

**CHAPTER 33.281**  
**SCHOOLS AND SCHOOL SITES**

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**33.281.010 Purpose**

The City recognizes that schools have a special relationship to the community. This chapter provides regulations for schools and school sites located throughout the City's neighborhoods. The regulations acknowledge that school sites provide an important community resource and that traditionally a wide variety of activities take place at school sites. The regulations also reflect the fact that there is a constant change in uses, programs, and buildings as school districts respond to changing demographics and educational innovations. At the same time, the regulations protect surrounding uses from negative impacts by providing a forum for the review of major changes to uses or buildings.

**33.281.020 Relationship to Base Zone and Conditional Use Regulations**

The base zone chapters indicate whether school uses are allowed by right, are conditional uses, or are prohibited. In OS and R zones, schools are generally regulated as conditional uses. In C and E zones, schools are generally allowed by right. In I zones, schools are prohibited. This chapter provides supplemental information and regulations specific to school uses and school sites. The requirements of the base zone apply unless superseded by the regulations in this chapter. In situations where the use is regulated as a conditional use, the conditional use regulations in 33.815.040, .050, and .105 also apply. If a school site has previous conditions of approval, the specific conditions take precedence over the threshold levels of review in this chapter.

**Regulations in OS and R zones**

**33.281.030 Review Thresholds for School Uses**

The following thresholds state the type of procedure used in the conditional use review for changes to school uses in the OS and R zones. Changes that are allowed by right are also stated.

- A. New school use.** The creation of a school use on a site that does not have a school use or is not a school site is reviewed through the Type III procedure.
- B. Change of school level.** Changes from an elementary to a middle or junior high or to a high school, or from a middle or junior high to a high school are reviewed through a Type III procedure. Changes from a high school to a middle or junior high or to an elementary school, or from a middle or junior high to an elementary school are reviewed through a Type II procedure. Changes from a middle to a junior high, or from a junior high to a middle school are allowed by right.
- C. Modifying an existing school use at the same school level.** Program changes within the school use are allowed by right. This includes the addition of special education programs (such as remedial or talented and gifted (TAG) programs), latch key programs, early childhood education programs, or similar programs within the level of the school use. The addition of community school programs or evening programs is also allowed by right as long as the level of the school use does not change.

#### **33.281.040 Review Thresholds for Other Uses**

The following thresholds state the type of procedure used in the conditional use review for changes to nonschool uses on school sites in the OS and R zones. Changes that are allowed by right are also stated.

- A. Purpose.** This section allows additional conditional uses on school sites over that normally allowed by the base zones. This is in recognition of the special nature of school sites and the necessity to allow interim uses to allow school districts to maintain sites for future school uses. The additional uses are limited to uses which provide a public service and which can be accommodated on the site with minimal disruption to the site and surrounding area. Offices which can be accommodated easily on the site if adequate off-street parking is provided are also allowed.
- B. Other uses on school sites.**
  - 1. Daycare, Community Service, and nonprofit or social service Office uses are allowed by right at a school site. However, these uses must comply with the parking requirements in Chapter 33.266, Parking and Loading. In addition, any exterior recreation areas including playgrounds and fields must be maintained and open to the public at times when the use is not occupying the areas.
  - 2. Change to another conditional use or the addition of another conditional use in a different use category, except as allowed by Paragraph 1. above, are reviewed through a Type III procedure.
  - 3. Office uses, other than nonprofit or social service offices allowed by Paragraph 1., above, are reviewed through a Type III procedure.
  - 4. Commercial or industrial uses other than those allowed in Paragraphs 1. and 3., above, are reviewed through a Type III procedure. The operators of the uses must be nonprofit, governmental, or social service agencies. The uses can only be in portions of buildings that are already designed to accommodate the proposed use. For example, a social service agency could request approval to run a vocational training program in the auto shop portion of a building on the site.

**33.281.050 Review Thresholds for Development**

The following thresholds state the type of procedure used in the conditional use review for changes to development at schools and on school sites in the OS and R zones. Changes that are allowed by right are also stated.

