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Amended and Restated

Rivergate Industrial District

Development Standards
(Sixth Amendment)

Port of Portland
Property and Development Services
April 2007

These Development Standards restate, replace and supersede those Development Standards originally recorded on December 20, 1978, as Book 1317, Page 1841 and subsequently amended as follows:

1. Recorded May 10, 1979, as Book 1350, Page 2642;
2. Recorded on March 20, 1995, Recording No. 95031707 ;
3. Recorded on October 4, 1995, Recording 95121994;
4. Recorded on October 15, 1997, Recording No. 97158715; and
5. Recorded on December 2, 2005, Recording No. 2005233630,
Multnomah County Records

The Port of Portland (Port) reserves the right to change these Development Standards as needed and to record such changes or new Development Standards, which shall be effective from that date of recording.

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Introduction

These Development Standards (Standards) have been prepared to ensure that high quality site planning, architecture, engineering and landscape architecture are developed and maintained throughout the Rivergate Industrial District. The intent of the Port is to encourage creativity and quality in design which will enhance all future development. The Port considers these Standards to be the minimum, assuming firms locating in the Rivergate Industrial District will wish to do the finest possible job. The Standards (Design, Performance and Maintenance) will be enforced to ensure the long term quality of development and maintenance of property values in the Rivergate Industrial District.

1. PLAN REVIEW

1.1 Policies

The following policies indicate the intent of the plan review process:

1. The development of sites in the Rivergate Industrial District shall conform to the Standards and those of other appropriate governing bodies, including but not limited to, the City of Portland (City), Oregon Department of Environmental Quality (DEQ), Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers (COE), where applicable.

2. The Port shall review all plans to ensure that development in the Rivergate Industrial District meets the requirements of the Standards. The Port will evaluate the proposed plans based upon the intent of the Standards, available facts regarding the particular project, and the best interests of all property owners. The review process will consider the unique aspects of each of the tenant's requirements and is designed to assist individual tenants in following the proper procedures in order to avoid delay or inconveniences in the execution of plans. As used in these Standards, the term Tenant shall refer to all individuals and/organizations which have either leased or purchased property located within the Rivergate Industrial District. This review covers site planning, architecture, landscape architecture, civil engineering, utilities, signing and exterior lighting for new construction, remodeling, alterations or additions. Interior modifications which do not alter the function of the building are exempt from this requirement.

3. All plan reviews will consider two distinct areas:

- a. A review for conformance with the sections of the Standards which outline detailed requirements such as setbacks, building height, utility design and other technical and engineering standards.
- b. A review of subjective design elements such as architectural style, site layout and landscaping. This review will help ensure compliance with the intent of the Port to provide and maintain quality development in the Rivergate Industrial District. It is not the Port's intent to dictate design features. Plans will be reviewed for compatibility with surrounding development, functional site design, and the use of attractive exterior building materials and landscaping which enhances the site.

4. If city, county, state or federal code requirements conflict with the Port's interpretation of these Standards, the more restrictive code requirement shall prevail.

1.2 Port Contact

All plans and correspondence concerning submission of plans for original construction, additions, or remodeling, shall be directed to the Port of Portland, Property and Development Services. The street address is: 121 NW Everett, Portland, Oregon 97209. The mailing address is P.O. Box 3529, Portland, Oregon 97208.

1.3 Review Process

The review process for development within the Rivergate Industrial District is divided into the following steps:

Pre-design/orientation meeting

Preliminary plan review

Final plan review

City building permit review (only after final plans are approved by the Port)

Construction Review

As Constructed drawings provided to the Port

The following sections discuss the process and the materials to be submitted for each step:

1.3.1 Pre-design/Orientation Meeting

A pre-design and/orientation meeting will be held by Port staff to present the Standards and review procedures. The purpose of this meeting is to ensure that the development process, from preliminary plans to building occupancy, goes as smoothly and as quickly as possible. The site developer will also have the opportunity to discuss the design concept, and specific issues affecting that particular site, and ask questions of Port staff concerning any aspect of the Standards.

1.3.2 Preliminary Plan Review

Preliminary plan review will focus on reaching agreement between the site developer and the Port on the general design concept and uses for the site. During the review period, Port staff will work with the site developer to achieve a high quality and functional concept. Resolution of specific site issues or concerns will be part of this review process.

