in the South Waterfront height opportunity area, the bonus heights shown on Map 510-4, or allowed by Subparagraph D.3.e, are allowed when the following are met. Projections above the height limits shown on Map 510-4, or allowed by Subparagraph D.3.e are prohibited:
  - a. The site must be shown on Map 510-3 as eligible for a height increase;
  - b. The proposal must earn an additional FAR of at least 1 to 1 through use of one of the following FAR bonus or transfer options. The site shown on Map 510-4 as requiring residential is only allowed to earn the additional 1 to 1 through the bonus option listed in D.3.b (1):
    - (1) The inclusionary housing bonus option of Subparagraph 33.510.205.C.2.a;
    - (2) The Affordable Housing Fund bonus option of Subparagraph 33.510.205.C.2.b; or
    - (3) The historic resource transfer of Paragraph 33.510.205.D.1.
  - c. Limit shadow. The following additional shadow standard and approval criterion are intended to limit the effects of shadow cast by buildings using bonus height. The shadow study standard applies to sites shown on Map 510-4 as requiring a shadow study. The shadow approval criterion applies to sites within 500 feet of a residential zone located outside of the Central City when more than 75 feet of bonus height is proposed:
    - (1) Shadow study standard. When bonus height will be used on a site shown on Map 510-4 as requiring a shadow study, the shadow study must show that the shadow cast by the proposed buildings or other structures does not cover more than 50 percent of the adjacent open space at noon on March 21, June 21 and September 21, and not more than 75 percent of the adjacent open space at noon on December 21, and 3:00 pm on March 21, June 21, and September 21. Adjacent includes open space across a right-of-way from the site subject to the shadow study standard.
    - (2) Shadow approval criterion. A proposal for more than 75 feet of bonus height on a site that is within 500 feet of a residential zone located outside of the Central City plan district will be approved if the review body finds that shadow cast by the proposed building will not have a significant negative impact on dwelling units located outside the Central City plan district in an R zone within 500 feet of the site.

- d. North Pearl Height Opportunity Area. The following additional standards apply when bonus height will be used in the North Pearl Height Opportunity area shown on Map 510-16:
  - (1) When bonus height will be used on sites located entirely between NW Naito Parkway and the Willamette River, building façades above 100 feet that face NW Naito Parkway or the Willamette River must not exceed 120 feet in length; and
  - (2) When bonus height will be used on sites that are not located between NW Naito Parkway and the Willamette River the following must be met:
    - The building must not be taller than 175 feet; or
    - If the building is taller than 175 feet, the floors of the building above 100 feet must not be more than 12,500 square feet each.
- e. RiverPlace Height Opportunity Area. Up to 325 feet of height is allowed in the RiverPlace height opportunity area shown on Map 510-16 when the following standard is met:
  - (1) Purpose. In the RiverPlace height opportunity areas, additional building heights may be appropriate to meet density goals as well as:
    - Provide diverse housing opportunities;
    - Support high quality design;
    - Create additional opportunities for visual access through the area;
    - Promote the development of slender towers with an east-west orientation;
    - Establish and maintain a pedestrian environment with access to sunlight;
    - Create open space amenities connecting to the riverfront;
    - Contribute to the area's urban variety, adding visual interest at the pedestrian level and from vantage points outside of the area;
    - Create an urban form that is visually permeable and maintains all protected public views and view corridors.
  - (2) Standard. If the building is taller than 75 feet, the floors of the building above 100 feet must not be more than 10,000 square feet each. Adjustments are prohibited, however modification through design review may be requested if the north-south dimension of the building above 75 feet is 112 feet or less. The north-south dimension is measured as specified in 33.510.251.A.3.e.

**E. Open space height transfers.**

1. Purpose. These regulations provide an incentive for the creation and development of needed open space in the Central City plan district.
2. Requirements for open space areas eligible for the height transfer.
  - a. The proposed open space area must be in the Central City plan district outside of the South Waterfront subdistrict. The site is subject to the review requirements stated in Paragraph E.4.

- b. The area designated for the open space must be dedicated to the City as a public park. The minimum size of the open space must be a full block at least 35,000 square feet in size. However, the open space may be 20,000 square feet in size if located along the alignment of the North Park Blocks.
    - c. All park improvements must be made by the applicant prior to dedication to the City. The improvements to the park are subject to a design review using the specific area's design guidelines.
  3. Amount of height potential that can be transferred. The allowed height at the proposed open space site may be transferred within the Central City plan district consistent with the limits stated below.
    - a. The maximum amount of height that may be transferred is 100 feet. The transfer may only be to a site eligible for additional height as shown on Map 510-3. Increases in height that result in buildings greater than the maximum height shown on Map 510-4 are prohibited. The transferred height may not be used in addition to any bonus heights allowed by Paragraph D.3.
    - b. The open space site must be dedicated to the City before the issuance of building permits for the building receiving the increased height.
  4. Design Review.
    - a. Procedure. The review is processed with a Type III procedure. The Parks Bureau will provide advice to the Design Commission.
    - b. Approval criteria. The proposed open space site will be approved for the height transfer if the review body finds that the applicant has shown that all of the following approval criteria are met:
      - (1) The proposed site will help to alleviate an area's identified projected future open space deficiency. This determination is based on such things as proximity to parks, proximity to people living or working in the Central City plan district, and how the site relates to the Central City 2035 Plan's park and open space policies;
      - (2) The proposed improvements on the open space site are consistent with the design guidelines for the area; and
      - (3) The Parks Bureau approves of the site.

#### **33.510.211 Shadow Study Required**

A shadow study is required for new structures that are 100 feet or more in height on sites shown on Map 510-11, and for major remodels to existing structures that increase the height of the existing structure to 100 feet or higher on sites that are shown on Map 510-11. The shadow study must show that the shadow cast by the new or remodeled structure does not cover more than 50 percent of the adjacent open space at 10 am on March 21. Adjacent includes open space located across a right-of-way from the site. Adjustments are prohibited.

### **33.510.215 Required Building Lines**

- A. Purpose.** The required building line standards ensure that buildings in certain parts of the Central City are built to the sidewalk's edge unless landscaping or an extension of the sidewalk is provided. The standards support the street and development character objectives of the Central City 2035 Plan by creating diverse street character, promoting active uses, pedestrian movement, and opportunities for stopping and gathering. Extensions of the sidewalk may incorporate trees, landscape planters, groundcover, and areas for stormwater management between the building and the sidewalk.
- B. Required building line standards.**
1. **General Standards.** Unless otherwise specified in Paragraphs B.2. through B.5., new development and major remodels in the RX, CX and EX zones must meet one of the following standards. Exterior walls of buildings designed to meet the requirements of this Paragraph must be at least 15 feet high measured from the finished sidewalk at the building's edge:
    - a. The building must extend to the street lot line along at least 75 percent of the lot line; or
    - b. The building must extend to within 12 feet of the street lot line along at least 75 percent of the length of the street lot line. 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, vendor's stands, or developed as "stopping places."
  2. **Standards for sites with frontage on a street shown on Map 510-7.** New development and major remodels on a site with frontage on a street shown on Map 510-7 must meet one of the following standards. Exterior walls of buildings designed to meet the requirements of this Paragraph must be at least 15 feet high measured from the finished sidewalk at the building's edge:
    - a. The building must extend to the street lot line along at least 75 percent of the length of the street lot line; or
    - b. The building must set back at least 6 feet from the street lot line along at least 75 percent of the length of the street lot line. The space between the building and the street lot line must be landscaped as follows. All plants must be selected from the Portland Tree and Landscaping manual:
      - (1) When the setback area is at least 6 feet and less than 12 feet wide at least 50 percent of the setback must be landscaped with ground cover plants and shrubs;
      - (2) When the setback area is 12 feet wide or more, at least 80 percent of the setback area must be landscaped with ground cover plants and shrubs, and contain one tree per 400 square feet of the setback area.
  3. **Standards for the South Waterfront subdistrict.** In the South Waterfront subdistrict, new development and major remodels must meet one of the following standards.

Exterior walls of buildings designed to meet the requirements of this Paragraph must be at least 15 feet high measured from the finished sidewalk at the building's edge:

- a. The building must extend to the street lot line along at least 75 percent of the lot line; or
  - b. 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 meet one of the following:
    - (1) Be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as "stopping places;" or
    - (2) Be landscaped in one of the following ways:
      - The proposed landscaping meets the L2 standard;
      - The proposed landscaping meets the landscaping regulations of 33.510.253.E.5.f(5) for subarea 3 of the South Waterfront Greenway Area except that trees are not required; or
      - The applicant submits with the application for a land use review a letter from the Bureau of Environmental Services stating that the landscaping meets the guidelines of the Stormwater Management Manual.
4. Standards for West Burnside. On sites with frontage on West Burnside between 10th and 21st Avenues, buildings must be set back 10 feet from the street lot line. This standard applies to new development and major remodels. 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, vendor's stands, or developed as "stopping places." Exterior walls of buildings designed to meet the requirements of this section must be at least 15 feet high measured from the finished sidewalk at the buildings edge.
5. Standards for the Park Blocks. On sites with frontage on a street shown on Map 510-22, and on sites that are adjacent to an open area shown on Map 510-22, buildings must be set back at least 12 feet from the street or adjacent lot line along at least 75 percent of the length of the lot line. At least 50 percent of the space between the building and the street or adjacent lot line must be landscaped with ground cover plants and shrubs, and contain one tree per 400 square feet. All plants must be selected from the Portland Tree and Landscaping Manual. This standard applies to new development. Exterior walls of buildings designed to meet the requirements of this Paragraph must be at least 15 feet high measured from the finished sidewalk at the building's edge.

### **33.510.220 Ground Floor Windows**

- A. Purpose.** In the Central City 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;
- Avoid a monotonous pedestrian environment; and
- The plan district modifications to the base zone standards for ground floor windows are intended to promote ground floor windows in a larger number of situations than in the base zones and to provide additional flexibility in meeting the standard.

**B. Ground floor windows.** The following ground floor window standards apply in the RX, CX and EX zones. The standards of B.1 and B.2 apply to new development and major remodeling projects. B.3. only applies to major remodeling projects. To meet the standards, ground floor windows must be windows that allow views into work areas or lobbies, or be windows in pedestrian entrances. Windows into storage areas, vehicle parking areas, garbage and recycling areas, mechanical and utility areas and display cases attached to outside walls do not qualify. Windows into bicycle parking areas are allowed to qualify for up to 25 percent of the ground floor windows coverage requirement. The bottom of the windows of nonresidential spaces must be no more than 4 feet above the finished grade:

1. Ground level facades that face a street or open area shown on Map 510-8 must have windows that cover at least 60 percent of the ground level wall area. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.
2. All other ground level facades that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.
3. Optional artwork. Projects proposing to use artwork as an alternative to the ground floor window requirements may apply for this through the adjustment procedure. Projects may also apply for a modification through design review if they meet the following qualifications. Buildings having more than 50 percent of their ground level space in storage, parking, or loading areas, or in uses which by their nature are not conducive to windows (such as theaters), may be allowed to use the design review process. Artwork and displays relating to activities occurring within the building are encouraged. In these instances, the artwork will be allowed if it is found to be consistent with the purpose for the ground floor window standard.

### **33.510.221 Windows Above the Ground Floor**

- A. Purpose.** Windows on building facades above the ground floor ensure opportunities for active uses, contribute to the skyline, and add interest to the built environment in the area near the streetcar alignment.
- B. Where this regulation applies.** The regulation of this section applies to sites near the streetcar alignment shown on Map 510-13 as follows:

1. In the Central Eastside subdistrict, the standard in Subsection C. applies to the portion of a site within 200 feet of a streetcar alignment, if the site is in the EX zone.
  2. In the South Waterfront Subdistrict, the standard in Subsection C. applies to the portion of a site within 200 feet of a streetcar alignment. The regulation also applies to the portion of a site within 200 feet of a proposed streetcar alignment, as shown on the street plan for the area that has been accepted by City Council. The street plan is maintained by the Portland Office of Transportation.
  3. In all other subdistricts, the standard in Subsection C. applies to the portion of a site within 200 feet of a streetcar alignment.
- C. Standard.** Windows must cover at least 15 percent of the area of street-facing facades above the ground level wall areas. This requirement is in addition to any required ground floor windows. Ground level wall areas include all exterior wall areas up to 10 feet above the finished grade.

### **33.510.223 Bird-Safe Exterior Glazing**

- A. Purpose.** The bird-safe glazing standards are intended to reduce the risk of bird-to-building collisions. The standards reduce the transparency, or reflectivity, of exterior windows and other glazed surfaces, thereby improving the visibility of exterior glazed surfaces to birds. The reduction in transparency applies to the portions of buildings that studies show are associated with the greatest occurrence of bird strikes.
- B. Development subject to the bird-safe exterior glazing standards.** The bird-safe glazing standards apply to new buildings and major remodeling projects. For new buildings, the standards apply per façade when the façade has 30 percent or more glazing within the first 60 feet measured from the grade adjacent to the façade. For major remodeling projects, the standards apply per facade when at least 75 percent of the façade is altered and the altered façade has 30 percent or more glazing within the first 60 feet measured from the grade adjacent to the facade. The standards also apply to glazing located directly adjacent to an ecoroof, roof garden, or other vegetated or landscaped roof area. The standards do not apply to houses, attached houses, manufactured homes, accessory dwelling units, duplexes, attached duplexes, triplexes, historic landmarks, and contributing resources in historic or conservation districts.
- C. Bird-safe exterior glazing standards.** At least 90 percent of the windows and glazing on the following portions of each façade must choose treatment patterns and application techniques from the *Portland Bird Safe Windows List*:
1. Windows and glazing, including glazed balcony railings, located within the first 60 feet of the building measured from the grade adjacent to the facade;
  2. Windows and glazing located within the first 15 feet of the building above an adjacent ecoroof, roof garden, or other vegetated or landscaped roof area; and
  3. The glazed portions of sky bridges or fences.

### **33.510.225 Ground Floor Active Uses**

- A. Purpose.** The ground floor active use standards are intended to reinforce the continuity of pedestrian-active ground-level building uses. The standards help maintain a healthy urban district through the interrelationship of ground-floor building occupancy and street level accessible public uses and activities, and they encourage a transit-supportive, pedestrian-oriented environment that is safe, active with uses, and comfortable for residents, visitors, and others. Active uses include but are not limited to: lobbies, retail, commercial, and office uses, but do not include storage, vehicle parking, garbage, recycling, mechanical, or utility uses.
- B. Sites and development subject to the ground floor active use standard.** The ground floor active use standards apply to new development and major remodels on sites with frontage on a street shown on Map 510-9.
- C. Ground floor active use standards.**
1. Dwelling units are prohibited on the ground floor.
  2. Buildings must be designed and constructed to accommodate uses such as those listed in Subsection A. Areas designed to accommodate these uses must be developed at the time of construction. 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:

- a. 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;
  - b. The area must be at least 25 feet deep, measured from the street-facing facade;
  - c. The area may be designed to accommodate a single tenant or multiple tenants. In either case, the area must meet the standards of the Accessibility Chapter of the State of Oregon Structural Specialty Code. This code is administered by BDS; and
  - d. The street-facing facade must include windows and doors.
3. In the Pearl District and West End subdistricts, on the portion of a site within 100 feet of a streetcar alignment shown on Map 510-13, parking is not allowed in the portions of a building that meet the ground floor active use standard of Paragraph C.

### **33.510.230 Required Residential Development Areas**

- A. Purpose.** The requirements of this section promote new housing in areas suitable and attractive for housing. The requirement is imposed as an alternative to the creation of exclusively residential zoning. This maintains development flexibility while still promoting the housing objectives of the Central City 2035 Plan.



- B. Sites and development subject to the required residential standard.** Sites subject to this standard are shown on Map 510-6. On identified sites, all new development must meet the standards below.
- C. Required residential standard for new development.** For this standard, net site area is the total site area minus land dedicated to public rights-of-way or public open spaces, or land used for a regional public attraction such as a museum or aquarium. New development must include at least 1 dwelling unit per 2,900 square feet of net site area (15 units per acre).
- D. Timing and location of the housing.** Required housing must be located on the site and if developed as part of a mixed-use project must receive an occupancy permit in advance of or at the same time as an occupancy permit for nonresidential portions of the project.

### **33.510.240 Drive-Through Facilities**

Drive-through facilities are prohibited in the Central City plan district.

### **33.510.242 Demolitions**

In R, C, and E zones, sites must be landscaped within 6 months of the demolition of buildings unless there is an approved development for the site. Approved development means a project approved through design review in design zones, and issuance of a building permit outside of design zones. The landscaping must meet at least the L1 standard of Chapter 33.248, Landscaping and Screening, except that no shrubs or trees are required.

### **33.510.243 Ecoroofs**

- A. Purpose.** Ecoroofs provide multiple complementary benefits in urban areas, including stormwater management, reduction of air temperatures, mitigation of urban heat island impacts, air quality improvement, urban green spaces, and habitat for birds, plants and pollinators. The standards are intended to:
  - Maximize the coverage of ecoroofs;
  - Allow for the placement of structures and other items that need to be located on roofs; and
  - Support the architectural variability of rooftops in the Central City.
- B. Ecoroof standard.** In the CX, EX, RX, and IG1 zones, new buildings with a net building area of 20,000 square feet or more must have an ecoroof that meets the following standards:
  - 1. The ecoroofs, including required firebreaks between ecoroofs areas, must cover 100 percent of the building roof area, except that up to 40 percent of the building roof area can be covered with a combination of the following. Roof top parking does not count as roof area. Roof area that has a slope greater than 25% does not count as roof area:
    - a. Mechanical equipment, housing for mechanical equipment, and required access to, or clearance from, mechanical equipment;
    - b. Areas used for fire evacuation routes;
    - c. Stairwell and elevator enclosures;

- d. Skylights;
  - e. Solar panels;
  - f. Wind turbines;
  - g. Equipment, such as pipes and pre-filtering equipment, used for capturing or directing rainwater to a rainwater harvesting system; or
  - h. Uncovered common outdoor areas. Common outdoor areas must be accessible through a shared entrance.
2. The ecoroof must be approved by the Bureau of Environmental Services as meeting the Stormwater Management Manual's *Ecoroof Facility Design Criteria*.

### **33.510.244 Low-Carbon Buildings**

- A. Purpose.** The low-carbon building standard encourages development that achieves third party green building certification. Buildings that are third party certified tend to have a lower carbon footprint and increased energy efficiency as compared to buildings that do not have green building certifications. In addition, green buildings help to preserve natural resources and protect the health of occupants.
- B. Low-carbon building standard.** New development with a net building area of at least 50,000 square feet, and alterations to existing development that increase net building area by at least 50,000 square feet must provide a letter from the Bureau of Planning and Sustainability that verifies that the project has registered for a green building certification program, approved by the Bureau of Planning and Sustainability, and has prepared a preliminary description of how the building can achieve the certification.

**33.510.250 Additional Standards in the Pearl Subdistrict.** Sites in the Pearl subdistrict south of the Fremont Bridge and north of NW Lovejoy Street must meet the following standards:

- A. Special building height.** A special building height corridor shown on Map 510-18 is designated along NW 13th Avenue. In this corridor the portion of a building that is within 20 feet of the property line along NW 13th Avenue may be no more than 75 feet in height. Adjustments to this requirement are prohibited.
- B. Pearl subdistrict waterfront development.**
  1. Purpose. These standards are intended to ensure both physical and visual connections to the river and river-based activities.
  2. Where these standards apply. This section applies only to lands between NW Front Avenue and the Willamette River within the Pearl subdistrict.
  3. Development standards.
    - a. View corridors. At least 25 percent of the width of the site (as measured along NW Naito Parkway) must be maintained as a view corridor or corridors. Buildings and covered structures are not allowed in the view corridor.

- b. Setbacks for all development from the Willamette River. The minimum setback for all development from the Willamette River is regulated by the River Overlay zones; see Chapter 33.475.
- c. Maximum building dimension. The maximum building dimension is 200 feet. This standard applies to both building length and depth.
- d. Public access. As part of each development, public access for pedestrians must be available and clearly posted between NW Naito Parkway and the major public trail.

### **33.510.251 Additional Standards in the South Waterfront Subdistrict**

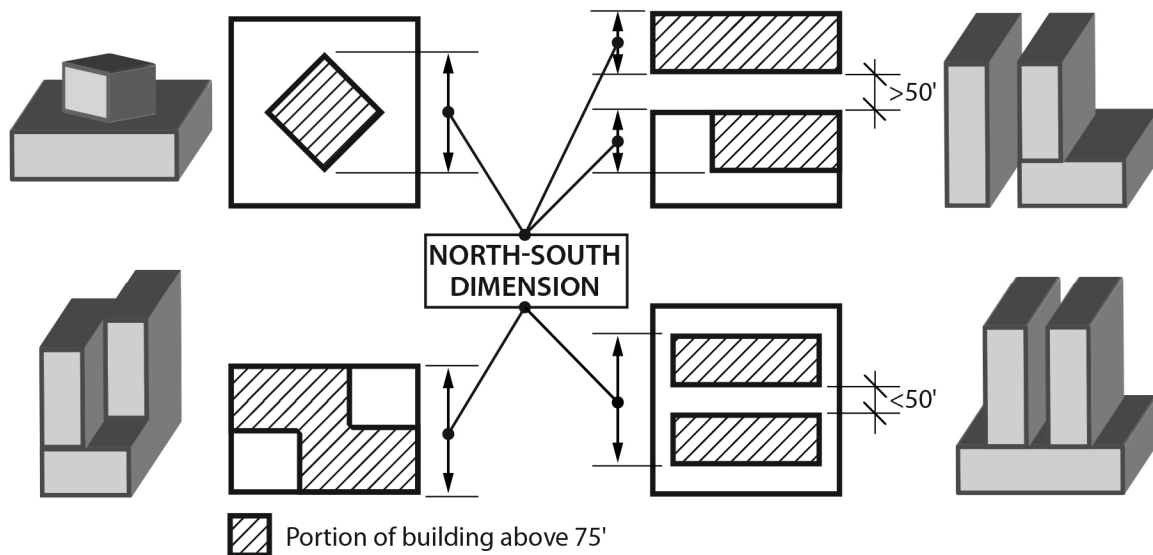
Sites in the South Waterfront subdistrict must meet the following standards.

#### **A. Special building height corridors and tower orientation.**

1. Purpose. Special building heights along designated east-west corridors and tower orientation standards provide visual access to the Greenway from points west of the district, provide visual access to the Tualatin Hills from points east of the district, provide access to sunlight along designated streets, and encourage an urban form that is visually permeable and varied.
2. Special building heights. The portion of a building that is within 50 feet of the centerline of a street or accessway designated as a special building height corridor on Map 510-15 may be no more than 50 feet in height.
3. Maximum north-south dimension. The north-south dimension is measured as specified in Subparagraph A.3.e. See Figure 510-1. Adjustments to this paragraph are prohibited; however, modifications to the standards of this paragraph may be requested through design review. In reviewing such a request, the review body will consider the results of the South Waterfront Public Views and Visual Permeability Assessment for the proposal. The north-south dimensions of buildings are limited as follows:
  - a. Less than 75 feet in height. For the portion of a building less than 75 feet in height, there is no limit on the north-south dimension, and no required space between buildings or portions of buildings;
  - b. 75 feet in height and above. The portion of a building that is at least 75 feet in height may have a north-south dimension up to 125 feet in width;
  - c. Where there is more than one building on a site there must be at least 50 feet between the portions of the buildings that are at least 75 feet in height. If there is less than 50 feet between these portions of the buildings, the north-south dimension is the total of the north-south dimension of each building and the north-south dimension of the space between them. The total may be up to 125 feet in width;
  - d. Where a building has more than one element that is at least 75 feet in height, the two elements are measured and regulated as two separate buildings;

- e. Measurements for this paragraph. The measurements for the regulations of this paragraph are as follows. See Figure 510-1:
- (1) The north-south dimension of a building is measured as follows:
    - From the northernmost point of the portion of a building that is at least 75 feet in height, a line is drawn running due east-west;
    - From the southernmost point of the portion of a building that is at least 75 feet in height, a line is drawn running due east-west;
    - A line drawn at right angles between the two east-west lines is the north-south dimension;
  - (2) The space between buildings on a site is measured using the east-west lines created under A.3.e.(1). A line drawn at right angles between the northern east-west line of one building and the southern east-west line of the other is the distance between the buildings.

**Figure 510-1**  
**Measuring North-South Dimension**



**B. Accessways.**

1. Purpose. Accessways provide physical access and connections to the Greenway for neighbors, visitors, and residents of South Waterfront who might otherwise be cut off from the Willamette River and the Greenway trail. Accessways are generally extensions of existing and planned east-west public rights-of-way, and may or may not provide vehicle access. Accessways provide safe and convenient bicycle and pedestrian connections to and from the Greenway trail. Accessways contribute to stormwater management in the subdistrict. They also provide a visual connection to the South Waterfront Greenway Area and provide a transition from the natural emphasis of the South Waterfront Greenway Area to the urban emphasis of the rest of the district.

2. Where these regulations apply. These regulations apply to development and landscaping on sites with frontage on accessways that are east of River Parkway;
3. Setback. If the accessway is 60 feet wide or less, buildings must be set back at least 30 feet from the centerline of the accessway. If the accessway is wider than 60 feet, the building must meet the building line requirements of Section 33.510.215 on the accessway frontage;
4. Landscaping. The area between the building and the accessway must meet the landscaping standards of 33.510.253.E.5.f(5) that apply to subarea 3 of the South Waterfront Greenway Area. However, along accessways that are designated as special building height corridors on Map 510-15, trees are not required.

**C. Locker rooms and additional bicycle parking.**

1. Purpose. These standards support the transportation strategy of the South Waterfront Subdistrict by requiring amenities that support the use of alternative modes of transportation, including bicycling and walking;
2. When these regulations apply. The regulations of this subsection apply to proposals that will add at least 100,000 square feet of nonresidential floor area to a site;
3. Locker rooms. At least one locker room facility must be included in the proposal. The facility must include showers, a dressing area, and lockers. The facility must be available for use by all tenants of the building; and
4. Exception for existing long-term bicycle parking.
  - a. Purpose. These regulations allow existing uncovered long-term bicycle parking to continue without upgrading the nonconforming elements of the racks. The existing, attendant monitored, bicycle parking provides a convenient and secure long-term bicycle parking option that works in conjunction with the suspended cable transportation system that provides access to both the Marquam Hill plan district and South Waterfront subdistrict of the Central City plan district.
  - b. Where these standards apply. These standards provide an alternative to the long-term bicycle parking standards in 33.266 and apply to required long-term bicycle parking facilities in the South Waterfront subdistrict of the Central City plan district.
  - c. Existing Bicycle Parking. Existing long-term bicycle parking may be used to meet required long-term bicycle parking. The existing bicycle parking is not required to meet Subsections 33.266.210.C and D if the long-term bicycle parking meets the following:
    - (1) The bicycle parking is located in the South Waterfront subdistrict of the Central City plan district as of March 1, 2020;
    - (2) The bicycle parking area has an attendant present during the hours of 6:00 am to 7:30 pm from Monday to Friday to monitor the area and aid in parking bicycles;
    - (3) The bicycle parking area does not exceed 500 spaces;

- (4) The bicycle parking must be within 100 feet of a suspended cable transportation system; and
- (5) The applicant must sign a covenant that ensures that the existing long-term bike parking will continue to meet the above standards until the bike parking is no longer required. The covenant must comply with the requirements of 33.700.060, Covenants with the City.

### **33.510.252 Additional Standards in the Central Eastside Subdistrict**

The following additional standards apply in the Central Eastside subdistrict.

#### **A. Industrial impacts disclosure statement.**

1. Purpose. This requirement is intended to ensure that people who choose to live or work in the Central Eastside subdistrict are aware of the potential impacts, such as noise, vibration, odors, glare, and heavy truck traffic that stem from industrial and employment uses.
2. Disclosure statement required. Prior to the issuance of a building permit for a new building that will contain a Household Living, Retail Sales And Service, or Office use, and for alterations to an existing building that contains a Household Living, Retail Sales And Service, or Office use, the owner of the property must sign and record a copy of the City's Industrial Impacts Disclosure Statement. The statement must be recorded in the records of Multnomah County. The statement acknowledges that the property is located near industrial and employment uses, and signifies the owner's awareness of the associated nuisance impacts including noise, odor and light levels. The statement is available in the Development Services Center. After the permit is finalized, the property owner must provide a copy of the disclosure statement to every tenant or buyer, and post a copy of the disclosure statement on the premises in a location that is accessible to all tenants.

