

## 33.538 Kenton Plan District

# 538

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### General

#### 33.538.010 Purpose

The Kenton plan district use regulations foster a vital retail corridor along Denver Avenue. The Kenton plan district development standards ensure that the design of new buildings, and modifications to existing buildings, are compatible with the historic character of the area. These regulations also ensure a pleasant, safe and efficient environment for pedestrians along the Denver Avenue commercial corridor and near the light rail station. Together, these regulations:

- Enhance the commercial character along Denver Avenue by restricting industrial uses;
- Discourage auto-oriented uses and development; and
- Encourage retail uses in the historic storefront buildings along Denver Avenue.

#### 33.538.020 Where These Regulations Apply

The regulations of this chapter apply in the Kenton plan district. The boundaries of the plan district are shown on Map 538-1 at the end of this chapter, and on the Official Zoning Maps.

## Use Regulations

### 33.538.100 Prohibited Uses

The following uses are prohibited:

- A. Wholesale Sales; and
- B. Vehicle Repair.

### 33.538.110 Limited Uses

- A. Individual Manufacturing and Production uses are limited to 3,000 square feet of net building area; and
- B. Retail vehicle sales or leasing is limited to 3,000 square feet of net building area per site. Retail vehicle sales or leasing where the net building area is more than 3,000 square feet is prohibited.

## Development Standards

### 33.538.200 Drive-Through Facilities

Drive-through facilities are prohibited.

### 33.538.210 Maximum Building Height

Maximum building heights are shown on Map 538-2.

### 33.538.220 Floor Area Ratios

- A. **Purpose.** The minimum floor area ratio requirements ensure a level of development along Denver Avenue that is compatible with the existing buildings. The maximum floor area ratio requirements, which allow higher FARs, encourage increased intensity near the light rail station.
- B. **Minimum and maximum FAR.** Minimum and maximum floor area ratios are shown on Map 538-3. The minimums and maximums apply to new development and additions of floor area to the site.
- C. **FAR bonus.** The following FAR bonus options apply to sites that have a maximum FAR shown on Map 538-3. The regulations of this Subsection do not apply where Map 538-3 does not show a maximum FAR; on those sites, the base zone FAR regulations, including bonus regulations, apply. Adjustments to this Subsection, or to the amount of maximum floor area allowed through the bonuses in this Subsection, are prohibited:
  - 1. Maximum increase in FAR. An increase in FAR through the use of bonuses of more than 1 to 1 is prohibited.
  - 2. FAR bonus options:
    - a. Mandatory inclusionary housing bonus option. Bonus FAR is allowed for development that triggers 33.245, Inclusionary Housing. The amount of bonus floor area earned is an amount equal to the net building area of the building that triggers 33.245. 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.

- b. Voluntary inclusionary housing. Bonus FAR is allowed when one of the following voluntary bonus options is met:
  - (1) 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. 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
  - (2) Bonus FAR is allowed in exchange for payment into the Affordable Housing Fund. For each square foot purchased a fee must be paid to the Portland Housing Bureau (PHB). The Portland Housing Bureau collects and administers the Affordable Housing Fund, and PHB determines the fee per square foot and updates the fee at least every three years. The fee schedule is available from the Bureau of Development Services. To qualify for this bonus option, the applicant must provide a letter from the PHB documenting the amount that has been contributed to the AHF. The letter is required to be submitted before a building permit can be issued for the development, but it is not required in order to apply for a land use review.

