

## 33.270 Planned Development

# 270

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### 33.270.010 Purpose

The Planned Development regulations provide an opportunity for innovative and creative development. Planned Development provides a master planning mechanism for allowing additional housing types and uses, the transfer of density and floor area to different portions of a site, and across internal zoning boundaries, and bonus floor area and increased height on large sites in commercial/mixed use zones. In this case, the flexibility is allowed when the development includes features that provide public benefits.

These regulations allow flexibility, and in some cases increased intensity of development, beyond that allowed by other chapters of this Title, if the proposed development is well-designed and can be successfully integrated into the neighborhood and provides public benefits. Overall, a Planned Development is intended to promote:

- High quality design that is integrated into the broader urban fabric, and complements existing character within the site and adjacent to the site;
- Development that is pedestrian-oriented, with a strong orientation towards transit and multimodal transportation alternatives;
- Building bulk, height, and orientation that ensures that light and air is accessible within the public realm, and that public view corridors are protected;
- A safe and vibrant public realm, with buildings and uses that are oriented to activate key public gathering spaces, be they public open space, transit stations, or the Willamette River;
- Open space areas that include gathering spaces and passive and/or active recreation opportunities;
- Affordable housing; and
- Energy efficient development.

### 33.270.020 Relationship to Other Regulations

- A. Flexibility.** Approval of a Planned Development allows certain kinds of flexibility for development in residential zones and commercial/mixed use zones. Some of the flexibility allowed by Planned Developments may also be allowed under other provisions of this Title. Where such situations exist, the applicant may choose which provision to apply.

**B. Density and FAR.** Adjustments to density and FAR regulations are prohibited.

1. Density

a. Maximum dwelling unit density.

(1) RF. In the RF zone, maximum density is expressed as a number of lots. Maximum density for the RF zone is specified in 33.610.100. Maximum density can be met in the Planned Development by providing the same number of dwelling units.

(2) R20 through R5. In the R20 through R5 zones, maximum density is calculated as follows:

- If the Planned Development is in the Constrained Sites Overlay or does not qualify to use the triplex or fourplex provisions of 33.110.265.E, maximum density is calculated as follows:

Maximum number of lots allowed as specified for maximum density B in 33.610.100 for;

x 2

= Maximum number of dwelling units allowed.

- For all other Planned Developments, maximum density is calculated as follows:

Maximum number of lots allowed as specified for maximum density B in 33.610.100 for;

x 4

= Maximum number of dwelling units allowed.

(3) R2.5. In R2.5 maximum density is calculated as follows:

- If the Planned Development is in the Constrained Sites Overlay or does not qualify to use the triplex or fourplex provisions of 33.110.265.E, maximum density is calculated as follows:

Maximum number of lots allowed as specified for maximum density B in 33.610.100

x 2

= Maximum number of dwelling units allowed.

- For all other Planned Developments, maximum density is calculated as follows:

Maximum number of lots allowed as specified for maximum density B in 33.611.100;

x 4

= Maximum number of dwelling units allowed.

b. Minimum density. Minimum density must be met in the Planned Development. Minimum density for single-dwelling zones is expressed as a number of lots. Minimum density can be met in a Planned Development by providing the same number of dwelling units. Minimum density for single-dwelling zones is stated in

33.610.100 and 33.611.100. Minimum density for all other zones is stated in the base zone chapters.

2. FAR

a. Maximum FAR

- (1) R20 through R2.5. The maximum FAR in the R20 through R2.5 zones is specified in 33.110.210.
- (2) Multi-dwelling zones. The maximum FAR in the multi-dwelling zones is specified in 33.120.210.
- (3) Commercial/mixed use zones. The maximum FAR in the commercial/mixed use zones is specified in 33.130.205.

b. Minimum FAR. Where the base zone requires a minimum FAR, the standard must be met in a Planned Development

- C. Land Divisions.** A Planned Development may be the only land use review requested for a site, or may be part of a proposal for a Land Division. Certain site conditions or aspects of a proposal require a Land Division, including situations where a tract is required (such as when there is floodway on the site), or where rights-of-way are requested or required. Maximum dwelling unit density in a Planned Development does not equate to maximum lot density in a Land Division.