#### **B. Noise insulation.**

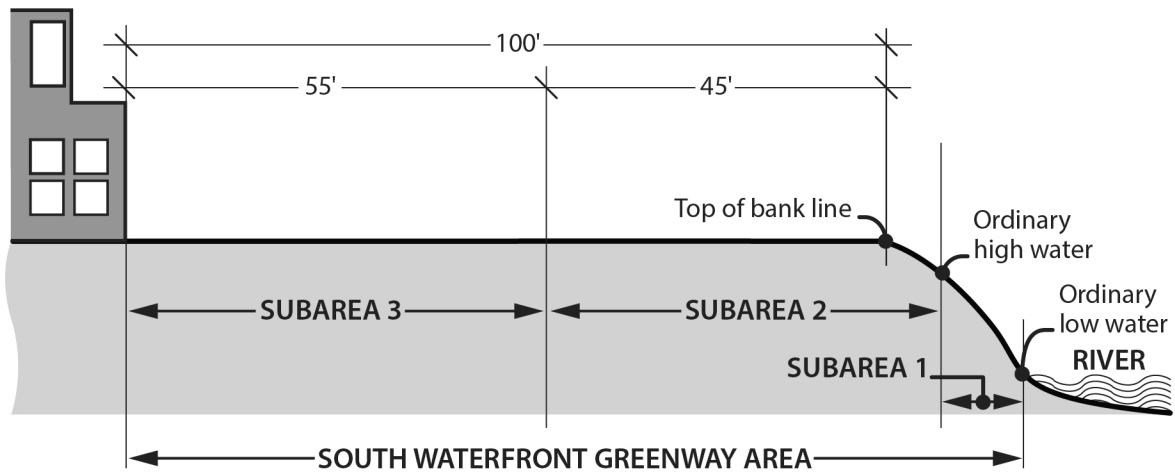
1. Purpose. Noise insulation is required in order to protect homes located near industrial areas from potential noise impacts generated by industrial operations.
2. Where this standard applies. The noise insulation standard applies in the EX zone to sites that have a lot line that abuts or is across the street from an IG1 zone.
3. Noise insulation standard. All new dwelling units must be constructed with sound insulation or other means to achieve a day/night average noise level of 45 dBA. An engineer registered in Oregon who is knowledgeable in acoustical engineering must certify that the building plans comply with the standard for noise insulation prior to issuance of a building permit. Garages or other attached accessory structures that do not include living space are exempt from this standard.

### **33.510.253 Greenway Overlay Zone in South Waterfront Subdistrict**

- #### **A. Purpose.** The regulations of this section:

1. Protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along the Willamette River within the South Waterfront Subdistrict of the Central City plan district;
  2. Increase public access to and along the Willamette River for the purpose of increasing recreational and transportation opportunities;
  3. Support the development of the South Waterfront Subdistrict as a vibrant mixed-use neighborhood within the Central City plan district;
  4. Ensure a clean and healthy river for fish, wildlife, and people;
  5. Embrace the river as Portland's front yard;
  6. Enhance stormwater management in the South Waterfront Subdistrict;
  7. Respond to the federal Endangered Species Act and Clean Water Act; and
  8. Implement the Willamette Greenway Plan and State law.
- B. Relationship to other regulations.** Development within the Greenway Overlay Zone in the South Waterfront Subdistrict is also subject to other regulations of the Portland City Code. Development within the Greenway Overlay Zone may also be subject to the regulations and review procedures of state and federal agencies including the Oregon division of State Lands, the National Marine fisheries Service, the US Army Corps of Engineers, and the Oregon Department of Fish and Wildlife.
- C. Where these regulations apply.** The regulations of this section apply to sites within the South Waterfront Subdistrict where any portion of the site is in the Greenway Overlay Zone, shown on the Official Zoning Map.

**Figure 510-2**  
**South Waterfront Greenway Area and Subareas**



Greenway Area = from ordinary low water to 100' from top of bank line  
Subarea 1 = from ordinary low water to ordinary high water  
Subarea 2 = from ordinary high water to 45' in from top of bank line  
Subarea 3 = from 45' in from top of bank to 100' in from top of bank line

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

1. Required landscaping.

- a. When development on the site, or alterations to structures, the site, or rights-of-way are made, and BDS determines that the value of the proposed alterations on the site is more than \$300,000, the site must be brought into conformance with the landscape requirements of Paragraph E.5.f. that apply to subareas 2 and 3 of the South Waterfront Greenway Area. The value of the alterations is based on the entire project, not individual building permits. It is the responsibility of the applicant to document the value of the required improvements.

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

- (1) Alterations required by approved fire/life safety agreements;
- (2) Alterations related to the removal of existing architectural barriers, as required by the Americans with Disabilities Act, or as specified in Section 1113 of the Oregon Structural Specialty Code;
- (3) Alterations required by Chapter 24.85, Interim Seismic Design Requirements for Existing Buildings;



- (4) Improvements to on-site stormwater management facilities in conformance with Chapter 17.38, Drainage and Water Quality, and the Stormwater Management Manual; and
    - (5) Improvements made to sites in order to comply with Chapter 21.35, Wellfield Protection Program, requirements.
  - b. Caps on the cost of required landscaping. Required landscaping costing more than 10 percent of the value of the proposed alterations does not have to be installed. When all required landscaping is not being installed, the priority for which landscaping is to be installed is:
    - (1) Trees in subarea 2;
    - (2) Shrubs in subarea 2;
    - (3) Ground cover in subarea 2;
    - (4) Trees in subarea 3;
    - (5) Shrubs in subarea 3;
    - (6) Ground cover in subarea 3; and
    - (7) Other required landscaping;
  - c. Supplemental application requirement. Where landscaping is required by this paragraph, the applicant must submit a landscape plan to BDS that shows that the landscaping will grow to meet the landscape standards of Subparagraph E.5.f, below, within five years. The landscape plan must be certified by a licensed landscape architect, or by a qualified restoration specialist as part of a formal City revegetation project under authority of Portland Parks and Recreation or the Bureau of Environmental Services.
2. Bank improvements. In subarea 1, when there is any regrading, bank stabilization, or other activities affecting the contours and composition of soil, the requirements of Paragraph E.5.f for subarea 1 must be met.
3. Major public trail and pedestrian connections and public viewpoints. When development on a site, or alterations to structures, the site, or rights-of-way are made that add more than 50,000 square feet of floor area to the site, the applicant must provide public access easements for, and construct, the major public trail, pedestrian connections to the major public trail, and public viewpoints in accordance with Subparagraph E.5.d., and Subparagraph E.5.e. The requirement to provide an access easement for, and construct, the major public trail, pedestrian connections, and public viewpoints applies only when the development described above will increase the use of the major public trail system or will contribute to the need for additional major public trail facilities, and application of the regulations is determined to be roughly proportional to the impacts of the proposed development. The square footage added to the site is calculated based on the total amount added, regardless of the amount demolished;

4. Timing of improvements. The applicant may choose one of the following options for making the improvements required by this subsection:
    - a. Option 1. Under Option 1, required improvements must be made as part of the development or alteration that triggers the required improvements;
    - b. Option 2. Under Option 2, the required improvements may be deferred if the following are met:
      - (1) The applicant must provide the BDS with a performance guarantee for the improvements. See 33.700.050, Performance guarantees; and
      - (2) The required improvements must be constructed or installed within 4 years of issuance of the Certificate of Occupancy or within the timeline approved through a South Waterfront Greenway Review. See Chapter 33.851.
  5. Landscaping monitoring and reporting. Monitoring required landscaping is the ongoing responsibility of the property owners. If landscaping is required by the subsection, the owner must submit a report to BDS documenting that the landscape standards of Subparagraph E.5.f., below, have been met on the site. The report must be submitted within 1 year of the installation date, or within the timeline approved through a South Waterfront Greenway Review. See Chapter 33.851.
- E. Development standards.** Generally, proposals are subject to design review. In most instances, applicants may choose between meeting development standards or going through South Waterfront greenway review. In some instances South Waterfront greenway review is required.
1. Where these regulations apply. The regulations of this subsection apply in the South Waterfront Greenway Area as shown on Figure 510-2. The regulations apply to development and alterations to structures, sites, and rights-of-way.
  2. Design review. New development, and changes to the land or structures including excavations and fills, bridges, and docks are subject to design review, unless exempted by Paragraph E.4.
  3. South Waterfront greenway review. South Waterfront greenway review is required for the following:
    - a. New development or exterior alterations that do not meet the standards of Paragraph E.5 and are not exempted by Paragraph E.4;
    - b. New development, or changes to the land or structures, riverward of top of bank, including excavations and fills, bridges, and docks, unless exempted by Paragraph E.4.
  4. Exempt from design review and South Waterfront greenway review. The following are exempt from design review and South Waterfront greenway review;
    - a. Changes to the interior of a building where there are not exterior alterations;
    - b. Normal maintenance and repair;
    - c. Excavations and fills of less than 50 cubic yards;

- d. Dredging, channel maintenance, and the removal of gravel from the river; and
  - e. Emergency procedures necessary for safety or the protection of property.
  - f. The placement of up to four single piles, or two multiple-pile dolphins for each 100 feet of shoreline for an existing river-dependent or river-related use.
  - g. Development of public streets identified in the adopted *South Waterfront District Street Plan, Criteria and Standards* are exempt from design review, but not greenway review.
5. Development standards. The following development standards must be met unless the applicant chooses South Waterfront greenway review. Adjustments and modifications to these standards are prohibited.
- a. Non-landscaped area. Limiting the percentage of non-landscaped area allowed in the South Waterfront Greenway Area ensures that the area will be configured to accommodate a minimum percentage of living plant cover. Non-landscaped area includes all aboveground structures and paving materials, including permeable paving materials.
    - (1) Subareas 1 and 2. Up to 20 percent of the portion of the site in subareas 1 and 2 may be covered by non-landscaped area; however, paved surfaces that are required under the provisions of Paragraph E.5.e., Public viewpoints, are exempt from this limitation. Non-landscaped area may be no closer than 10 feet of the top of bank line as shown on Map 510-21, South Waterfront 2002 Top of Bank Line;
    - (2) Subarea 3. Up to 20 percent of the portion of the site in subarea 3 may be covered by non-landscaped area. However, required trail and pedestrian connection improvements are exempt from this limitation.
  - b. Buildings. Buildings are allowed within the South Waterfront Greenway Area if they meet E.5.b.(1) and (2) and either E.5.b.(3) or (4). Other buildings or portions of buildings are not allowed within the South Waterfront Greenway Area.
    - (1) The site meets the non-landscaped area requirements under E.5.a., above; and
    - (2) The building does not obstruct required pedestrian connections and trails; and
    - (3) The building is river-dependent or river related; or
    - (4) All of the floor area of the building is in Retail Sales And Service uses and the following are met:
      - The building has less than 1,000 square feet of floor area;
      - The building is entirely within subarea 3; and
      - The building is located landward of the South Waterfront recreational trail.
  - c. Fences and walls. Fences and walls are allowed in subarea 3 of the South Waterfront Greenway Area if they are no more than 3 feet in height and do not

obstruct the required pedestrian connections and trails. Fences and walls are not allowed in subareas 1 and 2 of the South Waterfront Greenway Area.

d. Major public trails and pedestrian connections.

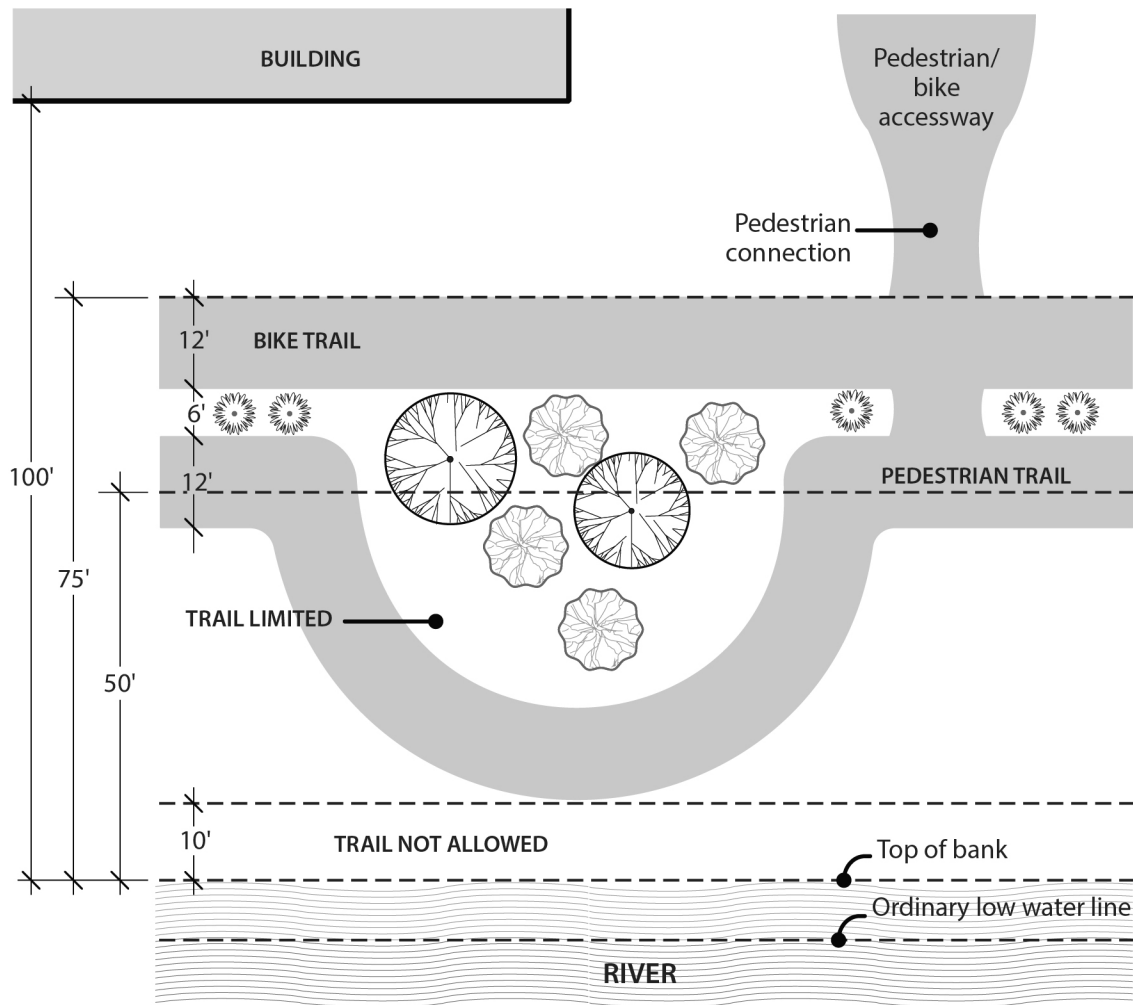
(1) Purpose. Major public trails provide public access to and along both sides of the Willamette River. Major public trails are one of the tools used to comply with the public access requirements of the Comprehensive Plan and the Willamette Greenway Plan. Pedestrian connections ensure that there is adequate, safe, and direct pedestrian access from the adjacent development and from the district as a whole to the major public trails.

(2) Major public trails. Major public trails must meet the following standards. When required by Subsection D., sites with major public trail symbol shown on the Official Zoning Maps must provide easements that would accommodate construction, maintenance, and public use of a major public trail that meets the following standards. See Figure 510-3.

- Location. The major public trail must be located in the South Waterfront Greenway Area shown on Figure 510-2. All portions of the major public trail must be at least 10 feet and no more than 75 feet from the top of bank line as shown on Map 510-21, South Waterfront 2002 Top of Bank Line; however, any portion of the major public trail that is within 45 feet of the top of bank line as shown on Map 510-21, South Waterfront 2002 Top of Bank Line, is subject to the maximum non-landscaped area limitations of Subparagraph E.5.a.;
- Width. The major public trail must consist of two paths, each at least 12 feet in width;
- Landscaped median. The two paths must be separated by a landscaped median at least 6 feet wide. Landscaping within this median must meet the requirements of Paragraph E.5.f. The landscaping may be interrupted by public access connections between the two paths;
- Use. The path closest to the river must be designated for pedestrians only. The path farthest from the river must be designated for bicycles and other non-motorized transportation modes;
- Connectivity.
  - The major public trail or major public trail easement must connect to the existing major public trails or trail easements on adjacent sites; and
  - The major public trail or major public trail easement must connect to the required pedestrian circulation system on the site.
- Additional standards. In addition to the standards of this subparagraph, the standards of Chapter 33.272, Major Public Trails, must also be met.

(3) Pedestrian connections. When a major public trail or major public trail easement is required, at least one pedestrian connection must be provided between the trail easement and any accessway that terminates on the site.

**Figure 510-3  
South Waterfront Greenway Trail**

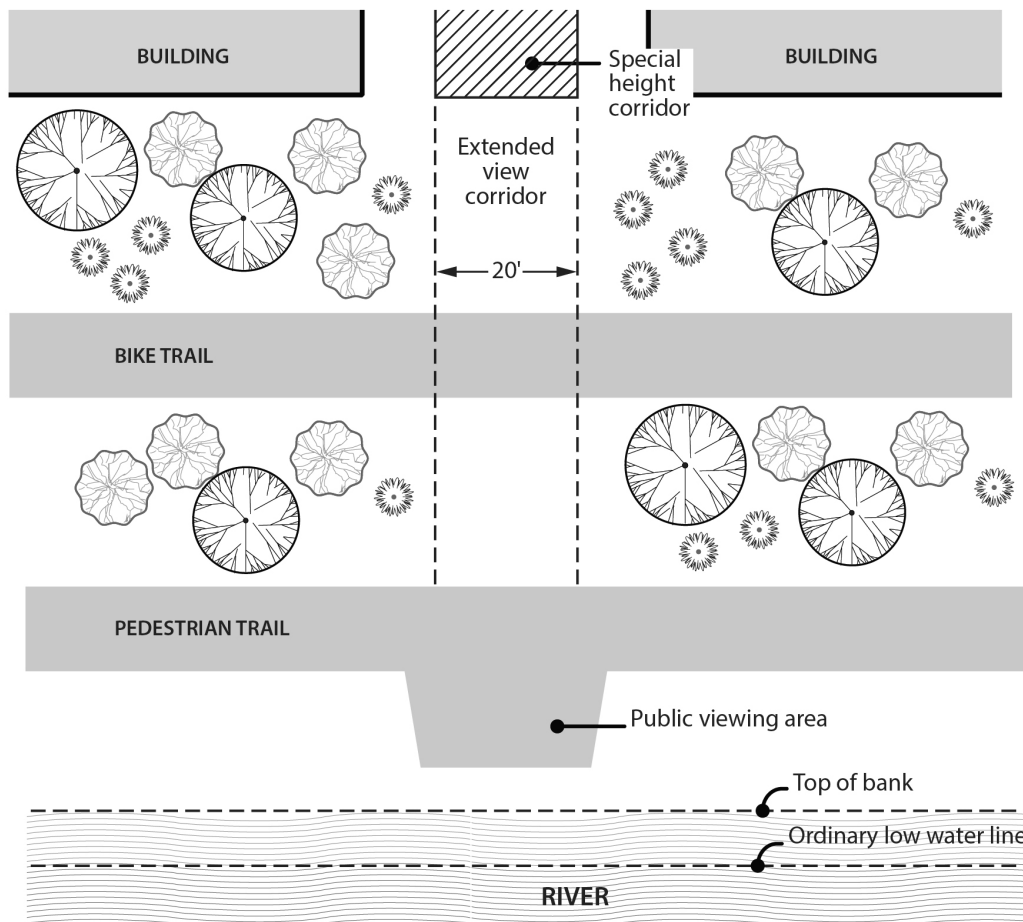


e. Public viewpoints.

- (1) Purpose. Public viewpoints provide stopping places and clearings along the South Waterfront Greenway trail and the Willamette River where the public can view and enjoy the natural and scenic qualities of the Greenway and the river. Public viewpoints are one of the tools used to comply with the public access requirements of the Comprehensive Plan and the Willamette Greenway Plan.
- (2) Viewpoint requirements. A public viewpoint must be provided on sites designated in the Central City Scenic Resources Protection Plan.
  - Sites with a viewpoint designation must provide a viewpoint area that meets the following standards:
    - The viewpoint area must be at least 500 square feet in area;
    - The viewpoint area must abut the Greenway trail or a public access connection must be provided from the Greenway trail to the viewpoint area;

- The viewpoint area and any public access connection to the viewpoint area from the Greenway trail must comply with the Use of Trail, Hours of Use, Trespass, and Trail Maintenance and Liability sections of Chapter 33.272, Major Public Trails;
  - Materials, benches, and lighting used in the viewpoint area must meet the requirements of the Portland Bureau of Parks and Recreation; and
  - If an accessway or street that is mapped as a special building height corridor on Map 510-15 terminates on the site, the view corridor must continue the projected centerline of the accessway or street as shown in Figure 510-4.
- f. Landscaping.
- (1) Coverage. Eighty (80) percent of the area that is not covered by buildings, trails, or other allowed non-landscaped area must be covered by shrubs or ground cover, and all trees required by this paragraph must be installed in the ground and healthy;
  - (2) Existing landscaping. Existing plants may be used to meet the standards of this paragraph, if protected and maintained during construction as specified in Section 33.248.065. However, plants identified in the South Waterfront Greenway Nuisance Plants List of the *Portland Plant List* must be removed.

**Figure 510-4**  
**Public Viewpoint and View Corridor**



- (3) Required landscaping in subarea 1. In subarea 1, the area beginning 3 feet above the ordinary low water line must meet the following requirements:
- Shrubs. At least 80 percent of the required landscaped area must be planted in shrubs;
  - Trees. Trees are not required, but are allowed;
  - Ground cover. All of the required landscaped area that is not planted with shrubs or trees must be fully covered with ground cover plants;
  - Plant list. Only plants listed in the South Waterfront Greenway Subarea 1 Plant list of the *Portland Plant List* may be planted; and
  - Installation of landscaping. All planting must be of a sufficient size and number to meet the coverage standards within five years. Restoration size plant material, including bare-root, is allowed and recommended. Planting is not required to meet the size and spacing requirements of 33.248.030, Plant Materials. Planting is not allowed during the summer.

- (4) Required landscaping in subarea 2. In subarea 2 the required landscaping is:
- Shrubs. At least 80 percent of the landscaped area must be planted in shrubs;
  - Trees. At least one tree must be planted for every 400 square feet of landscaped area. Trees may be clustered;
  - Ground cover. All of the landscaped area that is not planted with shrubs or trees must be fully covered with ground cover plants;
  - Plant list. Only plants listed in the South Waterfront Greenway Subarea 2 and 3 Plant List of the *Portland Plant List* may be planted. At least eight different species must be planted; and
  - Installation of landscaping. All planting must be of a sufficient size and number to meet the coverage standards within 5 years. Planting is not required to meet the size and spacing requirements of 33.248.030, Plant Materials.
- (5) Required landscaping in subarea 3. In subarea 3, the required landscaping is:
- Shrubs. At least 60 percent of the landscaped area must be planted in shrubs. At least 50 percent of the shrubs used to meet this requirement must be listed in the South Waterfront Greenway Subarea 2 and 3 Plant List of the *Portland Plant List*;
  - Trees. At least 1 tree must be planted for every 1,000 square feet of landscaped area. At least 50 percent of the trees used to meet this requirement must be listed in the South Waterfront Greenway Subarea 2 and 3 Plant List of the *Portland Plant List*;
  - Ground cover. All of the landscaped area that is not planted with shrubs or trees must be fully covered with ground cover plants. At least 50 percent of the ground cover plants must be listed in the South Waterfront Greenway Subarea 2 and 3 Plant List of the *Portland Plant List*;
  - Plant list. Except as allowed by (1), (2) and (3), only plants listed in the South Waterfront Greenway Subarea 2 and 3 Plant List of the *Portland Plant List* may be planted. The following plants are prohibited:
    - Plants included on the Nuisance Plants List or Required Eradication List of the *Portland Plant List*;
    - Plants included in the South Waterfront Greenway Nuisance Plants List of the *Portland Plant List*.
  - Installation of landscaping. All planting must be of a sufficient size and number to meet the coverage standards within five years. Planting is not required to meet the size and spacing requirements of 33.248.030, Plant Materials.
- g. Other development. Other development is allowed within the South Waterfront Greenway Area if it meets Subparagraphs g.(1) and (2) and either g.(3) or (4).
- (1) The site meets the non-landscaped area requirements under E.5.a., above;
- (2) The development does not obstruct required pedestrian connections and trails; and



- (3) The development is located in subarea 3; or
- (4) The development is river-dependent or river-related.

h. Exterior lighting.

- (1) Purpose. The standards for exterior lighting are intended to:
  - Avoid or minimize light glare and light spill from artificial lighting and associated negative impacts on fish and wildlife and their habitats;
  - Reduce light pollution and glare impacts on residential developments;
  - Maintain public safety and security along the major public trail, pedestrian connections to the major public trail, in parks, along public streets, and on piers and gangways; and
  - Provide flexibility for river dependent operations associated with docks.
- (2) General standards. The following standards apply to all exterior lights located within the River General overlay zone.
  - Exterior lights must not project light upward or to the side of the fixture; and
  - The top and sides of all exterior light fixtures must be shielded with 100 percent opaque materials.
- (3) Additional standards for areas near the Willamette River. The following standards apply to all permanent exterior lights located within and riverward of the greenway setback, and all permanent exterior lights located within 25 feet landward of the greenway setback. Exterior lights within public streets are exempt from this Subsubparagraph.
  - Exterior lights are allowed only if the lights are for the following use or development:
    - Park and Open Area uses;
    - The major public trail or pedestrian connections to the major public trail;
    - Public viewing areas; or
    - River-dependent or river-related development.
  - Structures that support exterior light fixtures must be setback at least 5 feet from the top of bank of the Willamette River except for docks and gangways, and must be setback at least 30 feet from any other stream, drainageway, wetland or water body;
  - Structures that support exterior light fixtures must be spaced at least 25 feet apart;
  - Lamps must fall below 3000K or within an S/P ratio range of 1- 1.2; and
  - Exterior lights must not project directly into the Willamette River.

**F. Greenway goal exception.** Approval of an exception to Statewide Planning Goal 15, Willamette Greenway, is required to locate development or a right-of-way that is not river-dependent or river-related within 25 feet of the top of bank. A greenway goal exception is not required to add revetments to a riverbank. The approval criteria are in Section 33.840.200, Greenway Goal Exception.

### **33.510.255 Central City Master Plans**

- A. Purpose.** A Central City Master Plan establishes a clear development strategy for significant redevelopment sites in the Central City. Central City Master Plan review is intended to ensure that development on the site will positively contribute to the existing and desired surrounding urban form. The review will result in an urban design framework and layout for the site as a whole, allowing subsequent reviews for individual buildings and other development to focus on materials and façade treatment. A Central City Master Plan is intended to result in the following urban design outcomes:
- A development site that has a strong orientation towards transit and multimodal transportation alternatives.
  - A safe and vibrant public realm, supported by active ground floor uses, open space areas and an internal circulation system that provides access to adjacent public rights-of-way and multimodal transportation options;
  - A development site that has adequate urban services such as water, stormwater, sewers, and fire-hydrants, and
  - Building bulk, height, orientation, and programming that protects public views and preserves light and air within the public realm, and is oriented to active and passive public gathering spaces, including public open spaces, transit stations, and the Willamette River.
- B. When a Central City Master Plan review is required.**
1. Central City Master Plan review is required for the following types of development in the areas shown on Map 510-19:
    - a. New development; and
    - b. Alterations to existing development that increase the floor area or exterior improvement on a site by more than 20,000 square feet.
  2. Exemption. The following are exempt from Central City Master Plan review:
    - a. Development associated with a School use; and
    - b. Development on a lot that is 40,000 square feet or less in total area. This exemption does not apply if the lot is part of a site that is more than 40,000 square feet in total area.
- C. Voluntary Central City Master Plan.** An applicant may voluntarily submit for a Central City Master Plan review. The minimum size threshold for a voluntary Central City Master Plan review is 160,000 square feet of lot area. There can be more than one lot and more than one site within the boundaries of a voluntary Central City Master Plan.
- D. Flexibility allowed.** An approved Central City Master Plan review allows additional flexibility in the following situations:
1. Floor area may be transferred among sites within the master plan boundary without having to meet the prioritization in 33.510.205.B;
  2. The minimum floor area ratio standard in 33.510.200.C.2 may be met for the master plan area as a whole rather than on a site-by-site basis;

3. The bonus height limits shown on Map 510-4 may be achieved without having to provide the bonuses or transfers required by 33.510.210.D.3; and
  4. Residential uses may be allowed on the sites shown on Map 510-6 as allowing residential uses through a Central City Master Plan.
- E. Review procedure.** A Central City Master Plan is processed through a Type III procedure.
- F. Design advice request.** A design advice request is required prior to submitting an application for a Central City Master Plan review.
- G. Components.** A Central City Master Plan must include the following components:
1. **Boundaries.** The boundaries of the master plan area must be shown on a site plan. For sites where a Central City Master Plan is required, the boundary must include all contiguous lots in common ownership within the area shown on Map 510-19. Contiguous includes lots across a shared right-of-way. Lots in separate ownership may be included, but are not required.
  2. **Proposed urban design and development framework.** The following materials must be included to provide clear visual information about the proposal:
    - a. A site plan showing the following:
      - (1) Location, size, and dimensions of all existing and proposed structures, and the location of all main entrances to existing and proposed buildings;
      - (2) Location, size and dimensions of the building coverage of all proposed structures;
      - (3) Description of existing and proposed land uses. The description must include information as to the general amount, type and location of all uses;
      - (4) Existing and proposed internal pedestrian, bicycle, and vehicle circulation system, including where each part of the proposed system connects to public rights-of-way adjacent to the master plan boundary, and transit service lines and stations within or adjacent to the master plan boundary;
      - (5) Existing and proposed location of public rights-of-way
      - (6) Location of bicycle and vehicle parking; and
      - (7) Location, size and shape of all open areas such as parks, plazas, landscaped and hardscaped areas and outdoor recreation amenities including those that are required in 33.510.255.K.
    - b. A three-dimensional massing diagram that identifies the maximum existing and proposed building envelopes, with proposed building dimensions and height for each building, including building massing where a tower will be setback from the edge of a podium; and
    - c. Sections, sectional elevations, and perspectives that illustrate the relationship of site redevelopment to the surrounding urban form in terms of building height and massing.

