33.140 Employment and Industrial Zones

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General

33.140.010 General Purpose of the Zones

The employment and industrial zones are for areas of the City that are reserved for industrial uses and for areas that have a mix of uses with a strong industrial orientation. The zones reflect the diversity of industrial and business areas in the City. The zones differ in the mix of allowed uses, the allowed intensity of development, and the development standards. The regulations promote areas which consist of uses and developments which will support the economic viability of the specific zoning district and of the City. The regulations protect the health, safety and welfare of the public, address area character, and address environmental concerns. In addition, the regulations provide certainty to property owners, developers, and neighbors about the limits of what is allowed.

33.140.020 List of the Employment and Industrial Zones

The full and short names of the employment and industrial zones and their map symbols are listed below. When this Title refers to the employment or E zones it is referring to the first three listed. When this Title refers to the industrial or I zones, it is referring to the last three listed.

Full Name	Short Name/Map Symbol
General Employment 1	EG1
General Employment 2	EG2
Central Employment	EX
General Industrial 1	IG1
General Industrial 2	IG2
Heavy Industrial	IH

33.140.030 Characteristics of the Zones

A. General Employment. The General Employment zones implement the Mixed Employment map designation of the Comprehensive Plan. The zones allow a wide range of employment opportunities without potential conflicts from interspersed residential uses. The emphasis of the zones is on industrial, industrially-related, and office uses, typically in a low-rise, flex-space development pattern. Retail uses are allowed but limited in intensity to maintain adequate employment development opportunities. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial/commercial areas.

1. General Employment 1. EG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. EG1 zoned lands will tend to be on strips or small areas.

2. General Employment 2. EG2 areas have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street. EG2 zoned lands will generally be on larger areas than those zoned EG1.

B. Central Employment. This zone implements the Central Employment map designation of the Comprehensive Plan. The zone allows mixed-uses and is intended for areas in the center of the City that have predominantly industrial type development. The intent of the zone is to allow industrial and commercial uses which need a central location. Residential

uses are allowed, but are not intended to predominate or set development standards for other uses in the area. The development standards are intended to allow new development which is similar in character to existing development.

C. General Industrial. The General Industrial zones are two of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. The development standards for each zone are intended to allow new development which is similar in character to existing development. The intent is to promote viable and attractive industrial areas.

1. General Industrial 1. IG1 areas generally have smaller lots and a grid block pattern. The area is mostly developed, with sites having high building coverages and buildings which are usually close to the street. IG1 areas tend to be the City's older industrial areas.

2. General Industrial 2. IG2 areas generally have larger lots and an irregular or large block pattern. The area is less developed, with sites having medium and low building coverages and buildings which are usually set back from the street.

D. Heavy Industrial. This zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development.

33.140.040 Other Zoning Regulations

The regulations in this chapter state the allowed uses and the development standards for the base zones. Sites in overlay zones or plan districts and designated historical landmarks are subject to additional regulations which supersede those of this Chapter. The Official Zoning Maps indicated which sites are subject to the additional regulations. Specific uses or development types may also be subject to regulations in the 200s series of chapters.

33.140.050 Neighborhood Contact in EG and I Zones

A. Purpose. Neighborhood contact is required when a new storage structure for any type of fuel will be built on a Bulk Fossil Fuel Terminal because of the impacts that fuel projects can have on the surrounding community.

B. Neighborhood contact requirement. Proposals meeting the following conditions are subject to the neighborhood contact steps of 33.705.020.B., Neighborhood Contact II. All of the steps in 33.705.020.B must be completed before an application for a building permit can be submitted.

1. The proposed development has not been subject to a land use review; and

2. The proposed development includes at least one new structure for the storage of any type of fuel on a site with a Bulk Fossil Fuel Terminal use.

33.140.055 Neighborhood Contact in EX Zone

Neighborhood contact is a set of outreach steps that must be taken before certain developments can be submitted for approval. Neighborhood contact is required as follows:

A. Neighborhood contact I.

1. Neighborhood contact I requirements. When proposed development will add at least 10,000 square feet and not more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.A., Neighborhood contact I, are required. All the steps in 33.705.020.A. must be completed before an application for a building permit can be submitted.

2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

B. Neighborhood contact II.

1. Neighborhood contact II requirements. When the proposed development will add more than 25,000 square feet of net building area to a site, the neighborhood contact steps of 33.705.020.B., Neighborhood contact II, are required. All of the steps in 33.705.020.B. must be completed before an application for a building permit can be submitted.

2. Exemption. If the proposed development has already met the neighborhood contact requirements as part of a land use review process, it is exempt from the neighborhood contact requirements.

Use Regulations

33.140.100 Primary Uses

A. Allowed uses. Uses allowed in the employment and industrial zones are listed in Table 140-1 with a "Y". These uses are allowed if they comply with the development standards and other regulations of this Title. Being listed as an allowed use does not mean that a proposed development will be granted an adjustment or other exception to the regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters.

B. Limited uses. Uses allowed that are subject to limitations are listed in Table 140-1 with an "L". These uses are allowed if they comply with the limitations listed below and the development standards and other regulations of this Title. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The paragraphs listed below contain the limitations and correspond with the footnote numbers from Table 140-1.

1. Household Living and Group Living uses in EGI and EG2 zones. This regulation applies to all parts of Table 140-1 that have a [1].

   a. Limited use. Household Living and Group Living are allowed uses when an existing hotel or motel is converted to dwelling units and all of the converted

dwelling units are affordable to those earning no more than 60 percent of the area median family income. The property owner must execute a covenant with the City that meets the requirements of Section 33.700.060. The covenant must reflect that all dwelling units will be affordable at the specified income level for a minimum of 30 years.

b. Prohibited use. Except as specified in Subparagraph B.1.a, Household Living and Group Living use are prohibited.

2. Household Living and Group Living uses in I zones. This regulation applies to all parts of Table 140-1 that have a [2]. Household Living and Group Living in houseboats and houseboat moorages in I zones are regulated by Chapter 33.236, Floating Structures. Household and Group Living in other structures is prohibited.

3. EG Retail Sales And Service limitation. The following regulations apply to all parts of Table 140-1 that have a [3].

a. Limited uses. Except for sites with historic landmarks, the net building area plus any exterior display, storage, work and other exterior activity area for Retail Sales And Service uses is limited to 20,000 square feet or the square footage of the site area, whichever is less. On sites with historic landmarks, the net building area plus any exterior display, storage, work and other exterior activity area for Retail Sales And Service uses is limited to 20,000 square feet or twice the total square footage of the site area, whichever is less.

b. Conditional uses. Retail Sales And Service uses that exceed the area limits in Subparagraph B.2.a. are a conditional use.

4. IG1 commercial limitation. This regulation applies to all parts of Table 140-1 that have a [4].

a. Limited uses. One Retail Sales And Service or Office use is allowed per site. The square footage of net building area plus the exterior display, storage, work and other exterior activity area may be up to 3,000 square feet.

b. Conditional uses.

(1) More than one Retail Sales And Service or Office Use on a site is a conditional use.

(2) Any Retail Sales And Service or Office Use where the net building area plus the exterior display, storage, work and other exterior activity area is more than 3,000 square feet is a conditional use.

c. Prohibited uses.

(1) Except for sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus exterior display, storage, work and other exterior activity area, taken together, may not exceed 20,000 square feet or the square footage of the site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

(2) For sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 60,000 square feet or twice the square footage of the site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

5. IG2 commercial limitation. This regulation applies to all parts of Table 140-1 that have a [5].

a. Limited uses. Up to four Retail Sales And Service or Office uses are allowed per site. The square footage of the net building area plus the exterior display, storage, work and other exterior activity area may be up to 3,000 square feet per use.

b. Conditional uses.

(1) More than four Retail Sales And Service or Office uses on a site is a conditional use.

(2) Any Retail Sales And Service or Office use where the net building area plus the exterior display, storage, work and other exterior activity area is more than 3,000 square feet is a conditional use.

c. Prohibited uses.

(1) Except for sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 20,000 square feet or the square footage of the site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

(2) For sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 60,000 square feet or twice the square footage of site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

6. IH commercial limitation. This regulation applies to all parts of Table 140-1 that have a [6].

a. Limited uses. Up to four Retail Sales And Service or Office uses are allowed per site. The square footage of the net building area plus the exterior display, storage, work and other exterior activity area may be up to 3,000 square feet per use.

b. Conditional uses.

(1) More than four Retail Sales And Service or Office use on a site is a conditional use.

(2) Any Retail Sales And Service or Office use where the net building area plus the exterior display, work and other exterior activity storage area is more than 3,000 square feet is a conditional use.

c. Prohibited uses.

(1) Except for sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 12,000 square feet or the square footage of the site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

(2) For sites with a historic landmark, the net building area of all the Retail Sales And Service and Office uses on a site plus the exterior display, storage, work and other exterior activity area, taken together, may not exceed 25,000 square feet or twice the square footage of site area, whichever is less. Retail Sales And Service and Office uses that exceed these area limits are prohibited.

7. Self-Service Storage limitation. This regulation applies to all parts of Table 140-1 that have a [7]. The limitations are stated with the special regulations for these uses in Chapter 33.284, Self-Service Storage.

8. Waste-Related limitation. This regulation applies to all parts of Table 140-1 that have a [8]. All Waste-Related uses are conditional uses, unless they meet all of the following conditions in which case they are allowed by right.

a. The use must be approved by Metro under their authority as prescribed in ORS 268.317;

b. Metro's approval of the use must include a mitigation plan. The requirements for the mitigation plan must be approved by the City Council through an intergovernmental agreement with Metro, adopted prior to Metro's approval of the use; and

c. The location of the use must be in conformance with Metro's Regional Solid Waste Management Plan.

9. Community Service uses in E zones. This regulation applies to all parts of Table 140-1 that have a [9]. Most Community Service uses are allowed by right. Short term, mass, and outdoor shelters are regulated by Chapter 33.285, Short Term, Mass, and Outdoor Shelters.