There are two key submittal requirements for preliminary plan review. The first is to provide conceptual site and building plans. These plans shall focus on the primary site planning issues, such as approximate building footprint(s), the relationship among buildings on the site and to buildings on adjacent sites, access and parking, landscape and pedestrian circulation concepts, etc. The second requirement is to provide a project description which will include the types of uses envisioned for the site such as the anticipated number of employees, approximate building square footage and landscaping and paved area calculations. This description may be incorporated into the drawings, if appropriate.

Three copies of all preliminary plans and descriptions shall be submitted to the Port for review. All plans must be submitted at the same time. The length of the review period can vary depending on the completeness of the submitted materials and the need for interaction between Port staff and the design team. If submittal requirements are met, the Port will review preliminary plans within 15 working days.

1.3.2.1 Preliminary plans shall consist of the following:

- a. General drawing information including title, date, owner, architect, engineer, landscape architect, location, north arrow, datum and scale.
- b. Site plan(s) drawn to an appropriate scale which will clearly show:
 - (1) The location and dimensions of property lines, street rights-of-way, easements and setbacks (buildings, parking, etc.).
 - (2) Building location(s).
 - (3) Approximate driveway and curb cut locations and sizes, with arrows indicating vehicular traffic patterns into and out of the site, and to and from all loading and parking areas.
 - (4) Approximate parking, loading and service area layout, including designated parking areas, (employee, visitor, etc.), maneuvering areas, future parking expansion areas, outdoor storage areas and refuse collection locations.
 - (5) Approximate location of sidewalks and pedestrian paths.
 - (6) Landscape concept indicating how the landscape will be integrated with the overall site design. The general character (deciduous, evergreen, lawn, large shrub mass, etc.) height and extent of proposed plant materials shall be indicated as well as the location of screening, berms, signage, site lighting, etc.
 - (7) A diagrammatic concept for all utilities including gas, electricity, telephone, water and storm and sanitary sewers. The approximate location of transformers or other similar facilities shall also be noted.
 - (8) Preliminary grading and site drainage information.
 - (9) The location, type and size of any significant trees (1 ½ inch caliper and larger), which would be removed from the site.
 - (10) Phasing concept, if appropriate.
- c. Generalized floor plans and conceptual drawings which indicate the scale and uses for all areas of the building(s).
- d. An indication of proposed exterior wall and roof materials.

1.3.3 Final Plan Review

The purpose of final plan review is to examine and approve construction drawings. All final plans must be approved by the Port prior to being submitted to the

City for building permits. The Port will consider phased submittals if such are prepared for permitting purposes for the City.

Three copies of the final plans shall be submitted to the Port, except as noted below. All required final plan materials must be submitted at the same time. The review time will be extended if the submittal is incomplete.

The Port will review and approve plans which meet these Standards within 15 working days. If the Standards are not met, the project will either be approved with conditions (to meet specific Standards), or not approved, pending further work by the site developer or design team, as necessary, in the areas of non-conformance.

1.3.3.1 Final plans must include the following:

- a. General drawing information (see preliminary plan review).
- b. Detailed site plan; include the location and dimensions of property lines, street rights-of-ways, easements, setbacks, buildings, driveways, parking lots, circulation and loading areas, sidewalks and pedestrian paths.
- c. Grading plan.
- d. Complete architectural and civil engineering design drawings including utilities.
- e. Landscape and irrigation plans; indicate the names of all the trees, shrubs and groundcovers; planting sizes, locations, quantities and spacing, irrigation, berms and other typical landscape construction details. Note any existing trees on the site and whether they will be retained or removed.
- f. Sign plans; provide illustrations which include dimensions, materials, copy, footing details, lighting details and locations of all proposed signs. Color samples shall also be provided.
- g. Exterior lighting plan indicating location of fixtures and details for all parking areas, driveways, roadways and other site lighting. Include calculated luminance average foot-candle levels with average to minimum ratios.
- h. Storage tanks and piping systems, if used.
- i. Construction schedule for the purpose of coordinating Port and tenant construction activities (one copy).
- j. Construction specifications may be required for clarification by special Port request.
- k. Exterior material color board with building perspectives from all sides of the building (one copy).
- l. All geographical/soils analyses performed at the site (one copy).

m. Rail design including specific layout and grading.