### **33.538.230 Required Building Lines**

- A. Purpose.** These regulations ensure a lively and attractive pedestrian environment with buildings that are compatible with the historic storefront buildings. They ensure that ground level uses are near the sidewalk.
- B. Where these regulations apply.** These regulations apply to site frontages shown on Map 538-4. Multi-dwelling zoned sites are exempt from the regulations.
- C. Building line standards.** Exterior walls of buildings designed to meet these requirements must be at least 25 feet high. Sites where this standard applies are exempt from the maximum building setbacks of the base zone.
  1. Zero setback standard. On frontages designated for the zero setback standard on Map 538-4, buildings must extend to the street lot line for the entire lot frontage except that up to 10 feet of the length of the building may be set back up to 10 feet from the street lot line to accommodate the main entrance.
  2. Pedestrian amenities standard. On frontages designated for the pedestrian amenities standard on Map 538-4, buildings must extend to the street lot line for at least 75 percent of the lot frontage. Up to 25 percent of the building may be set back up to 10 feet from the street lot line. The space between the building and the street lot line must be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as "stopping places."

### 33.538.240 Active Building Use Areas

- A. Purpose.** These regulations work with the Required Building Line standard to ensure a lively and attractive pedestrian environment with buildings that are compatible with the existing historic storefront buildings. These regulations ensure the continuity of active ground uses which reinforce the relationship of uses within a building and the sidewalk.
- B. Where these regulations apply.** These regulations apply to new development along frontages shown on Map 538-5. Development that includes a residential use is exempt from the active building use area standards until January 1, 2029.
- C. Active building use area required.** Buildings must be designed and constructed to accommodate active uses, such as lobbies, residential, retail, commercial, or office. This standard must be met along at least 50 percent of the ground floor of walls that are at an angle of 45 degrees or less from the street lot line of a frontage shown on Map 538-5.

Areas designed to accommodate active building uses must meet the following standards:

1. The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
2. The area must be at least 25 feet deep, measured from the street-facing facade;
3. The area may be designed to accommodate a single tenant or multiple tenants;
4. The street-facing facade must include windows and doors; and
5. Parking is not allowed in the active building use areas.

### 33.538.250 Parking Access Restricted Frontages

- A. Purpose.** This regulation preserves on-street parking, while reducing the impact of automobiles. It creates a safer, more attractive environment for pedestrians. On Denver Avenue this regulation protects the existing historic pattern of no mid-block curb cuts.
- B. Parking access restricted.** Motor vehicle access to a vehicle area or structure is not allowed through a frontage shown on Map 538-6.