Table 140-1
Employment and Industrial Zone Primary Uses

Use Categories	EG1	EG2	EX	IG1	IG2	IH
Residential Categories						
Household Living	L[1]	L[1]	Y	CU [2]	CU [2]	CU [2]
Group Living	L[1]	L[1]	Y	CU [2]	CU [2]	CU [2]
Commercial Categories						
Retail Sales And Service	L/CU [3]	L/CU [3]	Y	L/CU [4]	L/CU [5]	L/CU [6]
Office	Y	Y	Y	L/CU [4]	L/CU [5]	L/CU [6]
Quick Vehicle Servicing	Y	Y	N	Y	Y	Y
Vehicle Repair	Y	Y	Y	Y	Y	Y
Commercial Parking	CU [14]	CU [14]	CU [14]	CU [14]	CU [14]	CU [14]
Self-Service Storage	L [7]	L [7]	L [7]	Y	Y	Y
Commercial Outdoor Recreation	Y	Y	Y	CU	CU	CU
Major Event Entertainment	CU	CU	CU	CU	CU	CU
Industrial Categories						
Manufacturing And Production	Y	Y	Y	Y	Y	Y
Warehouse And Freight Movement	Y	Y	Y	Y	Y	Y
Wholesale Sales	Y	Y	Y	Y	Y	Y
Industrial Service	Y	Y	Y	Y	Y	Y
Bulk Fossil Fuel Terminal	L [16]	L [16]	N	L [16]	L [16]	L [16]
Railroad Yards	N	N	N	Y	Y	Y
Waste-Related	N	N	N	L/CU [8]	L/CU [8]	L/CU [8]

Y = Yes, Allowed
L = Allowed, But Special Limitations
CU = Conditional Use Review Required
N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [ ] are stated in 33.140.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

Table 140-1
Employment and Industrial Zone Primary Uses

Use Categories	EG1	EG2	EX	IG1	IG2	IH
Institutional Categories						
Basic Utilities	Y/CU [11]	Y/CU [11]	Y/CU [11]	Y/CU [12]	Y/CU [12]	Y/CU 12]
Community Service	L/CU [9]	L/CU [9]	L/CU [9]	L/CU [10]	L/CU [10]	L/CU [10]
Parks And Open Areas	Y	Y	Y	Y	Y	Y
Schools	Y	Y	Y	N	N	N
Colleges	Y	Y	Y	N	N	N
Medical Centers	Y	Y	Y	N	N	N
Religious Institutions	Y	Y	Y	N	N	N
Daycare	Y	Y	Y	L/CU [10]	L/CU [10]	L/CU [10]
Other Categories						
Agriculture	L [15]	L [15]	L [15]	L [15]	L [15]	L [15]
Aviation And Surface Passenger Terminals	CU	CU	CU	CU	CU	CU
Detention Facilities	CU	CU	CU	CU	CU	CU
Mining	N	N	N	CU	CU	CU
Radio Frequency Transmission Facilities	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]	L/CU [13]
Rail Lines And Utility Corridors	Y	Y	Y	Y	Y	Y

Y = Yes, Allowed
L = Allowed, But Special Limitations
CU = Conditional Use Review Required
N = No, Prohibited

Notes:

- The use categories are described in Chapter 33.920.
- Regulations that correspond to the bracketed numbers [ ] are stated in 33.140.100.B.
- Specific uses and developments may also be subject to regulations in the 200s series of chapters.

10. Daycare and Community Service in the I zones. This regulation applies to all parts of Table 140-1 that have a [10].

    a. Short term and mass shelters are prohibited. Outdoor shelters are regulated by Chapter 33.285, Short Term, Mass, and Outdoor Shelters.

    b. Daycare and all other Community Service uses up to 3,000 square feet of net building area are allowed. Uses larger than 3,000 square feet of net building area are a conditional use.

11. Basic Utilities in E zones. This regulation applies to all parts of Table 140-1 that have a [11]. Public safety facilities that include Radio Frequency Transmission Facilities are subject to the regulations of Chapter 33.274. All other Basic Utilities are allowed.

12. Basic Utilities in I zones. This regulation applies to all parts of Table 140-1 that have a [12]. Public safety facilities that include Radio Frequency Transmission Facilities are subject to the regulations of Chapter 33.274. Public safety facilities which have more

than 3,000 square feet of floor area are a conditional use. The approval criteria are in Section 33.815.223. All other Basic Utilities are allowed.

13. Radio Frequency Transmission Facilities. This regulation applies to all parts of Table 140-1 that have a [13]. Some Radio Frequency Transmission Facilities are allowed by right. See Chapter 33.274.

14. Commercial Parking. This regulation applies to all parts of Table 140-1 that have a [14]. Except where plan district provisions supersede these regulations, Commercial Parking is a conditional use in the E and I zones. Within plan districts, there may be special regulations.

15. Agriculture. This regulation applies to all parts of Table 140-1 that have a [15]. Agriculture is an allowed use. Where the use and site meet the regulations of Chapter 33.237, Food Production and Distribution, the applicant may choose whether it is allowed as a Market Garden.

16. Bulk Fossil Fuel Terminals. This regulation applies to all parts of Table 140-1 that have a [16].

    a. Existing Bulk Fossil Fuel Terminals. Bulk Fossil Fuel Terminals that existed on August 31, 2022 are allowed, but the total amount of fossil fuel that can be stored on the site in storage tanks is limited to the fossil fuel storage tank capacity that existed on August 31, 2022. Total fossil fuel storage tank capacity on the site in excess of the capacity that existed on August 31, 2022 is prohibited. Adding storage tank capacity exclusively for renewable fuels or to comply with the Renewable Fuel Standard (PCC Chapter 16.60 Motor Vehicle Fuels) is not considered an increase in capacity. Storing coal on the site is prohibited.

    b. New Bulk Fossil Fuel Terminals are prohibited.

C. Conditional uses. Uses which are allowed if approved through the conditional use review process are listed in Table 140-1 with a "CU". These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards, and other regulations of this Title. Uses listed with a "CU" that also have a footnote number in the table are subject to the regulations cited in the footnote. In addition, a use or development listed in the 200s series of chapters is also subject to the regulations of those chapters. The conditional use review process and approval criteria are stated in Chapter 33.815, Conditional Uses.

D. Prohibited uses. Uses listed in Table 140-1 with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of Chapter 33.258, Nonconforming Uses and Development.

33.140.110 Accessory Uses. Uses that are accessory to a primary use are allowed if they comply with specific regulations for the accessory uses and all development standards.

33.140.140 On-Site Waste Disposal

On-site disposal of solid wastes generated by a use is subject to the same regulations as for uses in the Waste-Related use category. See Table 140-1.

Development Standards

33.140.200 Lot Size

Lot size regulations are in Chapters 33.614 and 33.615.

33.140.205 Floor Area Ratio

A. Purpose. Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a site. FARs provide a means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with the height, setback, and building coverage standards to control the overall bulk of development.

B. The floor area standards. The FARs are stated in Table 140-2. The FAR standards of plan districts supersede the FAR standards of this chapter.

C. Bonus FAR. In the EX zone, bonus FAR is allowed as follows. Sites in the other employment and industrial zones are not eligible to use the bonus options. Adjustments to this Subsection, or to the maximum floor area allowed through the following bonuses, are prohibited:

1. Mandatory inclusionary housing. Bonus FAR is allowed up to the maximum FAR with inclusionary housing bonus stated in Table 140-2 for development that triggers the requirements of 33.245, Inclusionary Housing. The amount of bonus floor area allowed is an amount equal to the net building area of the building that triggers 33.245, up to the maximum FAR with bonus stated in Table 140-2. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met.

2. Voluntary inclusionary housing. Bonus FAR up to the maximum FAR with inclusionary housing bonus stated in Table 140-2 is allowed when one of the following is met:

   a. Bonus FAR is allowed for projects that voluntarily comply with the standards of 33.245.040 and 33.245.050. The amount of bonus floor area allowed is an amount equal to the net building area of the building that complies with 33.245.040 and .050, up to the maximum FAR with bonus stated in Table 140-2. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met. The letter is required to be submitted before a building permit can be issued for development, but is not required in order to apply for a land use review; or

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

D. Transfer of FAR from historic resources in the EX Zone. Floor area ratios may be transferred from a site zoned EX that contains a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District as follows:

1. Maximum increase in FAR. An increase in FAR on the receiving site of more than 3 to 1 is prohibited. The total increased FAR includes FAR transferred from historic resources, and additional FAR allowed at the receiving site from bonus provisions, or from other transfers.

2. Development standards. The building on the receiving site must meet the development standards of the base zone, overlay zone, and plan district except floor area ratio, which is regulated by Subsection C;

3. Receiving site. The transfer must be to a site that is:

   a. Zoned C or EX; and

   b. Within the recognized neighborhood where the Historic or Conservation Landmark or contributing resource in a Historic or Conservation District is located, or to any site within two miles of the Historic or Conservation Landmark or contributing resource in a Historic or Conservation District; and

4. The property owner executes a covenant with the City that is attached to and recorded with the deed of both the site transferring and the site receiving the density reflecting the respective increase and decrease of potential FAR. The covenants for both sites must meet the requirements of Section 33.700.060, Covenants with the City.

E. Transfer of FAR from historic resources in the EG Zones. Floor area may be transferred from a site zoned EG1 or EG2 that contains a Historic or Conservation Landmark or contributing resource in a Historic or Conservation District as follows:

1. Maximum increase in FAR. An increase in FAR on the receiving site of more than 3 to 1 is prohibited. The total increased FAR includes FAR transferred from historic resources, and additional FAR allowed at the receiving site from bonus provisions, or from other transfers.

2. Development standards. The building on the receiving site must meet the development standards of the base zone, overlay zone, and plan district except floor area ratio, which is regulated by Subsection C;

3. Receiving site. The transfer must be to a site that is:

   a. Zoned EG1 or EG2; and

   b. Within the recognized neighborhood where the Historic or Conservation Landmark or contributing resource in a Historic or Conservation District is located, or to any site within two miles of the Historic or Conservation Landmark or contributing resource in a Historic or Conservation District; and

4. The property owner executes a covenant with the City that is attached to and recorded with the deed of both the site transferring and the site receiving the density reflecting the respective increase and decrease of potential FAR. The covenants for

both sites must meet the requirements of Section 33.700.060, Covenants with the City.