3. Project narrative. A narrative that describes the project, identifies how the Central City Master Plan is consistent with the applicable design guidelines. Specific information about the proposed range and density of land uses and the proposed phasing of development must also be included. If the proposed Central City Master Plan involves the transfer of floor area, information about the location of the receiving and sending sites, the ownership of the sites, and amount of floor area to be transferred and retained at each site must be included.
4. Infrastructure capability. The adequacy of infrastructure must be addressed. The plan must identify and link the development of each phase of the project to the provision of services necessary to meet the infrastructure needs of the development associated with that phase.
5. Design advice. A copy of the design advice request summary.

**H. Approval Criteria.** A Central City Master Plan review will be approved if the review body finds that the following approval criteria have been met. Criteria H.1 through H.11 apply to all Central City Master Plan reviews. Criteria H.12 through H.15 also apply to proposals within the area identified on Map 510-6 as requiring a Central City Master Plan review for residential uses.

1. The Central City Master Plan is consistent with applicable subdistrict goals and policies of the Central City 2035 Plan;
2. The master plan demonstrates how development will comply with the Central City Fundamental Design Guidelines, as well as any applicable design guidelines specific to the subdistrict the master plan site is located within;
3. Development on lots with river frontage incorporates elements that activate the riverfront, such as open areas, trails, accessways, and active land uses that encourage public use and enjoyment of the riverfront;
4. The proposed uses will not have significant adverse effects on industrial firms or result in conflicts with industrial activities located within the plan boundary or within 500 feet of the plan boundary;
5. The master plan demonstrates that development within the plan boundary will establish an overall building orientation through massing, the location of entrances, and the location of ground floor uses that result in an edge that embraces adjacent public park rather than creating an abrupt edge between the plan area and parks, and ensures that development within the plan boundary will not excessively shade the adjacent park;
6. The master plan demonstrates that easy and safe access will be provided to transit stations located within or immediately adjacent to the master plan boundary, and any buildings located immediately adjacent to a transit station include ground floor uses that create an active and safe pedestrian environment throughout the day, evening, and week;
7. Internal open areas are accessible within, and distributed throughout, the master plan area and have connections to the surrounding neighborhood and to any adjacent

open space. Internal open areas enhance visual permeability through the site, especially on sites near the Willamette River. The size and location of each open area must be adequate to accommodate the intended use of the space.

8. The transportation system is capable of supporting the proposed uses in addition to the existing uses in the plan area. Evaluation factors include street capacity, level of service, connectivity, transit availability, availability of pedestrian and bicycle networks, on-street parking impacts, access restrictions, neighborhood impacts, impacts on pedestrian, bicycle, and transit circulation, and safety. Evaluation factors may be balanced; a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated;
  9. The proposed street plan must provide multi-modal street connections to support the surrounding street grid pattern;
  10. The plan ensures that there will be adequate and timely infrastructure capacity for the proposed development; and
  11. The master plan demonstrates that, to the extent practical and feasible, inactive uses such as, but not limited to, parking and access, loading, and trash and recycling are shared or consolidated, with the goal of activating the pedestrian environment.
  12. The proposal will not have a significant adverse effect on truck and freight movement;
  13. City-designated scenic resources are preserved;
  14. Proposed residential uses are buffered from potential nuisance impacts from uses allowed by right in the zone; and
  15. The master plan includes a design, landscape, and transportation plan that will limit conflicts between residential, employment, and industrial uses.
- I. Amendments to a Central City Master Plan.** Unless specifically addressed in the approved Central City Master Plan review, an amendment to an approved master plan is required for the following changes. The amendment request must meet the applicable approval criteria in 33.510.255.H.
1. The following amendments are processed through a Type III review:
    - a. Changes to the boundary of the master plan area;
    - b. Removing or changing the location of a proposed public right-of-way, or to the location of a private vehicular accessway that connect to a public right-of-way; or
    - c. Removing or changing the location of an open area as required by 33.510.255.K.
  2. The following amendments are processed through a Type II review:
    - a. Changes to the location or number of buildings;
    - b. Change to the location of proposed the ground floor active uses; or

- c. Increases or decreases of 15 percent or more to an approved massing envelop.
- J. Duration.** An approved Central City Master Plan remains in effect until development allowed by the plan has been completed, except that a Central City Master Plan expires 10 years from the date of the final decision if none of the development or activity allowed by the plan has commenced.
- K. Open area requirement.**
1. Purpose. The open area requirements promote a site design that provides access to light and air, opportunities for outdoor activities including active and passive recreation, public gathering spaces, and visual relief from the built environment. The standards are also intended to produce open areas at a scale compatible to what large sites would have if divided by the 200 foot street grid pattern common through the Central City.
  2. Amount of required open area. A minimum of 20 percent of the master plan area must be devoted to open area. Open areas may include parks, outdoor recreation amenities, plazas, public fountains, or landscaped areas. Areas used for parking, loading, and driveways do not count toward the 20 percent minimum open area requirement.
  3. Required open area development standards.
    - a. At least 20,000 square feet, or 50 percent, whichever is less, of the required open area must be designed as parks or plazas. At least one of the parks or plazas must have dimensions that allows a 50 foot by 50 foot square to fit entirely within it, and in Central City Master Plan Area 6, shown on Map 510-19, at least one park or plaza must be located directly adjacent to the OS zone.
    - b. Bike and pedestrian accessways may not constitute more than 25 percent of the required open space.
    - c. The open space must meet one of the following tree density standards. Tree canopy sizes are defined in 33.248.030.C.2:
      - (1) A minimum of one tree per 1,000 square feet of park or plaza area is required if all of the trees are small canopy trees; or
      - (2) A minimum of one tree per 2,000 square feet of park or plaza area is required if at least one medium or large canopy tree is provided.
    - d. Parks and plazas must be sited so that shadows from buildings cover no more than 50 percent of the park or plaza at noon on March 21, June 21 and September 21, and not more than 75 percent of the adjacent open space at noon on December 21, and 3:00 pm on March 21, June 21, and September 21.

**33.510.257 Signs for Additional Uses Allowed in the Open Space Zone**

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

## Parking and Access

### 33.510.261 Parking Built After July 9, 2018

**A. Purpose.** The parking and access regulations implement the Central City 2035 Plan and the Transportation System Plan by managing the supply of off-street parking to improve mobility, promote the use of alternative modes, support existing and new economic development, maintain air quality, and enhance the urban form of the Central City.

**B. Description of types of parking.** In the Central City plan district, there are three types of parking. While a proposal may include several types of parking (for example, a garage may include both some Growth Parking and some Preservation Parking), each type of parking is an exclusive category. The same spaces can be more than one type of parking, such as both Growth Parking and Visitor Parking, if the regulations for both types are met.

1. Growth Parking. Growth Parking. Growth Parking is created in conjunction with additions of net building area. Net building area is added either as part of new development or by adding floor area to existing development.

In the case of new development, the land use or building permit for the parking must be requested by the time the foundation of the new building is complete. If the parking is requested after the foundation is complete, it will be Preservation Parking.

In the case of additions of net building area to existing development, the land use or building permit for the parking must be requested by the time the building permit for the new net building area is issued. If it is requested after the building permit for the new net building area is issued, it will be Preservation Parking.

The ratios for Growth Parking are based on the needs of both employees and those who come to the building for other reasons, such as customers and clients.

2. Preservation Parking. Preservation Parking is created to serve existing buildings. The ratios for Preservation Parking are based on the needs of both employees and those who come to the building for other reasons, such as customers and clients.
3. Visitor Parking. Visitor Parking is created to serve shoppers, tourists, and other such visitors who make occasional trips to the area. It is not associated with a particular development.

**C. Organization of parking regulations.** This subsection describes the organization of parking regulations that follow, and provides a framework for understanding. See the sections that follow for the specific regulations described below.

Generally, Growth Parking and Preservation Parking are allocated based on net building area of buildings or dwelling units. Visitor Parking may be located where demand is shown.

Each type of parking is regulated differently. For some types of parking, there are no limits on who may park there, even though the parking may have been created in conjunction with a particular development.

Map 510-10 shows the Central City plan district parking sectors. There are maximums for parking in all of the parking sectors. In some cases, Central City Parking Review may be required, while other proposals may need adjustments.

- D. Where these regulations apply.** The regulations of Sections 33.510.261 apply to parking built after July 9, 2018. Where there is more than one type of parking included in a proposal, each type of parking must meet the regulations in the appropriate subsection.
- E. Sites split by parking sector boundaries.** If the site is split by parking sector boundaries, and the maximum ratio in the two sectors differ, the maximum ratio is based on the regulations that apply to the site of the use the parking will be serving.
- F. Growth Parking.** The regulations of this subsection apply to Growth Parking. Adjustments to the regulations of this subsection are prohibited.
  - 1. When Growth Parking is allowed. Growth Parking is allowed when net building area is added to a site either as part of new development or an alteration to existing development.
  - 2. Minimum required parking. There are no minimum parking requirement for Growth Parking.
  - 3. Maximum allowed parking. Growth Parking is limited to the maximum ratios in Table 510-1. Where there is more than one use on a site, the amount of parking allowed is calculated based on the net building area of each use.
  - 4. Operation. Growth Parking may be operated as either accessory or commercial parking at all times.



<b>Table 510-1 Maximum Parking Ratios [1]</b>						
<b>Uses</b>	<b>Parking Sectors</b>					
	<b>1 North Pearl</b>	<b>2 North/ Northeast</b>	<b>3 Goose Hollow</b>	<b>4 Core</b>	<b>5 Central Eastside</b>	<b>6 South Waterfront</b>
Residential Uses	1.2	1.2	1.2	1.2	1.2	1.2
Office, Retail Sales And Service, Schools, Colleges, Daycare	1.5	1.35	1.5	1.0	2.0	2.0
Grocery Store	2.0	2.0	2.0	2.0	2.0	2.0
Anchor Retail [2]	1.5	1.5	1.5	1.5	1.5	1.5
Hotel/motel and meeting or conference rooms	1/room, plus 1/1,000 square feet of meeting/conference rooms.					
Manufacturing and Production, Warehouse and Freight Movement, Wholesale Sales, Industrial Service	1.0	2.0	1.0	1.0	2.0	1.0
Medical Center	1.5	1.35	1.5	1.5	2.0	2.0
Major Event Entertainment, Commercial Outdoor Recreation, Parks And Open Areas	Parking requires Central City Parking Review and must meet the Visitor parking approval criteria in 33.808.100.					
Community Service, Religious Institutions, Theaters, and all other uses	.5	.5	.5	.5	.5	.5

[1] Maximum ratios are per 1,000 square feet of net building area for non-residential/hotel uses; per dwelling unit or hotel room for residential/hotel uses

[2] Anchor retail is a single structure with more than 50,000 square feet of net building area in Retail Sales and Service uses.

- G. Preservation Parking.** The regulations of this subsection apply to Preservation Parking. Adjustments to this subsection are prohibited.
- When Preservation Parking is allowed. Preservation Parking is allowed when approved through Central City Parking Review. Existing buildings with Residential or hotel uses that have 0.5 or fewer parking stalls per unit or room are eligible to apply for Preservation Parking. In the South Waterfront subdistrict, existing buildings with Medical Center or College uses are eligible to apply for Preservation parking. Other existing buildings that have fewer than 0.7 parking stalls per 1,000 square feet of net building area are eligible to apply for Preservation Parking. If the parking area is

created through internal conversion of a building, by excavating under the building, or by adding gross building area to the building, the parking is regulated the same as Growth Parking.

2. Location of Preservation Parking. Preservation Parking must be built within the same parking sector as the building the parking will serve. Parking sectors are shown on Map 510-10.
3. Minimum required parking. There are no minimum parking requirements for Preservation Parking.
4. Maximum allowed parking. The maximum ratio for Preservation Parking is the same as for Growth Parking, except for hotels and motels where the maximum ratio is one half the ratio allowed for new hotels. See Table 510-1. Where there is more than one use on a site, the amount of parking allowed is calculated based on the net building area of each use.
5. Required covenants. Preservation Parking requires the following covenants:
  - a. Common ownership. If the parking is based on the net building area of buildings under the same ownership as the parking, the following must be met:
    - (1) The owner must specify which buildings the parking is based on;
    - (2) The owner must execute a covenant with the City that ensures that the parking will be primarily for those buildings for at least 10 years. The covenant must meet the requirements of 33.700.060, Covenants with the City, and must be recorded and attached to the deed for the property.
  - b. Different ownership. Where the parking structure is under different ownership than the buildings the parking will serve, the following must be met:
    - (1) Covenant:
      - There must be signed and recorded covenants between the owner of the parking and the owners of buildings for which the parking will be provided. The covenants must specify which buildings the parking is based on, and ensure that the parking will be primarily for those buildings for at least 10 years from the date the garage begins operation. The covenant must meet the requirements of 33.700.060, Covenants with the City, and must be recorded and attached to the deed for the property; and
      - A copy of the covenant must be provided to the Bureau of Development Services as part of the application for a building permit. Written documentation must be provided that shows that the changes comply with the regulations of this Chapter.
    - (2) Changes to existing covenants. Changes to a covenant between the owner of the parking and owners of buildings for which the parking is provided are allowed only if the regulations of this Chapter are still met. The length of the covenant cannot be reduced to cover fewer than 10-years from the date the

garage began operation. The applicant must notify the Bureau of Development Services in writing of any changes to existing covenants.

- (3) New covenants. A new covenant between the owner of the parking and the owners of buildings for which the parking will be provided is allowed only if the regulations of this Chapter are still met. The length of the covenant cannot be reduced to cover fewer than 10-years from the date the garage began operation. The applicant must notify the Director of the Bureau of Transportation in writing of any new covenants.

6. Operation. Preservation Parking may be operated as either accessory or commercial parking at all times.

**H. Visitor Parking.** The regulations of this subsection apply to Visitor Parking. Adjustments to this subsection are prohibited.

1. When Visitor Parking is allowed. Visitor Parking is allowed when approved through Central City Parking Review.
2. Minimum required parking. There are no minimum parking requirements for Visitor Parking.
3. Maximum allowed parking. There are no maximum parking ratios for Visitor Parking. The appropriate number of parking spaces allowed is determined based on a demand analysis, traffic analysis, and other considerations specified in the approval criteria for Central City Parking Review.
4. Operation. Visitor Parking is operated as commercial parking, except as follows:
  - a. "Early Bird" discounts are prohibited on weekdays, and
  - b. The sale of monthly permits that allow parking between 7:00 AM and 6:00 PM on weekdays is prohibited.

**I. All parking built after July 9, 2018.** The regulations of this subsection apply to all new parking regardless of type.

1. The applicant is required to report the number of constructed parking spaces to the Director of the Bureau of Transportation within 30 days of parking operations beginning.
2. Carpool parking. The carpool regulations of this Paragraph do not apply to Residential uses or hotels.
  - a. Five spaces or five percent of the total number of parking spaces on the site, whichever is less, must be reserved for carpool use before 9:00 AM on weekdays. More spaces may be reserved, but they are not required;
  - b. The carpool spaces must be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking; and
  - c. Signs must be posted indicating that the spaces are reserved for carpool use before 9:00 AM on weekdays.

3. Surface parking and structured parking with no gross building area above it are prohibited except as follows:
  - a. Parking on top of a structure is allowed.
  - b. Up to 100 parking spaces may be on a surface parking lot or in structured parking with no gross building area above it if the parking is for a public school use;
  - c. In the Central Eastside and Lower Albina subdistricts up to 20 of the maximum allowed number of parking spaces for a site may be on a surface parking lot if the following are met. Adjustments to these standards are prohibited:
    - (1) The parking is accessory to a Manufacturing and Production, Wholesale Sales, Industrial Service, or Warehouse and Freight Movement use;
    - (2) The parking is located in the IH or IG1 zones; and
    - (3) The surface parking lot is located directly adjacent to the building in which the use exists. In this case, the parking on the surface parking lot must operate as accessory parking only and is prohibited from operating as commercial parking.
  - d. In the South Waterfront subdistrict, surface parking that is operated by the City of Portland on a site that will be developed as a park in the future is allowed. The property owner must execute a covenant with the City reflecting that the future development and use of the site will be a park, and the covenant must be attached to and recorded with the deed of the site. The covenant must meet the requirements of 33.700.060.
4. Parking structures. Where parking occupies more than 50 percent of the gross building area of a structure the following must be met. Adjustments to the following standards are prohibited.
  - a. The structure may not be on any block bounded by both Fifth and Sixth Avenues between NW Irving and SW Jackson Streets.
  - b. The structure must be at least 100 feet from Fifth and Sixth Avenues between NW Glisan and SW Jackson Streets.
  - c. The structure may not be on any block bounded by both SW Morrison and SW Yamhill Streets between SW First and SW Eighteenth Avenues.
  - d. If the site is within a historic district, the building coverage of the portion of the parking structure within the district may not be larger than 20,000 square feet.
  - e. Street-facing facades.
    - (1) Street-facing facades in Parking Sector 6. Within Parking Sector 6, 50 percent of facades that face and are within 50 feet of streets, accessways, or the South Waterfront Greenway Area must be designed to accommodate Retail Sales And Service or Office uses at the time of construction. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Ground Floor Active Uses.

- (2) Street facing facades in all other Parking Sectors. In all other parking sectors, 50 percent of the street-facing facade must be designed to accommodate Retail Sales And Service or Office uses. Areas designed to accommodate these uses must be developed at the time of construction. The area designed to accommodate Retail Sales And Service or Office uses must meet the standards of Section 33.510.225, Ground Floor Active Uses. See Map 510-10 for parking sectors.
5. Operation reports. The applicant must provide operation reports to the Director of the Bureau of Transportation upon request. The operation reports must be based on a sample of four days during every 12-month period, and must include the following information:
  - a. The number of parking spaces and the amount of net building area on the site.
  - b. A description of how the parking spaces were used in the following categories. Percentage of parking used for:
    - (1) Short-term (less than 4 hours);
    - (2) Long-term daily (four or more hours);
    - (3) Average number of monthly permits issued (other than carpool), and
    - (4) Number of signed monthly Carpool stalls in the facility.
  - c. Rate schedule for:
    - (1) Hourly parking;
    - (2) Daily Maximum Rate;
    - (3) Evening Parking;
    - (4) Weekend Parking;
    - (5) Monthly parking; and
    - (6) Carpool parking
  - d. The hours of operation on weekdays, Saturday, Sunday, and whether the facility is open during special events in the area.
6. Changes from one type of parking to another.
  - a. Changes from one type of parking to another are processed as if they were new parking. For example, changing Growth Parking to Preservation Parking requires a Central City Parking Review.
  - b. Visitor Parking must operate as Visitor Parking for at least 10 years before it may be changed to Preservation Parking. Changing Visitor Parking that has been operating for less than 10 years is prohibited.

### **33.510.262 Parking Built before July 9, 2018**

- A. Purpose.** With adoption of the Central City 2035 Plan, the regulations for parking in the Central City plan district were significantly revised. To simplify and streamline regulations for parking that existed when the regulations changed, operation restrictions and reporting requirements have been reduced.

The new regulations do not supersede other types of approvals such as existing Preservation Parking covenants, design review and adjustments.

- B. Where these regulations apply.** These regulations apply to all parking that legally existed on July 9, 2018. The regulations also apply to all parking where a complete application was received before July 9, 2018, or parking that received either a land use or building permit before July 9, 2018.
- C. Assignment of parking types.** The parking types assigned below are the same types as described in Subsection 33.510.261.B.; or if not assigned below the parking is Undedicated General. Undedicated General is all parking other than Visitor Parking, that is not associated with a particular development.

1. If the parking was built as Growth Parking it continues to be Growth Parking.
2. If the parking was built as Preservation Parking it continues to be Preservation Parking.
3. If the parking was built as RX Zone Parking or Residential/Hotel Parking it is now Growth Parking.
4. If the parking was built as Visitor Parking it continues to be Visitor Parking.
5. All other parking is Undedicated General Parking.

**D. Operation.**

1. If the parking is in a structure:
  - a. Growth and Preservation parking may operate as accessory or commercial parking.
  - b. Visitor Parking is operated as commercial parking except as follows:
    - (1) "Early Bird" discounts are prohibited on weekdays, and
    - (2) The sale of monthly permits that allow parking between 7:00 AM and 6:00 PM on weekdays is prohibited.
  - c. Undedicated General Parking is subject to all previous conditions of approval.
2. If the parking is on a surface parking lot:
  - a. Growth Parking:

- (1) Unless specified in Subsubparagraph D.2.a.(2), Growth Parking may operate as accessory or commercial parking. In the Central Eastside subdistrict, growth parking that operates as commercial parking is subject to the following limitations:
    - Monthly permits are only allowed for residents and employees of the subdistrict;
    - Hourly and daily parking is prohibited; and
  - (2) Growth Parking that was operating as RX Zone Parking on July 9, 2018 must operate as accessory to a Residential use.
- b. Preservation Parking may operate as accessory or commercial parking. In the Central Eastside subdistrict, Preservation parking that operates as commercial parking is subject to the following limitations:
- (1) Monthly permits are only allowed for residents and employees of the subdistrict; and
  - (2) Hourly and daily parking is prohibited.
- c. Undedicated General Parking. The operation of Undedicated General Parking is subject to all previous conditions of approval.

**E. Changes.** Changes to parking regulated by this Section are regulated as follows.

1. Changes that would be prohibited if requested for new parking are prohibited.
2. Changes from one type of parking to Visitor Parking or changes from Visitor Parking to Preservation or Growth requires a Central City Parking Review.
3. Changes in conditions of approval requires Central City Parking Review.
4. An increase in the number of spaces for all other parking types is subject to the regulations of Section 33.510.261.
5. An increase in the number of spaces for Undedicated General Parking is prohibited.
6. An increase in site area devoted to surface parking is prohibited.

**33.510.263 Parking and Loading Access**

The regulations of this section apply to all parking and loading access.

- A. Purpose.** The purpose of the parking and loading access regulations is to ensure the safety of pedestrians, bicyclists, and motorists, to avoid significant adverse impact on transit operations, and to ensure that the transportation system functions efficiently. The regulations require that the access to parking and loading areas be designed so that motor vehicles can enter and exit the parking facility without being required to cross the tracks of a light rail or streetcar alignment. Parking access shall be designed to avoid adverse impacts on operation and safety of pedestrian, bicycle, or motor vehicle circulation, and shall not preclude the future construction of facilities such as protected bikeways. A driveway is not automatically considered such an impact. On blocks where transit stations are located, the pedestrian environment on both sides of the streets will be considered and protected.

**B. Parking and loading access standards.**

1. Motor vehicle access to or from any parking area, loading area, or parking structure is prohibited on or along the following streets unless the street listed is the site's only frontage, in which case access is not allowed:
  - a. On Fifth and Sixth Avenues between NW Irving and SW Jackson Streets;
  - b. On SW Park between SW Jackson Street and SW Salmon Street;
  - c. On NW Park Avenue and NW 8th Avenue between W. Burnside and NW Lovejoy Street;
  - d. On SW Morrison and SW Yamhill Streets between SW 1st and SW 18th Avenues;
  - e. On 1st Ave between NW Davis Street and SW Stark Streets;
  - f. On 1st Ave between SW Washington and SW Yamhill Streets; and
  - g. Motor vehicle access to or from any parking area or structure is prohibited along any site frontage that abuts a street with a light rail or street car alignment in it unless entering and exiting the parking area or structure does not result in any motor vehicle travelling onto or across the light rail or streetcar alignment, in which case the access is allowed.
2. Unless addressed by Paragraph B.1., motor vehicle access to any parking area, loading area, or parking structure is not allowed in the following situations:
  - a. To or from any of the following streets:
    - (1) Major City bikeway;
    - (2) Major City Traffic Street;
    - (3) Major Truck Street; and
    - (4) Major Transit Priority Street.
  - b. To or from any parking area or structure when the access will cause or allow a vehicle to travel onto or across a light rail or street car alignment anywhere within 75 feet of the parking access measured from the property line.
3. All other streets. Motor vehicle access to any parking area, loading area, or parking structures is allowed.