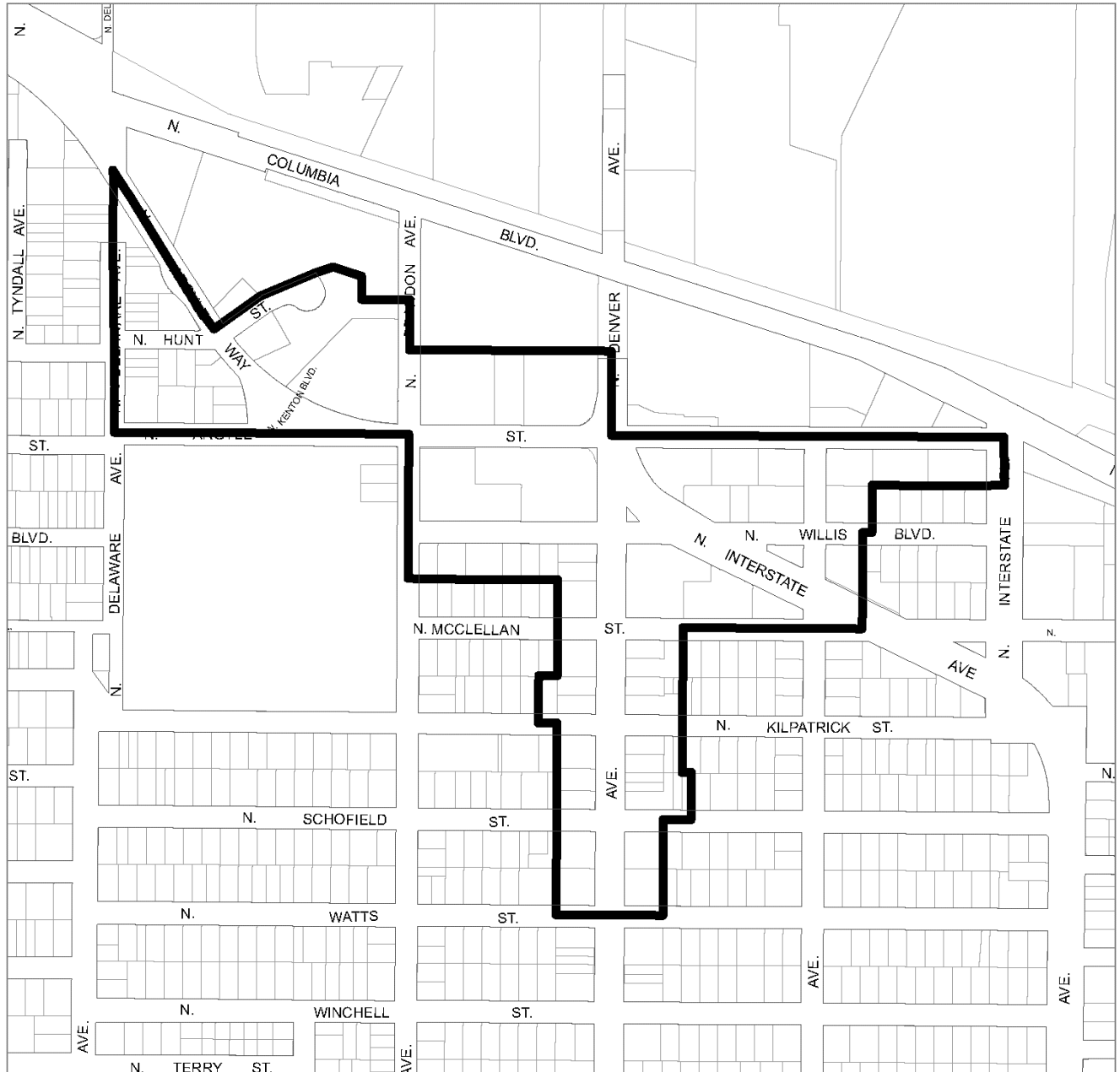
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*(Added by Ord. No. 175210, effective 1/26/01. Amended by: Ord. No. 177422, effective 6/7/03; Ord. No. 178172, effective 3/5/04; Ord. No. 182429, effective 1/16/09; Ord. No. 186639, effective 7/11/14; Ord. No. 187216, effective 7/24/15; Ord. No. 188177, effective 5/24/18; Ord. No. 188958, effective 5/24/18; Ord. No. 190477, effective 8/1/21; Ord. No. 191609, effective 3/1/24.)*