33.140.210 Height

A. Purpose. The height standards work with the FAR, building setback, and building coverage standards to control the overall bulk and intensity of an area. The EG1 zone height limit is the same as the General Commercial zone because the EG1 zone often functions as a transition zone between industrial and residential or commercial zones. The EX zone height limit reflects its use in intense urban areas and the range of uses that are allowed. The other zones do not have height limits because tall buildings in these areas have traditionally not been a problem.

B. The height standard. The height limits for all structures, except detached accessory structures, are stated in Table 140-2. The height standards for detached accessory structures are stated in 33.140.270. Exceptions to the maximum height standard are stated below.

1. Projections allowed. Chimneys, flag poles, satellite receiving dishes, and other similar items attached to a building, with a width, depth, or diameter of 5 feet or less may rise 10 feet above the height limit, or 5 feet above the highest point of the roof, whichever is greater. If they are greater than 5 feet in width, depth, or diameter, they are subject to the height limit.

2. Parapets and rooftop railings may extend 4 feet above the height limit.

3. Rooftop mechanical equipment and stairwell enclosures that provide rooftop access may extend above the height limit as follows, provided that the equipment and enclosures are set back at least 15 feet from all roof edges on street facing facades:

   a. Elevator mechanical equipment may extend up to 16 feet above the height limit; and

   b. Other mechanical equipment and stairwell enclosures that cumulatively cover no more than 10 percent of the roof area may extend up to 10 feet above the height limit.

4. Antennas, utility power poles, and public safety facilities are exempt from the height limit.

5. Small wind turbines are subject to the standards of Chapter 33.299.

6. Roof mounted solar panels are not included in height calculations, and may exceed the maximum height limit if the following are met:

   a. For flat roofs or the horizontal portion of mansard roofs, they may extend up to 5 feet above the top of the highest point of the roof.

   b. For pitched, hipped, or gambrel roofs, they 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.

Table 140-2
Development Standards

Standard	**EG1**	**EG2**	**EX**	**IG1**	**IG2**	**IH**
Maximum FAR (see 33.140.205)	3 to 1	3 to 1	3 to 1	no limit	no limit	no limit
Maximum FAR with Inclusionary Housing Bonus (see 33.140.205.C)	NA	NA	5 to 1	NA	NA	NA
Maximum Height (see 33.140.210)	45 ft.	no limit	65 ft	no limit	no limit	no limit
Min. Building Setbacks Street Lot Line (see 33.140.215)	5 ft.	25 ft.	0	0	25 ft.	5 ft.
- Lot line abutting an OS, C, E, or I zoned lot	0	0	0	0	0	0
- Lot line abutting an R zoned lot	See Table 140-3	15 ft.	See Table 140-3	See Table 140-3	15 ft.	15 ft.
Max. Building Stbks (see 33.140.215) Transit Street or Pedestrian District	10 ft.	None	10 ft.	None	None	None
Maximum Building Coverage (see 33.140.220)	85% of site area	85% of site area	100% of site area	100% of site area	85% of site area	100% of site area
Min. Landscaped Area (see 140.225)	15% of site area	15% of site area	None	None	15% of site area	None
Ground Floor Window Standards apply (see 33.140.230)	No	No	Yes	No	No	No
Pedestrian Standards Apply (see 33.140.240)	Yes	Yes	Yes	No	No	No

Table 140-3
Minimum Building Setbacks and Minimum Landscape Buffer From Residential Zone Lot Lines [1]

Zone	Height of the building wall	Lots abutting a side lot line of an R zoned lot	Lots abutting a rear lot line of an R zoned lot
EG1, EX, IG1	15 ft. or less	5 ft. / 5 ft. @ L3	0 / none
	16 or more	10 ft. / 5 ft. @ L3	10 ft. / 5 ft. @ L3
EG2, IG2, IH	Any height	15 ft. / 10 ft. @ L3	15 ft. / 10 ft. @ L3

Notes:
[1] Does not apply to lot lines that abut lots in the RX zone. See 33.140.215.B.

33.140.215 Setbacks

A. Purpose. The setback standards promote different streetscapes. The EG2 and IG2 zone setbacks promote a spacious style of development. The EG1, IG1, and EX zone setbacks reflect the generally built-up character of these areas. The IH zone requires only a minimal setback to separate uses from the street. The setback standards are also intended to ensure that development will preserve light, air, and privacy for abutting residential zones. In the EG1 and EX zones, the setback requirements along transit streets and in Pedestrian Districts create an environment that is inviting to pedestrians and transit users.

B. Minimum building setbacks. The setback standards apply to all buildings and structures on the site except as specified in this section. Setbacks for exterior development are stated in 33.140.245 below, and for parking areas in Chapter 33.266.

1. Generally. The required building setbacks are stated in Table 140-2.

2. Lot line abutting R-zoned lot, except RX. Building setbacks and required landscape buffering on lot lines that abut lots in residential zones, except RX, are stated in Table 140-3. Required landscaped areas must comply with at least the L3 standard as stated in Chapter 33.248, Landscaping and Screening. Landscaping is not required where buildings abut a lot line.

3. Exceptions to the building setbacks.

   a. Setback averaging. Outside of Pedestrian Districts and along non-transit streets, the street setback from a street lot line for buildings, decks, balconies, and porches may be reduced to the average of the existing respective setbacks on abutting lots. See Chapter 33.930, Measurements, for more information.

   b. Split zoning. No setbacks are required from an internal lot line that is also a zoning line on sites with split zoning.

4. Extensions into required building setbacks.

   a. The following features of a building may extend into a required building setback up to 20 percent of the depth of the setback. However, except for building eaves, they may not project into the landscape buffer required by Paragraph B.2.

      (1) Eaves, chimneys, fireplace inserts and vents, mechanical equipment, fire escapes, water collection cisterns, and planters;

      (2) Decks, stairways, wheelchair ramps, and uncovered balconies not meeting the standard of subparagraph B.4.b.; and

      (3) Bays and bay windows extending into the setback also must meet the following requirements:

      - Each bay and bay window may be up to 12 feet long, but the total area of all bays and bay windows on a building facade cannot be more than 30 percent of the area of the facade;
      - At least 30 percent of the area of the bay which faces the property line requiring the setback must be glazing or glass block;

- Bays and bay windows must cantilever beyond the foundation of the building; and
- The bay may not include any doors.

b. The following minor features of a building are allowed to extend into required building setbacks but may not project into the landscaped buffer required by Paragraph B.2:

(1) Canopies, marquees, awnings, and similar features may fully extend into a street setback;

(2) Uncovered stairways and wheelchair ramps that lead to one entrance on the street-facing facade of a building may fully extend into a street setback;

(3) Uncovered decks, stairways, and wheelchair ramps that are no more than 2-1/2 feet above the ground may fully extend into a required building setback; and

(4) On lots that slope down from the street, vehicular and pedestrian entry bridges that are no more than 2-1/2 feet above the average sidewalk elevation may fully extend into a required building setback.

5. Detached accessory structures. For sites entirely in residential use, detached accessory structures are subject to the multi-dwelling zone standards of 33.120.280. The setback standards for detached accessory structures are stated in 33.140.270 below. Fences are addressed in 33.140.275 below.

C. Maximum building setbacks.

1. Building setbacks on a transit street or in a Pedestrian District. The maximum setback standards of this paragraph apply to buildings that are enclosed on all sides.

a. Where these standards apply. Except as provided in Subsection D. below, these setback standards apply to sites in the EG1 and EX zones.

b. Measurement.

(1) Where an existing building is being altered, the standards of this paragraph apply to the ground level, street-facing facade of the entire building. See Figures 140-1 and 140-2.

(2) Where there is more than one building on the site, the standards of this paragraph apply to the combined ground level, street-facing facades of all of the buildings on the site. See Figures 140-3 and 140-4.

(3) For buildings where all of the floor area is in residential use, the street-facing facade of an open porch that meets the following standards is included as part of the ground level, street-facing facade of the building:

- For houses, attached houses, manufactured homes and duplexes, the porch must be at least 25 square feet in area. For multi-dwelling structures, the porch must be at least 9 feet wide and 7 feet deep;
- The porch must have at least one entrance facing the street; and

- The porch must have a roof that is:
  - No more than 12 feet above the floor of the porch; and
  - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with a trellis or other open material if no more than 70 percent of the area of the material is open.

c. Standards. There are two standards. Subparagraphs C.1.d. and e. specify where each standard applies:

(1) Standard 1: At least 50 percent of the length of the ground level street-facing facade of the building must be within the maximum setback;

(2) Standard 2: 100 percent of the length of the ground level street-facing facade of the building must be within the maximum setback;

d. Outside a Pedestrian district. Where the site is not in a Pedestrian District:

(1) One transit street. Where the site is adjacent to one transit street, the standard of Standard 1 must be met on the transit street frontage;

(2) Two non-intersecting transit streets. Where the site is adjacent to two transit streets that do not intersect:

- Standard 1 must be met on the frontage of the transit street with the highest classification. If both streets have the same classification, the applicant may choose which street;
- If one of the transit streets intersects a City Walkway, Standard 1 must be met along both the transit street with the highest classification and the City Walkway;

(3) Two or more intersecting transit streets. Where the site is adjacent to two or more intersecting transit streets, Standard 2 must be met on the frontage of the transit street with the highest classification and Standard 1 must be met on an intersecting transit street. If two streets have the same highest classification, the applicant may choose which street.

e. In a Pedestrian District. Where the site is in a Pedestrian District:

(1) One street. Where the site is adjacent to only one street, Standard 1 must be met on that street frontage;

(2) Through lot with one transit street. Where the site is a through lot and one frontage is a transit street and one is a non-transit street, Standard 1 must be met on the frontage of the transit street;

(3) Through lot with two transit streets. Where the site is a through lot and both frontages are on transit streets, Standard 1 must be met on the frontage of the transit street with the highest classification. If both streets have the same classification, the applicant may choose which street;

(4) Through lot with no transit streets. Where the site is a through lot and neither frontage is on a transit street, Standard 1 must be met on one of the frontages. The applicant may choose on which street to meet the standard;

(5) One transit street and one intersecting non-transit street. Where the site is adjacent to a transit street and an intersecting non-transit street, the following standards must be met:
- Standard 2 must be met on the frontage of the transit street,
- Standard 1 must be met on the intersecting non-transit street;

(6) Two or more intersecting transit streets. Where the site is adjacent to two or more intersecting transit streets, the following standards must be met on the frontage of the transit street with the highest classification and any intersecting transit street:
- Standard 2 must be met on the frontage of the transit street with the highest classification. If both transit streets have the same classification, the applicant may choose which street; and
- Standard 1 must be met on an intersecting transit street;

(7) Three or more frontages, two non-intersecting transit streets. Where the site has three or more frontages, and two or them are transit streets that do not intersect, the following standards must be met on the frontage of the transit street with the highest classification and one intersecting street:
- Standard 2 must be met on the frontage of the transit street with the highest classification. If both transit streets have the same classification, the applicant may choose which street; and
- Standard 1 must be met on an intersecting street;

(8) Two or more frontages, no transit streets, two or more intersecting streets. Where the site has two or more frontages, none of them are transit streets, and two or more of the streets intersect, the following standards must be met on the frontage of one street and one intersecting street:
- Standard 2 must be met on the frontage of one street; and
- Standard 1 must be met on an intersecting street.