- A. Allowed by right.** Alterations to the site that meet all of the following are allowed without a conditional use review.
1. The addition of new outdoor recreation areas, or changes to existing outdoor recreation areas;
  2. The addition of up to 1,500 square feet of floor area to the site;
  3. Fences, handicap access ramps, and on-site pedestrian circulation systems;
  4. Changes that do not result in a net gain or loss of site area;
  5. Alterations to parking areas other than Special Event Parking that meet the following:
    - a. Will not result in a net gain in the number of parking spaces;
    - b. Sites with up to 15 spaces, not including those used for Special Event Parking: will not result in a net loss in the number of parking spaces;
    - c. Sites with 16 or more spaces, not including those used for Special Event Parking: will not decrease the number of spaces except as follows:
      - (1) No reduction in shared parking spaces is allowed;
      - (2) 1 space or 4 percent of the total number of parking spaces may be removed, whichever is greater; and
      - (3) An individual or cumulative removal of parking spaces in excess of 5 spaces is prohibited. The cumulative loss of parking is measured from the time the use became a conditional use, July 16, 2004, or the last conditional use review of the use, whichever is most recent, to the present.
  6. The alteration meets one of the following:
    - a. Complies with the development standards of this Title; or
    - b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
  7. The alteration complies with all previous conditions of approval;
  8. Modifications to existing athletic fields that do not increase the potential for noise, glare, or additional numbers of spectators, or times that spectators come to the site.

- B. Type II.** Alterations to development when the individual or cumulative alterations will not increase the floor area or exterior improvement area by more than 10 percent, up to a maximum of 25,000 square feet are reviewed through a Type II procedure. The increase is measured from the time the use became a conditional use, the effective date of this Title, or the last Type III conditional use review on the site, whichever is most recent. Exceptions are outdoor recreation areas and athletic fields, which are regulated by Subsection A. above, and Subsection C. below.
- C. Type III.** The following alterations to development are processed through a Type III procedure:
1. All other alterations to development on the site, including alterations not allowed by Subsections A. and B. above. Exceptions are outdoor recreation areas which are regulated by Subsection A. above, and athletic fields which are regulated by Subsection A. above, and Paragraph C.2. below.
  2. Modifications to existing athletic fields that increase the potential for noise, glare, or additional numbers of spectators, or times spectators come to the site. These types of modifications include modifications such as adding or increasing any of the following: seating capacity, lighting, voice amplification equipment, announcer's booths, ticket booths, and concessions.

### **Regulations in C and E zones**

#### **33.281.060 Use Regulations**

In the C and E zones, new schools and changes to existing schools are allowed by right subject to the development standards of the base zone and this chapter. Other uses on school sites are subject to the regulations of the base zone.

### **Development Standards**

#### **33.281.100 General Standards**

In the OS and R zones, the development standards for institutional uses apply except where superseded by the standards in this chapter. The institutional development standards are stated in 33.110.245 and 33.120.275. In C and E zones, the development standards of the base zone apply except where superseded by the standards in this chapter.

#### **33.281.110 Building Coverage and Floor Area Ratio**

If the school site is contiguous with a public park, and the school has a signed joint use agreement with the Park Bureau, then the building coverage and FAR calculations are based on the combined site area.

#### **33.281.120 Special Event Parking**

Paved play areas may be used for special event parking. The area does not have to comply with landscaping requirements for parking areas. These areas may not be used for required parking for the uses on the site.

### **33.281.130 Bus Loading**

- A. Purpose.** The purpose of bus loading requirements is to provide safe and efficient bus loading areas in a manner that has minimal negative impacts on the surrounding uses and on the traffic flow and access potential of the surrounding streets. Whenever possible bus loading should be done on-site.
- B. New school sites.** On-site bus loading is required for new school sites.
1. When there is a conditional use review, the size and design of the bus loading area is determined as part of the conditional use review.
  2. When there is no conditional use review, the bus loading area must meet the standards of Section 33.266.310, Loading Standards, except for landscaped setbacks. Bus loading areas are required to comply with the landscaped setbacks for parking areas, not loading areas.
- C. Existing school sites.**
1. When there is a conditional use review, alterations to on-street and on-site bus loading are reviewed by BDS and Office of Transportation. The provision of on-site bus loading is encouraged whenever possible.
  2. When alterations to bus loading are not part of a conditional use review, alterations to existing on-street bus loading are reviewed and approved by the Portland Office of Transportation.

### **33.281.140 Landscaping**

This section states exceptions to the normal landscaping requirements.

- A. Parking areas.** In parking areas where L3 landscaping is normally required, a 20-foot deep area landscaped to the L2 standard may be substituted. Special event parking is addressed in 33.281.120.
- B. Other landscaping.** In situations where L3 landscaping is required by the base zone or other regulations, L1 or L2 landscaping may be substituted. However, the landscaping requirements for parking areas are stated in Subsection A. above.

### **33.281.150 Temporary Structures**

Temporary, portable, or relocatable structures are treated as any other type of structure. Structures which are proposed to be placed temporarily on a site during construction, are reviewed as part of the conditional use review of the proposed construction.

