Chapter 33.597 York Plan District

597

Sections:

General

33.597.010 Purpose

The York plan district provides for a mixed-use neighborhood that includes high-density employment, residential, and commercial development. The provisions of the plan district recognize the opportunity and potential for this area to become a transit-oriented residential and commercial community while also supporting employment and industrial uses. The regulations ensure a pedestrian- and transit-oriented streetscape along the streetcar alignment and foster an improved interface with the mixed-use neighborhood to the south. The floor area and height allowances in the plan district, and other regulatory measures, promote development that provides public benefits including affordable housing and middle-wage employment opportunities.

33.597.020 Where the Regulations Apply

The regulations of this chapter apply to sites in the York plan district. The boundaries of the plan district are shown on Map 597-1 at the end of this chapter, and on the Official Zoning Maps.

Use Regulations

33.597.100 Purpose

The use regulations are intended to foster development of a transit-oriented mixed-use district. Certain uses in the Vaugh-Nicolai plan district are prohibited or limited because they conflict with the development of a transit-oriented, mixed-use district and may compromise the area's multimodal transportation system. Other uses are required to foster an active pedestrian environment near streetcar transit, and to support employment and other active nonresidential uses in the district.

33.597.110 Additional Prohibited Uses

The following uses are prohibited in Subdistricts B, C, D, E, and F:

- **A.** Vehicle Repair;
- **B.** Self-Service Storage;
- **C.** Commercial Outdoor Recreation; and
- **D.** Agriculture.

33.597.120 Retail Sales And Service Uses

Except as follows, in the EX and EG zones, Retail Sales And Service uses are limited to 20,000 square feet of net building area per individual use:

- **A.** Grocery stores are limited to 60,000 square feet of net building area per use; and
- **B.** Hotels and motels are exempt from the size limitation.

33.597.130 Required Ground Floor Active Use

In Subdistricts B, C, D, E, and F, on sites with frontage on a main street shown on Map 597-2, at least 25 percent of the ground level floor area located within 100 feet of the main street must be in one or more of the following active uses. Development that includes a residential use is exempt from this standard until January 1, 2029. Only uses allowed in the base zone may be chosen:

- **A.** Retail Sales and Service;
- **B.** Office;
- **C.** Manufacturing and Production;
- **D.** Community Service;
- **E.** Daycare;
- **F**. Religious Institutions;
- **G.** Schools;
- **H.** Colleges; and
- **I.** Medical Centers.

33.597.135 Required Nonresidential Use

A. Where this regulation applies. The nonresidential use requirement applies on sites in the EX zone. For sites that are nonconforming with this regulation, the nonconforming use and nonconforming development regulations of 33.258.050 and 33.258.070 do not apply. In this case, when development is added to a site that is nonconforming in nonresidential use, the site must be brought into conformance with the required nonresidential use regulations.

B. When this regulation applies.

1. Generally. The required nonresidential use regulations apply to new development and alterations to existing development. Lots with houses are exempt from the required nonresidential use requirement.

2. Nonconforming situations. For sites that are nonconforming with the required nonresidential use regulations, meaning the site does not have the required amount of floor area in a nonresidential use, the following apply:

   a. The nonconforming situation may continue;

   b. There may not be a net decrease in the total amount of floor area on the site in a nonresidential use;

   c. When additional floor area is added to the site the following apply:

      (1) If all of the additional floor area will be in a nonresidential use, the site can move closer to compliance with the nonresidential use requirement but is not required to come fully into compliance;

      (2) If any of the additional floor area will be in a residential use, the site must be brought into compliance with the required nonresidential use regulations of Paragraphs C.1., C.2., or C.3.

C. Adjustments. Adjustments to the regulation in the section are prohibited.

D. Required nonresidential use.

1. Subdistricts B and C.

   a. Regulation. In subdistricts B and C, at least .5 square feet of floor area must be in a non-residential use for each one square foot of site area.

   b. Exceptions.

      (1) Public benefits agreement. The nonresidential use requirement is reduced to zero when the property is subject to, and in compliance with, Section 2: Middle Wage Jobs, of the Montgomery Park Area Plan Public Benefits Agreement that was adopted by Portland City Council on November 21, 2024. To qualify for this exception the applicant must provide a letter from the Portland Bureau of Planning and Sustainability certifying that the property is subject to and in compliance with the public benefits agreement.

      (2) Affordable dwelling units. A building that contains a residential use in which 100 percent of the dwelling units in the building are affordable to those earning no more than 60 percent of the area median family income is exempt from the nonresidential use requirement, and 50 percent of the total square footage of

floor area on the ground floor of the building counts toward the total amount of nonresidential use required for the site. To qualify for this exception, the property owner must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement and any administrative requirements of the Portland Housing Bureau.

c. Transfer of nonresidential use requirement. Some or all of the required nonresidential use can be transferred from one site to another site, or can be consolidated in another building on the same site, when the following are met:

(1) Receiving site. The receiving site must be in the same subdistrict as the proposed development.

(2) The property owner must execute a covenant with the City that:
- Meets the requirements of Section 33.700.060, Covenants with the City;
- Is attached to and recorded with the deed of the site transferring and the site receiving the required nonresidential use;
- Ensures the receiving site complies with its own nonresidential use requirement, if applicable, and the transferred nonresidential use requirement; and
- Reflects the respective decrease and increase of nonresidential use requirement on each site, or when the transfer is to another building within the site, states that the consolidated nonresidential requirement will be included in the next building to be built on the site.