2. Exemption. The maximum building setbacks do not apply to primary structures under 500 square feet in floor area, or to detached accessory structures. The street-facing facades of detached accessory structures do not count towards meeting maximum setback standards. See Figure 140-3.

Figure 140-1
Alteration to Existing Building in Conformance with Maximum Setback Standard

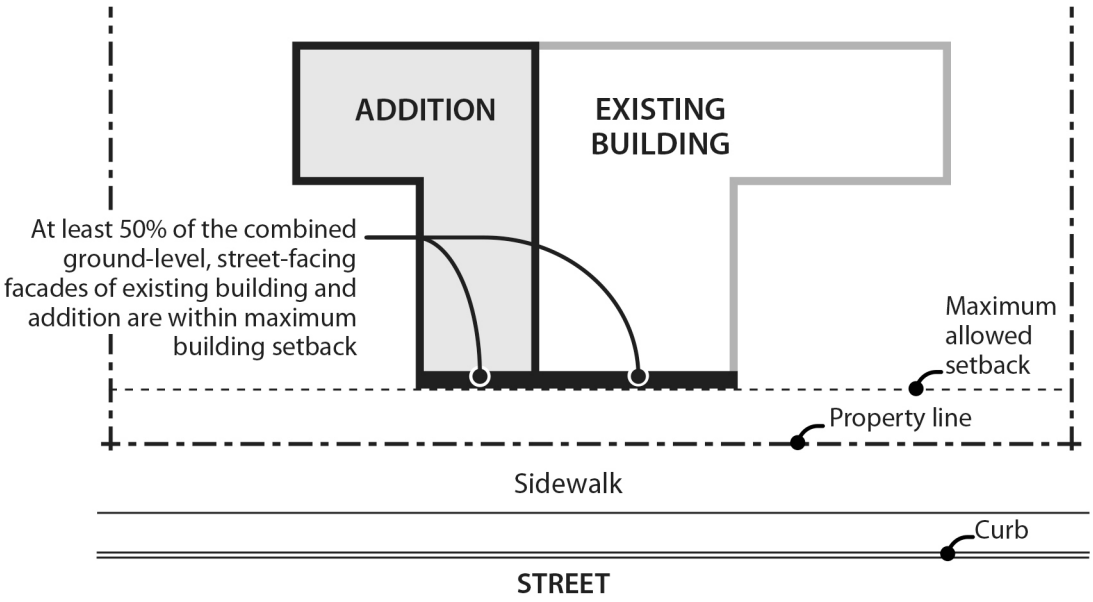
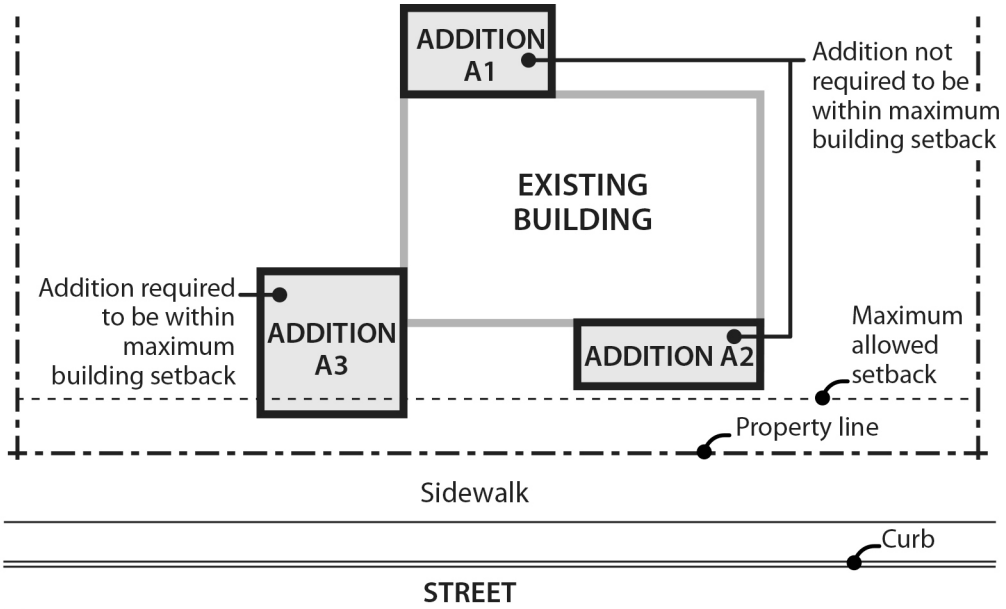


Figure 140-2
Alterations to Existing Building



Notes:

Addition A1. Not subject to maximum setback standard because addition has no street-facing facade.

Addition A2. Brings building closer to conformance with maximum setback standard because it does not increase the length of the street-facing facade, and it brings building closer to maximum building setback line.

Addition A3. Because addition increases length of street facing facade, 100% of addition facade must be within maximum setback until maximum setback standard for entire building is met.

Figure 140-3
Calculating Maximum Building Setback When More Than One Building On Site

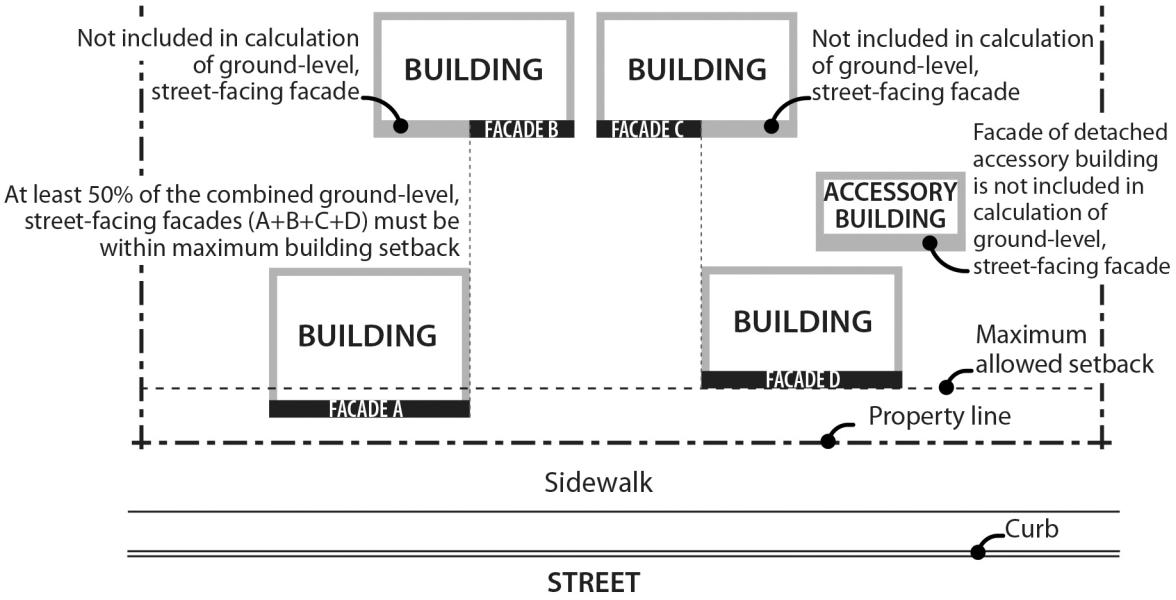
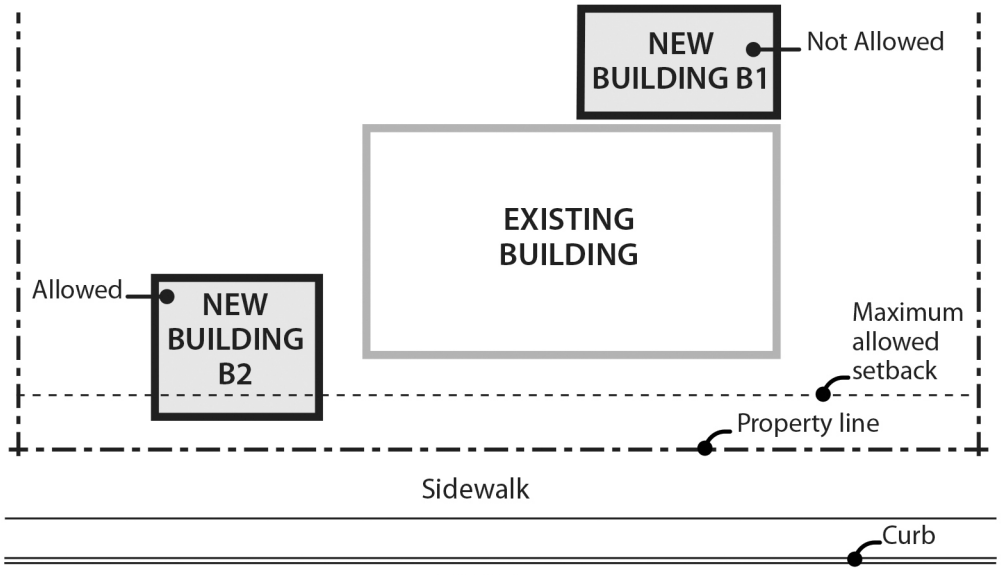


Figure 140-4
New Buildings on Sites with Buildings That Do Not Meet the Maximum Building Setback



Notes:
New Building B1. Not allowed because it moves site further out of conformance with maximum setback standard.
New Building B2. Because building increases length of combined street-facing facade on the site, 100% of building facade must be within maximum setback until maximum setback standard for site is met.