**33.270.100 Additional Allowed Uses and Development**

In addition to the housing types and uses allowed by other chapters of this Title, the following uses and development may be requested through Planned Development Review. More than one of these elements may be requested:

- A. Attached houses.** Attached houses may be requested in the RF through R5 zones;
- B. Duplexes.** Duplexes may be requested in the RF through R2.5 zones;
- C. Attached duplexes.** Attached duplexes may be requested in the RF through R2.5 zones;
- D. Triplexes.** Triplexes may be requested in the RF through R2.5 zones;
- E. Fourplexes.** Fourplexes may be requested in the RF through R2.5 zones;
- F. Multi-dwelling structures.** Multi-dwelling structures may be requested in the RF through R2.5 zones;
- G. Multi-dwelling development.** Proposals to allow multi-dwelling development on a lot may be requested in RF through R2.5 zones;
- H. Modification of site-related development standards.** Modification of site-related development standards that are not prohibited from being adjusted may be requested through a Planned Development.
- I. Alternative residential dimensions.** Proposals for lots that do not meet the minimum lot dimension regulations for land divisions may be requested in the RF through RM4 zones.

- J. Commercial uses.** Commercial uses that are allowed in the CM1 zone may be requested in the RF through RM2 zones;
- K. Additional height and FAR.** For sites in the CM2, CM3, CE, and CX zones outside of the Central City and Gateway plan districts that are greater than 2 acres in size, additional height and FAR may be requested through a Planned Development as specified in 33.130.212.E, Planned Development Bonus, and Table 130-3;
- L. New dwelling units.** New dwelling units may be requested on lots that are zoned multi-dwelling and are less than 90 feet wide;
- M. Transfer of development within a site.** Transfer of development rights across zoning lines within the site may be proposed as follows:
1. RF through R2.5 zones. If the site is located in more than one zone, and all the zones are RF through R2.5, the total number of units allowed on the site is calculated by adding up the number of units allowed by each zone. The dwelling units may be placed without regard to zone boundaries. In addition, if all the zones are R7 through R2.5, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.
  2. RM1 through RX zones. If the site is located in more than one zone, and the zones are RM1 through RX, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.
  3. C, E, I, CI, and IR zones. If the site is located in more than one zone, and all the zones are C, E, I, CI, and IR zones, the total amount of floor area allowed on the site is calculated by adding up the amount of floor area allowed by each zone. The floor area may be placed without regard to zone boundaries.
  4. All zones. If the site is located in more than one zone, and at least one of the zones is RF through R2.5, and at least one of the zones is RM1 through RX, C, or EX, then the total number of dwelling units allowed on the site is calculated as follows:
    - a. The number of units allowed on the RF through R2.5 portion of the site is calculated in terms of dwelling units;
    - b. The number of units allowed on the other portion of the site is calculated in terms of floor area; The floor area calculation is converted to dwelling units at the rate of 1 dwelling unit per 1,000 square feet of floor area;
    - c. The two dwelling unit numbers are added together, and may be placed without regard to zone boundaries.
- N. Transfer of development between sites.** Sites that are eligible to transfer development rights to another site are designated in other chapters of this Title. Where such transfers require a Planned Development, both the sending and receiving sites must be part of a Planned Development.

### **33.270.110 Limitations on Residential Uses and Development**

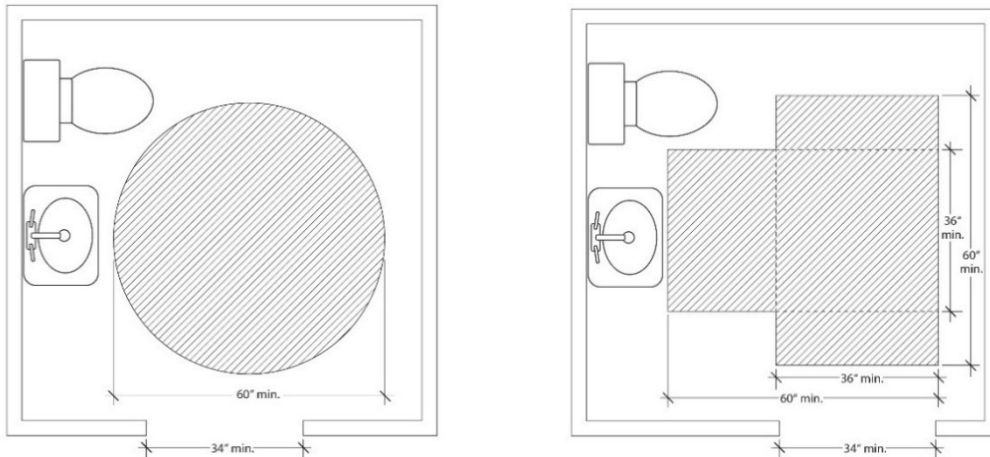
The following limitations apply to Planned Developments proposed in EG or I Zones:

- A. Industrial zones.** Residential uses and development are prohibited in industrial zones. Using floor area transferred from industrial zones for residential uses is prohibited in all zones.
- B. EG1 and EG2 zones.** Residential uses and development are prohibited in EG1 and EG2 zones. Using floor area transferred from EG1 or EG2 zones for residential uses is prohibited in all zones.