2. Subdistrict D.

a. Regulation. In Subdistrict D, at least .5 square feet of floor area must be in a non-residential use for each one square foot of site area.

b. Exceptions.

(1) Public benefits agreement. The nonresidential use requirement is reduced to 0.25 square feet for each one square foot of site area when the property is subject to, and is in compliance with, Section 2: Middle Wage Jobs, of the Montgomery Park Area Plan Public Benefits Agreement that was adopted by Portland City Council on November 21, 2024. To qualify for the exception the applicant must provide a letter from the Portland Bureau of Planning and Sustainability certifying that the property is subject to and in compliance with public benefits agreement.

(2) Affordable dwelling units. A building that contains a residential use in which 100 percent of the dwelling units are affordable to those earning no more than 60 percent of the area median family income is exempt from the nonresidential use requirement, and 50 percent of the total square footage of floor area on the ground floor of the building counts toward the total amount of nonresidential use required for the site. To qualify for this exception, the property owner must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement and any administrative requirements of the Portland Housing Bureau.

c. Transfer of nonresidential use requirement. Some or all of the required nonresidential use can be transferred from one site to another site, or can be consolidated in another building on the same site, when the following are met:

(1) Receiving site. The receiving site must be in the same subdistrict as the proposed development.

(2) The property owner must execute a covenant with the City that:

- Meets the requirements of Section 33.700.060, Covenants with the City;
- Is attached to and recorded with the deed of the site transferring and the site receiving the required nonresidential use;
- Ensures the receiving site complies with its own nonresidential use requirement, if applicable, and the transferred nonresidential use requirement; and
- Reflects the respective decrease and increase of nonresidential use requirement on each site, or when the transfer is to another building within the site, states that the consolidated nonresidential requirement will be included in the next building to be built on the site.

3. Subdistricts E and F.

a. Regulation. In Subdistricts E and F, at least .5 square feet of floor area must be in a non-residential use for each one square foot of site area.

b. Exceptions.

(1) Office, Industrial and Institutional uses. Each square foot of floor area in a Daycare, Community Service, Industrial Service, Wholesale Sales, Industrial Office use counts as 2 square feet toward the total required nonresidential use requirement. To qualify for this exception, the property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that the floor area will be in one of the required uses for at least 10 years.

(2) Affordable commercial space. Each square foot of floor area in an affordable commercial space counts as 2 square feet toward the total required nonresidential use requirement. To qualify for this exception:

- The applicant must submit with the development application a letter from the Portland Development Commission certifying that any program administrative requirements have been met; and
- The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that floor area built will meet the administrative requirements of the Portland Development Commission or qualified administrator.

(3) Affordable dwelling units. A building that contains a residential use in which 100 percent of the dwelling units are affordable to those earning no more than 60 percent of the area median family income, is exempt from the nonresidential use requirement, and 50 percent of the total square footage of floor area on the ground floor of the building counts toward the total amount of nonresidential use required for the site. To qualify for this exception, the property owner must

provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement and any administrative requirements of the Portland Housing Bureau.

c. Transfer of nonresidential use requirement. Some or all of the required nonresidential use can be transferred from one site to another site, or can be consolidated in another building on the same site, when the following are met:

(1) Receiving site:
- If the sending site is in Subdistrict E, the receiving site must be in Subdistrict E;
- If the sending site is in Subdistrict F, the receiving site can be in Subdistrict F or Subdistrict D.

(2) The property owner must execute a covenant with the City that:
- Meets the requirements of Section 33.700.060, Covenants with the City;
- Is attached to and recorded with the deed of the site transferring and the site receiving the required nonresidential use;
- Ensures the receiving site complies with its own nonresidential use requirement, if applicable, and the transferred nonresidential use requirement; and
- Reflects the respective decrease and increase of nonresidential use requirement on each site, or when the transfer is to another building within the site, the states that the consolidated nonresidential requirement will be included in the next building to be built on the site.

E. Exclusions. Vehicle areas, and common areas shared with a residential use, do not count toward meeting the nonresidential use requirement.

Development Standards

33.597.200 Purpose

These development standards foster a transit-supportive, mixed-use urban character with a high-quality pedestrian environment, and an emphasis on good building design. They also promote public benefits, such as affordable housing, affordable commercial space, employment, residential outdoor and other types of open areas, transportation and parking requirements, and urban green features that benefit a broad range of community members.

33.597.210 Floor Area Ratio

A. Purpose. Floor area ratios (FARs) work with the height, setback, and building coverage standards to control the overall bulk of development. The maximum FARs allowed in the York plan district work together with bonus options to support an intense development form and encourage a transit-supportive level of development along the streetcar alignment. Floor area ratios also achieve the desired affordable housing outcomes of a public benefits agreement, which include development of affordable housing in a near term timeframe or at a greater percentage of affordable units.

B. Maximum floor area ratio. The maximum floor area ratios allowed are shown in Table 597-1. Additional floor area may be allowed through bonus options, as described in Section 33.597.230, or transferred per Subsection D. Adjustments are prohibited.

C. Minimum floor area ratio. In Subdistricts C, D, E, and F, on the portion of a site within 100 feet of a streetcar alignment shown on Map 597-2, the minimum required floor area ratio is 1 to 1.