1.3.4 City Building Permit Review

Developer must submit Port approved plans (the plans referenced in the Port issued Final Design Review letter of approval) to the City for building permits. It is the responsibility of the developer to obtain all required building permits.

1.3.5 Construction Review

If changes are made to any Port approved plans during the City permitting process (or as the result of any other governmental review process), the developer shall submit to the Port for approval the parts of the plans which have been changed.

If a project is not constructed as indicated on Port approved plans, the Port has the right to require any deviations be changed at no cost to the Port.

1.3.6 Record Drawings

As-constructed drawings of all development on the site and all underground utilities, including any required utility easement area, shall be furnished to the Port no more than 30 days after final City Certificate of Occupancy permits are granted. Electronic files are preferred. A \$500.00 per month late fee will be charged for delinquent as constructed plans.

1.4 Variances

The Port recognizes that situations arise, which may warrant modification to these Standards. A written request for an exception shall be submitted to the Port's Design Review staff stating the reason for the request and the applicable section of the Standards. The Port will evaluate each request and notify the tenant in writing of the decision within ten working days.

The request may be approved only if it can be determined that: (1) the enforcement of the standard in question would cause development constraints which would make the site significantly more difficult to develop than other sites subject to the same standards; (2) the nature of the proposed use/business requires special consideration in the development of the site; and (3) there would be no adverse impacts to adjacent existing development or to the provision of basic services to the Rivergate Industrial District and its tenants. Written findings addressing each of these three criteria will be recorded within the letter of approval. Reasonable conditions related to the variance may be required as part of the variance approval.

2. DESIGN STANDARDS

2.1 Zoning

In regard to zoning and land use, the Standards are intended to meet or exceed requirements of the City zoning code. Since codes change periodically, it cannot be guaranteed that all City requirements have been met by conformance to these Standards. All uses prohibited by the City zoning code shall likewise be prohibited in the Rivergate Industrial District.

No trade, business or activity shall be conducted in the Rivergate Industrial District which may be or may become a nuisance. Additional use restrictions may exist within the lease or sale agreement.

2.2 Site Excavation

During construction, all excess excavation material shall be placed on-sites within the Rivergate Industrial District as designated by the Port. The Port may require testing of material prior to placement. Any excavation material removed from the Rivergate Industrial District may be subject to a royalty fee paid by the tenant to the State of Oregon.

2.3 Site Planning

The site planning of individual lots within the Rivergate Industrial District is intended to respond to the wide range of conditions and uses found in the area. Key site planning elements which will be addressed in this section include setbacks, landscaping, storm drainage, service and loading areas, vehicular access, circulation and parking, pedestrian circulation, rail and utilities.

Structures on the site shall be placed to maximize the potential of the individual site and reduce impacts on adjacent land uses.

2.3.1 Lot Coverage

The maximum area that may be covered by the principal building, accessory buildings and future additions shall not exceed 60 percent of the total lot area. A minimum of 15 percent of the site must be landscape area.

2.3.2 Setbacks

Setbacks provide open space to enhance the perimeter of individual building sites, provide space for buffers or screening, and meet fire and safety access concerns.

2.3.2.1 Front Yard Setbacks Along the South Side of Marine Drive and East side of North Lombard Street

- (1) Buildings shall be set back a minimum of 25 feet from the front property line.
- (2) Parking lots and loading areas shall be permitted in the front yard if screened from the roadways and set back a minimum of 5 feet from the property line.
- (3) The Port will permit required screening to be placed within the first 25 feet of the right-of-way adjacent to the property line (see section 2.5.3.2 and 2.5.4 for screening requirements).

2.3.2.2 Front Yard Setbacks (all other locations)

- (1) All buildings shall be set back a minimum of 50 feet from the property line. A 25 foot setback may be permitted on parcels of 1 to 2 acres. These sites will be reviewed on a case-by-case basis.
- (2) Parking lots and loading areas will be permitted in front yards if screened and set back a minimum of 25 feet from the property line.