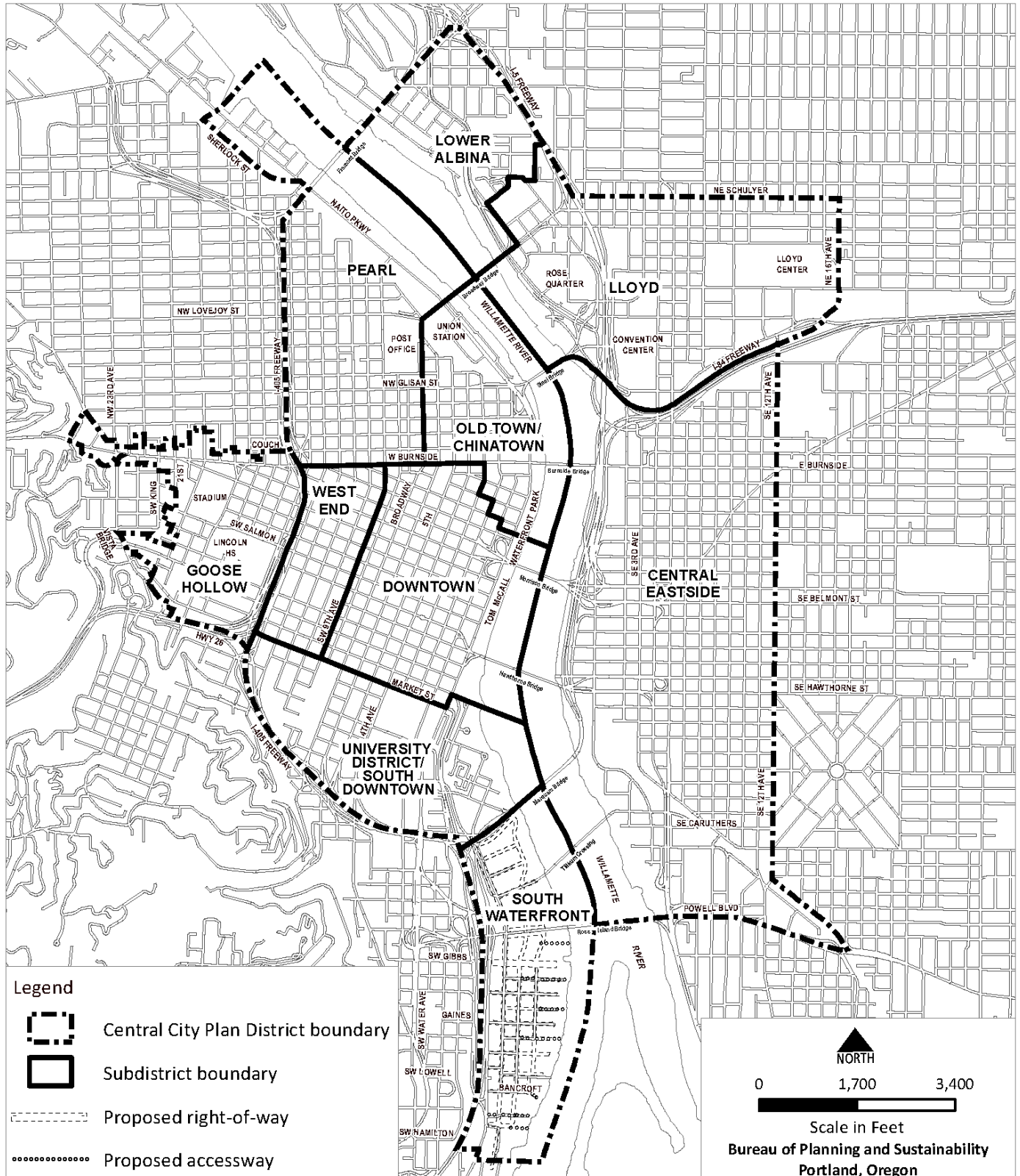
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*(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 166313, effective 4/9/93; Ord. No. 166702, effective 7/30/93; Ord. No. 167189, effective 1/14/94; Ord. No. 167515, effective 3/30/94; Ord. No. 167464, effective 4/15/94; Ord. No. 167650, effective 6/10/94; Ord. No. 169535, effective 1/8/95; Ord. No. 168702, effective 7/1/95; Ord. No. 169535, effective 1/8/96; Ord. No. 169699, effective 2/7/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171522, effective 9/19/97; Ord. No. 171648, effective 10/8/97; Ord. No. 172040, effective 3/13/98; Ord. No. 173259, effective 5/14/99; Ord. No. 174160, effective 2/9/00; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175163, effective 1/1/01; Ord. No. 175204, effective 3/1/01; Ord. No. 175294, effective 3/2/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175877, effective 9/21/01; Ord. No. 175966, effective 10/26/01; Ord. Nos. 176024 and 176193, effective 2/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177082, effective 1/20/03; Ord. No. 177422, effective 6/7/03; Ord. No. 177920, effective 11/8/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178425, effective 5/20/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178832, effective 10/21/04; Ord. No. 179084, effective 3/26/05; Ord. No. 179092, effective 4/1/05; Ord. No. 179925, effective 3/17/06; Ord. No. 179980, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 180667, effective 1/12/07; Ord. No. 181357, effective 11/9/07; Ord. No. 182319, effective 12/5/08; Ord. No. 182429, effective 1/16/09; Ord. No. 183517, effective 3/5/10; Ord. No. 183269, effective 10/21/09; Ord. No. 183518, effective 03/05/10; Ord. No. 183598, effective 4/24/10; Ord. No. 185915, effective 5/1/13; Ord. No. 186639, effective 7/11/14; Ord. Nos. 187216 and 187217, effective 7/24/15; Ord. No. 187796, effective 7/8/16; Ord. No. 188162, effective 2/1/17; Ord. No. 188631, effective 11/4/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189001, effective 7/9/18; Ord. No. 189805, effective 3/1/20; Ord. No. 189784, effective 3/1/20; Ord. No. 190023, effective 8/10/20.)*

# Central City Plan District and Subdistricts

# Map 510-1

Map Revised August 10, 2020

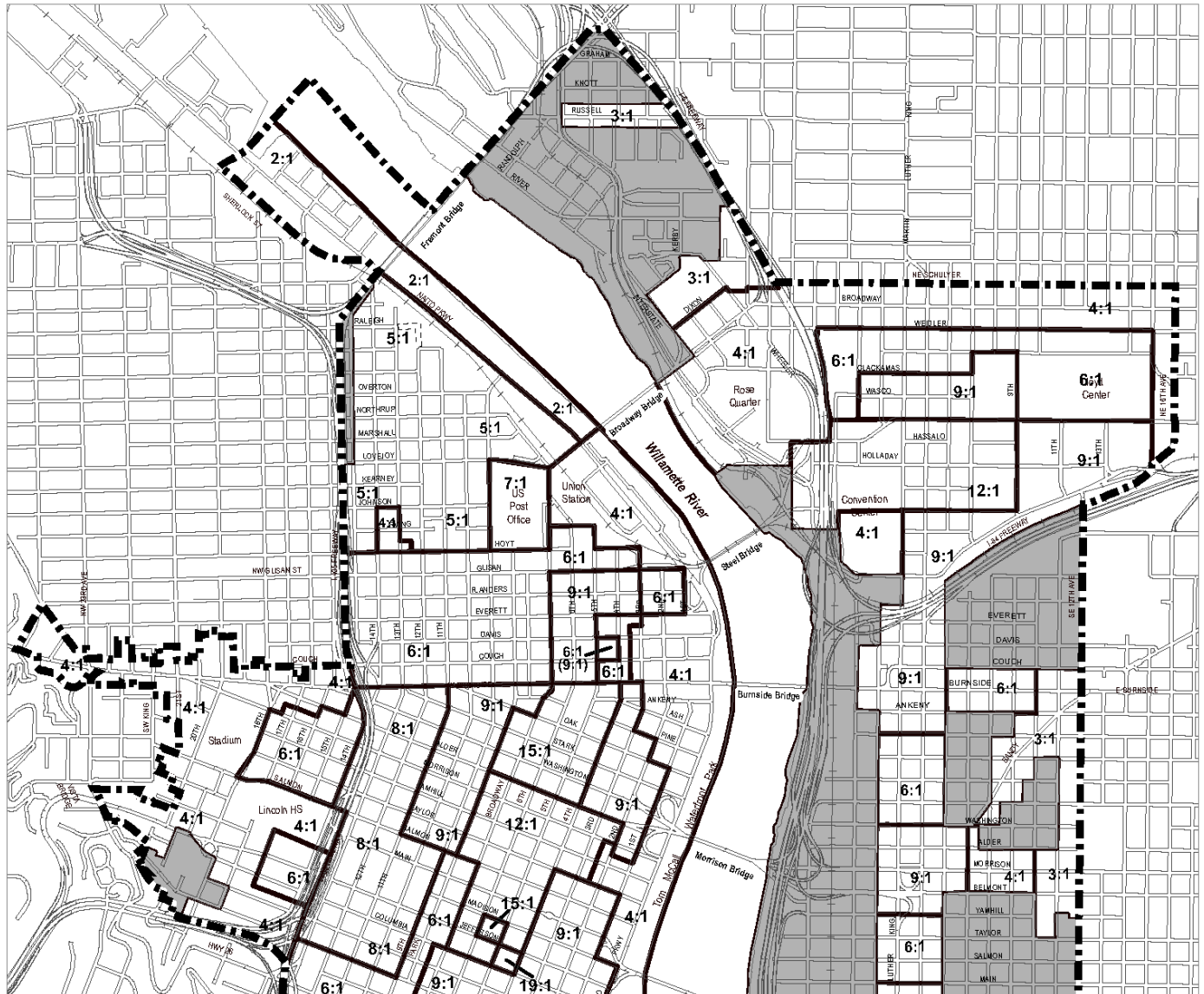


# Maximum Floor Area Ratios




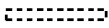

# Map 510-2

Map 1 of 2

Map Revised August 10, 2020

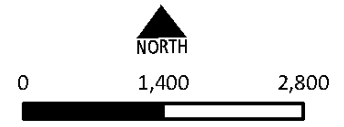


## Legend

-  Central City Plan District boundary
-  Maximum FAR area boundary
-  Area where floor area ratio (FAR) is determined by base zone
-  Proposed right-of-way
-  Proposed accessway

**X:Y** Maximum FAR  
 X = Gross square foot of building  
 Y = Square foot of site

**(X:Y)** Residential required  
 see 33.510.200.C.2.



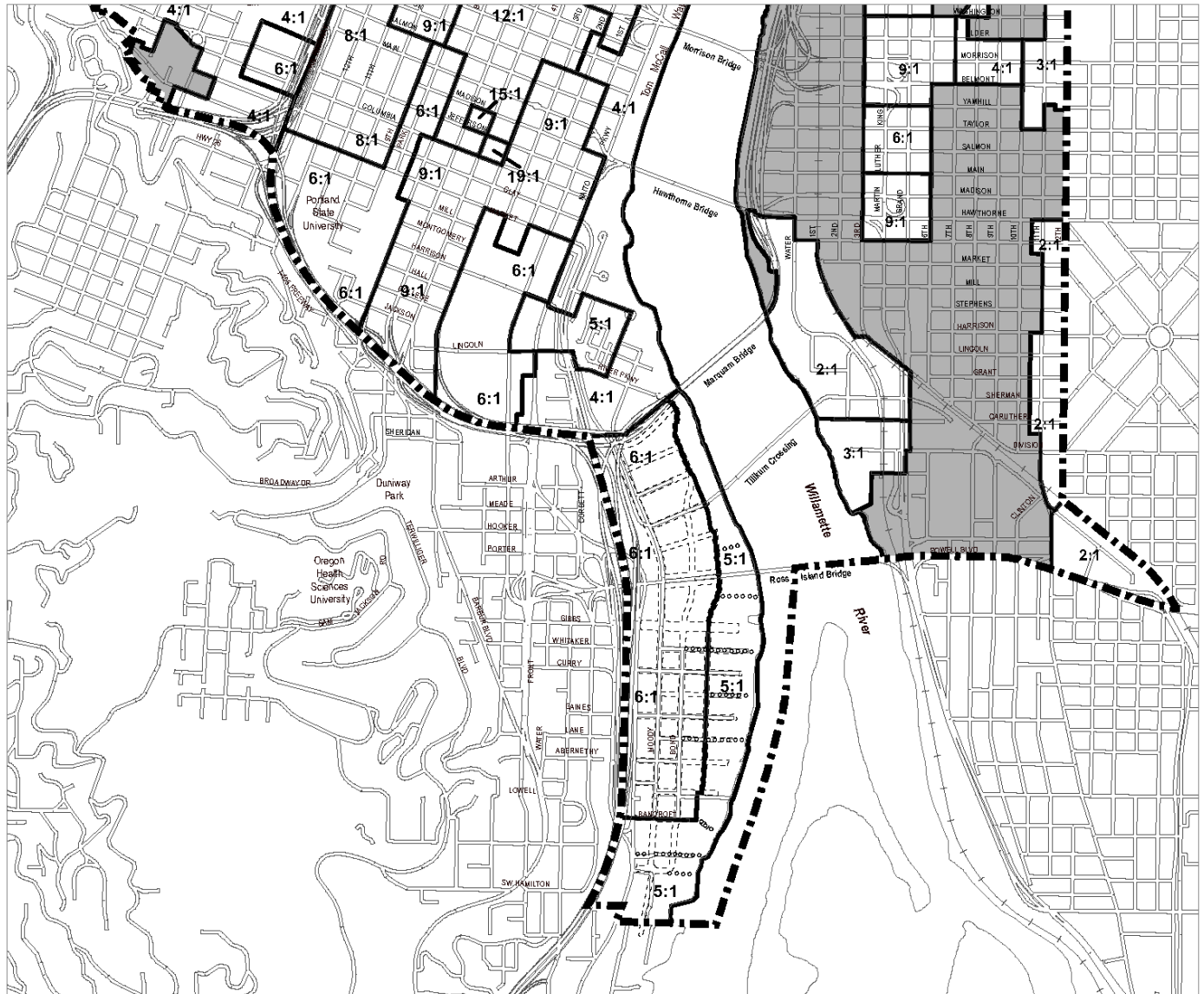
Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Maximum Floor Area Ratios




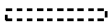

# Map 510-2

Map 2 of 2

Map Revised September 11, 2020

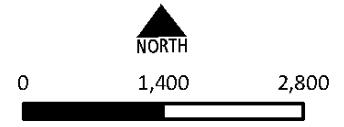


### Legend

-  Central City Plan District boundary
-  Maximum FAR area boundary
-  Area where floor area ratio (FAR) is determined by base zone
-  Proposed right-of-way
-  Proposed accessway

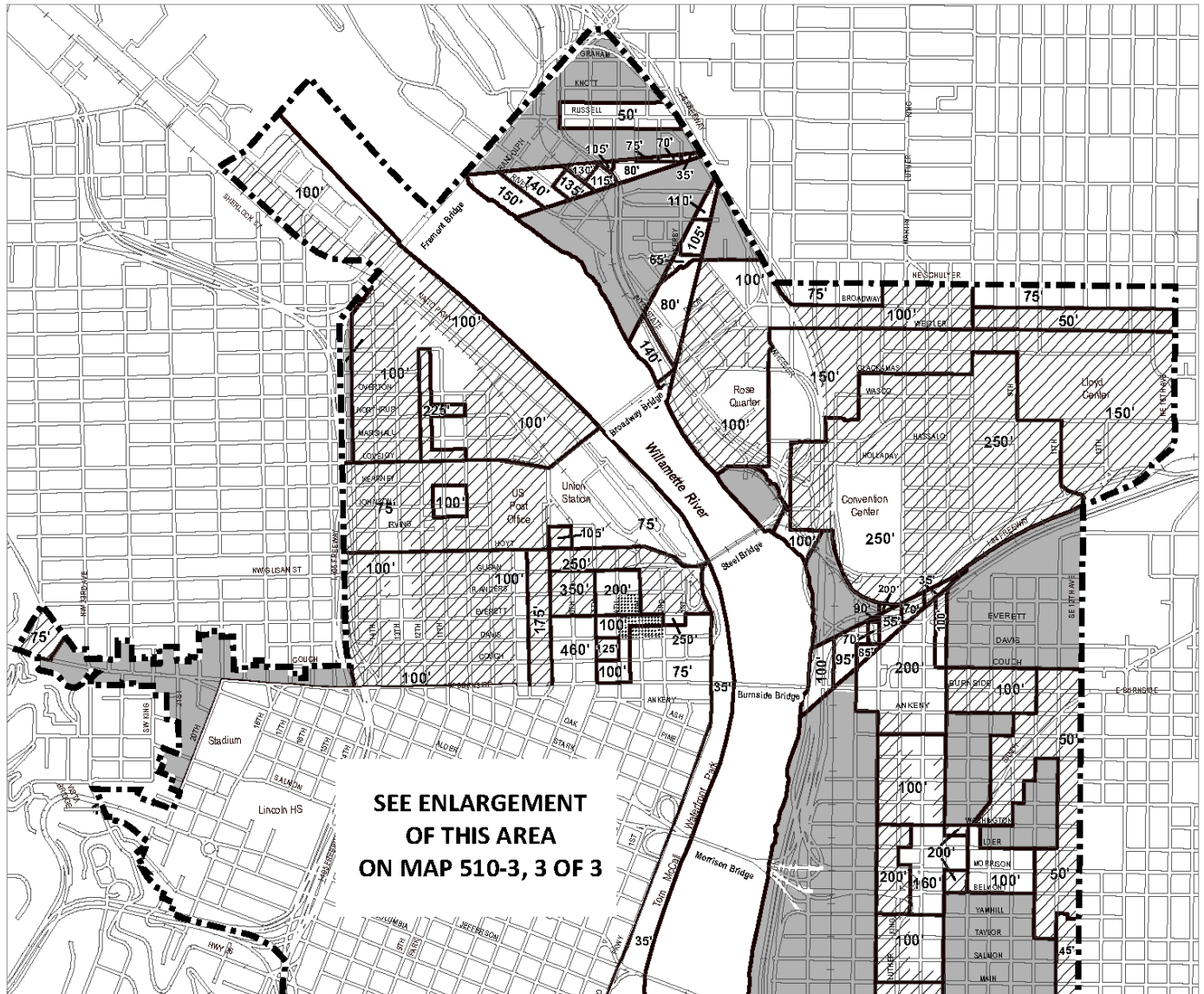
**X:Y** Maximum FAR  
 X = Gross square foot of building  
 Y = Square foot of site

**(X:Y)** Residential required  
 see 33.510.200.C.2.











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 Bureau of Planning and Sustainability  
 Portland, Oregon

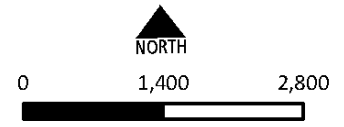




**Legend**

-  Central City Plan District boundary
-  Base building height
-  Areas where height is determined by base zone
-  Proposed right-of-way
-  Proposed accessways

-  Area eligible for height increase
-  Base height limit of 75' for first 125 feet from top of bank
-  Areas where a shadow analysis is required

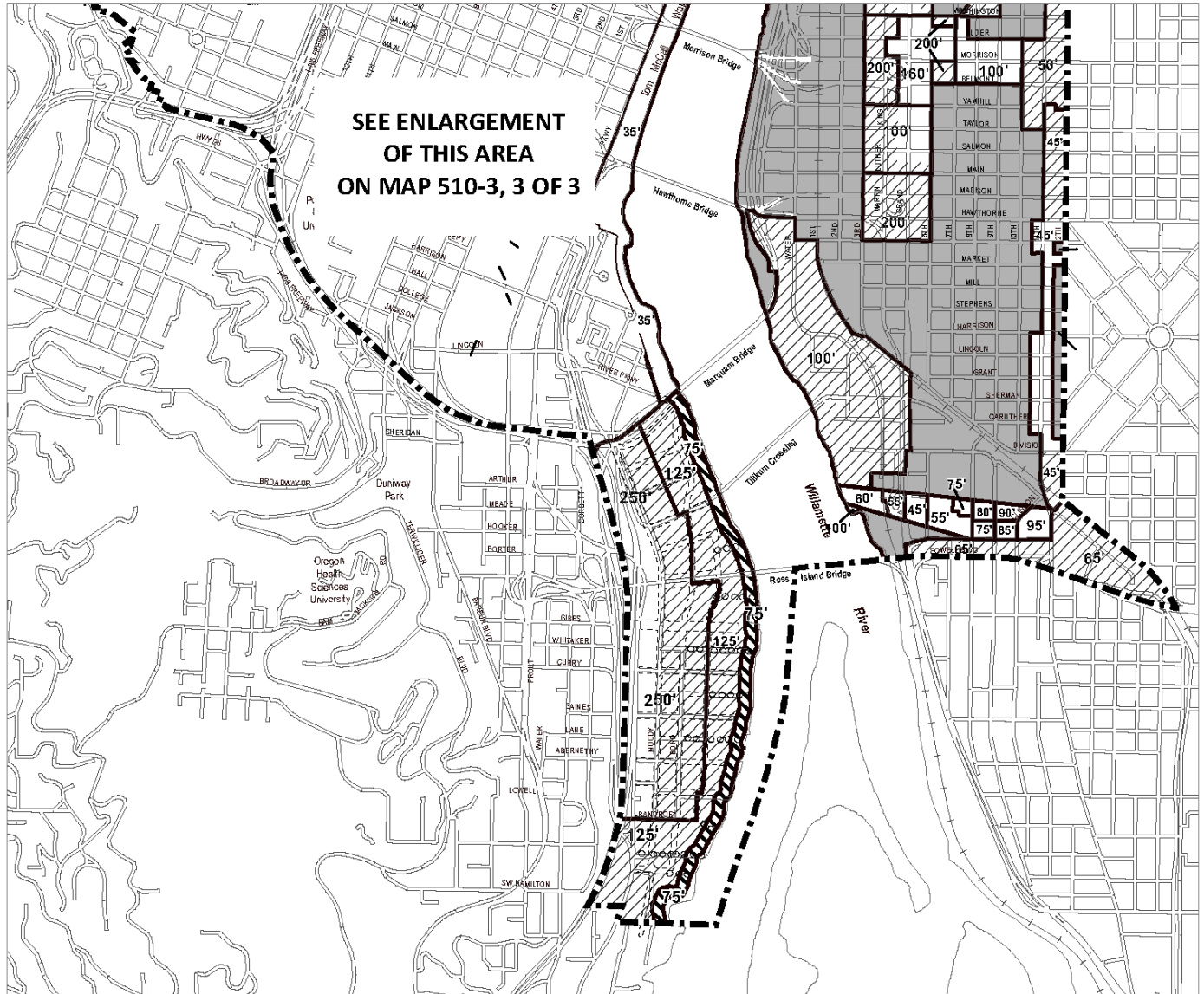


# Base Heights





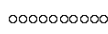



# Map 510-3

Map 2 of 3

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Base building height
-  Areas where height is determined by base zone
-  Proposed right-of-way
-  Proposed accessways
-  Area eligible for height increase
-  Base height limit of 75' for first 125 feet from top of bank
-  Areas where a shadow analysis is required



0 1,400 2,800

Scale in Feet

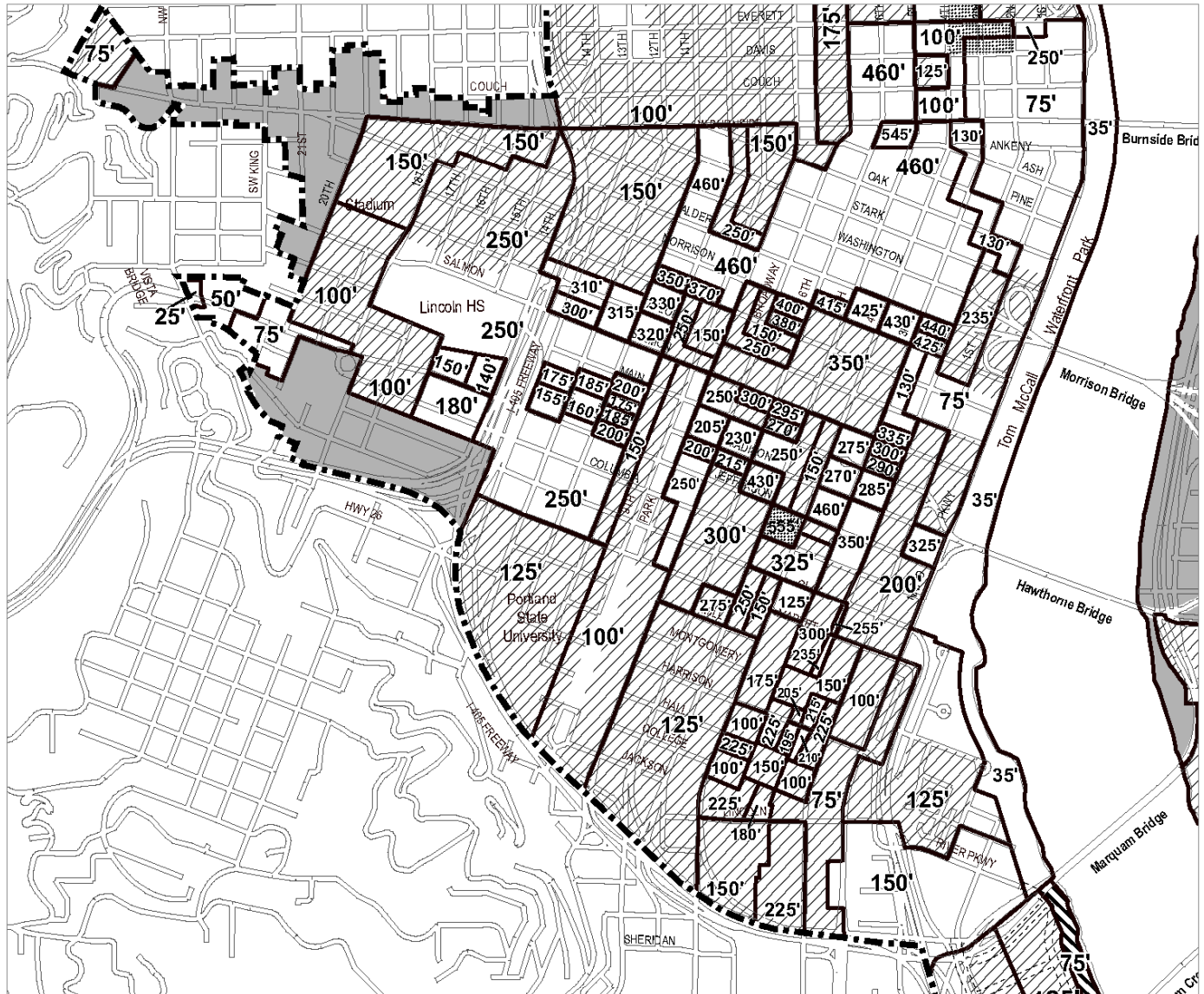
Bureau of Planning and Sustainability  
Portland, Oregon

# Base Heights









# Map 510-3

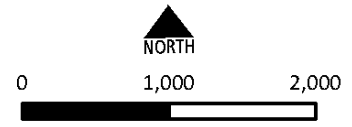
Map 3 of 3

Map Revised August 10, 2020



### Legend

-  Central City Plan District boundary
-  Base building height
-  Areas where height is determined by base zone
-  Proposed right-of-way
-  Proposed accessways
-  Area eligible for height increase
-  Base height limit of 75' for first 125 feet from top of bank
-  Areas where a shadow analysis is required










Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon





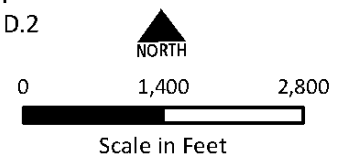


**SEE ENLARGEMENT  
OF THIS AREA  
ON MAP 510-4, 3 OF 3**

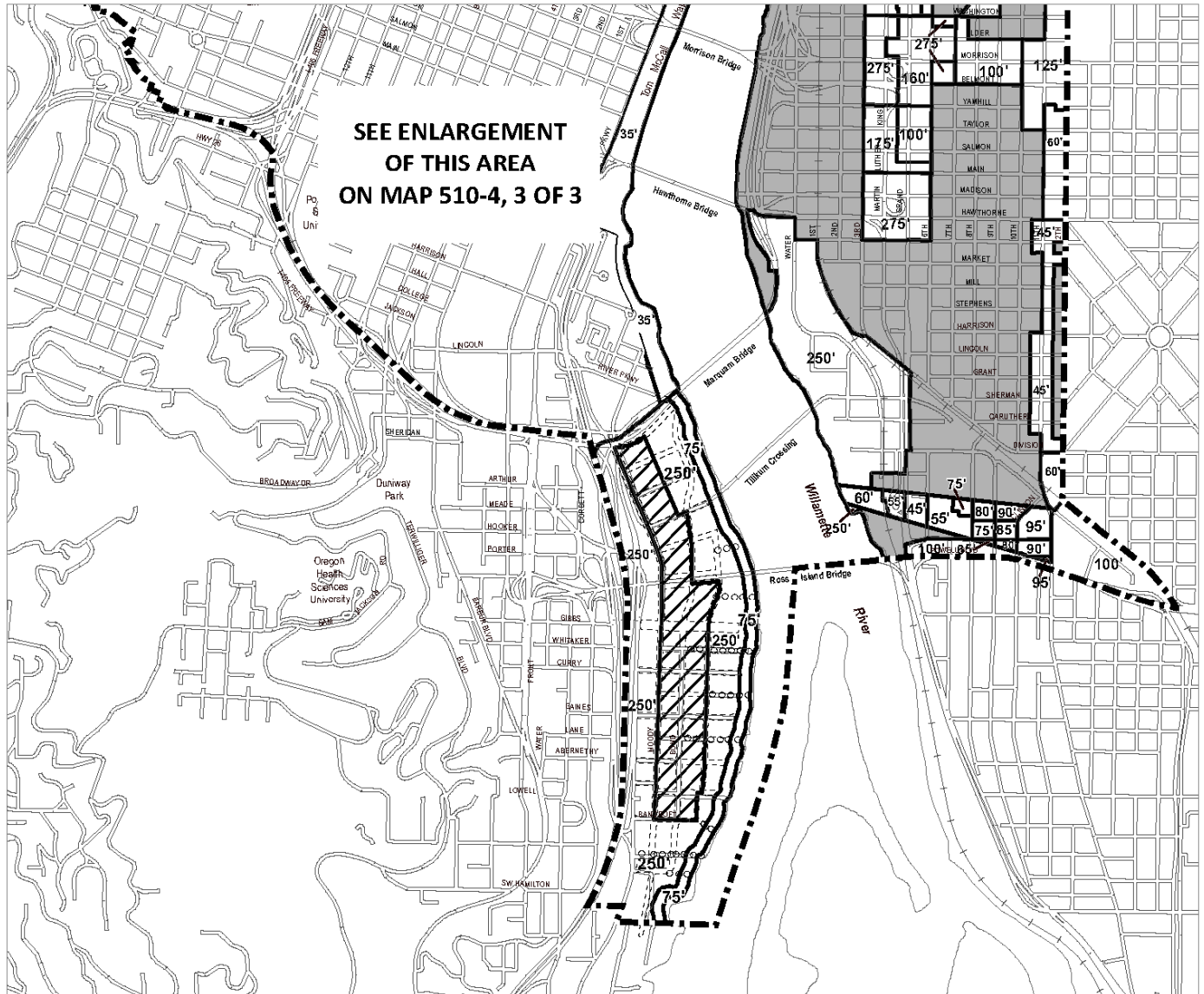
**Legend**

-  Central City Plan District boundary
-  Maximum bonus height
-  Areas where height is determined by base zone
-  Area where residential required
-  Unlimited height allowed
-  Areas where a shadow analysis is required
-  Area eligible for additional height under 33.510.210.D.2










-  Proposed right-of-way
-  Proposed accessways

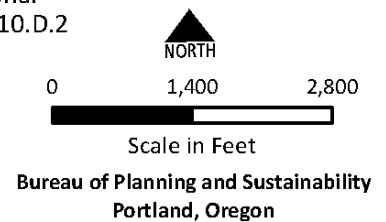






**Legend**

-  Central City Plan District boundary
-  Maximum bonus height
-  Areas where height is determined by base zone
-  Area where residential required
-  Proposed right-of-way
-  Proposed accessways
-  Unlimited height allowed
-  Areas where a shadow analysis is required
-  Area eligible for additional height under 33.510.210.D.2