D. Transfer of floor area. Floor area may be transferred in the plan district as follows. Transfer of floor area into the plan district from sites outside of the district is prohibited:

1. Sending site. FAR may be transferred from:
   a. A site in Subdistrict F. The sending site must retain at least 1 to 1 FAR; or
   b. A site, or a portion of a site, that is provided for a publicly accessible park or open space. To qualify for this transfer, the applicant must provide a letter from Portland Parks and Recreation (PP&R) verifying that the location of the park or open space has been approved by PP&R, and that the applicant is in compliance with Section 4: Park, of the Montgomery Park Area Plan Public Benefits Agreement that was adopted by Portland City Council on November 21, 2024.
2. Receiving site.
   a. Except as specified in Subparagraph D.2.b., the receiving site of a transfer from a site in Subdistrict F can be a site in Subdistrict D.
   b. The receiving site of a transfer from a site, or portion of a site, that has been provided for a publicly accessible park or opens space in compliance with Subparagraph D.1.b, can be to a site zoned EX.
3. Maximum increase in FAR. The total FAR on the receiving site may not exceed the maximum FAR with bonuses identified on Table 597-1. This total FAR includes FAR transfers and any additional FAR allowed at the receiving site from bonus options.
4. Covenants. The owners of both the sending and receiving sites must execute a covenant with the City. The covenant must meet the requirements of 33.700.060 and must be attached to and recorded with the deed. The covenant for each site must reflect the existing floor area on each site and the respective increase and decrease of potential floor area.

33.597.220 Maximum 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 intended to accommodate more intense uses. The lower height limit in the area adjacent to NW Vaughn is intended to ensure compatibility with heights limits to the south.

B. EG zones. In the EG zones, the maximum height allowed is 65 feet. Additional height may be allowed in Subdistrict A through the bonus options described in 33.597.230. Adjustments are prohibited.

C. EX zone. In the EX zone:

1. Except as stated in Paragraph C.2., the maximum height allowed in the EX zone is the base zone maximum. Additional height may be allowed through the bonus options described in 33.597.230. Adjustments are prohibited;
2. Within subdistricts B and F, the maximum height allowed within 20 feet of NW Vaughn is 55 feet. Adjustments to this are prohibited, however modifications may be requested through design review.

33.597.230 Floor Area and Height Bonus Options

A. Purpose. The following bonus options allow additional FAR and height and promote desired benefits such as affordable housing and employment. They also provide the opportunity for additional floor area in some locations when the transportation system can accommodate additional development.

B. General floor area and height bonus options regulations.

1. More than one bonus option may be used up to the overall maximum FAR and height stated in Table 597-1.
2. Adjustments to the maximum FAR and height obtainable through bonuses are prohibited.
3. The increment of additional floor area ratio allowed per bonus is stated in Table 597-1 and described in Subsections C through F.

C. Inclusionary housing bonus. Maximum FAR and height may be increased as stated in Table 597-1 if one of the following is met:

1. Mandatory inclusionary housing. Bonus height and FAR is allowed for development that triggers 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 increment of additional FAR allowed as stated in Table 597-1. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met; or
2. Voluntary inclusionary housing. Maximum height and FAR may be increased as stated in Table 597-1, when one of the following voluntary bonus options is met:
    a. Bonus height and FAR is allowed for projects they 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 increment of additional FAR allowed as stated in Table 597-1. To qualify for this bonus, the applicant must provide a letter from the Portland Housing Bureau certifying that the regulations of 33.245 have been met. 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 height and 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. Additional affordable housing bonus. A bonus is provided when additional affordable housing is provided.

1. In Subdistricts B and D, maximum height and FAR may be increased as stated in Table 597-1 when at least 15 percent of the total number of dwelling units in the new building are affordable to those earning no more than 60 percent of the area median family income. To qualify for this bonus the applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement of this bonus and any administrative requirements of the Portland Housing Bureau. 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.
2. In Subdistricts E and F, maximum height and FAR may be increased as stated in Table 597-1 when at least 12 percent of the total number of dwelling units in the new building are affordable to those earning no more than 60 percent of the area median family income. To qualify for this bonus the applicant must provide a letter from the Portland Housing Bureau certifying that the development meets the affordability requirement of this bonus and any administrative requirements of the Portland Housing Bureau. 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.

E. Employment opportunity bonus. In subdistricts A, C, D and E, proposals that provide floor area for employment uses may increase maximum height and FAR up to the maximum stated in Table 597-1. Floor area may be increased by one square foot for every one square foot of floor area provided in one or more of the following use categories: Manufacturing and Production; Wholesale Sales; Industrial Office; Industrial Service; or any use in the Institutional category. Floor area provided to meet 33.597.135, Required Nonresidential Use, does not count toward this bonus.

F. Transportation adequacy bonus. In Subdistrict D, maximum FAR may be increased as stated in Table 597-1 when approved through Transportation Impact Review. See Chapter 33.852.

Table 597-1 Summary of Maximum and Bonus FAR and Height							
		Subdistrict A	**Subdistrict B**	**Subdistrict C**	**Subdistrict D**	**Subdistrict E**	**Subdistrict F**
Maximums							
Maximum FAR		3 to 1	3 to 1	2 to 1	2 to1	2 to 1	2 to 1
Overall Maximum FAR with bonus		5 to 1	5 to 1	3 to 1	6 to 1	5 to 1	5 to 1
Overall Maximum Height with bonus		85 ft.	65 ft.	65 ft.	85 ft.	85 ft.	75 ft.
Maximum Increment of Additional FAR and Height Per Bonus							
Inclusionary Housing (see 33.597.230.C)	FAR Height	1 to 1 20 ft.	1 to 1 none	1 to 1 none	1 to 1 20 ft.	2 to 1 20 ft.	2 to 1 10 ft.
Additional Affordable Housing (see 33.597.230.D)	FAR Height	n/a n/a	1 to 1 none	n/a n/a	1 to 1 none	1 to 1 none	1 to 1 none
Employment Opportunity (see 33.597.230.E)	FAR Height	1 to 1 20 ft.	n/a n/a	1 to 1 none	1 to 1 20 ft.	1 to 1 20 ft.	n/a n/a
Transportation Adequacy (see 33.852)	FAR Height	n/a n/a	n/a n/a	n/a n/a	1 to 1 none	n/a n/a	n/a n/a

33.597.235 Minimum Density

A. **Purpose.** The minimum density standards ensure that development capacity is not wasted and that the City's housing goals in this plan district are met.