2.3.2.3 Side and Rear Yard Setbacks

- (1) All buildings shall be set back a minimum of 10 feet from side and rear property lines.
- (2) Parking lots, loading areas, service areas, outdoor storage and vehicular circulation areas shall be set back a minimum of 10 feet from the side property lines within 250 feet of the front property line.
- (3) For sites with reduced front yard setbacks (i.e. flag lots, lots on cul-de-sacs) there may be a requirement for a 10-foot setback for the full length of the side property line. These sites will be reviewed on a case-by-case basis.
- (4) Where drainage or other development regulations and easements apply, those requirements must be met (e.g. Smith and Bybee Lakes Management Plan).

2.3.2.4 Corner Lot Setbacks

All yard areas adjacent to streets shall be designated front yards. Width reduction of one front yard may be permitted by variance on a case-by-case basis.

2.3.2.5 Columbia Slough and E-Zone Setbacks

No development will occur within 100 feet of the top of bank of the south side of the Columbia Slough and within 150 feet of the top of bank of the north side of the Columbia Slough, except for the 40-mile loop trail system and landscaping compatible with the natural vegetation. Except for the required development setback, property fronting the Columbia Slough will be treated as a side or rear yard. Smith and Bybee Lakes Management Plan policies shall be addressed when developing sites adjacent to the natural area.

2.3.2.6 Willamette Greenway Setback

Only river related and river dependent development or fill shall occur within 25 feet of the top of the bank of the Willamette River. All City Greenway setback and design requirements shall be met.

2.3.3 Access

2.3.3.1 Curb Cuts

Curb cuts providing vehicular access to and from a site shall be a minimum of 20 feet from adjacent property lines, except where a shared driveway is used to provide access for adjoining parcels. For corner lots, a minimum distance of 50 feet shall be provided between the tangent point of a corner radius and the closest edge of a driveway.

All curb cuts on the same site shall be at least 100 feet apart, center to center. There shall be no more than two curb cuts to a site from any one street. Additional access for sites with more than 500 feet of street frontage will be considered on a case-by-case basis. Access may be restricted on certain primary roadways.

Landscaping and signage shall not obstruct lines of sight for traffic entering and exiting driveways.

2.3.3.2 Driveway Width and Thickness

Driveways accommodating truck traffic shall have an unobstructed minimum width of 20 feet for one-way traffic and 30 feet for two-way traffic. Driveways used only by automobiles may be a minimum width of 12 feet for one-way traffic and 24 feet for two-way traffic.

Curb cuts for driveways shall meet City requirements with the exception of required concrete thickness. Driveways must be 8 inches thick to prevent damage from heavy trucks and other equipment.

2.3.3.3 Emergency Vehicles

Provide access and circulation within the site for emergency vehicles which meets City requirements.

2.3.4 Parking

Parking lot design must meet all City parking requirements. In addition, the following Standards shall apply. If a conflict exists between requirements the more stringent shall apply.

2.3.4.1 Parking Lot Layout

- (1) Parking areas with more than 20 spaces shall be designed with landscape islands. Islands shall be at least 5 feet wide and a minimum of 50 square feet.
- (2) Standard parking stalls, aisle widths and maneuvering areas shall be used.
- (3) The number of compact car parking stalls shall not exceed 50 percent of the total required parking spaces. Each compact car stall shall be signed for compact car usage only.

2.3.4.2 On-Street Parking

On-street parking is prohibited within the Rivergate Industrial District.

2.3.4.3 Company Fleet Vehicles

Fleet parking shall only be permitted in paved parking or storage areas. All parking and outdoor storage screening requirements shall be met.

2.3.4.4 Landscaping

All permanent parking areas shall be screened by perimeter landscaping and designed with landscape islands (see section 2.5.3 for specific landscape Standards).

Temporary parking areas, if permitted, may require screening and will be reviewed on a case-by-case basis.

2.3.4.5 Surfacing

All permanent and temporary parking areas shall be paved with asphalt or concrete and be properly graded and drained. Pavement shall be of adequate strength for the expected traffic. All parking stalls shall be clearly marked on the paved surface.

2.3.5 Rail Service

All rail access shall be designed and constructed according to American Railway Engineering and Maintenance of Way Association (AREMA) standards and shall be approved by the applicable rail entity (Union Pacific, BNSF) and the Port.