# Kenton Plan District

# Map 538-1

Map Revised July 24, 2015



Plan District Boundary



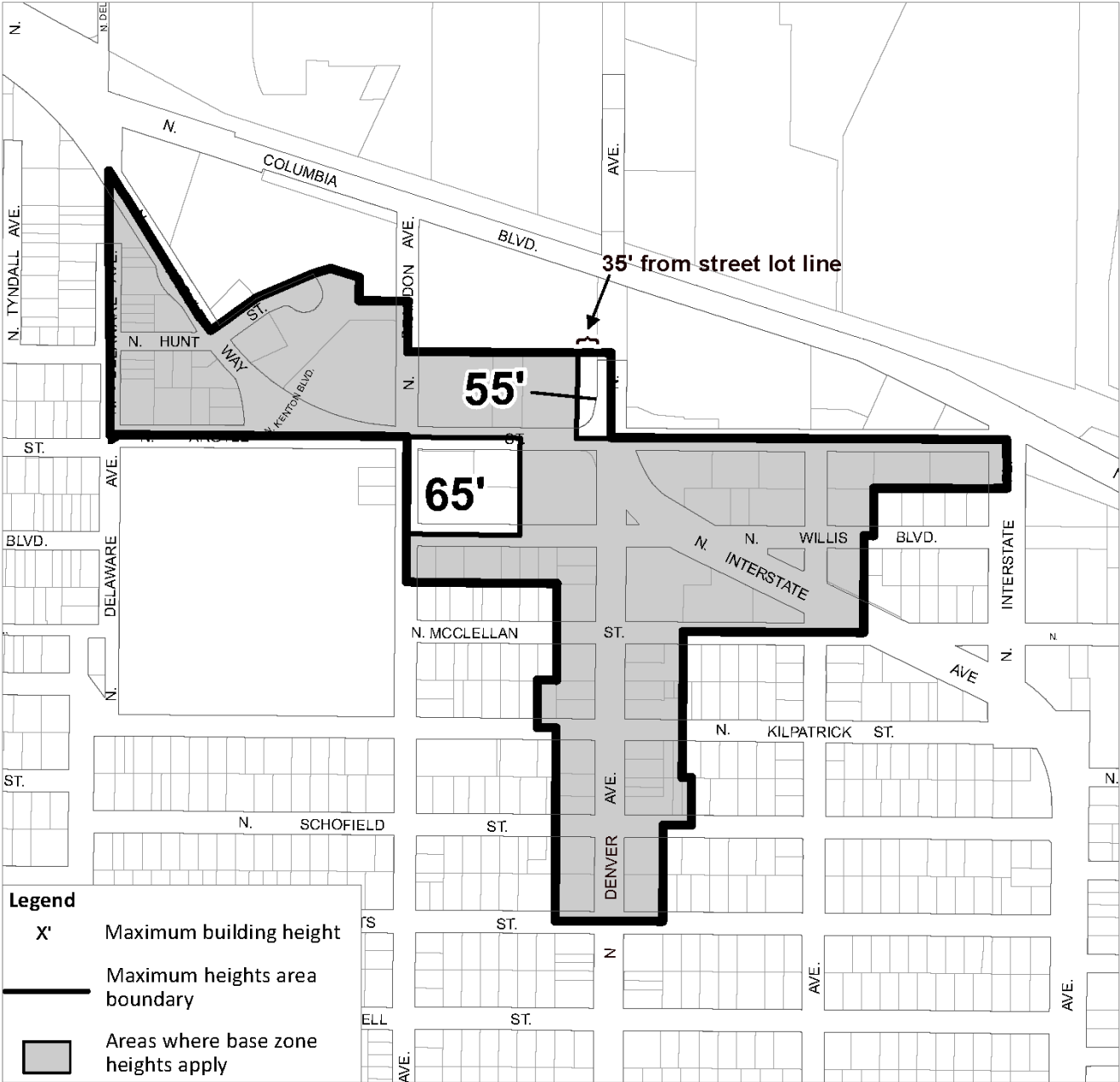
Scale in Feet

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Portland, Oregon

# Kenton Plan District Maximum Heights

# Map 538-2

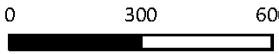
Map Revised July 24, 2015



**Legend**

- X' Maximum building height
- Maximum heights area boundary
- ▭ Areas where base zone heights apply