B. **Minimum density.** The minimum density requirement is 1 unit per 500 square feet of site area. Minimum density applies to new development when at least one dwelling unit is proposed. Group Living uses are exempt from minimum density requirements.

33.597.240 Required Affordable Commercial Space

A. **Purpose.** This standard promotes an inclusive business district that provides a diversity of business opportunities at a range of affordability levels. Diverse affordability levels in turn support pathways to opportunity, innovation, and long term social and economic resilience locally and regionally.

B. **Where this standard applies.** The required affordable commercial space standard applies to sites in Subdistricts B, C, D, E, and F.

C. **Required affordable commercial space.** When new development or alterations to existing development will add more than 10,000 square feet of net building area, and at least 10,000 square feet of the new or additional net building area is in a Retail Sales And Service or Office use, a minimum of 1,000 square feet of affordable commercial space must be provided on the site. To comply with this standard, the following must be met:

1. The applicant must provide a letter from the Portland Development Commission certifying that any program administrative requirements have been met; and
2. The property owner must execute a covenant with the City that complies with the requirements of Section 33.700.060. The covenant must ensure that floor area built as

affordable commercial space will meet the administrative requirements of the Portland Development Commission or qualified administrator.

33.597.245 Residential-Employment Buffer Standards

A. Purpose. These standards provide additional buffering between zones that allow residential use and zones that do not allow residential use. The standards increase separation and soften the edges between residential and nonresidential uses. The separation is achieved by increasing setbacks, limiting motor vehicle access, and requiring additional landscaping, which also provides greening and climate benefits.

B. Where these standards apply. These standards apply to lots zoned EX that have lot lines that abut lots zoned EG1 or EG2, and on split zoned lots that are split between EX and EG1 zoning.

C. Setbacks and landscaping.

1. In Subdistricts B and D, the following setback and landscaping standards apply:
   a. On EX zoned lots that have lot lines that abut lots in Subdistrict A that are zoned EG1 or EG2, a 20 foot setback landscaped to at least the L1 standard is required along all lots lines that abut the EG1 or EG2 zones. Only the L1 medium tree standard and large tree standard may be used to meet this standard.
   b. Within the EX portion of split zoned lots that are split between EX and EG1, a 20 foot setback landscaped to at least the L1 standard is required along the zone line splitting EX and EG1. Only the L1 medium tree standard and large tree standard may be used to meet this standard.
2. In Subdistrict E, a 10 foot setback landscaped to at least the L1 standard is required along all lots lines that abut the EG1 or EG2 zones when a residential use is proposed on the lot.

D. Structures and exterior activities. Structures other than fences, parking area, exterior storage, exterior display, and exterior work activities are prohibited in the setbacks required by Subsection C.

E. Access.

1. Generally. Except as specified in Paragraphs E.2 and E.3, access through the setbacks required by Subsections C is prohibited.
2. Pedestrian and bicycle access. Pedestrian and bicycle access is allowed through the setbacks, but may not be more than 6 feet wide.
3. Vehicle access. Vehicle access is allowed through the setbacks, but individual accesses may not be more than 20 feet wide, and in total access is limited to more than 20% of the length of the setbacks.

33.597.250 Standards on Main Streets

A. Purpose. These regulations reinforce the continuity of the pedestrian-oriented environment and foster development with transit-supportive levels of activity along the main street. The standards also help to maintain a healthy urban district with architectural elements and active ground-floor uses that provide visual interest and interrelate with the pedestrian environment. The regulations also promote window areas to:

- Provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas;

- Encourage continuity of retail and service uses; and
- Encourage surveillance opportunities at street level.

B. Where these regulations apply. These regulations apply to sites in Subdistricts B, C, D, E, and F with frontage on the main street shown on Map 597-2.

C. Ground floor windows. To meet the standards, ground floor windows must be windows that allow views into work areas or lobbies, or be windows in pedestrian entrances. Windows into storage areas, vehicle parking areas, garbage and recycling areas, mechanical and utility areas and display cases attached to outside walls do not qualify. Windows into bicycle parking areas are allowed to qualify for up to 25 percent of the ground floor windows coverage requirement. The bottom of the windows of nonresidential spaces must be no more than 4 feet above the finished grade.

1. Ground level facades that are located within 100 feet of and face the main street shown on Map 597-2 must have windows that cover at least 60 percent of the ground level wall area. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade. Until January 1, 2029, the standard for development that includes a residential use is 40 percent of the ground level wall area.
2. All other ground level facades that face a street lot line, sidewalk, plaza, or other publicly accessible open area or right-of-way must have windows that cover at least 40 percent of the ground level wall area. For street facing facades of dwelling units the regulations of 33.130.230.B.4 apply. For the purposes of this standard, ground level wall area includes all exterior wall area from 2 feet to 10 feet above the finished grade.
3. Optional artwork. Projects proposing to use artwork as an alternative to the ground floor window requirements may apply for this through the adjustment procedure. Projects may also apply for a modification through design review if they meet the following qualifications. Buildings having more than 50 percent of their ground level space in storage, parking, or loading areas, or in uses which by their nature are not conducive to windows (such as theaters), may be allowed to use the design review process. Artwork and displays relating to activities occurring within the building are encouraged. In these instances, the artwork will be allowed if it is found to be consistent with the purpose for the ground floor window standard.