### **33.270.200 Additional requirements for Planned Developments in the R20 through R5 Zones**

- A. Where this standard applies.** In the R20 through R5 zones, unless exempted by Subsection C., the standards of this section apply when the total number of proposed dwelling units is at least 75 percent of the maximum number of dwelling units allowed through the Planned Development,
- B. Visitability.** At least 33 percent of the dwelling units on the Planned Development site must meet the following standards:
  - 1. **Visitable entrance.** At least one entrance must be accessible via a route that does not have any stairs between it and the street lot line or an on-site parking space. The slope of the route may not exceed 1:8.
  - 2. **Visitable bathroom.** At least one bathroom with a sink and toilet must be designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. See Figure 270-1. The visitable bathroom must be on the same floor as the visitable entrance or be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited;
  - 3. **Visitable living area.** There must be at least 200 square feet of living area on the same floor as the visitable entrance or 200 square feet of living area must be accessible from the visitable entrance via a ramp, elevator or lift. Adjustments are prohibited; and
  - 4. **Visitable doors.** All door openings between and including the visitable entrance, visitable living area, and the visitable bathroom must be at least 34 inches wide. Adjustments are prohibited.
- C. Exemptions.** The following are exempt from the standards of Subsection B:
  - 1. Sites with an average slope of 20 percent or greater
  - 2. Sites where fewer than 3 units are proposed.
  - 3. Sites with a concurrent land division where no multi-dwelling development or multi dwelling structures are proposed. For these sites, the visitability standards are applied to each lot according to 33.110.265.E.3. at the time of development.

**Figure 270-1**  
**Visitable Bathroom Clearances**



**33.270.210 Additional Requirements for Planned Developments in the Commercial/Mixed Use Zones**

Planned Developments in the CM2, CM3, and CE zones, and in the CX zone outside the Central City and Gateway plan districts, that are using the Planned Development bonus, must meet all of the following requirements:

- A. Affordable housing.** The applicant must provide a letter from the Portland Housing Bureau certifying that the requirements of Paragraph 33.130.212.C.1. or C.2. have been met.
- B. Plaza or park.** At least 15 percent of the total Planned Development site area must be developed as a publicly accessible plaza or park. The proposed plaza or park must meet the following standards:
  1. The plaza or park must be:
    - a. Located outside on the site;
    - b. Located adjacent to a public street; and
    - c. Open and accessible to the public from 7am to 9pm. The property owner must record an easement for the plaza or park that provides for unrestricted public access from 7am to 9pm;
  2. The plaza must have a minimum dimension of 50 feet by 50 feet;
  3. Open space used to meet required residential outdoor area standards cannot be used to meet this requirement;
  4. Building walls abutting the plaza or park must meet the ground floor window standard in 33.130.230.B.2.a, and there must be at least one building entrance facing the plaza or park; and
  5. The property owner must execute a covenant with the City ensuring the preservation, maintenance, and continued operation of the plaza or park. The covenant must comply with the requirements of Section 33.700.060.

- C. Energy efficient buildings.** All buildings, except for accessory structures, within the Planned Development site, must meet the energy efficiency requirements of the Bureau of Planning and Sustainability.
- D. Design Review.** All development within the Planned Development site must be approved through design review or meet the design standards in 33.420.050 as follows. Development associated with a plaza or park required by Subsection B must go through design review and is not eligible to use the design standards:
1. The Design overlay zone design standards provide an alternative process to design review for some proposals. Proposals that are within the maximum limits stated in Table 270-1 are allowed to use the objective standards of Section 33.420.050. The applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, if more flexibility than provided by the standards is desired.

	<b>Maximum Limit</b>
<b>New Floor Area</b>	20,000 sq. ft. of floor area
<b>Exterior Alterations</b>	<ul style="list-style-type: none"><li>• For street facing facades less than 3,000 square feet, alterations affecting less than 1,500 square feet of the façade.</li><li>• For street facing facades 3,000 square feet and larger, alterations affecting less than 50% of the facade area.</li></ul>

Notes: [1] There are no maximum limits for proposals where any of the floor area is in residential use.

2. Proposals that are not allowed to use the Design overlay zone design standards, or do not meet the design standards, must go through the design review process.

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*(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by: Ord. No. 177422, effective 6/7/03; Ord. No. 183598, effective 4/24/10; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 189805, effective 3/1/20; Ord. No. 190093, effective 8/1/21; Ord. No. 190380, effective 8/1/21; Ord. No. 190477, effective 8/1/21; Ord. No. 190851, effective 6/30/22.)*