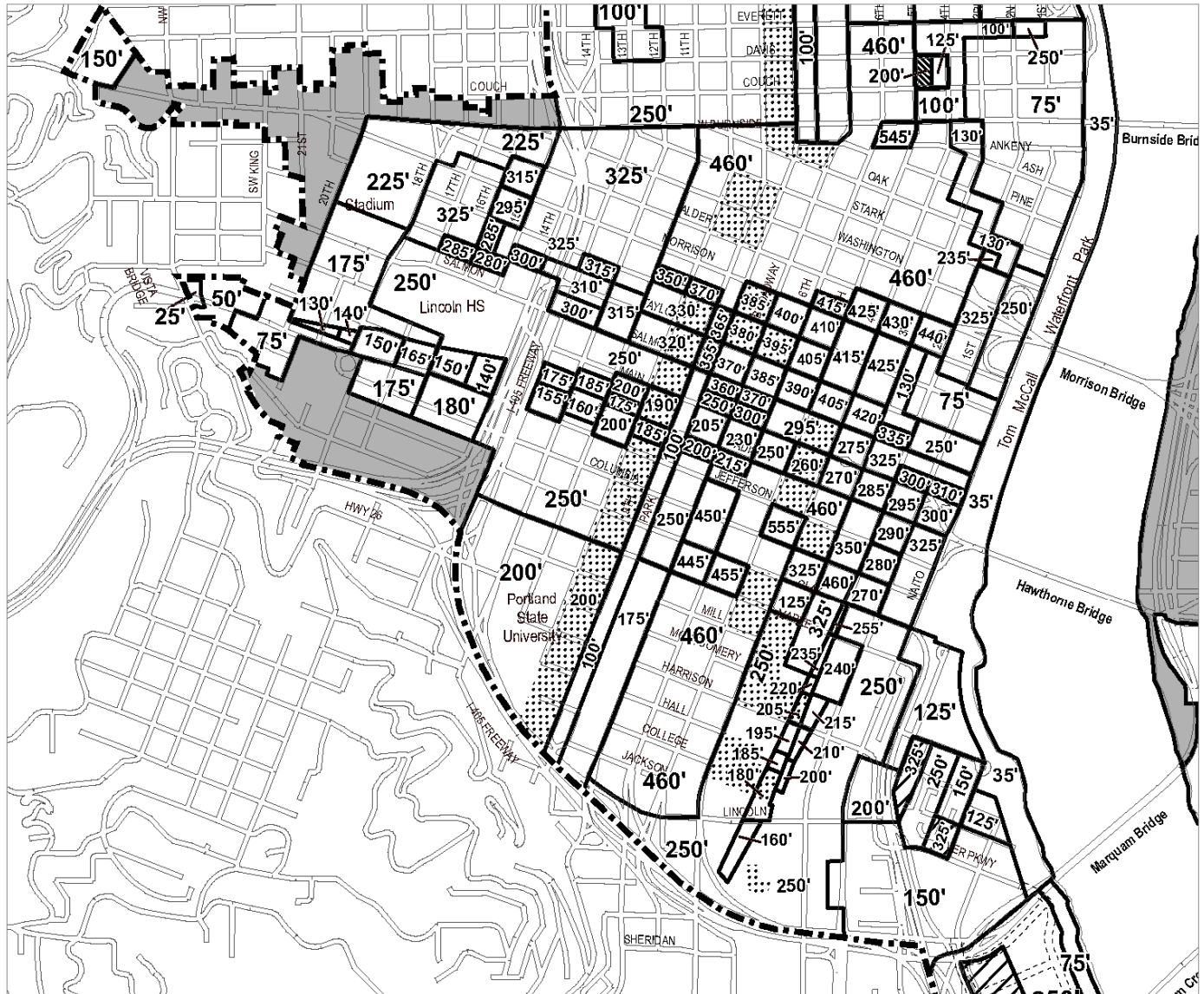


# Bonus Heights










# Map 510-4

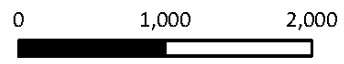
Map 3 of 3

Map Revised August 10, 2020



### Legend

-  Central City Plan District boundary
-  Maximum bonus height
-  Areas where height is determined by base zone
-  Area where residential required
-  Proposed right-of-way
-  Proposed accessways
-  Unlimited height allowed
-  Areas where a shadow analysis is required
-  Area eligible for additional height under 33.510.210.D.2 and 33.510.210.D.3.e



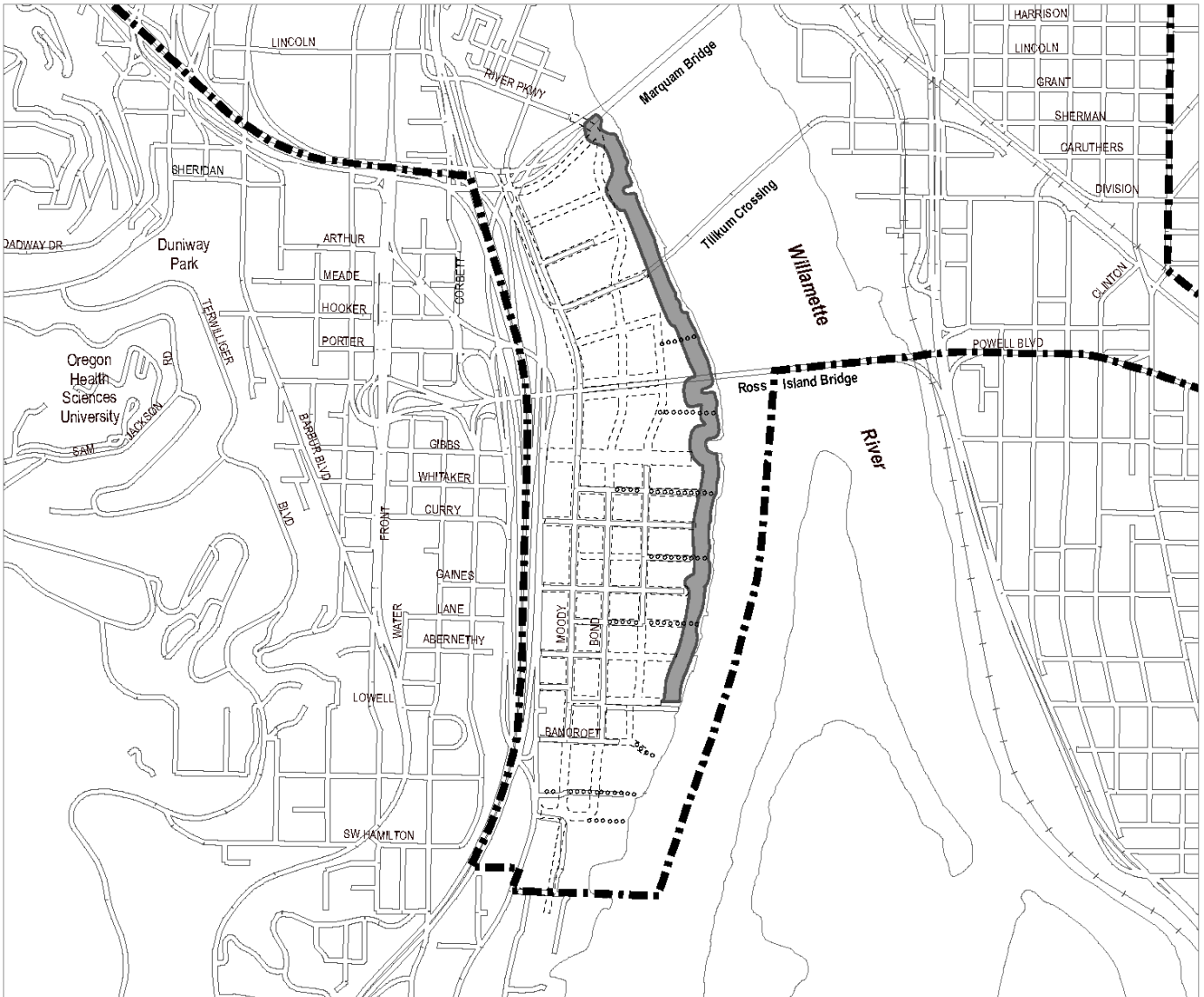
Scale in Feet

Bureau of Planning and Sustainability  
Portland, Oregon

# Greenway Bonus Target Area

# Map 510-5

Map Revised August 10, 2020



## Legend



Central City Plan District boundary



Greenway bonus target area extends 150' back from top of bank

Proposed right-of-way

Proposed accessway



0 1,000 2,000



Scale in Feet

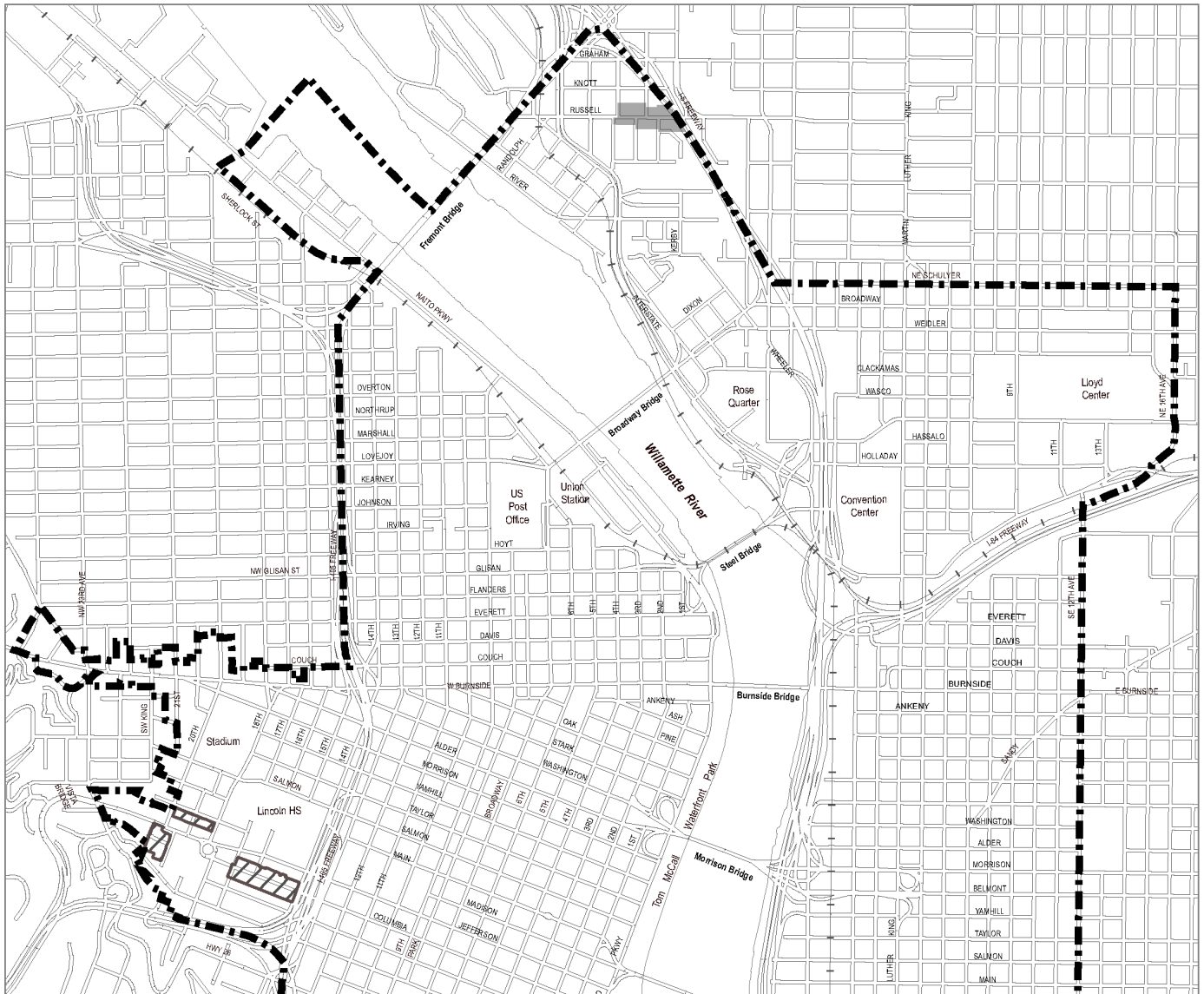
Bureau of Planning and Sustainability  
Portland, Oregon

# Special Residential Use Areas

# Map 510-6

Map 1 of 2

Map Revised August 10, 2020



## Legend



Central City Plan District boundary



Required residential development area



Residential uses prohibited



Residential uses require a Central City Master Plan



Proposed right-of-way



Proposed accessway



0 1,400 2,800

Scale in Feet

Bureau of Planning and Sustainability  
Portland, Oregon

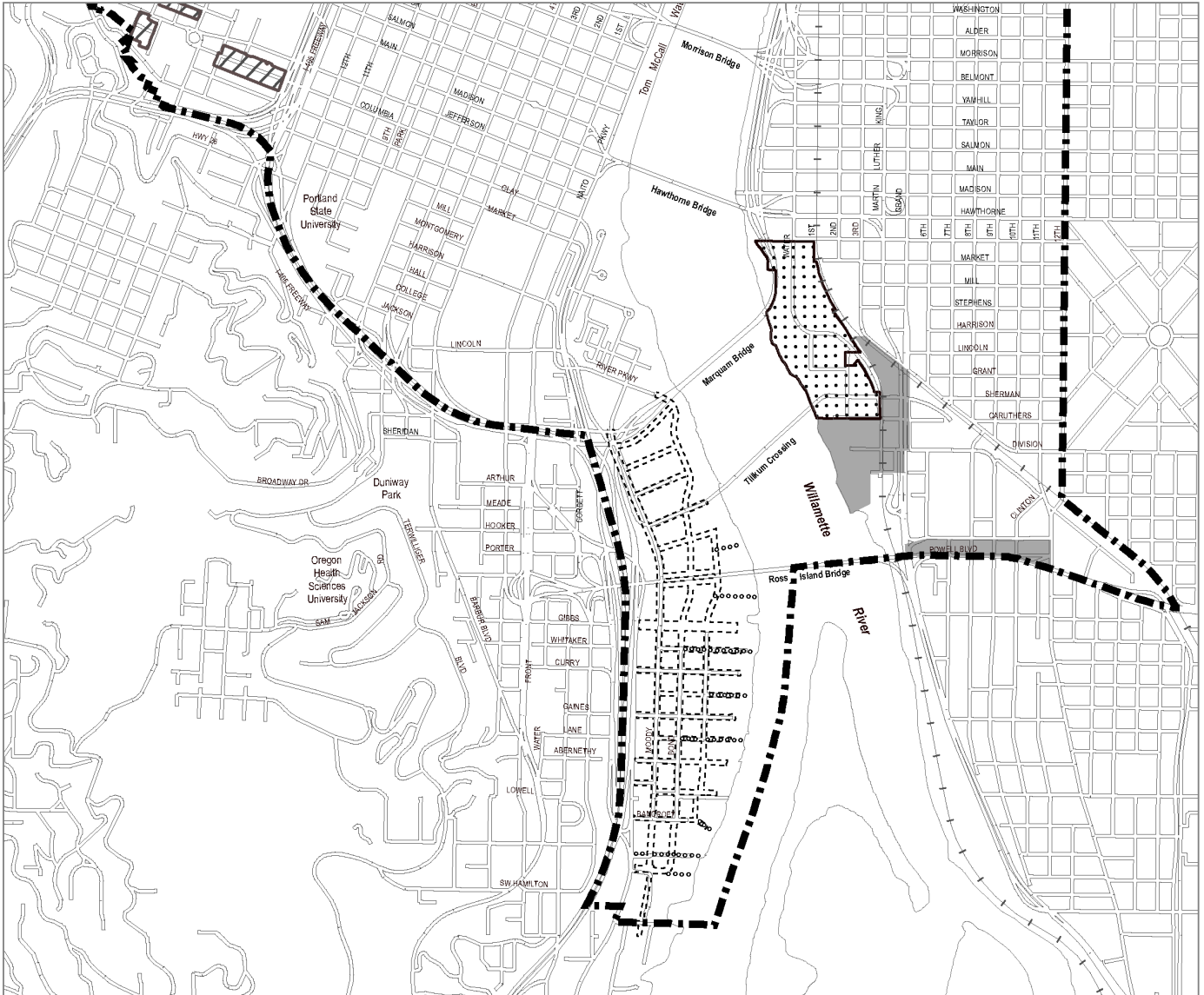


# Special Residential Use Areas

# Map 510-6


Map 2 of 2


Map Revised August 10, 2020



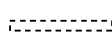
## Legend


 Central City Plan District boundary

 Required residential development area

 Residential uses prohibited

 Residential uses require a Central City Master Plan

 Proposed right-of-way

 Proposed accessway



0 1,400 2,800

Scale in Feet

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Portland, Oregon

# Required Building Lines





# Map 510-7

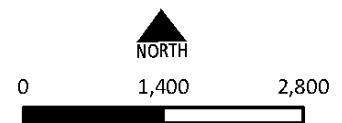
Map 1 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Landscaping standards option
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

Bureau of Planning and Sustainability  
Portland, Oregon

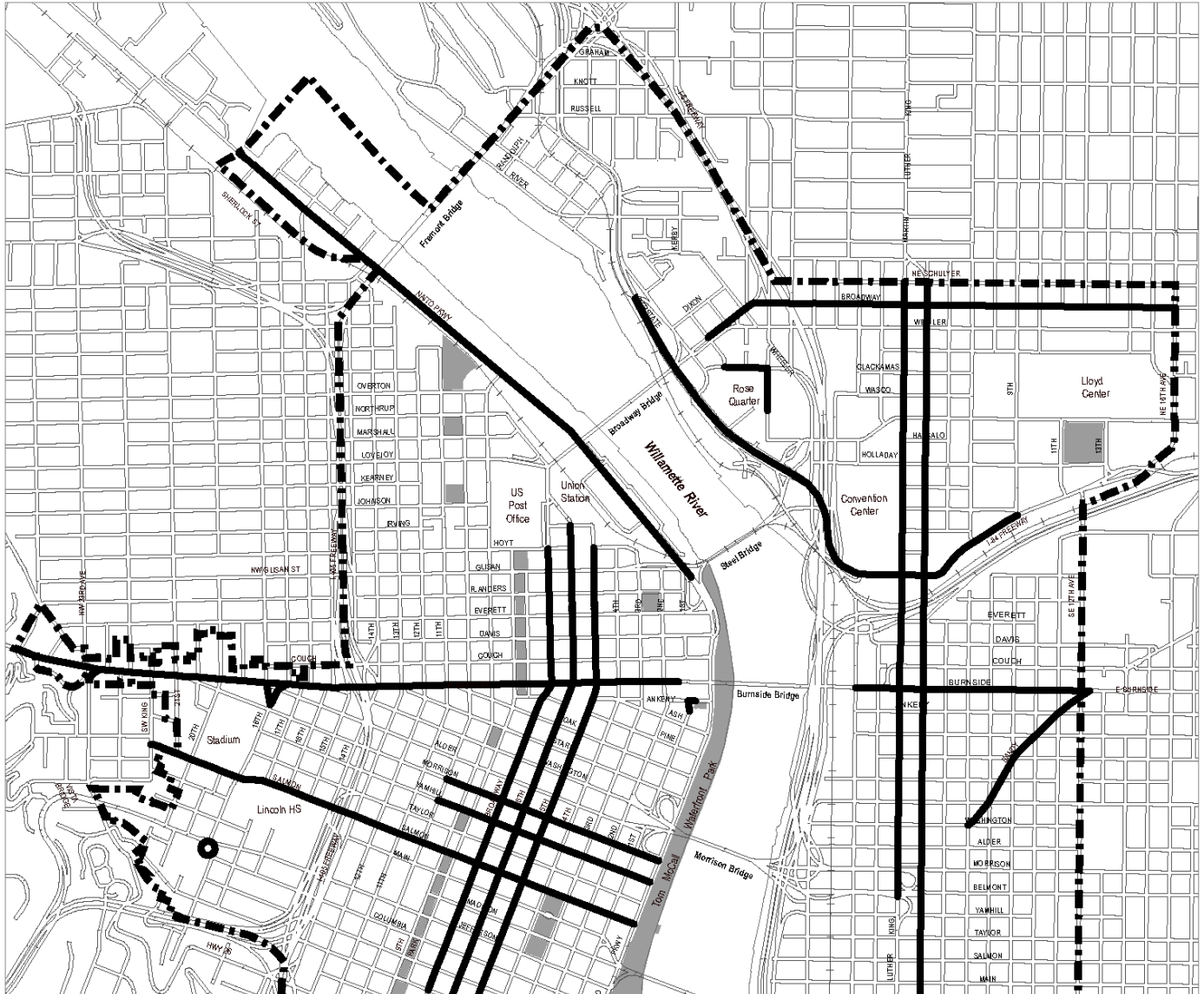


# Ground Floor Windows






# Map 510-8

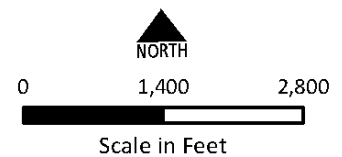
Map 1 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Street facing facade; 60% ground floor window requirement
-  Open area facing facade; 60% ground floor window requirement.
-  Proposed right-of-way
-  Proposed accessway



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Portland, Oregon

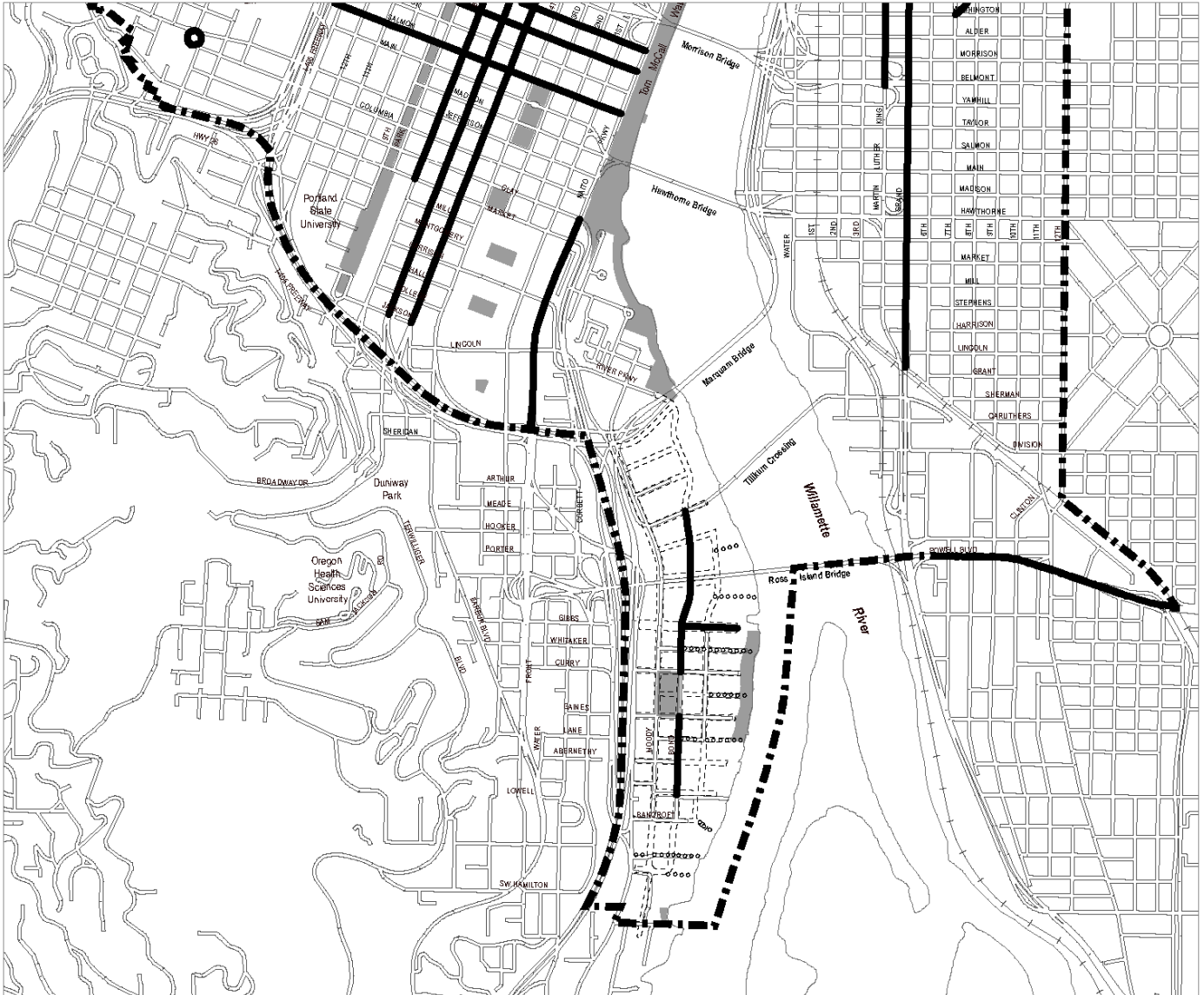


# Ground Floor Windows






# Map 510-8

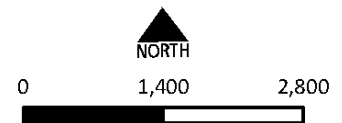
Map 2 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Street facing facade; 60% ground floor window requirement
-  Open area facing facade; 60% ground floor window requirement.
-  Proposed right-of-way
-  Proposed accessway



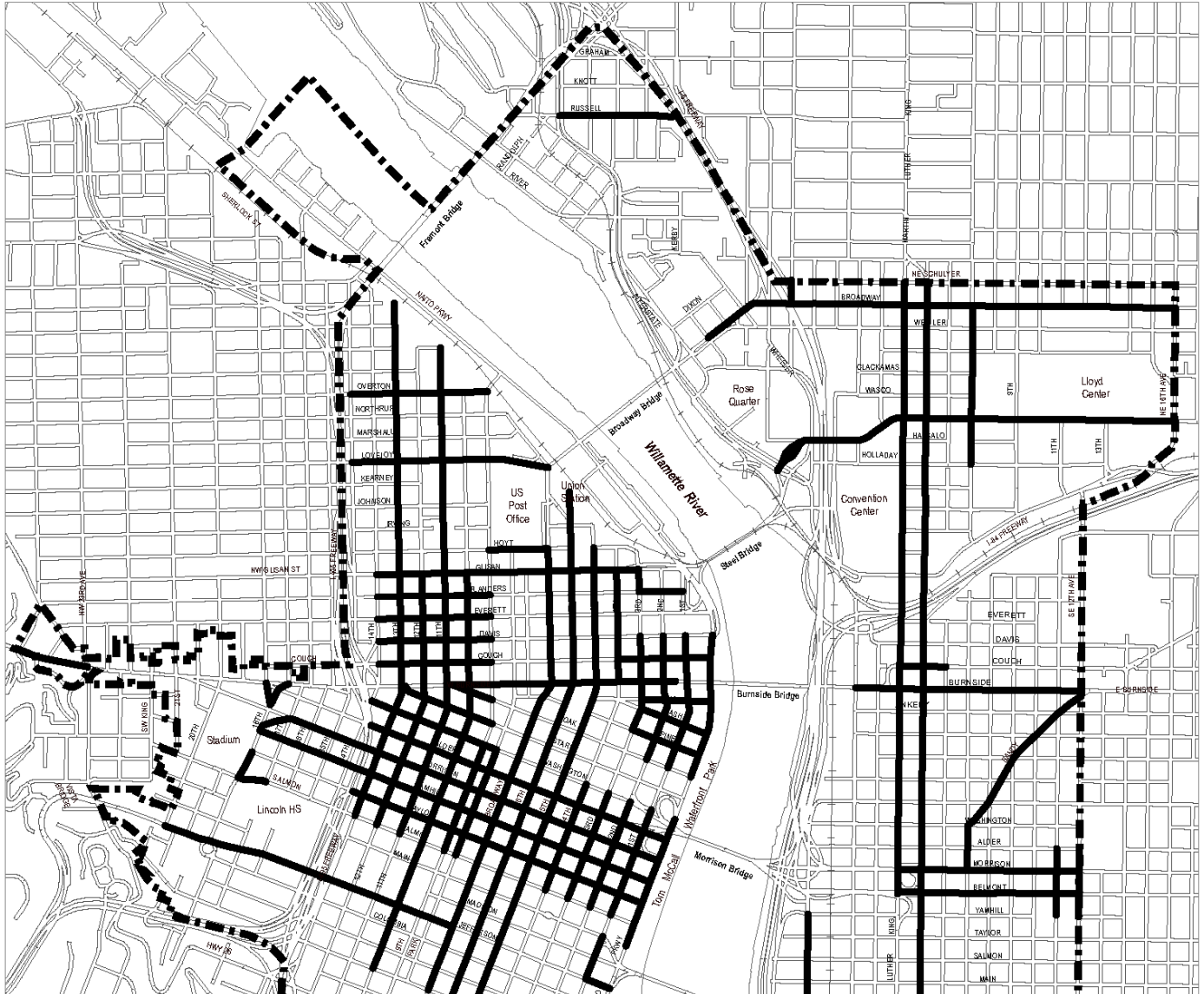
Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Ground Floor Active Use Areas





# Map 510-9

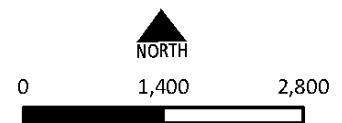
Map 1 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Required ground floor active uses
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