2.3.5.1

Based on the soil type prevalent in the Rivergate Industrial District, the following walkway, rail and sub-ballast sections will be required. Generally any of these track sections are acceptable for industry use.

The minimum horizontal clearance requirement for permanent obstructions adjacent to the track is 8 feet 6 inches on tangent and 8 feet 6 inches plus 1½ inches per degree of curvature in curves. The increased side clearance must extend a minimum of 50 feet beyond the obstruction.

The minimum vertical clearance in Oregon is 23 feet above top of rail.

These clearances can be modified in buildings, but otherwise must be maintained.

2.3.5.2

Rail loading operations shall be located in rear and side setback areas adjacent to buildings.

2.3.5.3

The crossover connecting the user's spur to the main tracks shall be confined within the site. All grading required to accommodate the spur shall be confined within the site.

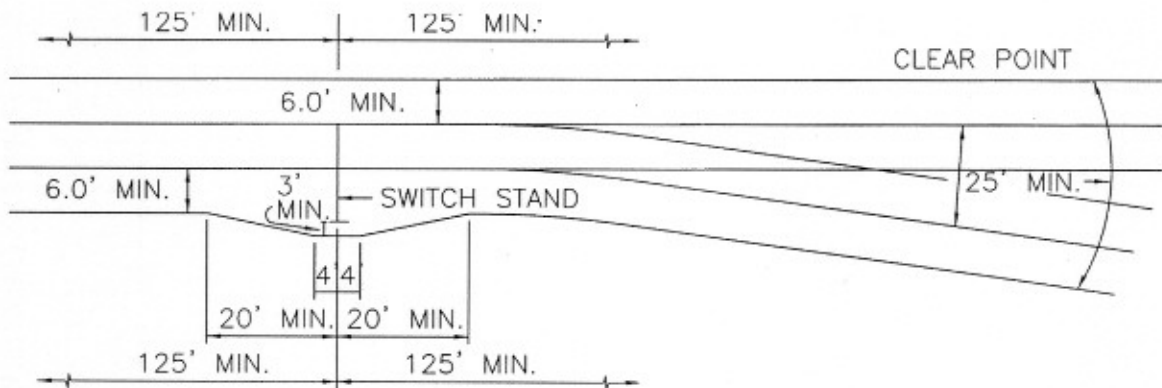
2.3.5.4

Sufficient track shall be provided on-site to accommodate the expected rail volume to and from the site and to prevent overloading of rail yard facilities. This standard applies to future increases of rail volume which may require on-site trackage.

2.3.5.5

The cost of materials and the installation of the spur, switch, turnout and any alterations required to the lead track shall be borne by the tenant. All track constructed within the railroad lead track right-of-way shall be transferred to the Port or railroad company by bill of sale at no cost.

The expense of relaying the spur rails, replacement switches and replacement of switch and spur rail ties within the lead track right-of-way shall be borne by the property owner requiring the relaying or replacement.



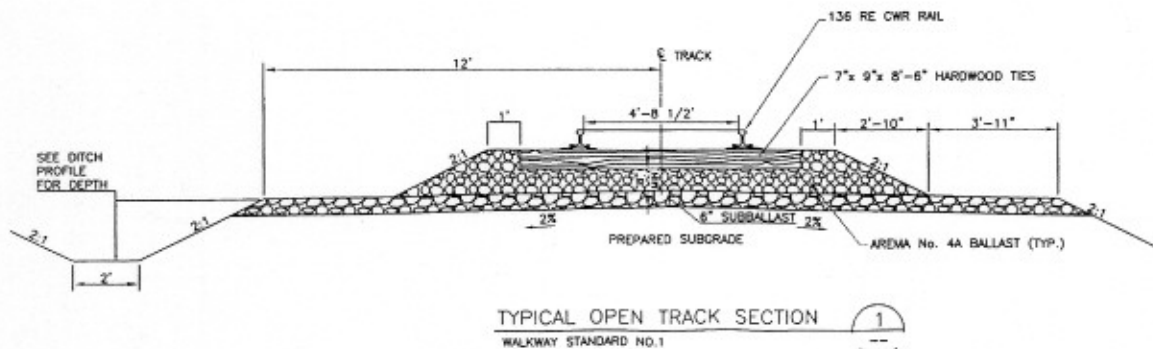
OREGON P.U.C. FIG. 12 860-44-320 STANDARD NO. 3

WALKWAY STANDARD NO.3

RDET022 20

Walkway Standard No. 3

Walkway standard No. 3 is a walkway which provides access around switches (2004 standard).