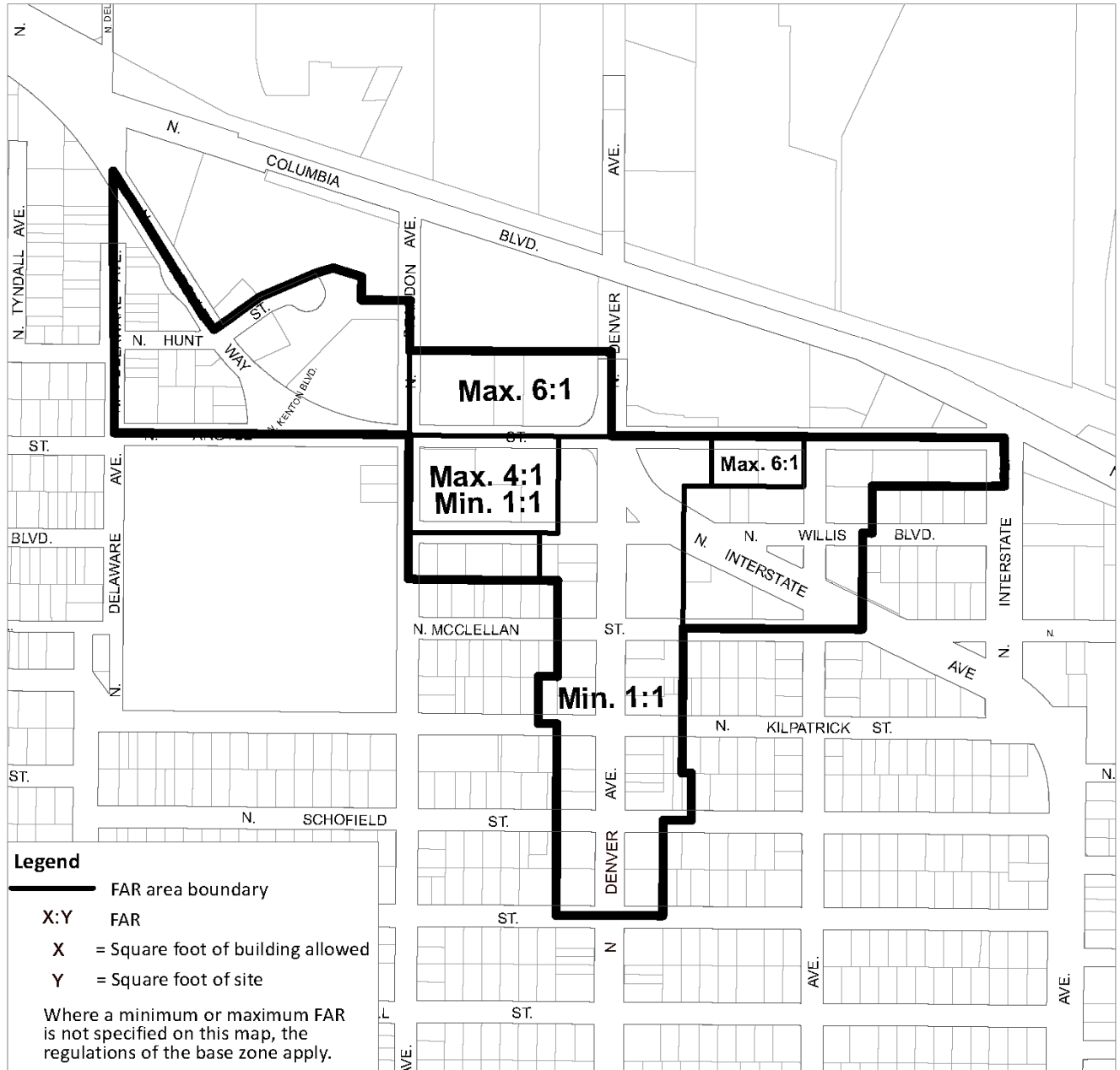
▭ Plan District Boundary

  
 NORTH  
  
 0      300      600  
 Scale in Feet  
 Bureau of Planning and Sustainability  
 Portland, Oregon