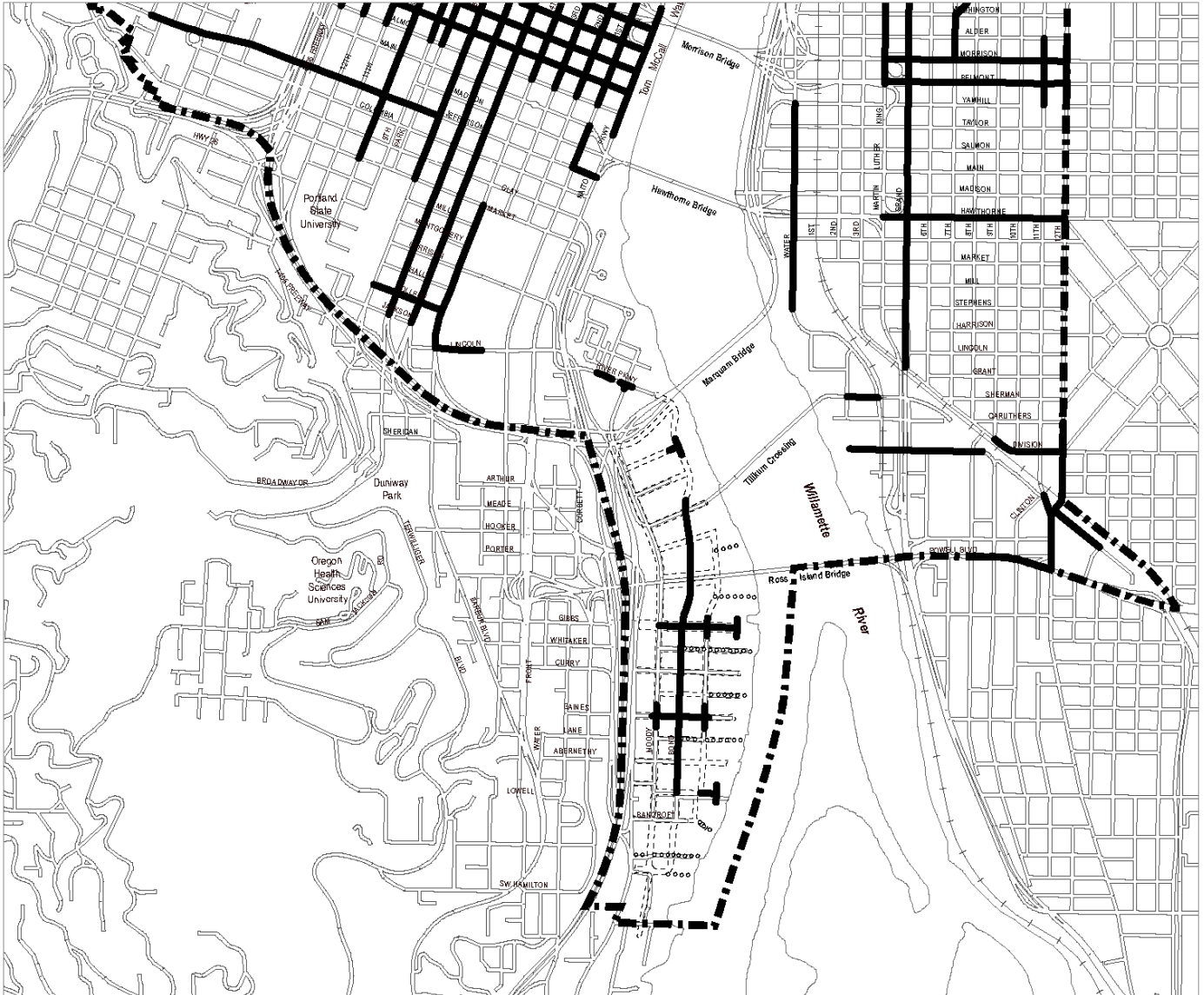
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Portland, Oregon

# Ground Floor Active Use Areas





# Map 510-9

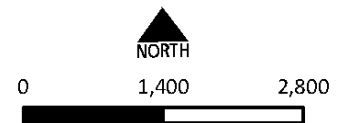
Map 2 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Required ground floor active uses
-  Proposed right-of-way
-  Proposed accessway



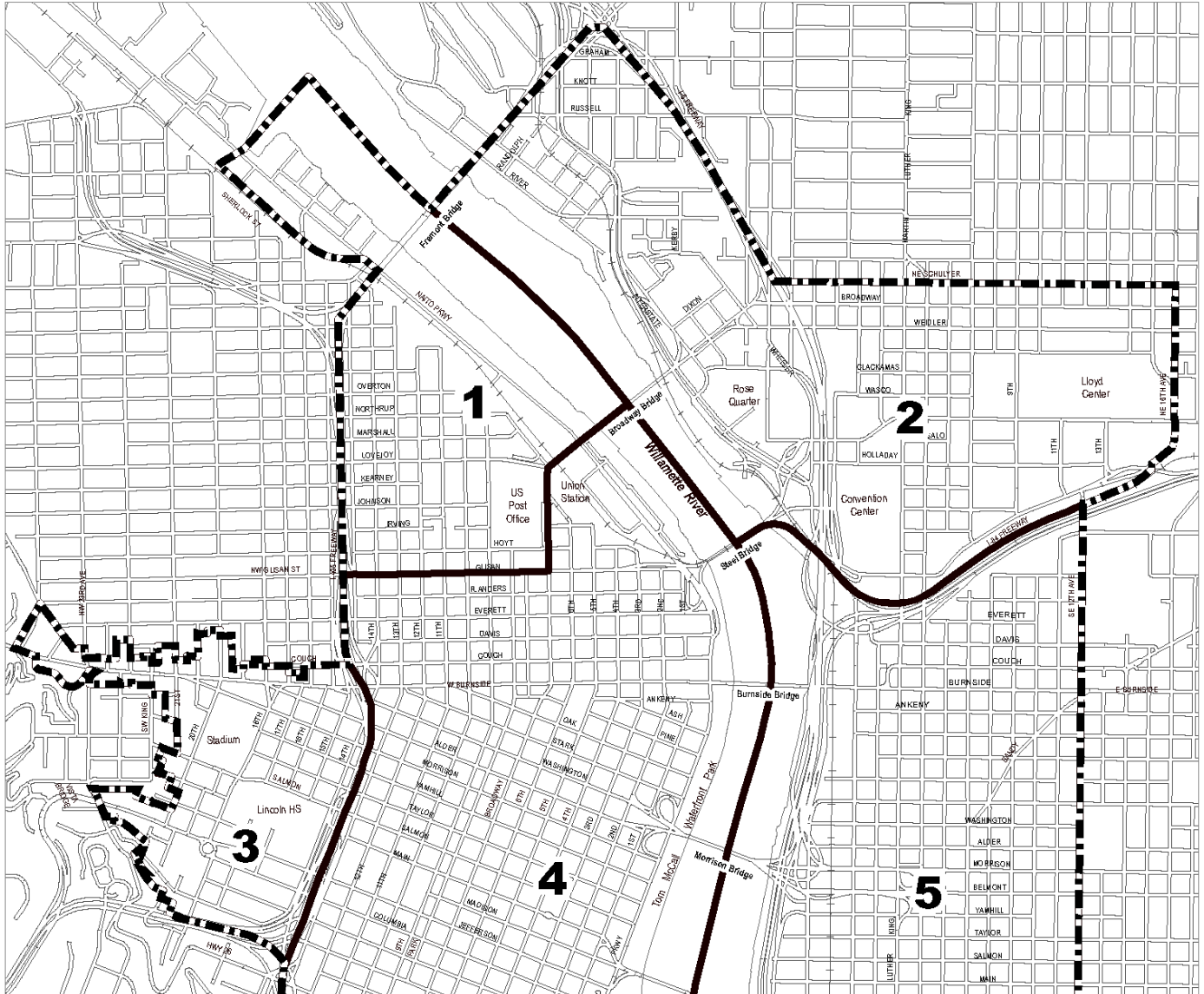
Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

# Parking Sectors





# Map 510-10

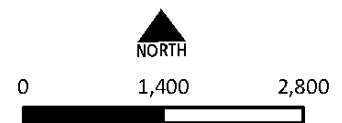
Map 1 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Sector boundary
-  Proposed right-of-way
-  Proposed accessway



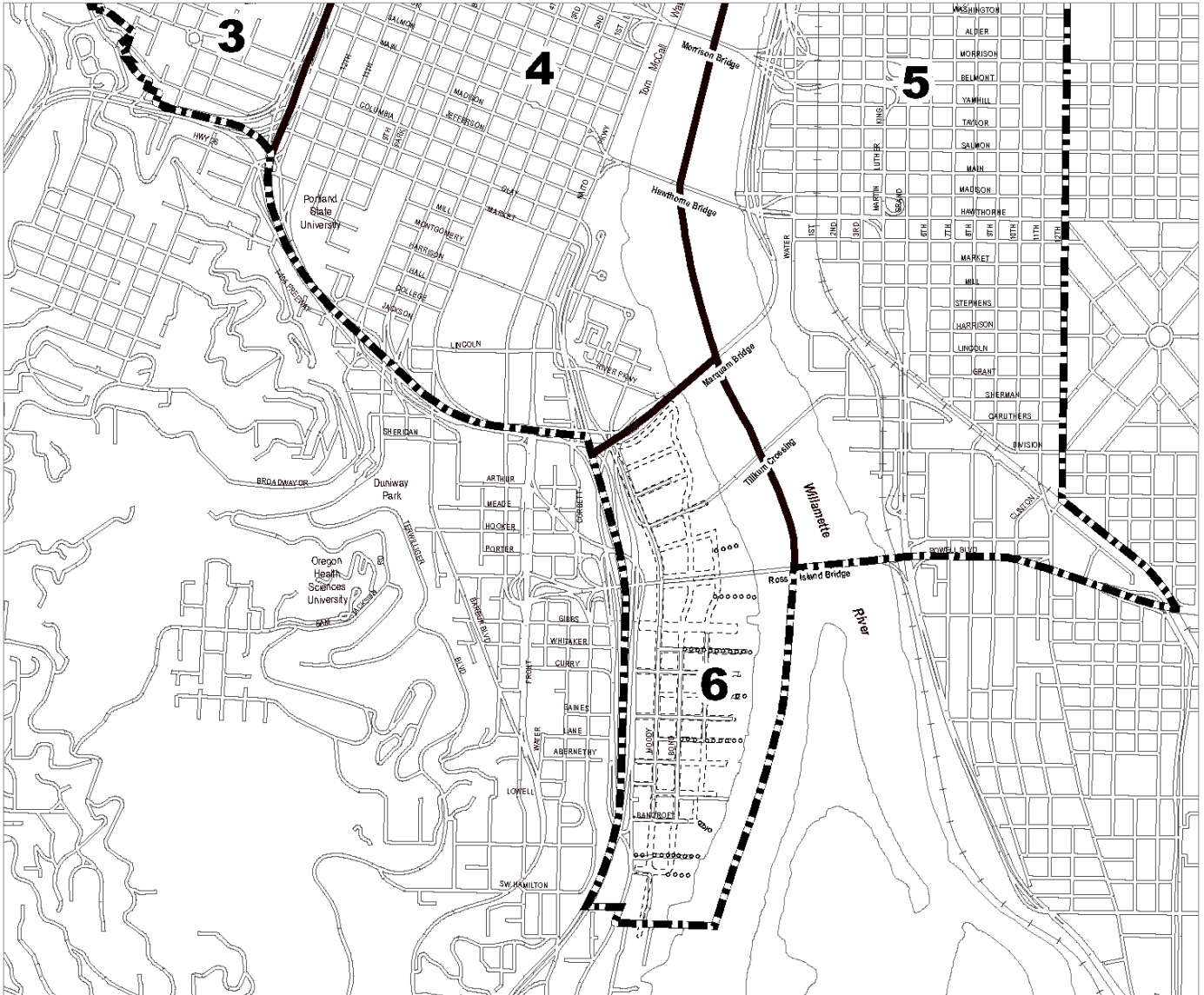
Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Parking Sectors





# Map 510-10

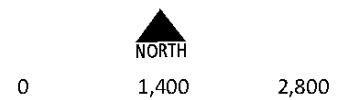
Map 2 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Sector boundary
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

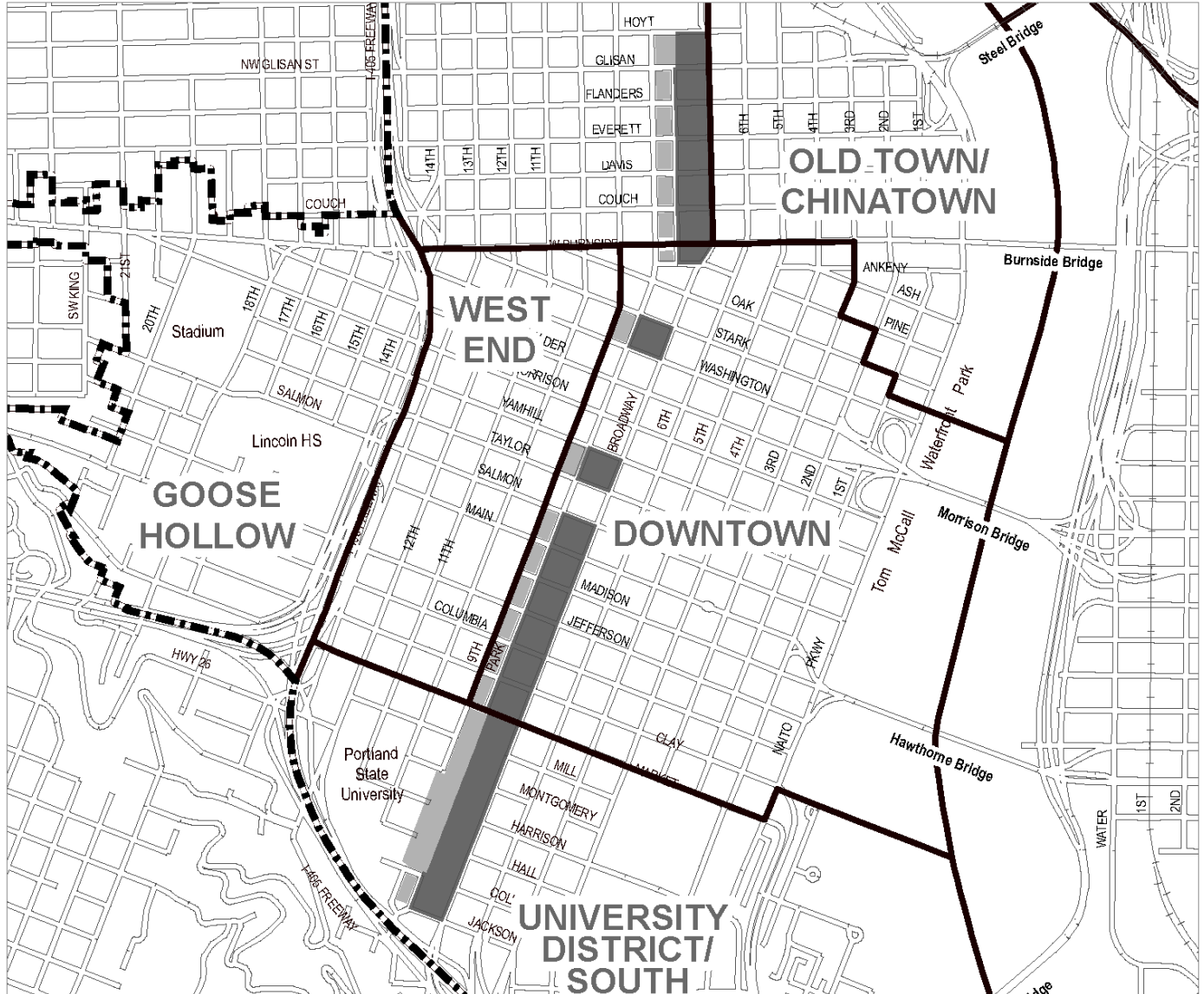
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

# Required Shadow Study Areas

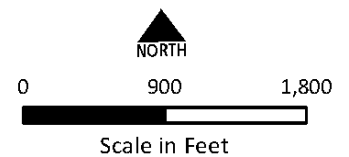
# Map 510-11

Map Revised August 10, 2020



### Legend

-  Central City Plan District boundary
-  Subdistrict boundary
-  Area where shadow study required
-  Open Space
-  Proposed right-of-way
-  Proposed accessway



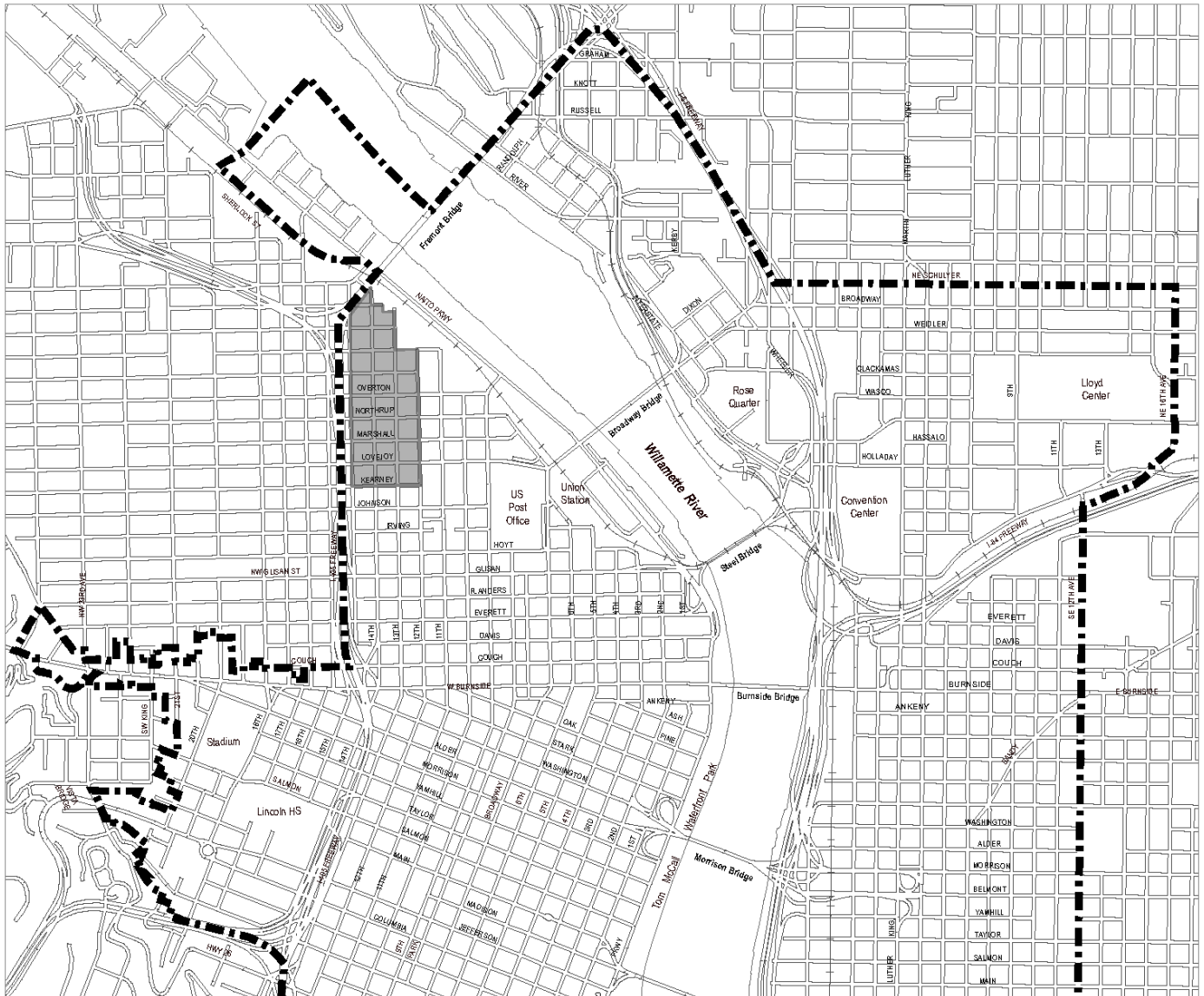
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Portland, Oregon

# Retail Sales and Services Limited

# Map 510-12

Map 1 of 2

Map Revised August 10, 2020



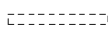
## Legend



Central City Plan District boundary



Areas where size of retail sales and service uses is limited



Proposed right-of-way



Proposed accessway



NORTH

0 1,400 2,800



Scale in Feet

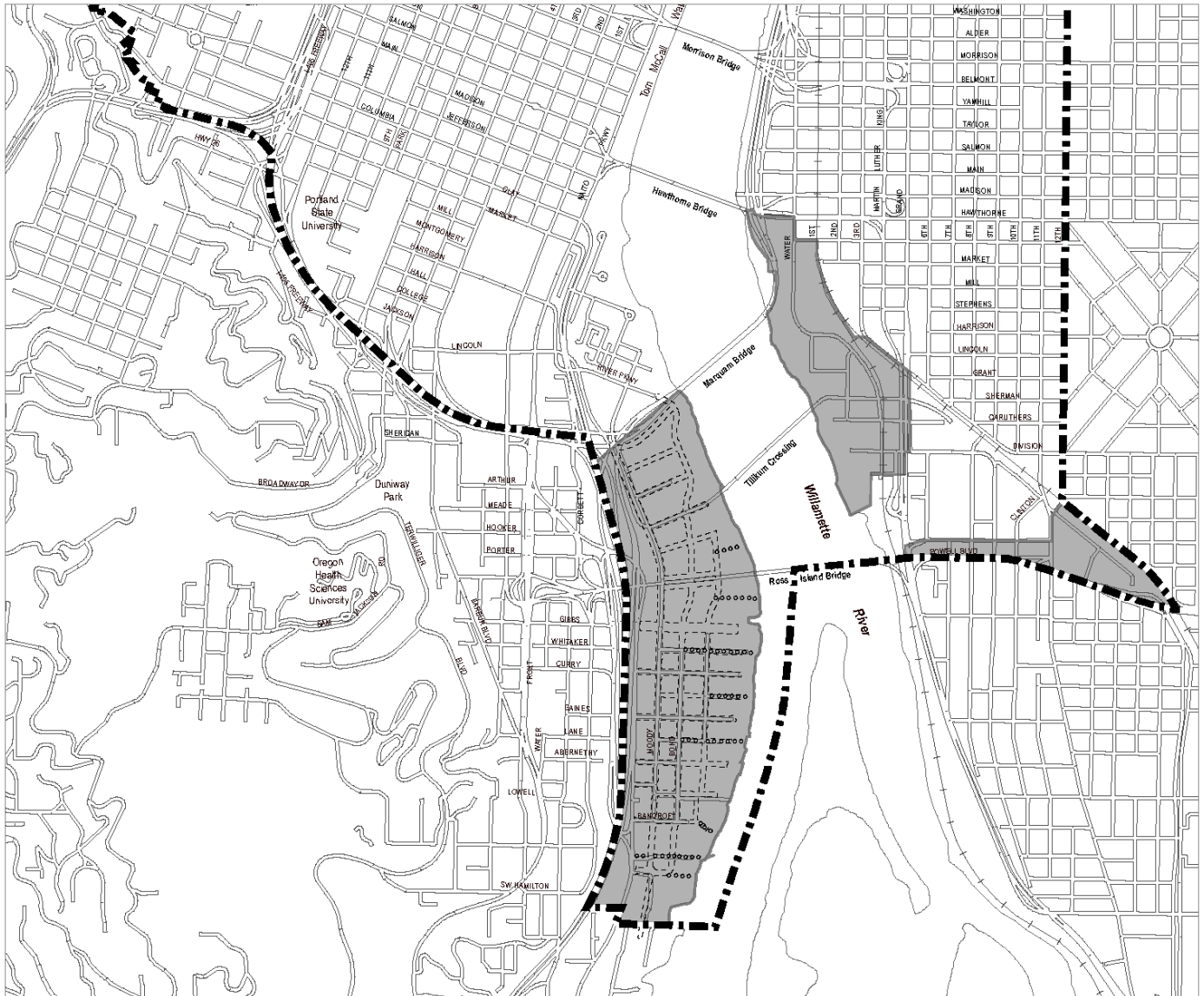
Bureau of Planning and Sustainability  
Portland, Oregon

# Retail Sales and Services Limited



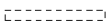

# Map 510-12

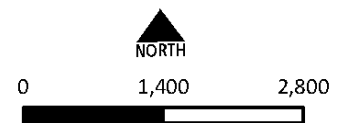
Map 2 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Areas where size of retail sales and service uses is limited
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

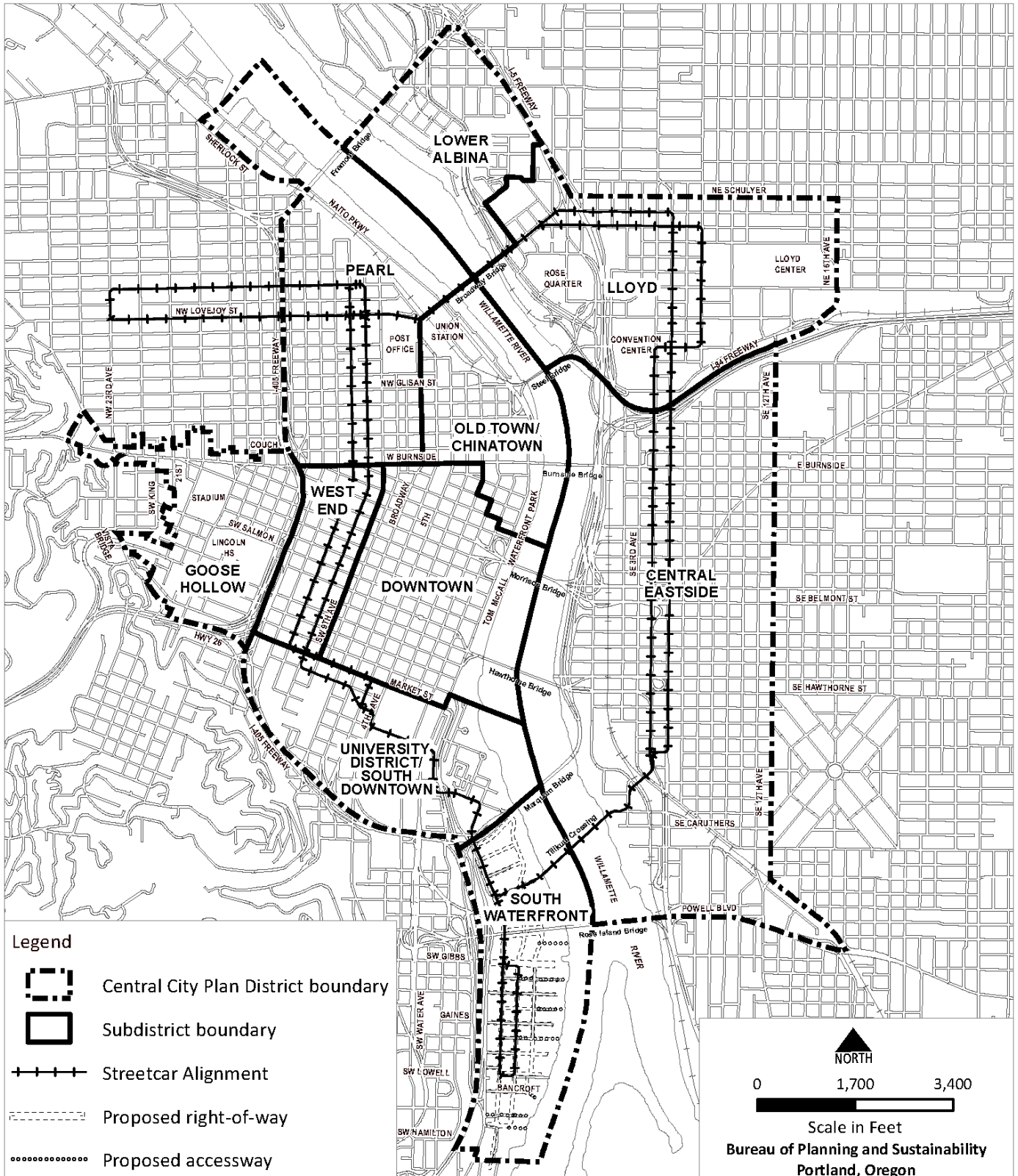
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Portland, Oregon