D. Alternative maximum setback option for large retailers.

1. Purpose. The intent of these regulations is to allow deeper street setbacks for very large retail stores locating along transit streets or in Pedestrian Districts in exchange

for a pedestrian and transit-friendly main street type of development. These large retail sites can still be transit-supportive and pedestrian-friendly by placing smaller commercial buildings close to the street and by creating an internal circulation system that is similar to streets to separate the parking area into blocks. The intent is to encourage development that will, over time, form a pedestrian-friendly main street along the perimeter of the parking blocks and provide connectivity within the site and to adjacent streets and uses.

2. Regulation. Sites with a building having at least 100,000 square feet of floor area in Retail Sales And Service uses are exempt from the maximum setback requirement of Table 140-2 and the vehicle area frontage limitations of 33.266.130.C.3 if all of the requirements of this paragraph are met. For sites with frontage on more than one transit street or more than one street in a Pedestrian District, this exemption may be used only along one transit street frontage or frontage along a street in a Pedestrian District.

   a. Other buildings on the site have ground level walls within the maximum setback for at least 25 percent of the frontage on a transit street or street in a Pedestrian District. These buildings must be constructed before or at the same time as the large retail store;

   b. Internal circulation system. An internal circulation system that meets the following standards must be provided.

      (1) Internal accessways that are similar to streets must divide the site into parking areas that are no greater than 55,000 square feet;

      (2) These accessways must connect to the transit street, or street in a Pedestrian District, at least every 250 feet;

      (3) Each internal accessway must have at least one auto travel lane, curbs, and unobstructed sidewalks on both sides. One of the following must be met:
         - The sidewalks must be at least 10 feet wide and planted with trees a maximum of 30 feet on center. Trees must be planted in the center of unpaved tree wells at least 18 square feet, with a minimum dimension of 3 feet. The unpaved area may be covered with a tree grate. Tree wells must be adjacent to the curb, and must be located so there is at least 6 feet of unobstructed sidewalk; or
         - The sidewalks must be at least 6 feet wide. There must be a planting strip at least 4 feet wide. The planting strip must be between the curb and the sidewalk, and be landscaped to at least the L1 standard except that trees cannot be grouped.

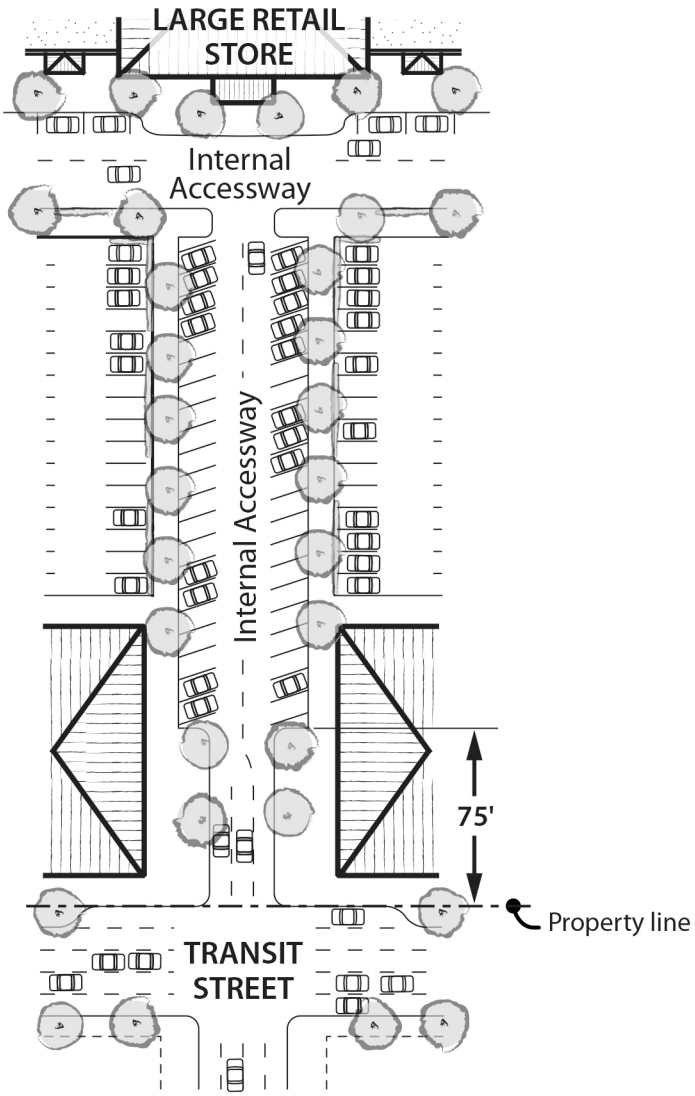
      (4) Along each internal accessway that intersects a transit street, parking must be provided between both sidewalks and the auto travel lanes except for within 75 feet of the transit street intersection, measured from the street lot line, where parking is not allowed;

      (5) Curb extensions that are at least the full depth of the parking must be provided, as shown in Figure 140-5, at the intersections of internal accessways that have parking; and

(6) The internal accessways are excluded from the portion of the parking and loading area used to calculate required interior landscaping.

c. Connections between sites. This standard applies to all commercial, office, or institutional development that is adjacent to sites either developed for commercial, office, or institutional use, or zoned C, E, or I. The system must connect the buildings on the site to these adjacent sites.

Figure 140-5
Internal Circulation System



33.140.220 Building Coverage

A. Purpose. The building coverage standards work with the FAR, height, and setback standards to control the overall bulk of structures. The standards assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent development or be inconsistent with the desired character of the zone. In the EG1, EG2,

and IG2 zones, the standards work to assure that buildings will not dominate areas they are in. There is no limit to building coverage in the EX and IG1 zones because of the existing built-up character of the zones. There is no limit in the IH zone because the zone is designed to provide development flexibility.

B. The building coverage standards. The maximum building coverage for a site is stated in Table 140-2. The building coverage limits apply to all buildings and covered structures.

33.140.225 Landscaped Areas

A. Purpose. Landscaping is required to help soften the effects of built and paved areas. Landscaping also helps cool the air temperature, intercept rainfall and reduce stormwater runoff by providing non-paved permeable surface. Landscaping can also provide food for people and habitat for birds and other wildlife. Landscaping is required for all employment and industrially zoned lands abutting R-zoned lands to provide buffering and promote the livability of the residential lands.

B. Minimum landscaped area standard. The required amounts of landscaped areas are stated in Table 140-2. Required landscaped areas must be at ground level and comply with at least the L1 standard as stated in Chapter 33.248, Landscaping and Screening. However, up to one-third of the required landscaped area may be improved for active or passive recreational use, or for use by pedestrians. Examples include walkways, play areas, plazas, picnic areas, and unenclosed recreational facilities. Any required landscaping, such as for required setbacks or parking lots, applies towards the landscaped area standard.

33.140.227 Trees

Requirements for street trees and for on-site tree preservation, protection, and overall tree density are in Title 11, Trees. See Chapter 11.50, Trees in Development Situations.

33.140.230 Windows in the EX Zone

A. Windows in street-facing facades.

1. Purpose. In the EX zone, this standard:
   - Ensures that there is a visual connection between activities occurring within a structure and the street;
   - Enhances public safety by allowing people to survey their neighborhood from inside a structure; and
   - Provides a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.
2. Where this standard applies. This standard applies to street-facing facades of buildings in the EX zone. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing facade.
3. Windows in street-facing facades. At least 15 percent of the area of each facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this

standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard a door must be at the main entrance and face the street lot line. For structures subject to ground floor window requirements, windows used to meet ground floor window requirements may also be used to meet this standard.

4. Exemption. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.

B. Ground floor windows.

1. Purpose. In the EX zone, 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, or allowing public art at the ground level;
- Encourage continuity of retail and service uses;
- Encourage surveillance opportunities by restricting fortress-like facades at street level; and
- Avoid a monotonous pedestrian environment.

2. Required amounts of window area**.** In the EX zone, all exterior walls on the ground level that are 20 feet or closer to a street lot line, sidewalk, plaza, or other public open space or right-of-way must have windows. The windows must be at least 50 percent of the length and 25 percent of the ground level wall area. For the purposes of this standard, ground level wall areas include all exterior wall areas from 2 feet to 10 feet above the finished grade. The requirement does not apply to the walls of residential units, and does not apply to the walls of parking structures when set back at least 5 feet and landscaped to at least the L2 standard.

3. Qualifying window features. Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows set into the wall. Display cases attached to the outside wall do not qualify. The bottom of the windows must be no more than 4 feet above the adjacent exterior grade.

4. Exceptions for Public Arts. Outside of the Central City plan district, public art is allowed instead of meeting the ground floor window provision. Covenants for the public art will be required, following the regulations of Section 33.700.060, Covenants with the City, to ensure the installation, preservation, maintenance, and replacement of the public art. To qualify for this exception, documentation of approval by the City Arts Program or its designee must be provided prior to approval of the building permit.

33.140.235 Screening

A. Purpose. The screening standards address specific unsightly features which detract from the appearance of an area.

B. Garbage and recycling collection areas. In all zones except the IH zone, exterior garbage cans, garbage collection areas, and recycling collection areas must be screened from the

street and any adjacent properties. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening.