D. Ground floor active use standard. In order to accommodate active uses such as residential, retail, or office, the ground floor of buildings must be designed and constructed as follows. 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 the main street shown on Map 597-2. Development that includes a residential use is exempt from the ground floor active use standard until January 1, 2029:

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

1. The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;
2. The area must be at least 25 feet deep, measured from the street-facing façade;
3. At least 25 percent of the area of the street-facing façade of the portion of the building designed to meet the requirements of this subsection must be windows and doors; and
4. Parking is not allowed in the areas designed to meet the standards of this subsection.

33.597.255 Standards near the Streetcar Alignment

A. **Purpose.** These regulations reinforce the continuity of the pedestrian-oriented environment and limit the visual impact of parking facilities along a streetcar alignment.

B. **Location of parking.** The following parking location standards apply in the EX zone within 200 feet of the streetcar alignment shown on Map 597-2:

1. Surface parking is not allowed;
2. Structured parking is allowed only when one of the following is met:
   a. The finished ceiling is entirely underground;
   b. The lowest floor of the parking area is 9 feet or more above grade; or
   c. The parking area is at least 25 feet from the street-facing façade on main street frontages.

C. **Motor vehicle access.** Motor vehicle access to a vehicle area or structure is not allowed from the streetcar alignment shown on Map 597-2 except when the site has no other street frontage.

33.597.260 Urban Green Features

A. **Purpose.** Green elements integrated into the urban environment help to soften the effects of built and paved areas, cool the air temperature, intercept rainfall and reduce stormwater runoff by providing unpaved permeable surface. They may also provide opportunities to grow food and provide habitat for birds and other wildlife. A range of urban green options are provided to address this area's more urban development patterns and characteristics.

B. **Where these options apply.** The standard applies to new development and alterations to development in Subdistricts B, C, D, E, and F when more than 10,000 square feet of floor area will be added to a site.

C. **Urban green features standard.** Development must include at least one of the following:

1. Landscaped area. A minimum of 15 percent of a site area must be landscaped. Any required landscaping, such as for required setbacks or parking lots, applies towards meeting the minimum amount of landscaping required for this option. Sites developed with a house, attached house or duplex are exempt from the landscaped area option. The following apply:
   a. Landscaped areas must be at ground level and comply with at least the L1 standard described in Chapter 33.248, Landscaping and Screening, or be a vegetated stormwater management facility that meets minimum Bureau of Environmental Services stormwater management requirements. Up to one-third of the landscaped area may be improved for active or passive recreational use. Examples of active or passive recreational use include walkways, play areas, plazas, picnic areas, garden plots, and unenclosed recreational facilities.
   b. Landscaped areas raised above ground level may be used to meet the minimum landscaped area standard when landscaped to at least the L1 standard and soil depth is a minimum of 30 inches.

c. Up to 50 percent of the required landscaped area may be improved for pedestrian use, such as walkways and plazas, if the area is surfaced with pervious pavement approved by the Bureau of Environmental Services as being in compliance with the Stormwater Management Manual. If this provision is used, no impervious surfaces can be counted toward meeting the minimum landscaped area standard.

2. Space for large trees. At least 10 percent of total site area must be provided as outdoor area with no dimension less than 30 feet in any direction. At least half of this outdoor area must be landscaped to at least the L1 level and the remainder may be hard surfaced for use by pedestrians. At least half of the trees provided to meet the L1 standard must be large tree species. Large trees are defined in Section 33.248.030, Plant Materials.

3. Ecoroof. An ecoroof must be provided that is equivalent in total area to at least 60 percent of the total building footprint of new buildings on the site. The ecoroof area must be approved by the Bureau of Environmental Services as being in compliance with the Stormwater Management Manual's *Ecoroof Facility Design Criteria.*

33.597.265 Required Outdoor Areas

A. Purpose. The required outdoor areas standards ensure opportunities for residents to have access to outdoor space for recreation, relaxation, natural area, or growing food. Outdoor areas are an important aspect for addressing the livability of a property with residential units by providing residents with opportunities for outdoor activities, some options for outdoor privacy, and a healthy environment. The standards ensure that outdoor areas are located so that residents have convenient access. These standards also allow for outdoor area requirements to be met by indoor community facilities because they provide opportunities for recreation or gathering. The standards also incent public plazas/open spaces and other larger publicly accessible outdoor areas that serve a park-like function and provide a broader outdoor area function in the district.

B. Requirements.

1. Amount required:

a. Generally. Except as stated in Subparagraph B.1.b., outdoor area is required as follows:

(1) Except in Subdistricts B and D, on sites that are up to 20,000 square feet in total area, at least 36 square feet of outdoor area is required for each dwelling unit on the site;

(2) For sites that are more than 20,000 square feet in total area, and for all sites in Subdistricts B and D, at least 48 square feet of outdoor area is required for each dwelling unit on the site.

b. Exceptions.

(1) In Subdistrict D, the outdoor area requirement is reduced to 24 square feet for each dwelling unit on the site when a 40,000 square foot site is dedicated for a publicly accessible park or open space. This exception only applies to the first 2,000 dwelling units constructed in the combined Subdistrict D. To qualify, the applicant must:

- Provide a letter from the Portland Bureau of Planning and Sustainability verifying that the Montgomery Park Area Plan Public Benefits Agreement specifying provision of a publicly accessible park or open space was adopted by Portland City Council on November 21, 2024.
- Provide a letter from Portland Parks and Recreation verifying that the site and terms of future development of a publicly accessible park or open space has been approved by Portland Parks and Recreation; and
- Provide a letter from the Portland Bureau of Planning and Sustainability verifying that 2,000 housing units or fewer have been built in Subdistrict D.