# Streetcar Alignment

# Map 510-13

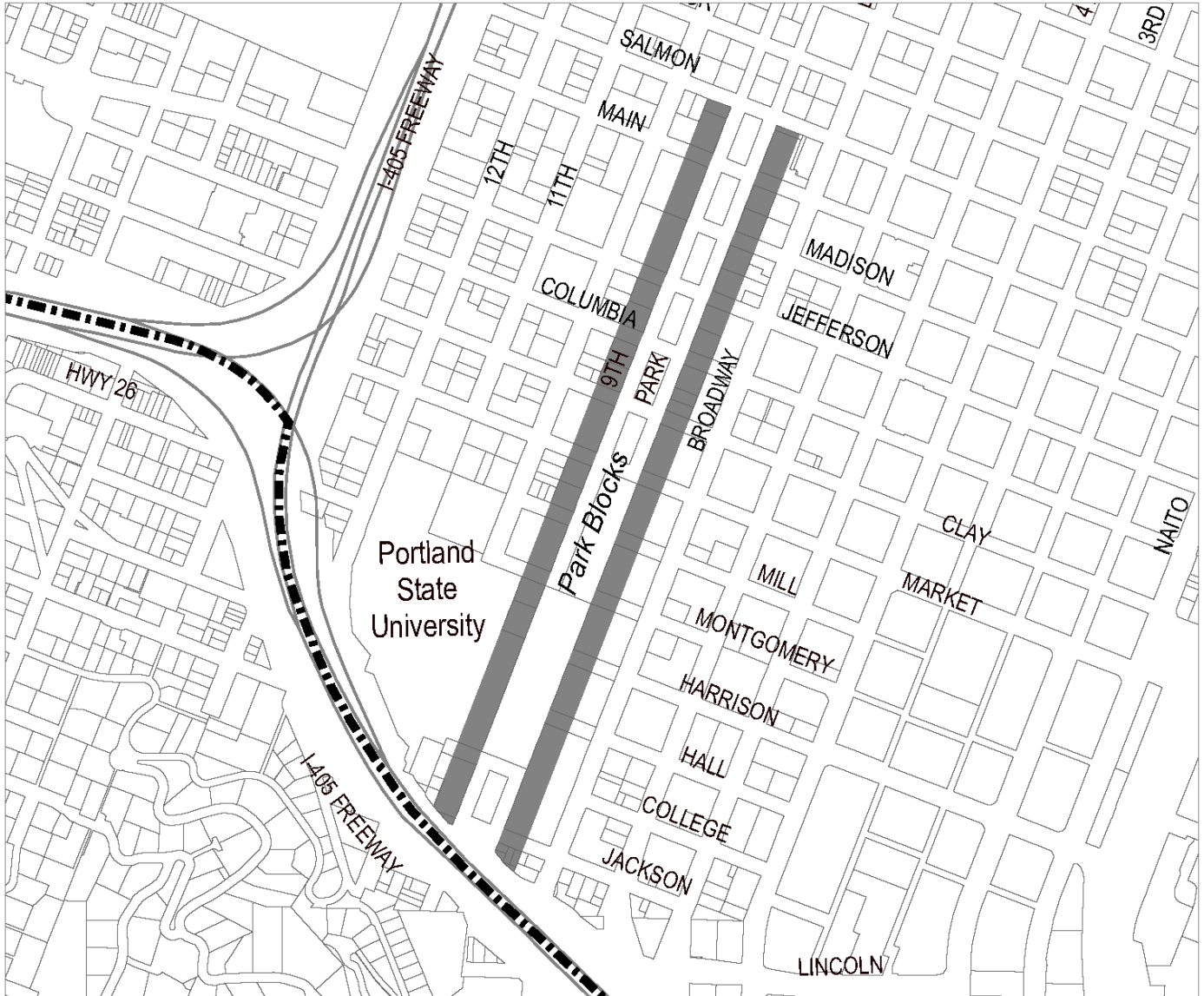
Map Revised August 10, 2020



# South Park Blocks Frontages

# Map 510-14

Map Revised August 10, 2020



## Legend



Central City Plan District Boundary



Park block frontage



0 500 1,000



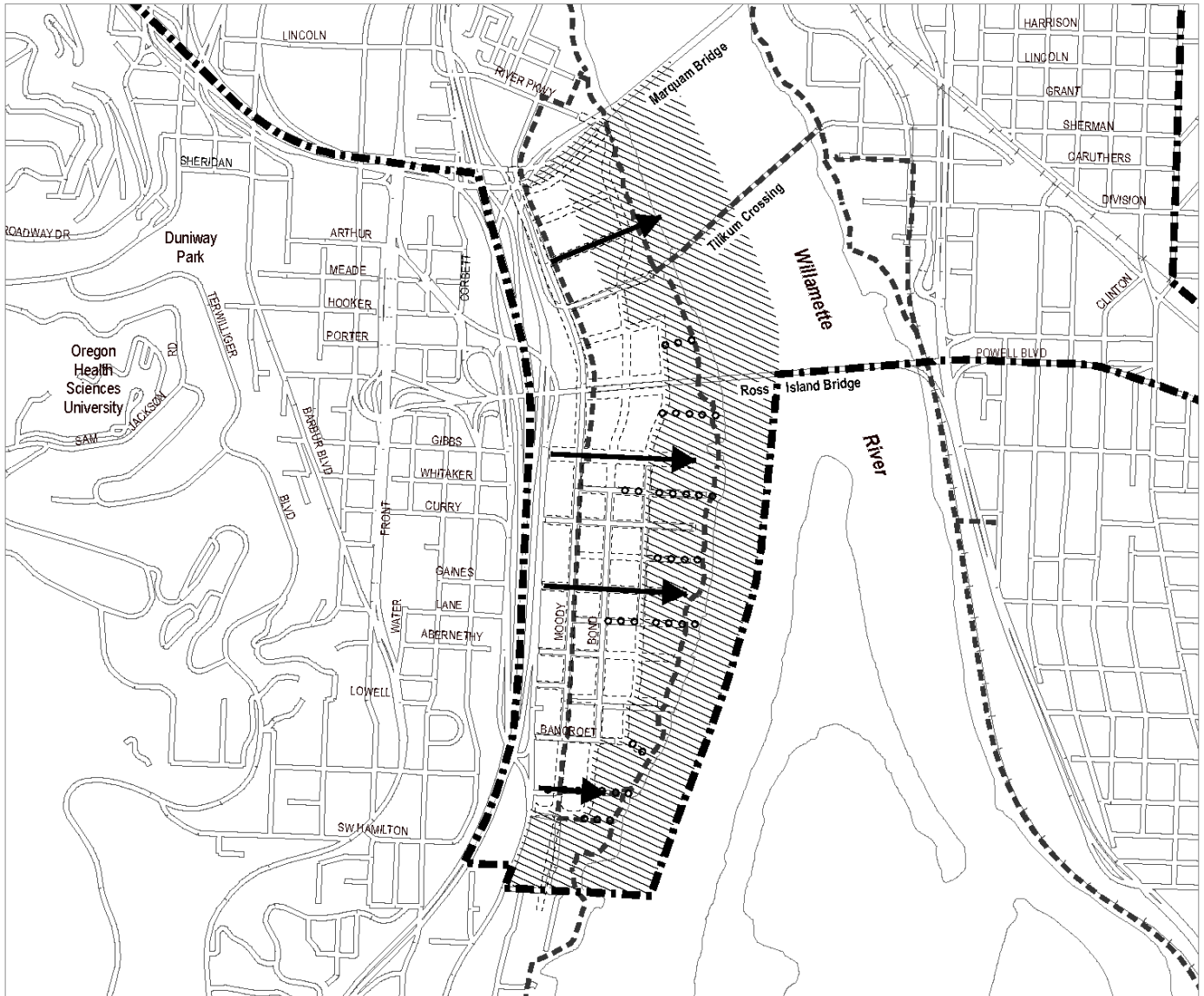
Scale in Feet

Bureau of Planning and Sustainability  
Portland, Oregon







# South Waterfront Greenway Public Access

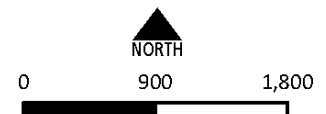
# Map 510-15

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Special building height corridor
-  Major Public Trail
-  "g" River General overlay
-  Proposed right-of-way
-  Proposed accessway



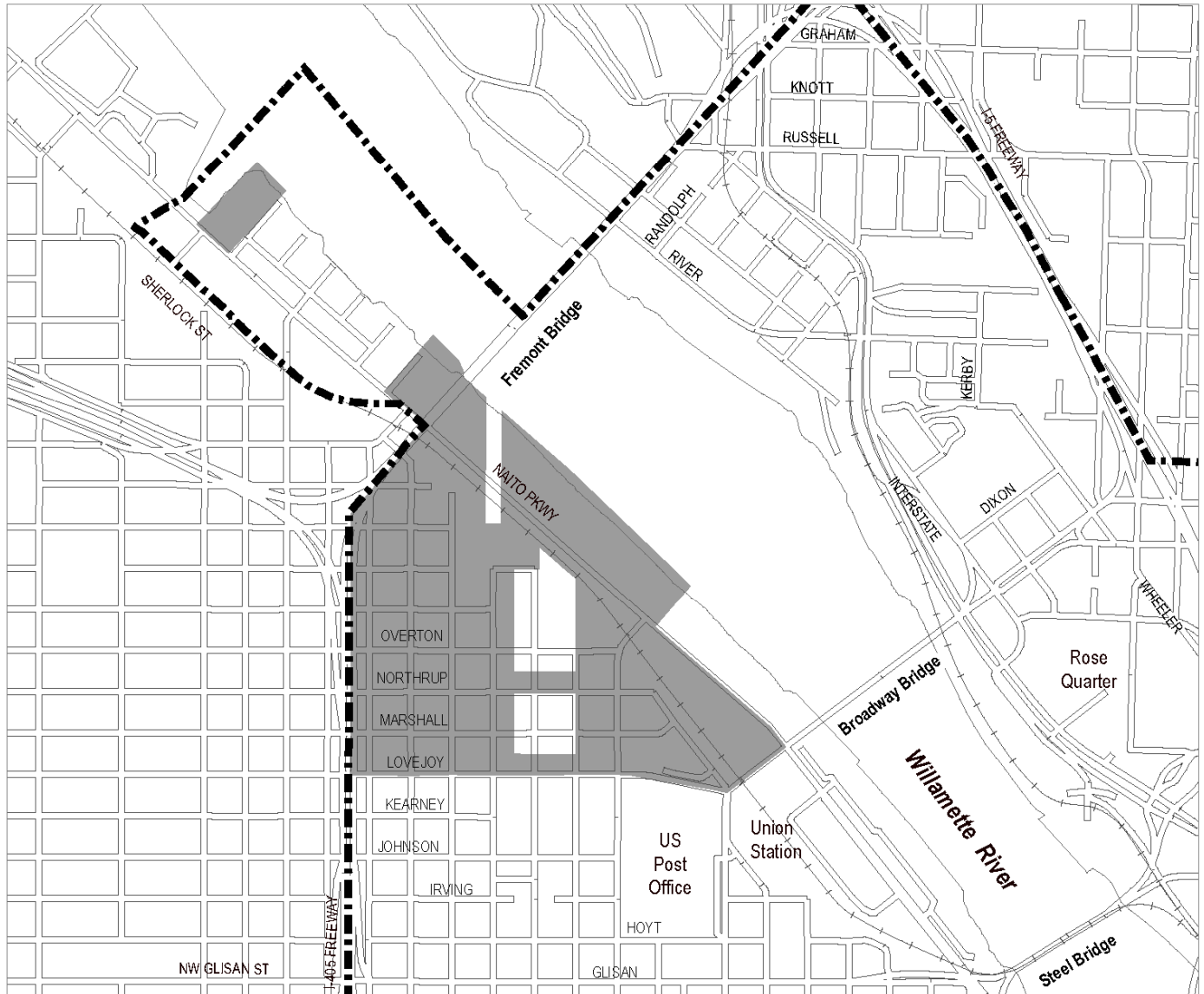
Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# North Pearl Height Opportunity Area




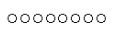
# Map 510-16

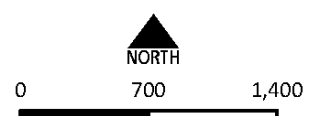
Map 1 of 3

Map Revised August 10, 2020



**Legend**

-  Central City Plan District boundary
-  Area eligible for additional height
-  Proposed right-of-way
-  Proposed accessway



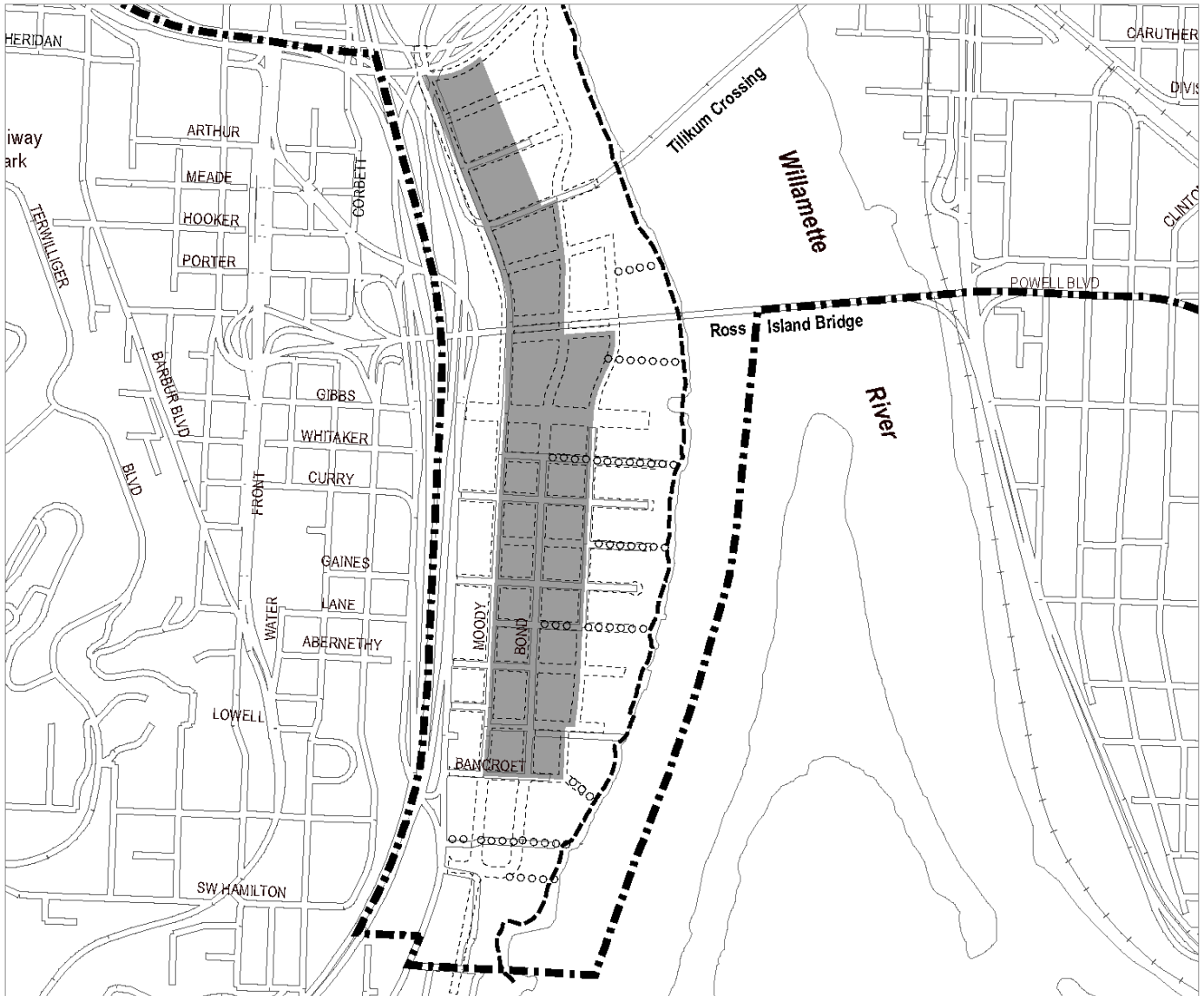
Scale in Feet  
Bureau of Planning and Sustainability  
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# South Waterfront Height Opportunity Area




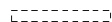

# Map 510-16

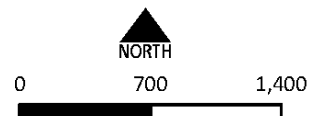
Map 2 of 3

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Area eligible for additional height
-  Height reference line
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

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Portland, Oregon

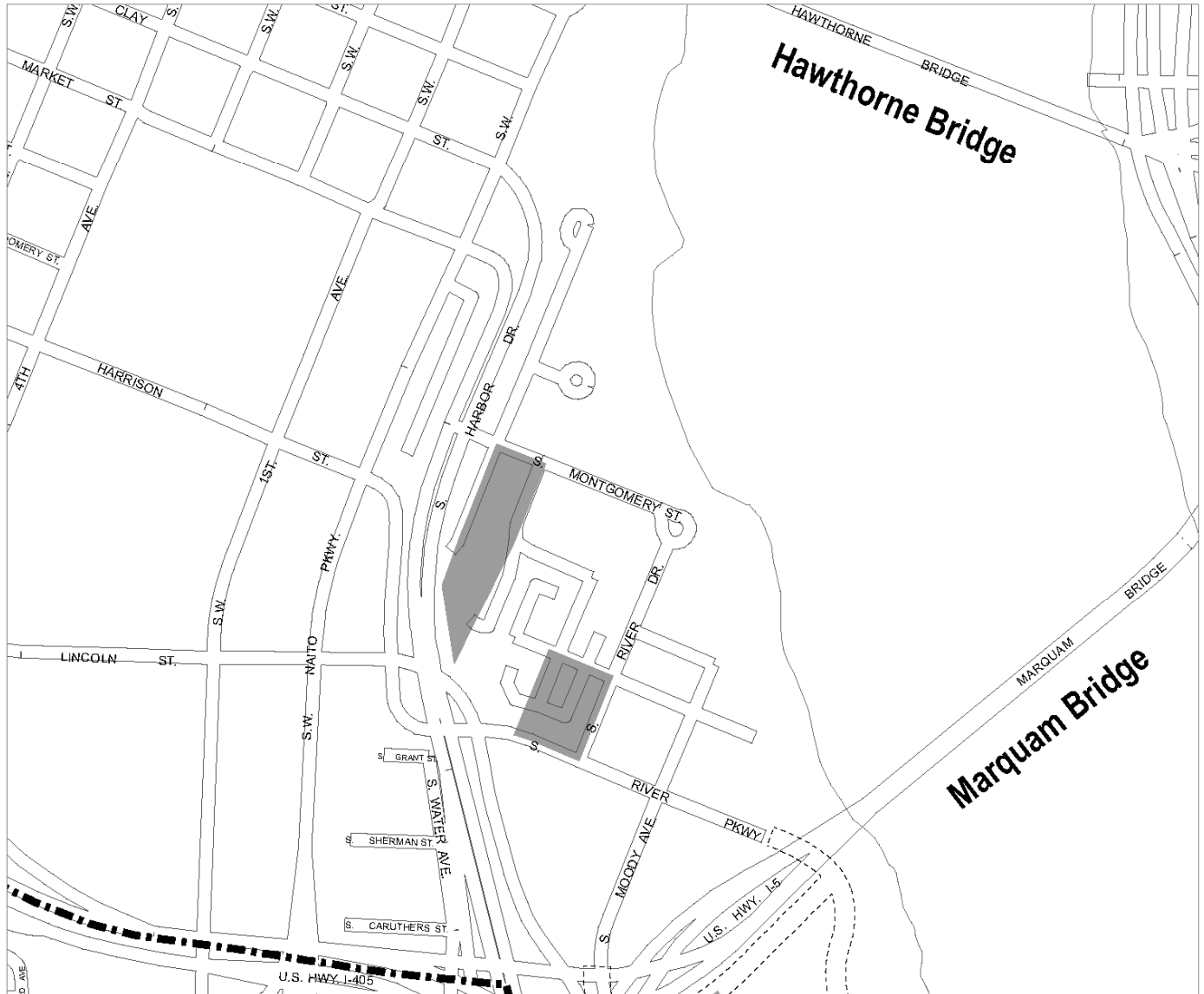


# RiverPlace Height Opportunity Area



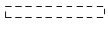
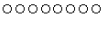
# Map 510-16


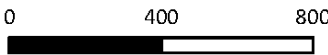
Map 3 of 3

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Area eligible for additional height
-  Proposed right-of-way
-  Proposed accessway

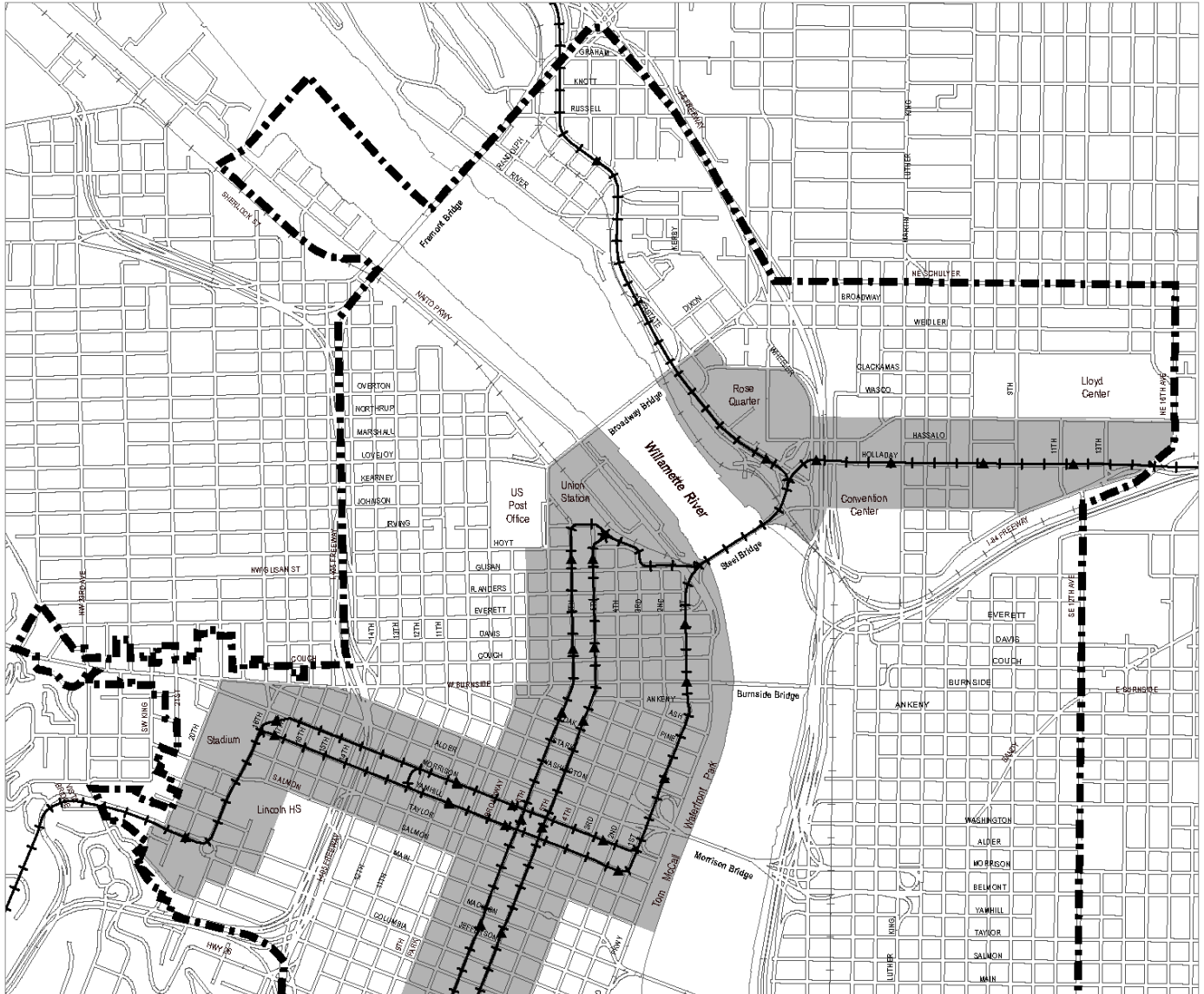
  
 NORTH  
  
 0      400      800  
 Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Area Where Vehicle Repair and Vehicle Sales and Leasing Uses are Restricted




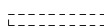
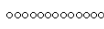
# Map 510-17

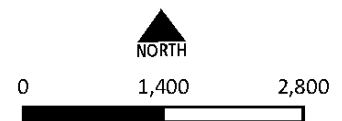
Map 1 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Area where restrictions apply
-  MAX Light Rail line and stops
-  Proposed right-of-way
-  Proposed accessways



Scale in Feet

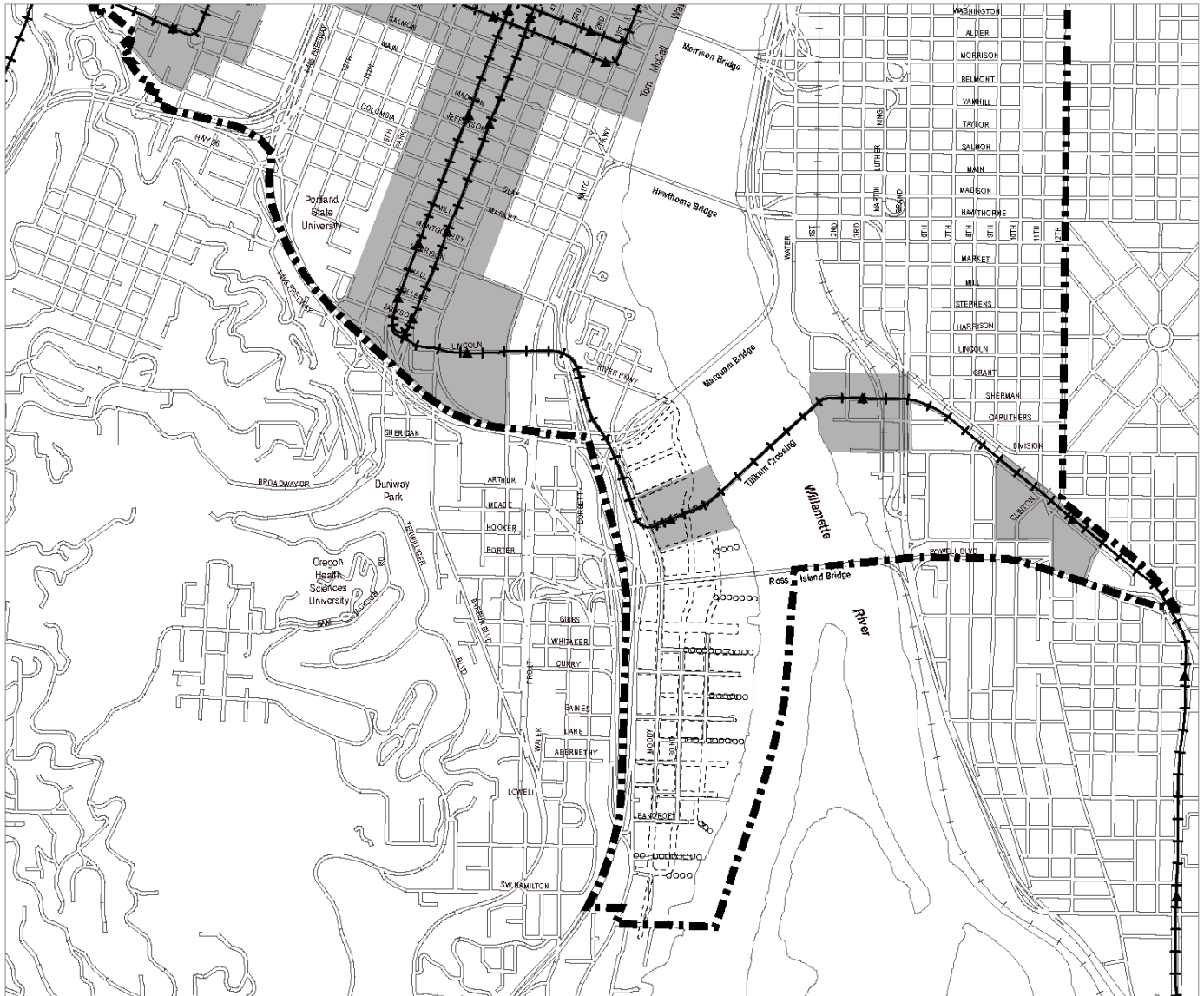
Bureau of Planning and Sustainability  
Portland, Oregon

# Area Where Vehicle Repair and Vehicle Sales and Leasing Uses are Restricted




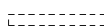
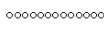
# Map 510-17

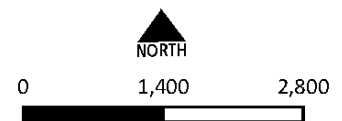
Map 2 of 2

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Area where restrictions apply
-  MAX Light Rail line and stops
-  Proposed right-of-way
-  Proposed accessways