C. Mechanical equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators, must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment. Mechanical equipment placed on roofs must be screened in one of the following ways, if the equipment is within 50 feet of an R zone:

1. A parapet along facades facing the R zone that is as tall as the tallest part of the equipment;
2. A screen around the equipment that is as tall as the tallest part of the equipment; or
3. The equipment is set back from roof edges facing the R zone 3 feet for each foot of height of the equipment.

D. Other screening requirements. The screening requirements for parking, exterior storage, and exterior display areas are stated with the regulations for those types of development.

33.140.240 Pedestrian Standards

A. Purpose. The pedestrian standards encourage a safe, attractive, and usable pedestrian circulation system in developments in the employment zones. They ensure a direct pedestrian connection between abutting streets and buildings on the site, and between buildings and other activities within the site. In addition, they provide for connections between adjacent sites, where feasible.

B. The standards. The standards of this section apply to all development in the EG1, EG2, and EX zones except houses, attached houses, and duplexes. An on-site pedestrian circulation system must be provided. The system must meet all standards of this subsection.

1. Connections. The on-site pedestrian circulation system must provide connections as specified below:
   a. Connection between streets and entrances.
      (1) Sites with one street frontage.

Generally. There must be a connection between one main entrance of each building on the site and the adjacent street. The connection may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less.

- Household Living. Sites where all of the floor area is in Household Living uses are only required to provide a connection to one main entrance on the site. The connection may not be more than 20 feet longer or 120 percent of the straight line distance, whichever is less.
- Tree preservation. If a tree that is at least 12 inches in diameter is proposed for preservation, and the location of the tree or its root protection zone would prevent the standard of this paragraph from

being met, the connection may be up to 200 percent of the straight line distance.

(2) Sites with more than one street frontage. Where the site has more than one street frontage, the following must be met:

- The standard of B.1.a(1) must be met to connect the main entrance of each building on the site to the closest sidewalk or roadway if there are no sidewalks. Sites where all of the floor area is in Household Living uses are only required to provide a connection meeting the standard of B.1.a(1) to one main entrance on the site;
- An additional connection, which does not have to be a straight line connection, is required between each of the other streets and a pedestrian entrance. However, if at least 50 percent of a street facing facade is within 10 feet of the street, no connection is required to that street.

b. Internal connections. The system must connect all main entrances on the site, and provide connections to other areas of the site, such as parking areas, bicycle parking, recreational areas, common outdoor areas, and any pedestrian amenities.

2. Materials.

a. The circulation system must be hard-surfaced, and be at least 6 feet wide.

b. Where the system crosses driveways, parking areas, and loading areas, the system must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement. Elevation changes and speed bumps must be at least 4 inches high.

c. Where the system is parallel and adjacent to an auto travel lane, the system must be a raised path or be separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised path is used it must be at least 4 inches high and the ends of the raised portions must be equipped with curb ramps. Bollard spacing must be no further apart than 5 feet on center.

3. Lighting. The on-site pedestrian circulation system must be lighted to a level where the system can be used at night by the employees, residents, and customers.

4. EG1 and EX zones. The land between a building and a street lot line must be landscaped to at least the L1 level and/or hard-surfaced for use by pedestrians. This area may be counted towards any minimum landscaped area requirements. Vehicle areas and exterior display, storage, and work activities, if allowed, are exempt from this standard. Bicycle parking may be located in the area between a building and a street lot line when the area is hard-surfaced.

33.140.242 Transit Street Main Entrance

A. Purpose. Locating the main entrance to a use on a transit street provides convenient pedestrian access between the use and public sidewalks and transit facilities, and so promotes walking and the use of transit.

B. Applicability.

1. Generally. In the EX and EG1 zones, all sites with at least one frontage on a transit street, and where any of the floor area on the site is in nonresidential uses, must meet the following standards for the nonresidential uses. If the site has frontage on more than one transit street, the standards of Subsection C, below, must be met on at least one of the transit streets;

2. Small housing types. Houses, attached houses, manufactured homes, duplexes, attached duplexes, triplexes, and fourplexes must meet the standards of subsection 33.140.265.D, Residential Main Entrance, instead of the requirements of this section.

C. Location. For the portion of buildings that conform to the maximum building setback, at least one main entrance for each nonresidential tenant space on the ground floor must meet the standards of this section. The ground floor is the lowest floor of the building that is within four feet of the adjacent transit street grade. The main entrance must:

1. Be within 25 feet of the transit street;

2. Allow pedestrians to both enter and exit the building; and

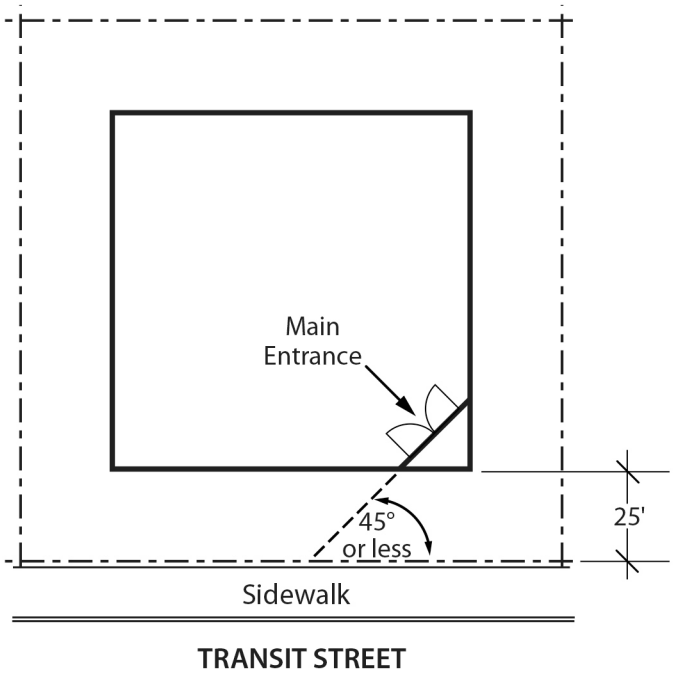
3. Either:

   a. Face the transit street; or

   b. Be at an angle of up to 45 degrees from the transit street, measured from the street property line, as shown in Figure 140-6.

D. Unlocked during regular business hours. The main entrance that meets the standards of Subsection C must be unlocked during regular business hours.

Figure 140-6
Transit Street Main Entrance



33.140.245 Exterior Display, Storage, and Work Activities

A. Purpose. The exterior development standards of this section are intended to assure that exterior display, storage, and work activities:

- Will be consistent with the desired character of the zone;
- Will not be a detriment to the overall appearance of an employment or industrial area, and exterior activities in the EG1 zone will be limited to a similar level as exterior activities in the Commercial Employment zone;
- Will not have adverse impacts on adjacent properties, especially those zoned residential; and
- Will not have an adverse impact on the environment.

B. Exterior display.

1. Employment zones. Exterior display of goods is allowed as follows. The setback and landscaping standards for exterior display areas are stated in Table 140-4:

   a. Exterior display of goods is allowed in the EG1 zone except for uses in the Industrial categories. Exterior display of goods is not allowed for uses in the Industrial categories in the EG1 zone.

   b. Exterior display of goods is allowed in the EG2 zone.

   c. Exterior display of goods is allowed in the EX zone except for the display of motor vehicles, recreational vehicles, motor vehicle parts and supplies, building materials, and goods associated with an industrial use.

2. Industrial zones. Exterior display of goods is allowed in the I zones. The setback and landscaping standards for exterior display areas are stated in Table 140-4.

C. Exterior storage.

1. Employment zones. Exterior storage is allowed in the EG1 zones but is limited to 20 percent of the site area for all uses except lumber yards and other building material stores. Exterior storage is allowed in the EG2 zones. Exterior storage is not allowed in the EX zones. The setback and landscaping standards for exterior storage areas are stated in Table 140-4.

2. Industrial zones. Exterior storage is allowed in the I zones. The setback and landscaping standards for exterior storage areas area stated in Table 140-4.

D. Exterior work activities. Exterior work activities are allowed in the industrial zones but not the employment zones. The setback and landscaping standards for exterior activity areas are stated in Table 140-4.

E. Other exterior activities. Outdoor eating areas are allowed as an exterior activity in the employment and industrial zones.

F. Paving. All exterior development areas in the EG1, EX, and IG1 zones must be paved.

Table 140-4 Exterior Development Setbacks and Landscaping [1]				
	EG1, IG1	EG2, IG2	EX	IH
Exterior Display				
Abutting a street	5 ft. / L1	10 ft. / L1	0	5 ft. / L1
Abutting a C, E, I, CI or IR zone lot	0	0	0	0
Abutting an R or OS zone lot	5 ft. / L3	10 ft. / L3	5 ft. / L3	10 ft. / L3
Exterior Storage				
Abutting a street [2, 3]	5 ft. / L3, or 5 ft./ F2 + L2	25 ft. / L3, or 25 ft. / F2 + L2	Not Allowed	5 ft. / L3, or 5 ft./ F2 + L2
Abutting a C, E, I, CI or IR zone lot	0 / F1	0 / F1	Not Allowed	0
Abutting an R or OS zone lot	5 ft. / L4, or 10 ft. / L3	10 ft. / L4, or 25 ft. / L3	Not Allowed	10 ft. / L4, or 25 ft. / L3
Exterior Work Activities				
Abutting a street [2, 3]	Not allowed in EG1; 5 ft. / L3, or 5 ft./ F2 + L2 in IG1	Not allowed in EG2; 25 ft. / L3, or 25 ft. / F2 + L2 in IG2	Not Allowed	5 ft. / L3, or 5 ft./ F2 + L2
Abutting a C, E, I, CI or IR zone lot	Not allowed in EG1; 0 / F1 in IG1	Not allowed in EG2; 0 / F1 in IG2	Not Allowed	0
Abutting an R zone lot	Not allowed in EG1; 5 ft. / L4, or 10 ft. / L3 in IG1	Not allowed in EG2; 25 ft. / L3 or 25 ft. / F2 + L2 in IG2	Not Allowed	25 ft. / L3

Notes:
[1] The development standards first state the required setback, then the required landscaping standard.
[2] If parking areas are placed between exterior storage areas and the street, an F2 screen only is required on the edge of the storage area.
[3] When the F2 + L2 option is used, the fence must be placed along the interior side of the landscaped area.