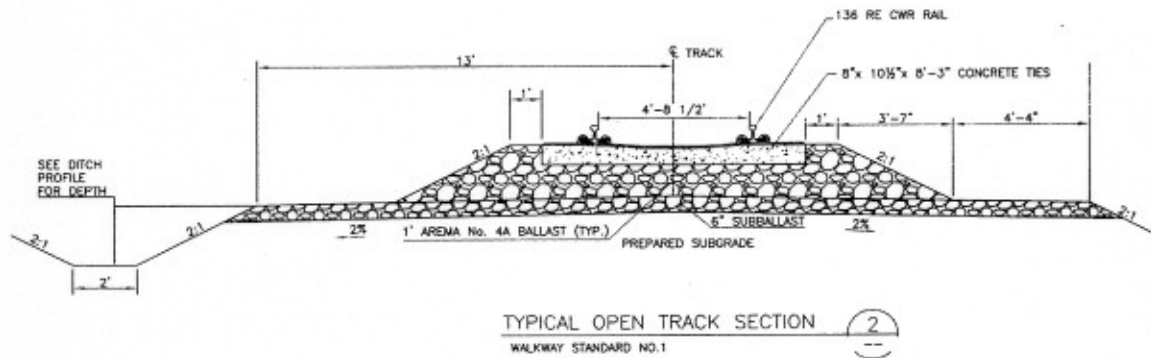
TYPICAL OPEN TRACK SECTION
WALKWAY STANDARD NO.1

RAIL SECTION 1

Typical Open Track Section

Walkway Standard No. 1

This section applies to all running tracks, i.e. tracks where the rail cars are not typically spotted (2004 standard).

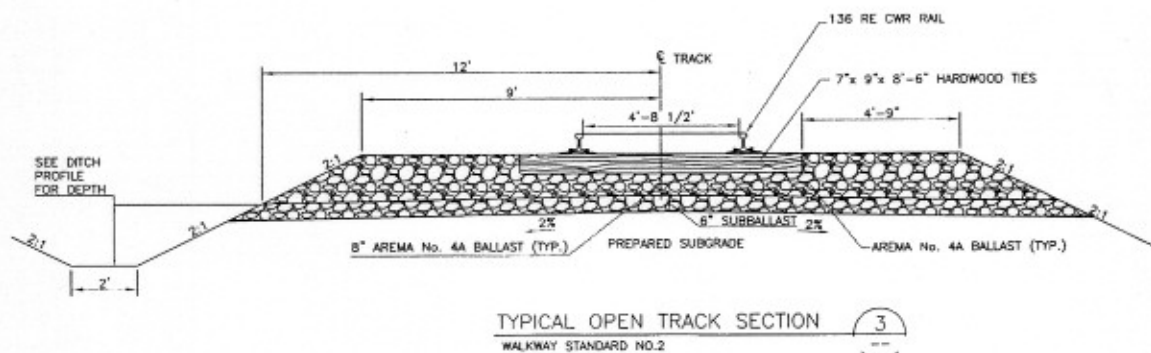


RAIL SECTION 2

Typical Open Track Section with concrete ties

Walkway Standard No. 1

This section applies to tracks with concrete ties where rail cars are not typically stored or spotted (2004 standard).