(2) When a publicly accessible outdoor area that meets requirements of 33.597.265.B.2.c. is provided, each one square foot of publicly accessible outdoor area counts as two feet toward the total amount of required outdoor area.

2. Size, location and configuration. Required outdoor area may be provided as individual, private outdoor areas, such as patios or balconies, as common, shared areas, such as outdoor courtyards and play areas, or indoor recreational facilities or community rooms, or as publicly accessible outdoor area. There also may be a combination of individual common, or publicly accessible areas.

a. Individual unit outdoor areas. Where a separate outdoor area is provided for an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Balconies that extend over street right-of-way count towards meeting this standard. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area. If the area is at ground level it may extend up to 5 feet into a required front setback, and may extend into required side and rear setbacks as long as the area is not closer than 5 feet to a lot line abutting an RF through RM4 zoned lot.

b. Common areas. There are two types of common area:

(1) Outdoor common area. Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions. The outdoor common area must be located within 20 feet of a building entrance providing access to residential units.

(2) Indoor common area. Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room. Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

c. Publicly accessible outdoor area. Where the outdoor area is publicly accessible, the outdoor area must be open to the public between the hours of 7 a.m. and 9 p.m. The property owner must record an easement for the outdoor area that provides for unrestricted public access from 7 a.m. to 9 p.m. The publicly accessible outdoor area must be approved through design review, or meet the following standards:

(1) The area must be at least 1,000 square feet in area and must measure at least 20 feet in all directions;

(2) The outdoor area must be located directly adjacent to a public street or public access easement;

(3) If there is a building located directly adjacent to the outdoor area, the outdoor area must not be adjacent to any portion of a dwelling unit;

(4) A maximum of 25 percent of the outdoor area may be covered by awnings, building eaves or other covered structures.

(5) A minimum of 15 percent of the outdoor area must be landscaped, and there must be a least one small canopy tree for each 100 square feet of landscaping.

(6) Include benches or seating that provides at least 10 linear feet of seats. The seating surface should be at least 15 inches deep and between 16 and 24 inches above the grade upon which the seating or bench sits.

(7) Include exterior light fixtures that meet the following:

- One light fixture is required every 30 feet; and
- Exterior lights must not project light upward;

d. Combination of individual, common, and publicly accessible outdoor area. Where a combination of individual unit, common, and publicly accessible area is provided, each individual area must meet Subparagraph B.2.a., each common area must meet B.2.b., and each publicly accessible area must meet B.2.c. or be approved through design review. Together, all the areas must provide a total amount of space equivalent to the combined amount of outdoor area required for each dwelling unit.

3. Surfacing materials. Except for publicly accessible outdoor areas, required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use. Non-permeable portions of publicly accessible outdoor areas must be surfaced with brick, concrete, pavers or stone.

4. User amenities. User amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

33.597.270 Off-Site Impacts Standards

A. Industrial impacts disclosure statement.

1. Purpose. This requirement is intended to ensure that people who choose to live or work in the district are aware of the potential impacts, such as noise, vibration, odors, glare, and heavy truck traffic that stem from nearby industrial and employment uses.

2. Disclosure statement required. Prior to the issuance of a building permit for a new building that will contain a Household Living, Retail Sales And Service, or Office use, and for alterations to an existing building that contains a Household Living, Retail Sales And Service, or Office use, the owner of the property must sign and record a copy of the City's Industrial Impacts Disclosure Statement. The statement must be recorded in the records of Multnomah County. The statement acknowledges that the property is located near industrial and employment uses, and signifies the owner's awareness of the associated

nuisance impacts including noise, odor and light levels. The statement is available in the Development Services Center. After the permit is finalized, the property owner must provide a copy of the disclosure statement to every tenant or buyer, and post a copy of the disclosure statement on the premises in a location that is accessible to all tenants.

B. Noise insulation.

1. Purpose. Noise insulation is required in order to protect homes located near industrial areas from potential noise impacts generated by industrial operations.
2. Where this standard applies. The noise insulation standard applies in the EX zone within 400 feet of a lot line that abuts or is across the street from an IH, IG, or EG zone. In the case of split zoned sites, the standard applies within 400 feet of the zoning line.
3. Noise insulation standard. All new dwelling units must be constructed with sound insulation or other means to achieve a day/night average noise level of 45 dBA. An engineer registered in Oregon who is knowledgeable in acoustical engineering must certify that the building plans comply with the standard for noise insulation prior to issuance of a building permit. Garages or other attached accessory structures that do not include living space are exempt from this standard.

33.597.280 Transportation and Parking Demand Management

The regulations of 33.266.410, Transportation and Parking Demand Management, apply to new development and alterations to existing development in the EX zone when the development includes a building with more than 10 dwelling units.

33.597.290 Parking

A. Purpose. The parking and access regulations manage the supply of off-street parking to improve mobility, promote the use of alternative modes, support existing and new economic development, maintain air quality, and enhance the urban form of the plan district area.