33.140.250 Trucks and Equipment

The regulations for truck and equipment parking apply to business vehicles that are parked regularly at a site. The regulations do not apply to pick-up and delivery activities, or to the use of vehicles during construction, or other service at the site which occurs on an intermittent and short-term basis. The truck categories are defined in Chapter 33.910.

A. Light and medium trucks. The parking of light and medium trucks and similar equipment is allowed in areas that meet the perimeter development standards for parking areas. The areas must be paved.

B. Heavy trucks. The parking of heavy trucks and similar equipment is allowed in zones that allow exterior storage. The development standards for exterior storage must be met in the area where the heavy trucks and similar equipment are parked.

33.140.255 Drive-Through Facilities

Drive-through facilities are allowed in the zones which are intended for auto- accommodating development. They are not consistent with or supportive of areas where the desired character is pedestrian-oriented development. The standards for drive-through facilities are stated in Chapter 33.224, Drive-Through Facilities.

A. EG and I zones. Drive-through facilities are allowed in the EG and I zones.

B. EX zone. Drive-through facilities are prohibited in the EX zone.

33.140.265 Residential Development

When allowed, residential development is subject to the following development standards:

A. Generally. Except as specified in this section, base zone development standards continue to apply;

B. Existing buildings. Residential uses in existing buildings have no density limit within the building;

C. New development. Residential uses in new development are subject to the development standards of the EX zone, except as specified in this section;

D. Residential main entrance.

1. Purpose. The main entrance standards serve several purposes:

   - The main entrance standards, together with the window and garage standards ensure that there is a physical and visual connection between the living area of the residence and the street;
   - They enhance public safety for residents and visitors and provide opportunities for community interaction;
   - They ensure that the pedestrian entrance is visible or clearly identifiable from the street by its orientation or articulation; and
   - They ensure that pedestrians can easily find the main entrance, and so establish how to enter the residence.
   - Ensure a connection to the public realm for development on lots fronting both private and public streets by making the pedestrian entrance visible or clearly identifiable from the public street.

2. Where these standards apply.

   a. The standards of this subsection apply to houses, attached houses, manufactured homes, duplexes, attached duplexes, triplexes, and fourplexes in the employment and industrial zones.

b. Where a proposal is for an alteration or addition to existing development, the standards of this section apply only to the portion being altered or added.

c. On sites with frontage on both a private street and a public street, the standards apply to the site frontage on the public street. On all other sites with more than one street frontage, the applicant may choose on which frontage to meet the standards.

d. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.

3. Location. At least one main entrance for each strucutre must:

a. Be within 8 feet of the longest street-facing wall of the structure; and

b. Either:

(1) Face the street. See Figure 140-7;

(2) Be at an angle of up to 45 degrees from the street; or

(3) Open onto a porch. See Figure 140-8. The porch must:

- Be at least 25 square feet in area;
- Have at least one entrance facing the street; and
- Have a roof that is:
  - No more than 12 feet above the floor of the porch; and
  - At least 30 percent solid. This standard may be met by having 30 percent of the porch area covered with a solid roof, or by having the entire area covered with lattice or other open material if no more than 70 percent of the area of the material is open.

4. Duplexes on corner lots. Where a duplex is on a corner lot, the requirements of Paragraph C.3, above, must be met for both dwelling units. Both main entrances may face the same street.

E. Street-facing facades.

1. Purpose. The standard:

- Together with the main entrance and garage standards, ensures that there is a visual connection between the living area of the residence and the street;
- Enhances public safety by allowing people to survey their neighborhood from inside their residences; and
- Provides a more pleasant pedestrian environment by preventing large expanses of blank facades along streets.

2. Where this standard applies. The standard of this subsection applies to houses, attached houses, manufactured homes, duplexes, attached duplexes, triplexes, and fourplexes in the Employment and Industrial zones. Where a proposal is for an alteration or addition to existing development, the applicant may choose to apply the standard either to the portion being altered or added, or to the entire street-facing

facade. Development on flag lots or on lots that slope up or down from the street with an average slope of 20 percent or more are exempt from this standard.

3. The standard. At least 15 percent of the area of each facade that faces a street lot line must be windows or main entrance doors. Windows used to meet this standard must allow views from the building to the street. Glass block does not meet this standard. Windows in garage doors do not count toward meeting this standard, but windows in garage walls do count toward meeting this standard. To count toward meeting this standard, a door must be at the main entrance and facing a street lot line.

Figure 140-7
Main Entrance Facing the Street

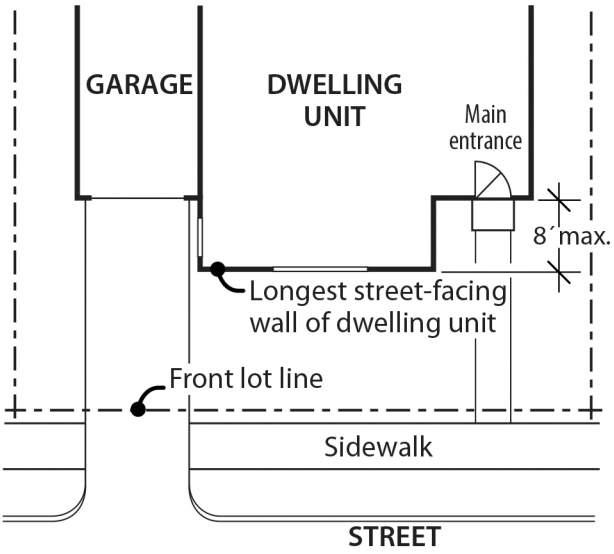
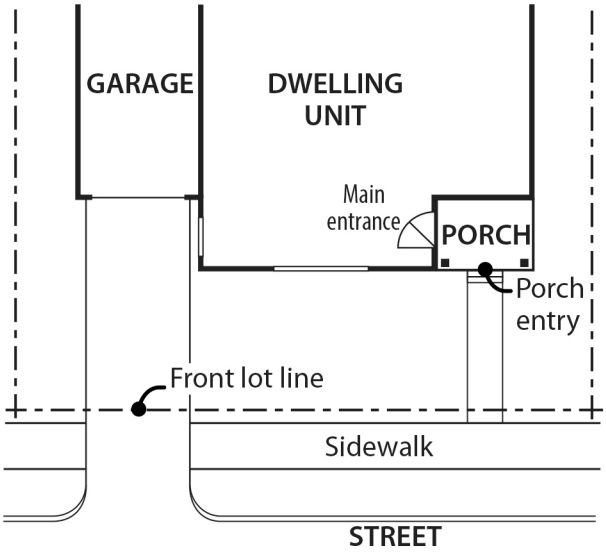


Figure 140-8
Main Entrance Opening Onto a Porch



F. Garages.

1. Purpose. These standards:

   - Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
   - Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
   - Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
   - Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
   - Enhance public safety by preventing garages from blocking views of the street from inside the residence.

2. Where these standards apply. The requirements of Paragraphs F.3 and F.4, below, apply to houses, attached houses, manufactured homes, duplexes, attached duplexes, triplexes, and fourplexes. When a proposal is for an alteration or addition to existing development, the standards of this section apply only to the portion being altered or added. Development on flag lots or on lots which slope up or down from the street with an average slope of 20 percent or more are exempt from these standards.

3. Length of street-facing garage wall. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building facade. See Figure 140-9. For attached houses and attached duplexes, the standard applies to the combined length of the street-facing facades of the attached units.

4. Street lot line setbacks.

   a. Generally. A garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit. See Figure 140-11.

   b. Exception. A street-facing garage wall may be up to 6 feet in front of the longest street-facing wall of the dwelling unit, if:

      (1) The street-facing garage wall is 40 percent or less of the length of the building facade; and

      (2) There is a porch at the main entrance. The garage wall may not be closer to the street lot line than the front of the porch. See Figure 140-12. The porch must meet the following:

         - The porch must be at least 48 square feet in area and have minimum dimensions of 6 feet by 6 feet;
         - The porch must have a solid roof; and
         - The roof may not be more than 12 feet above the floor of the porch.

c. Exemption. Where a lot has more than one street lot line, and there is an existing dwelling unit on the lot, this standard must be met only on the street-facing facade on which the main entrance is located.

33.140.270 Detached Accessory Structures

A. Purpose. These standards are intended to maintain separation and privacy to abutting residential lots from nonresidential development.

B. General standards.

1. The regulations of this section apply to detached accessory structures on sites with non-residential uses. For sites where all of the floor area is in residential use, detached accessory structures are subject to the standards of Section 33.120.280. Detached garages that are accessory to residential development are also subject to the standards of 33.140.265, Residential Development.

2. Unless stated in this section, the height and building coverage standards of the base zone apply to detached accessory structures.

C. Setbacks.

1. Uncovered accessory structures. Uncovered accessory structures, such as flag poles, lamp posts, signs, antennas and dishes, mechanical equipment, uncovered decks, play structures, and tennis courts, are allowed in a street setback, but not in a required setback from an abutting residential zone.

2. Covered structures.

   a. Covered structures, such as storage buildings, greenhouses, work shed, covered decks, and covered recreational structures, are subject to the setbacks for buildings.

   b. Water cisterns that are 6 feet or less in height are allowed in side and rear setbacks, including setbacks abutting a residential zone.

   c. See Section 33.140.265, Residential Development, for additional requirements for garages that are accessory to residential development.