# Kenton Plan District Floor Area Ratios

# Map 538-3

Map Revised July 24, 2015



Plan District Boundary

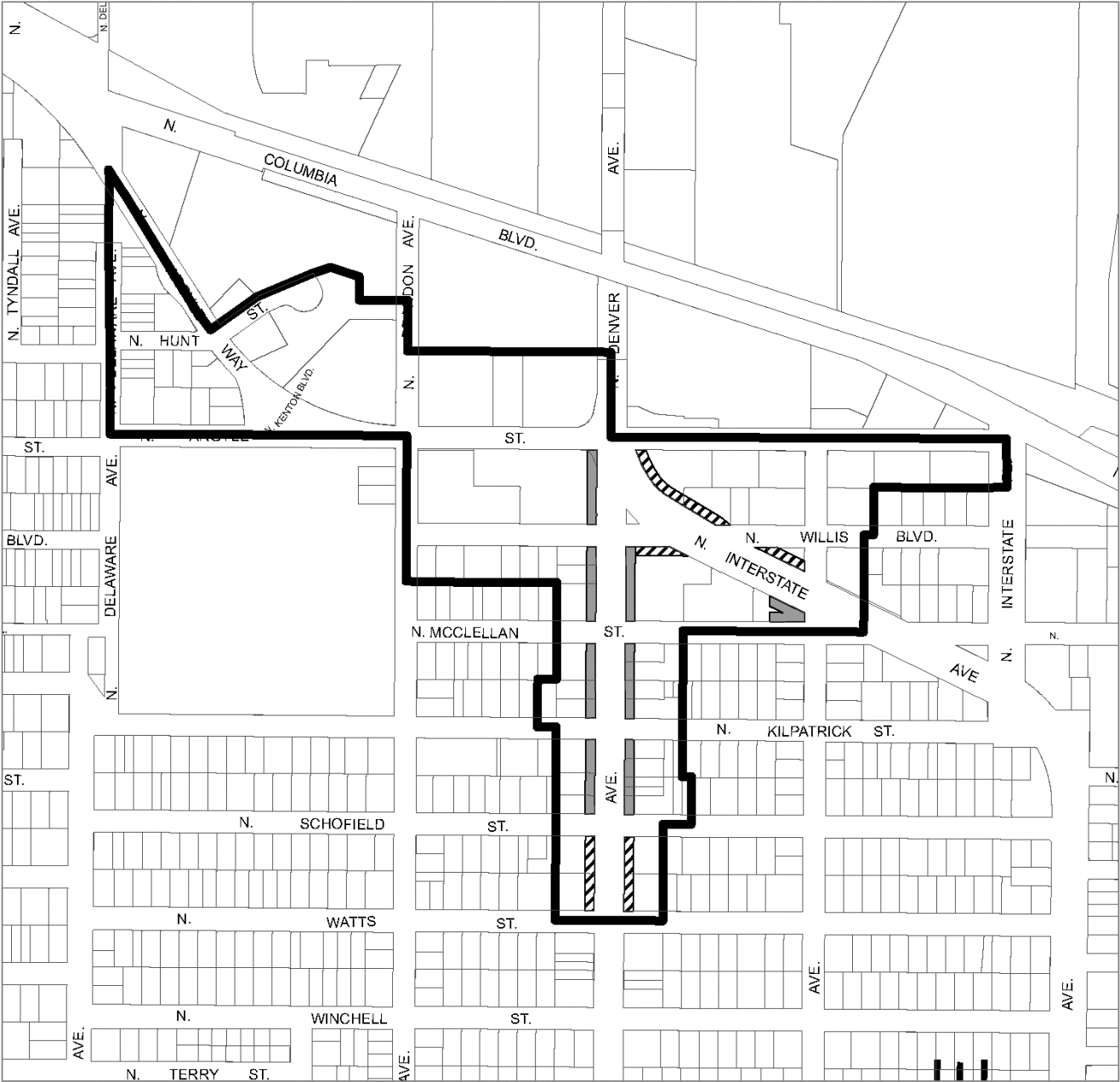





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# Kenton Plan District Required Building Lines

# Map 538-4

Map Revised July 24, 2015



-  Plan District Boundary
-  Zero setback standard
-  Pedestrian amenities standard