Scale in Feet

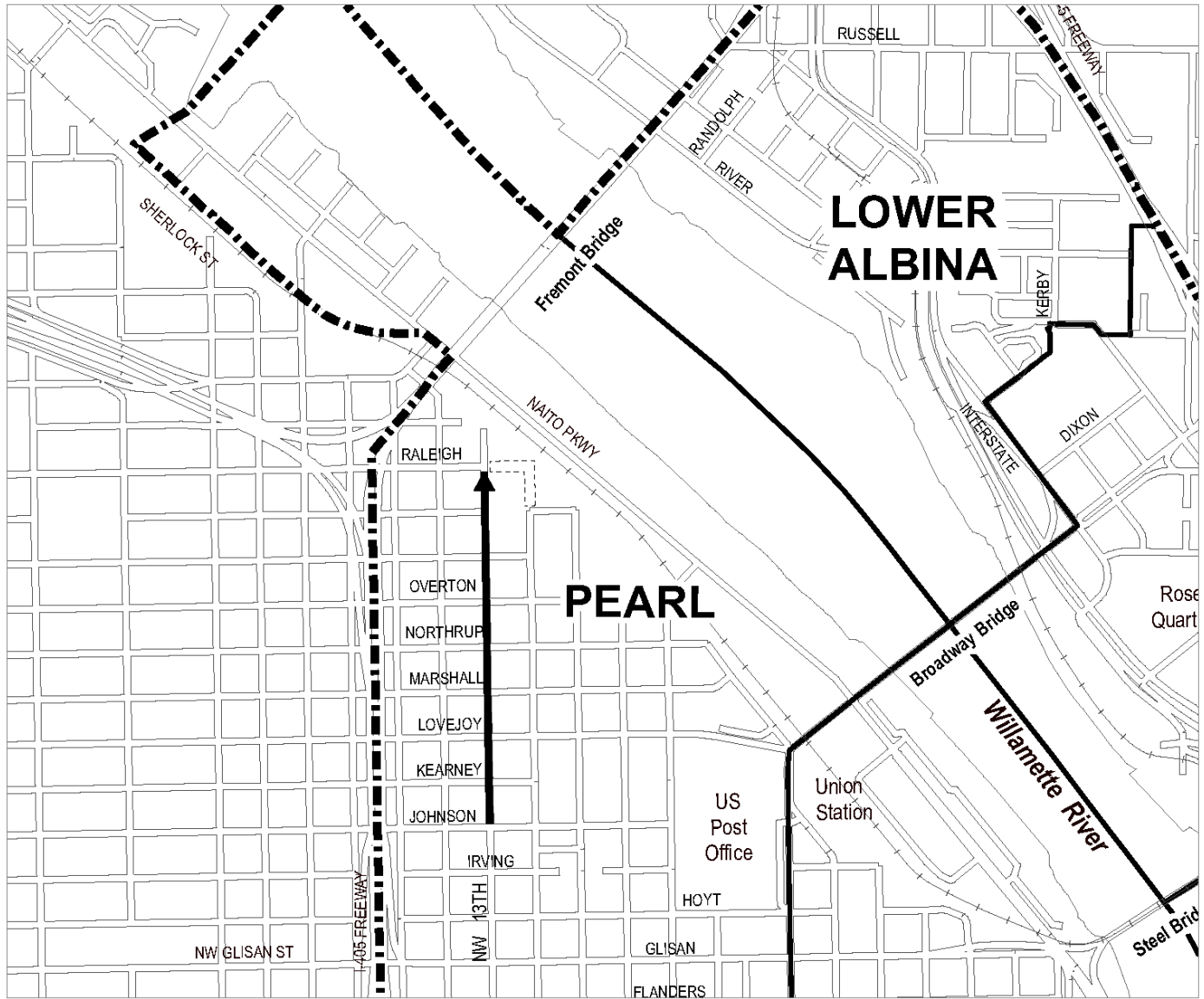
Bureau of Planning and Sustainability  
Portland, Oregon







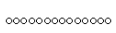
# Pearl District Special Building Height Corridor

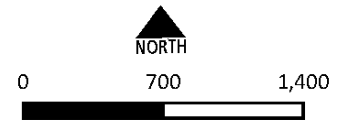
# Map 510-18

Map Revised August 10, 2020



**Legend**

-  Central City Plan District boundary
-  Subdistrict Boundary
-  Special building height corridor
-  Proposed right-of-way
-  Proposed accessway



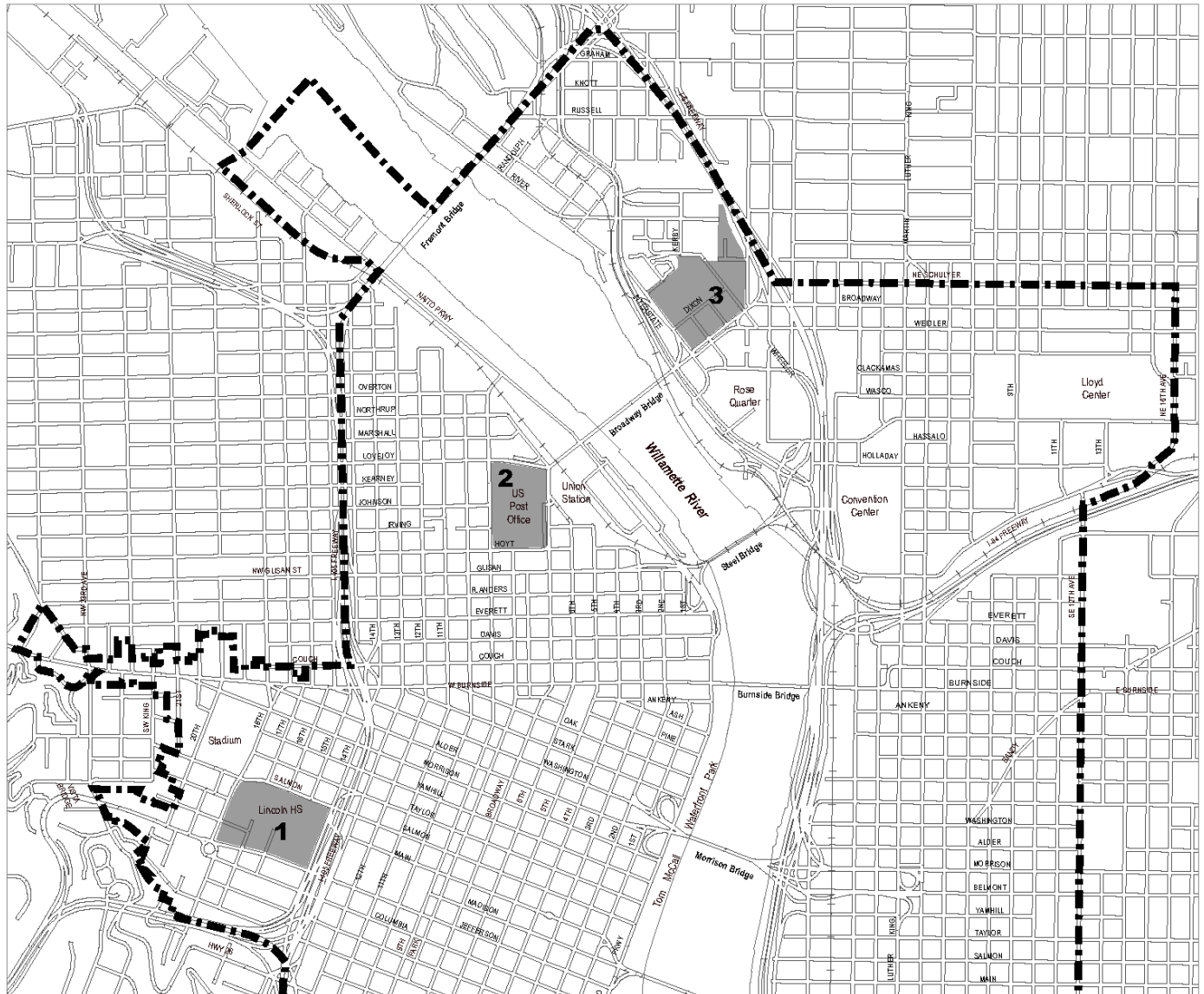
Scale in Feet  
Bureau of Planning and Sustainability  
Portland, Oregon

# Required Central City Master Plan Areas



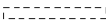

# Map 510-19

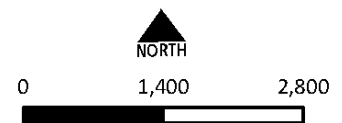
Map 1 of 2

Map Revised August 10, 2020



### Legend

-  Central City Plan District boundary
-  Required Central City Master Plan areas
-  Proposed right-of-way
-  Proposed accessway



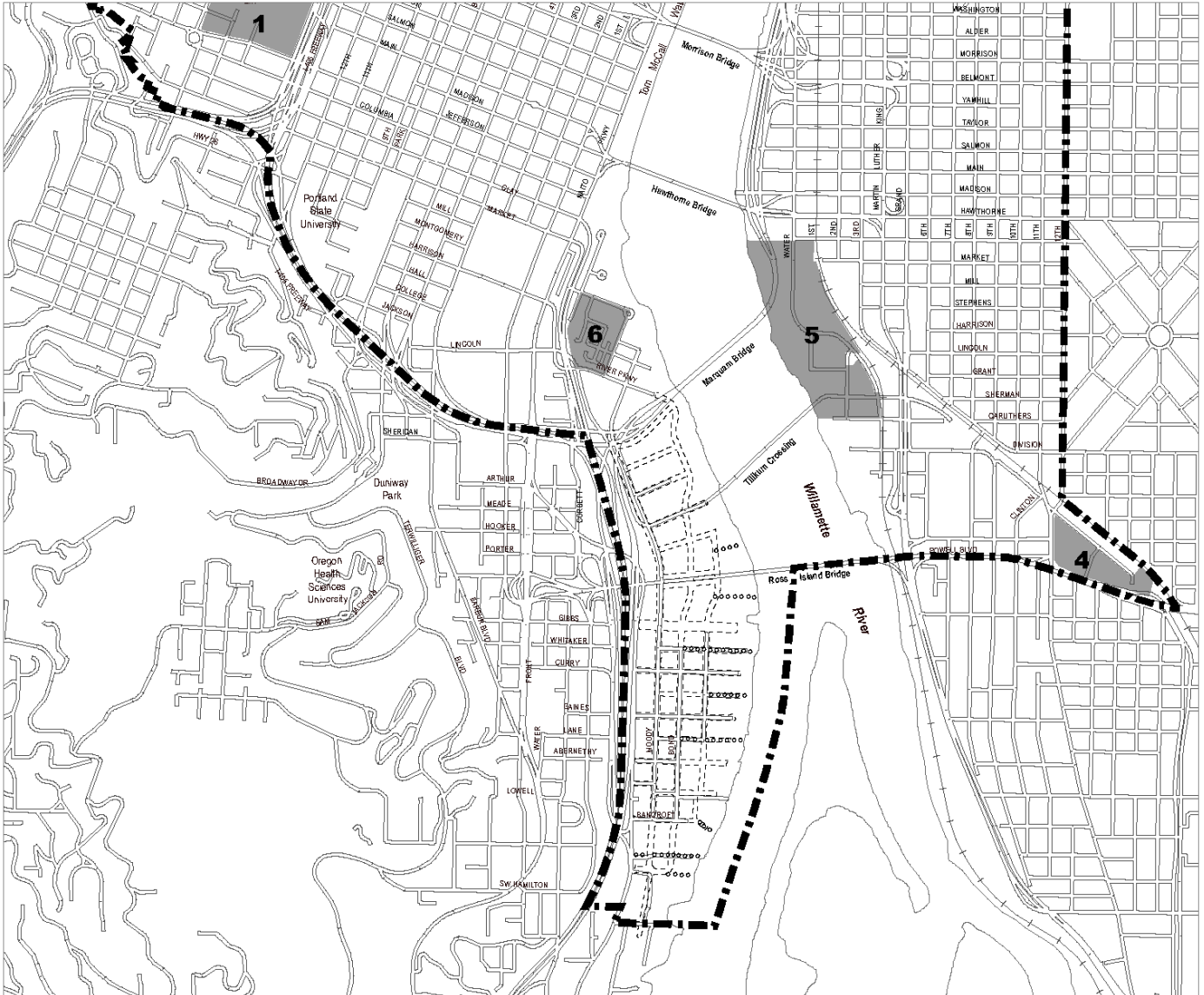
Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Required Central City Master Plan Areas

# Map 510-19

Map 2 of 2

Map Revised August 10, 2020



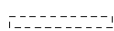
## Legend



Central City Plan District boundary



Required Central City Master Plan areas



Proposed right-of-way



Proposed accessway



0 1,400 2,800



Scale in Feet

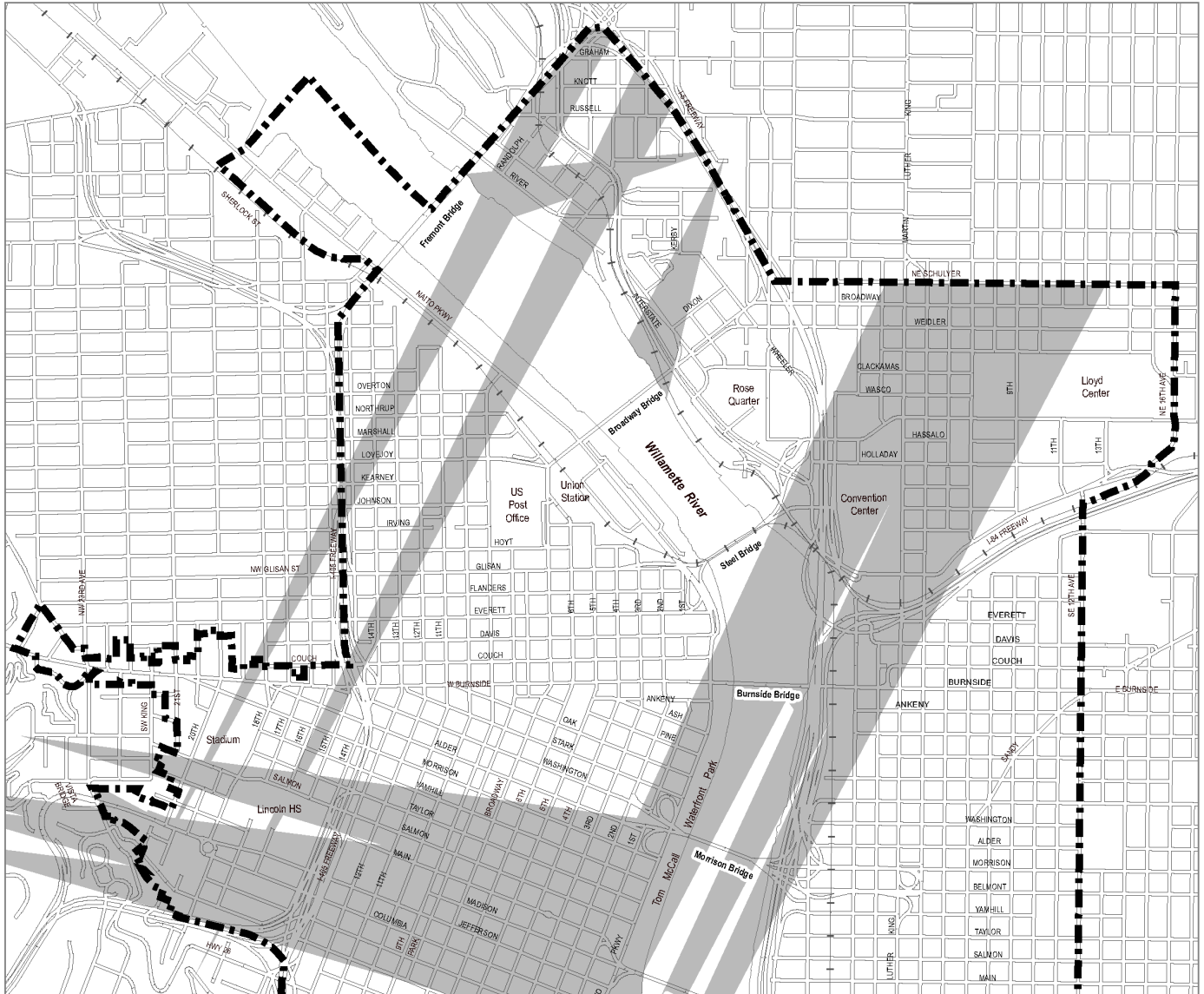
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# View Corridor Areas





# Map 510-20

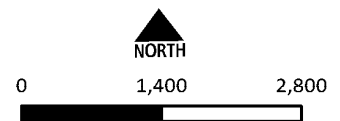
Map 1 of 2

Map Revised August 10, 2020



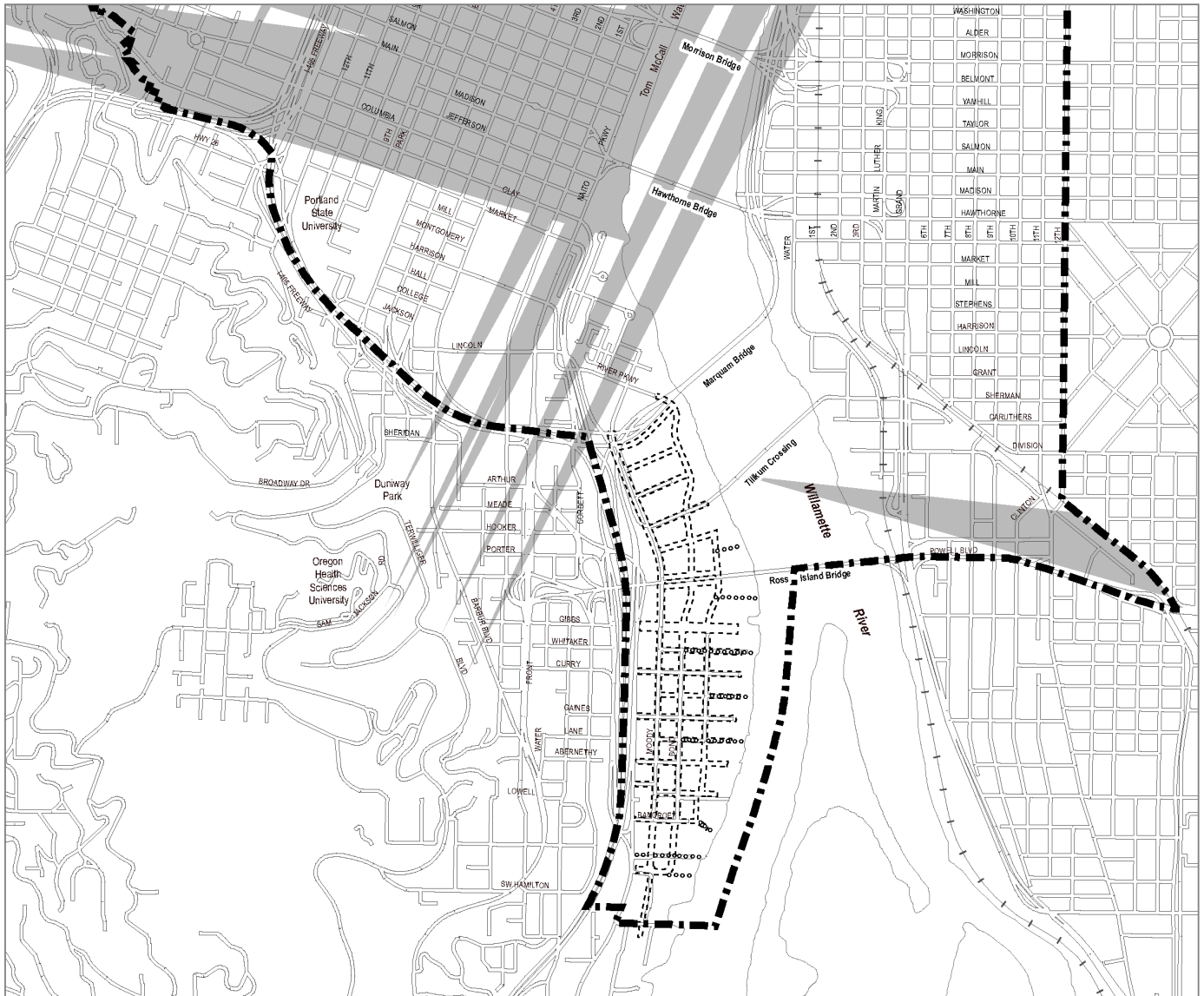
## Legend

-  Central City Plan District boundary
-  Areas within Scenic View Corridors
-  Proposed right-of-way
-  Proposed accessway







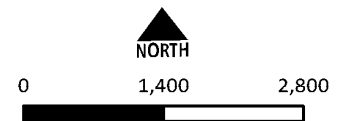
Scale in Feet

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**Legend**

-  Central City Plan District boundary
-  Areas within Scenic View Corridors
-  Proposed right-of-way
-  Proposed accessway



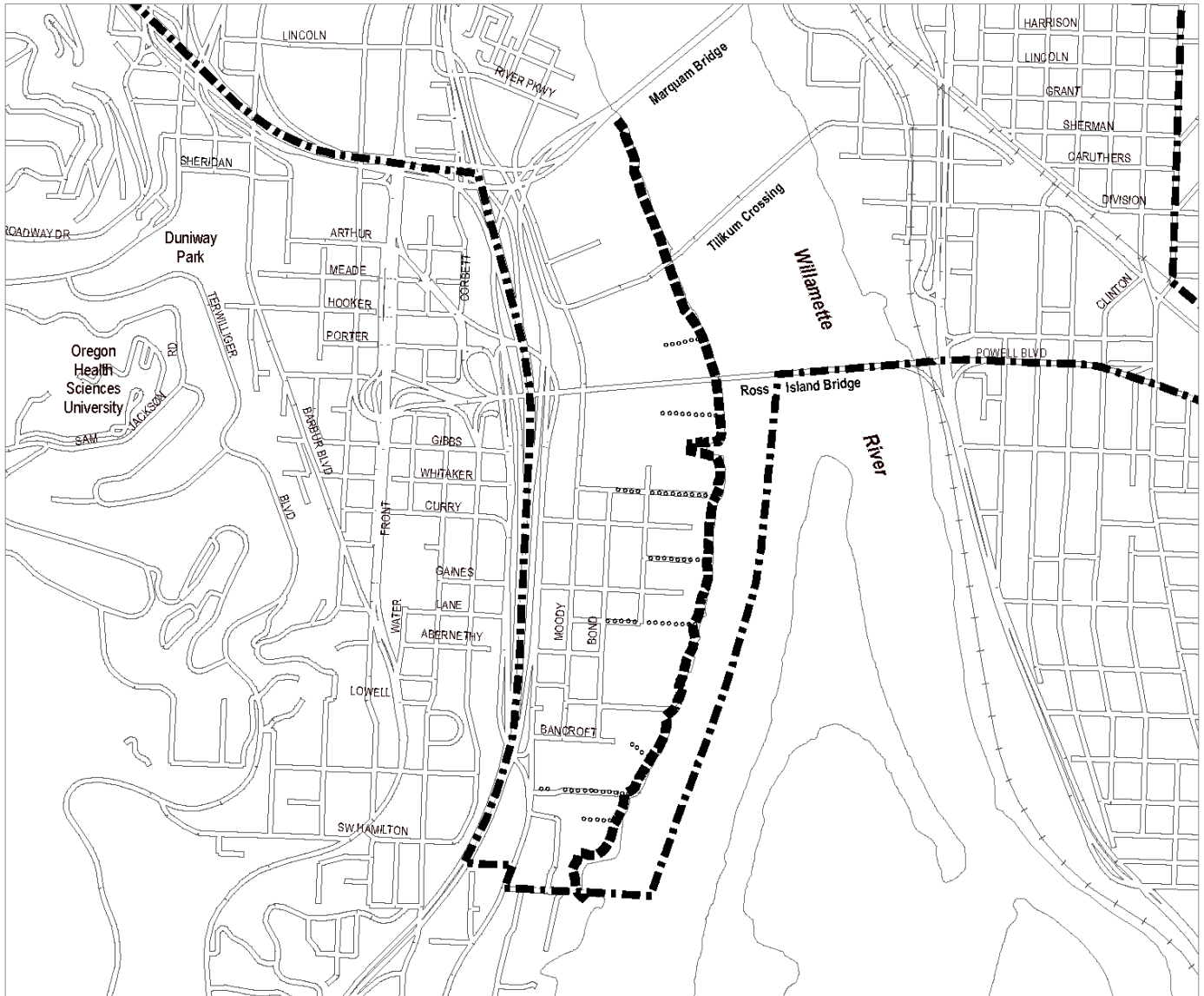
Scale in Feet







# South Waterfront 2002 Top of Bank Line

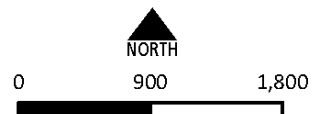
# Map 510-21

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  2002 Top of Bank line  
Note: See map in Development Services Center for more detail
-  Proposed right-of-way
-  Proposed accessway



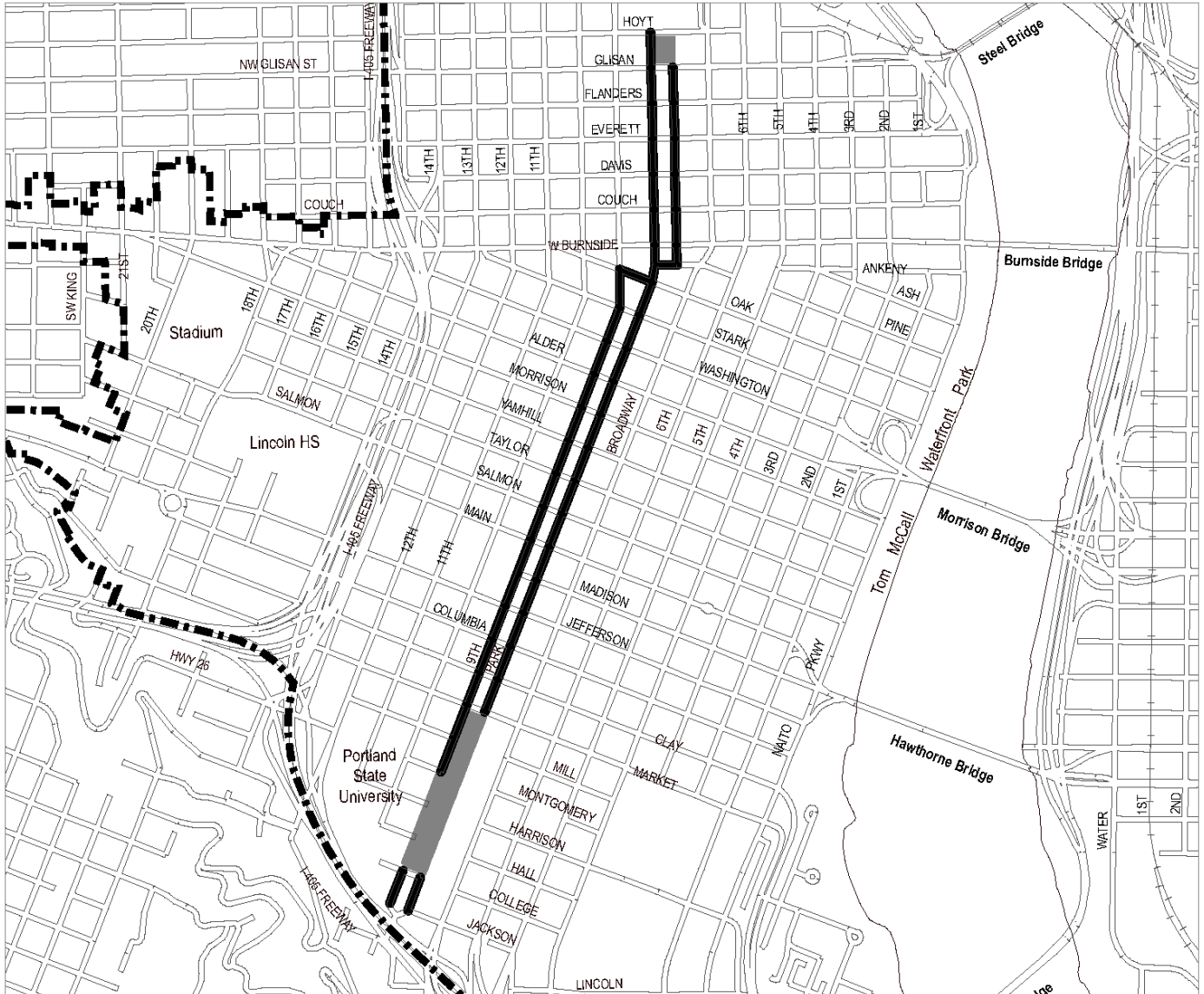
Scale in Feet

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# Park Blocks Required Building Lines

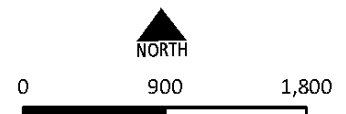
# Map 510-22

Map Revised August 10, 2020



## Legend

-  Central City Plan District boundary
-  Street frontage required building line
-  Open area frontage required building line
-  Proposed right-of-way
-  Proposed accessway



Scale in Feet

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Portland, Oregon

# Floor Area Transfer Sectors

# Map 510-23

Map Revised August 10, 2020