B. Where these regulations apply. The regulations of this section apply to sites in in Subdistricts B, C, D, E, and F.

C. Parking. Except where superseded by this subsection, the regulations of 33.266 apply to all parking.

1. Minimum required parking spaces. No minimum parking is required.
2. Maximum allowed parking. The maximum number of parking spaces allowed is stated in Table 597-3.
3. Surface parking limitation. No more than 25 percent of the total number of parking spaces on a site can be in surface parking. Industrial uses and sites 20,000 square feet or less in total site area are exempt from this requirement.

Table 597-2 Maximum Parking Spaces Allowed in the EX Zone		
Use Categories	**Specific Uses**	**Maximum Parking Spaces Allowed**
Residential Categories		
Household Living		1 per unit, except SROs exempt
Group Living		1 per 4 bedrooms
Commercial Categories		
Retail Sales And Service	Retail, personal service, repair oriented	1 per 500 sq. ft. of net building area
	Restaurants and bars	1 per 250 sq. ft. of net building area
	Health clubs, gyms, lodges, meeting rooms, and similar. Continuous entertainment such as arcades and bowling alleys	1 per 330 sq. ft. of net building area
	Temporary lodging	1 per rentable room; for associated uses such as restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area
Office	General office	1.5 per 1000 sq. ft. of net building area
	Medical/Dental office	1.5 per 1000 sq. ft. of net building area
Quick Vehicle Servicing		Not applicable
Vehicle Repair		Not applicable
Commercial Parking		None
Self-Service Storage		Not applicable
Commercial Outdoor Recreation		Not applicable
Major Event Entertainment		Per CU review
Industrial Categories		
Manufacturing And Production		1 per 750 sq. ft. of net building area
Warehouse And Freight Movement		1 per 750 sq. ft. of net building area for the first 3,000 sq. ft. of net building area and then 1 per 3,500 sq. ft. of net building area thereafter
Wholesale Sales, Industrial Service		1 per 750 sq. ft. of net building area
Bulk Fossil Fuel Terminals		not applicable
Railroad Yards		not applicable
Waste-Related		not applicable

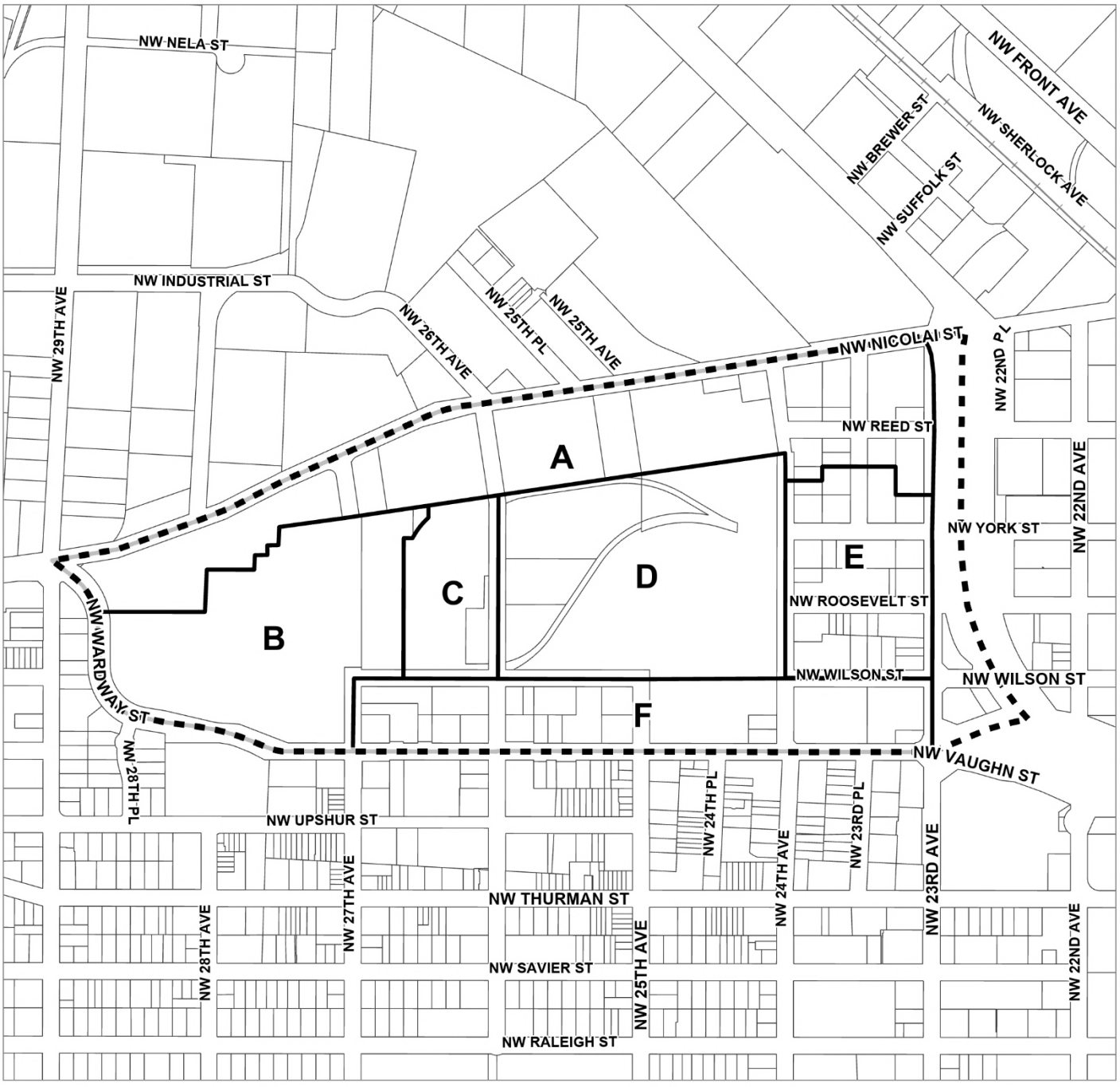
Table 597-2 Maximum Parking Spaces Allowed in the EX Zone		
Use Categories	**Specific Uses**	**Maximum Parking Spaces Allowed**
Institutional Categories		
Basic Utilities		None
Community Service		1 per 500 sq. ft. of net building area
Parks And Open Areas		Per CU review for active areas
Schools	Grade, elementary, middle, junior high	1 per classroom
	High school	7 per classroom
Medical Centers		1 per 500 sq. ft. of net building area
Colleges		1 per 600 sq. ft. of net building area exclusive of dormitories, plus 1 per 4 dorm rooms
Religious Institutions		1 per 100 sq. ft. of main assembly area
Daycare		1 per 500 sq. ft. of net building area
Other Categories		
Agriculture		Not applicable
Aviation		Per CU
Detention Facilities		Per CU
Mining		Not applicable
Radio Frequency Transmission Facilities	Personal wireless service and other non-broadcast facilities	None
Rail Lines & Utility Corridors		None