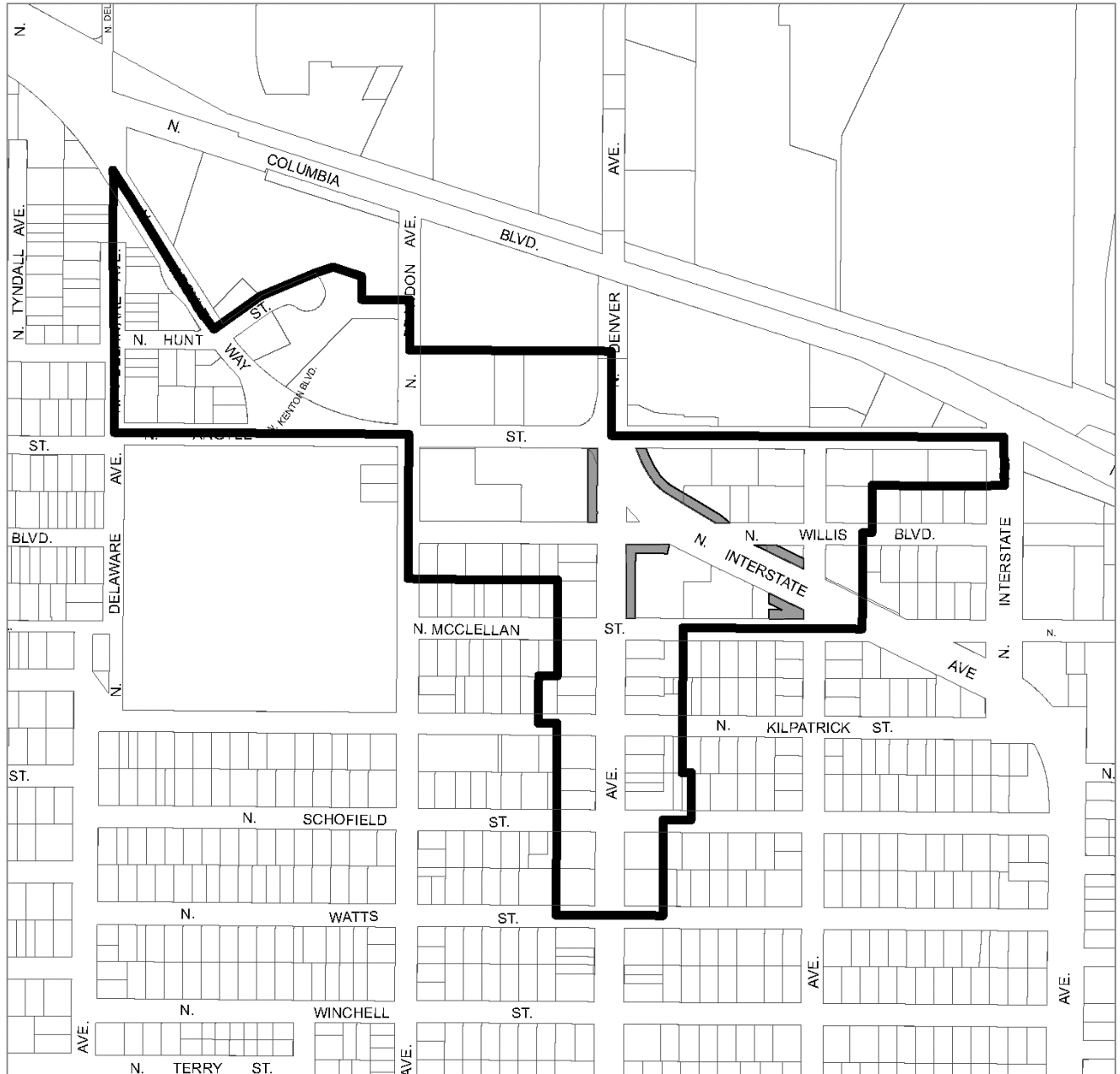
  
 NORTH  
  
 0      300      600  
 Scale in Feet  
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# Kenton Plan District Active Building Use Areas

# Map 538-5

Map Revised July 24, 2015



Plan District Boundary



Active building use



0 300 600

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