Figure 140-9
Length of Street-Facing Garage Wall

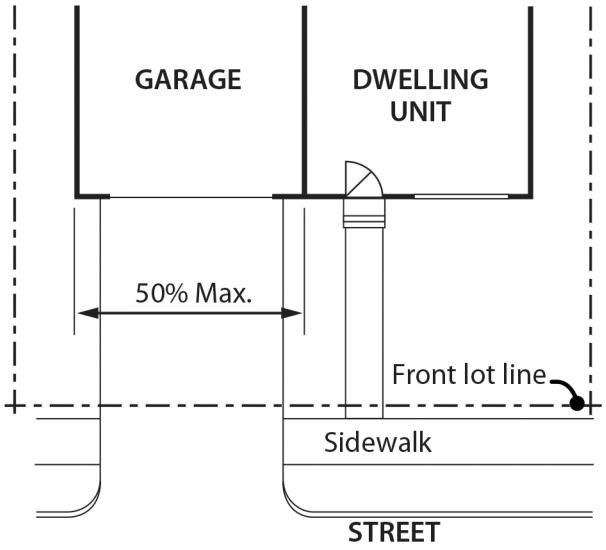


Figure 140-10
Length of Street-Facing Garage Wall Exception

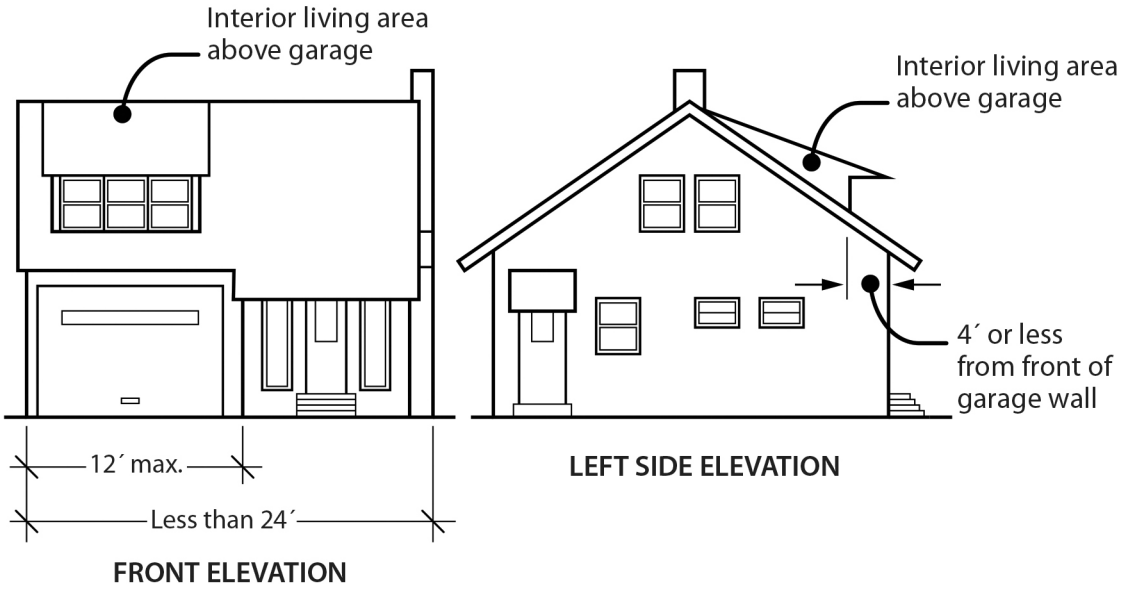


Figure 140-11
Street Lot Line Setback

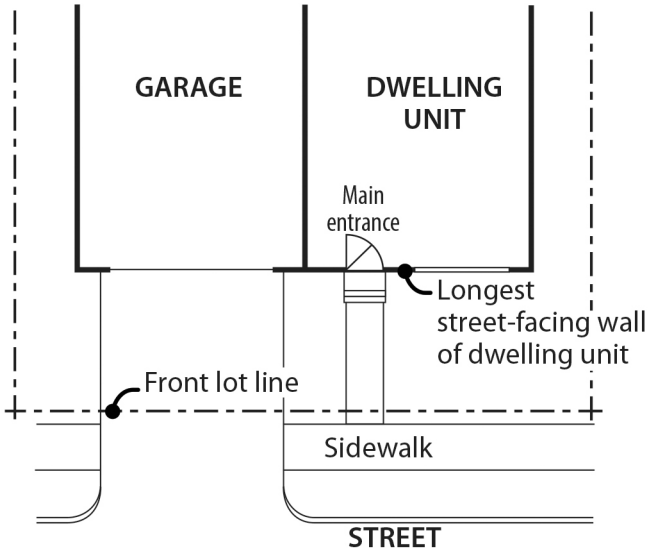
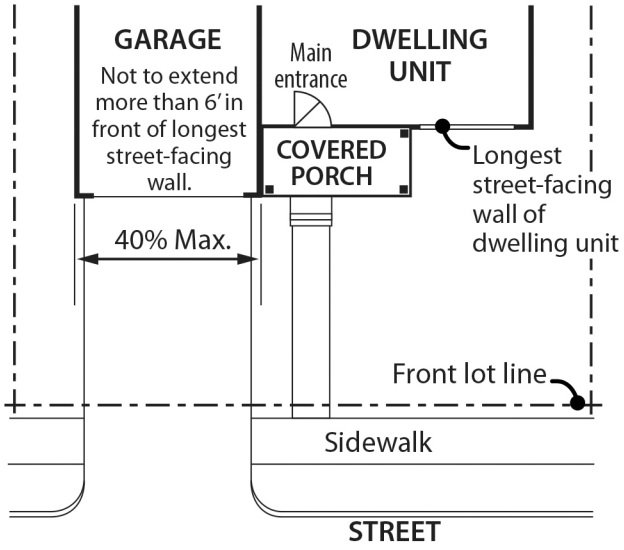


Figure 140-12
Garage Front Setback Exception



33.140.275 Fences

A. Purpose. The fence regulations promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

B. Types of fences. The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location and heights.

1. Fences along street lot lines, including pedestrian connections.

   a. EG1, IG1 and IH zones. In EG1, IG1, and IH zones, fences up to 3-1/2 feet high are allowed in a required street building setback, including setbacks from pedestrian connections.

   b. EG2, EX and IG2 zones. In EG2, EX and IG2 zones, within 10 feet of a street lot line, fences that meet the following standards are allowed:

      (1) Fences that are more than 50 percent sight-obscuring may be up to 3-1/2 feet high;

      (2) Fences that are 50 percent or less sight-obscuring may be up to 8 feet high.

   c. EG2 and IG2 zones. In EG2 and IG2 zones, fences that are more than 50 percent sight-obscuring may be up to 8 feet high within the street building setback if they are more than 10 feet from the lot line.

2. Fences along other lot lines. Fences up to 8 feet high are allowed in required building setbacks along all other lot lines.

3. Fences in all other locations. The height for fences in locations other than described in Paragraphs C.1 and 2 is the same as the regular height limits of the zone.

D. Reference to other regulations. Electrified fences are regulated under Title 26, Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations.

33.140.280 Demolitions

A. Generally. Demolition on a site that requires a demolition permit is subject to the tree preservation and protection requirements of Title 11, Trees. See Chapter 11.50, Trees in Development Situations.

B. Historic resources. Demolitions of historic resources is regulated by Chapter 33.445, Historic Resource Overlay Zone.

33.140.290 Nonconforming Development

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

33.140.295 Parking and Loading

The regulations for vehicle parking, bicycle parking, loading, and transportation and parking demand management are stated in Chapter 33.266, Parking, Loading, and Transportation and Parking Demand Management.

33.140.300 Signs

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

33.140.310 Superblock Requirements
Developments in the EX zone which are on land that includes vacated rights-of-way may be subject to the superblock standards of Chapter 33.293, Superblocks.

33.140.315 Recycling Areas
Requirements for recycling areas are regulated by the Bureau of Planning and Sustainability. See Section 17.102.270, Businesses and Multifamily Complexes Required to Recycle, of the Portland City Code.

33.140.320 Inclusionary Housing
The standards pertaining to inclusionary housing are stated in Chapter 33.245, Inclusionary Housing.

(Amended by: Ord. No. 165376, effective 5/29/92; Ord. No. 165594, effective 7/8/92; Ord. No. 166920, effective 10/1/93; Ord. No. 167186, effective 12/31/93; Ord. No. 167189, effective 1/14/94; Ord. No. 169535, effective 1/8/96; Ord. No. 169987, effective 7/1/96; Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 171718, effective 11/29/97; Ord. No. 173259, effective 5/14/99; Ord. No. 173593, effective 9/3/99; Ord. No. 173729, effective 9/8/99; Ord. No. 174263, effective 4/15/00; Ord. No. 174980, effective 11/20/00; Ord. No. 175204, effective 3/1/01; Ord. No. 175837, effective 9/7/01; Ord. No. 175966, effective 10/26/01; Ord. Nos. 175965 and 176333, effective 7/1/02; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. No. 177404, effective 7/1/03; Ord. No. 178172, effective 3/5/04; Ord. No. 178509, effective 7/16/04; Ord. No. 178832, effective 10/21/04; Ord. Nos. 179980 and 179994, effective 4/22/06; Ord. No. 180619, effective 12/22/06; Ord. No. 181357, effective 11/9/07; Ord. No. 182429, effective 1/16/09; Ord. No. 183598, effective 4/24/10; Ord. No. 184524, effective 7/1/11; Ord. No. 185412, effective 6/13/12; Ord. No. 185915, effective 5/1/13; Ord. No. 185974, effective 5/10/13; Ord. No. 186639, effective 7/11/14; Ord. No. 186053, effective 1/1/15; Ord. No. 187216, effective 7/24/15; Ord. No. 187471, effective 1/1/16; Ord. No. 188077, effective 12/9/16; Ord. No. 188142, effective 1/13/17; Ord. No 188162, effective 2/1/17; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189000, effective 7/9/18; Ord. No. 189488, effective 12/2/19; Ord. No. 189807, effective 12/18/19; Ord. No. 189805, effective 3/1/20; Ord. No. 190023, effective 8/10/20; Ord. No. 190380, effective 4/30/21 and 8/1/21; Ord. No. 190687, effective 3/1/22; Ord. No. 190978, effective 8/31/22; Ord. No. 191079, effective 3/31/23; Ord. No. 191310, effective 6/30/23; Ord. No. 191609, effective 3/1/24; Ord. No. 191779, effective 10/1/24; Ord. No. 191961, effective 3/1/25.)