(Added by: Ord. No 192000, effective 6/1/25.)

York Plan District

Map 597-1

Map Revised June 1, 2025



MPAP Boundary

Subdistrict Boundaries

NORTH

0 400 800

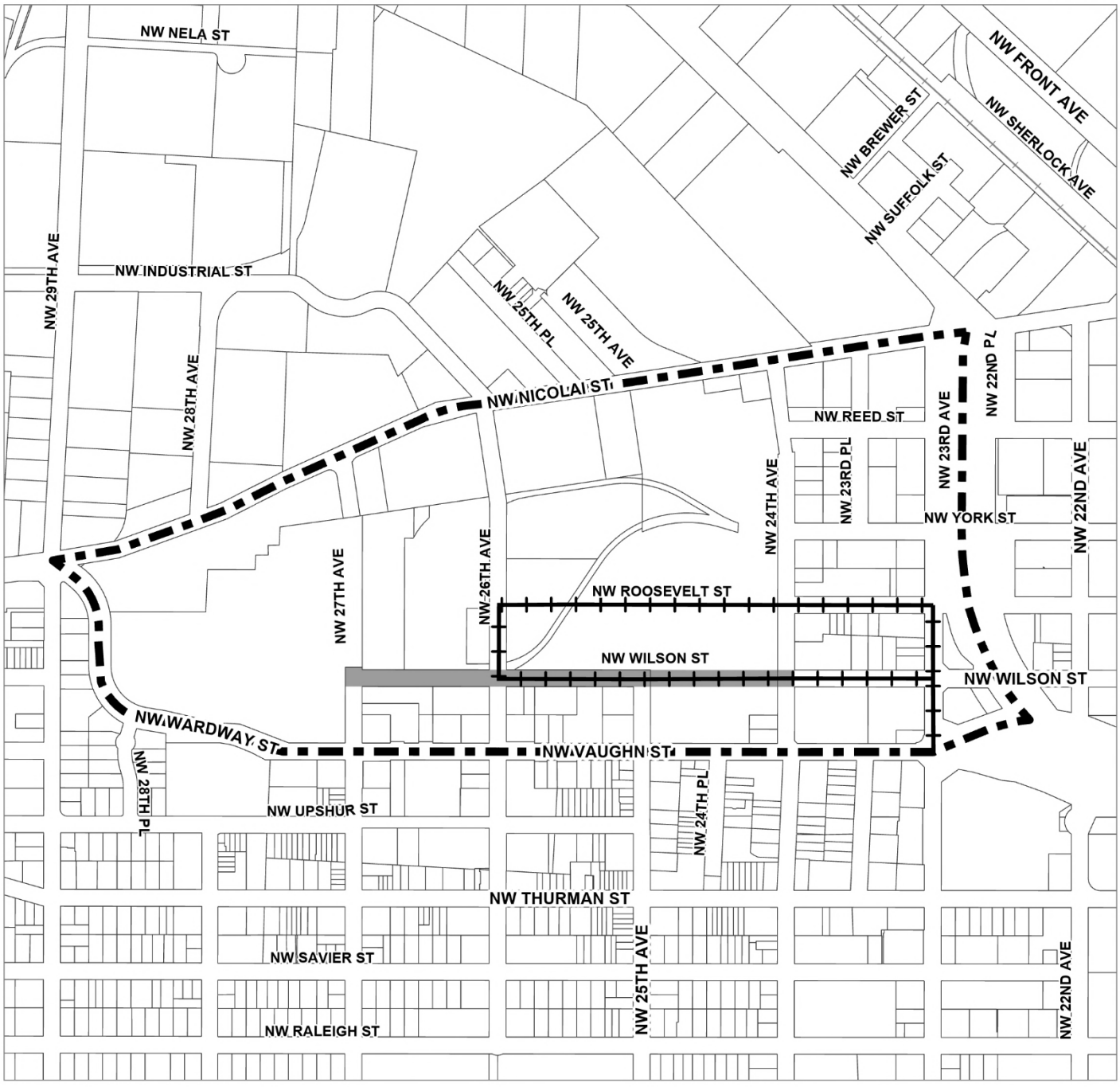
Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon

York Plan District
Streetcar Alignment and Main Street

Map 597-2

Map Revised June 1, 2025



Plan District Boundary

Streetcar Alignment

Main Street

NORTH

0 400 800

Scale in Feet

Bureau of Planning and Sustainability
Portland, Oregon