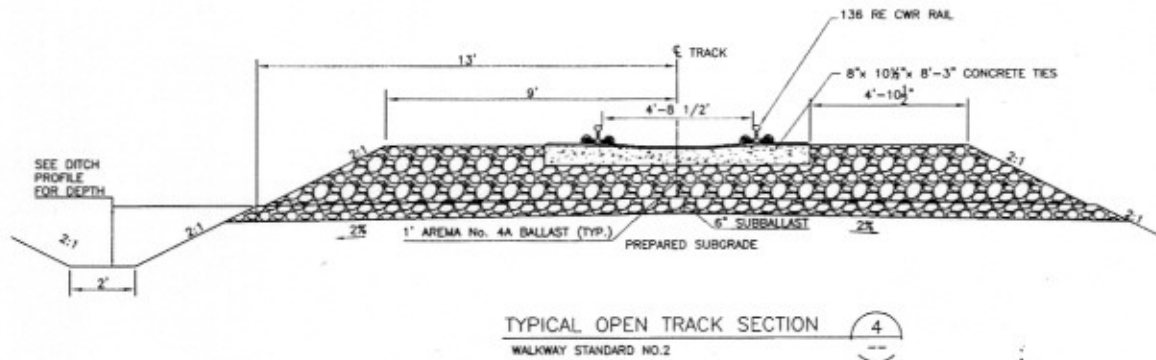


RAIL SECTION 3

Typical Open Track Section

Walkway Standard No. 2

This section applies to all industry spurs and storage tracks where railcars will be spotted. This walkway standard allows railroad workers to walk along the train to perform inspections (2004 standard).



RAIL SECTION 4

Typical Open Track Section with concrete ties

Walkway Standard No. 2

This section applies to tracks with concrete ties. The walkway standard shown allows rail workers to walk along the train to perform inspections (2004 standard).

2.3.6 Service and Loading Areas

- Service, loading and maneuvering areas shall not extend into the front or side of landscaped setback areas.
- All loading operations shall be located on-site. Off-site vehicle loading is not permitted.
- All loading areas shall be designed with adequate maneuvering areas to accommodate all vehicle movements within the property lines.
- All loading areas shall be paved with asphalt or concrete of adequate strength for the expected traffic.

2.3.7 Refuse Collection Areas

- Refuse collection areas may be located in rear or side yards. All refuse collection shall be fully enclosed.
- The enclosure shall be a minimum of 6 feet in height. The enclosure must be designed to complement the building and landscape. Trash enclosure doors must have the same parallel alignment and close completely without a gap.
- The enclosure must be located in a manner that facilitates trash truck access entirely on the property the enclosure serves. A trash truck may not cross adjacent properties to access a trash enclosure.

2.3.8 Outdoor Storage

- All outdoor storage areas must be shown on preliminary and final plans.

- b. Outdoor storage may be located in rear and side yards, but shall not extend into landscaped setback areas. In no event shall outdoor storage occur within 35 feet of the front property line.
- c. Outdoor storage areas shall be screened from view from the street, using either berms and a dense landscape screen, or a solid wall. The screening shall be a minimum of 8 feet in height.
- d. Outdoor storage areas shall be screened from adjacent properties with a partially site obscuring screen such as a slatted chain link fence or equivalent landscape screen.
- e. All outdoor storage areas shall be paved with asphalt, concrete or a pervious surface approved by the Port.

2.3.9 Storage Tanks

- a. All storage tanks shall comply with federal, state and City requirements.
- b. Above ground storage tanks shall be screened to the extent possible by landscape or a solid fence or wall.
- c. Underground storage tanks proposed within the Rivergate Industrial District require an Underground Storage Tank agreement between the tenant and the Port.

2.3.10 Utilities

2.3.10.1 Survey

- (1) The Port may require the tenant to monument and record a Record of Survey of the site with the Multnomah County Surveyor's office. At the Port's discretion said survey may be performed by the Port at the expense of the tenant and in any case will be performed by a Professional Land Surveyor licensed with the State of Oregon, in accordance with O.R.S. 209.250.
 - (a) If it is found that the lease corners have been disturbed or destroyed at any time during the course of a lease, it will be the responsibility of the tenant to replace and file a Record of Survey with the Multnomah County Surveyor's office. Said survey must be performed by a Professional Land Surveyor licensed with the State of Oregon in accordance with O.R.S. 209.250. Prior to submitting the survey to the county surveyor, the tenant will submit a copy of said survey to the Port survey department for review.
- (2) The tenant shall be responsible for placing locate wire and warning tape for all underground utilities including storm sewer, sanitary sewer, water, gas, electricity, communications and irrigation mainlines during construction. Locate wire must be installed as referenced in Port drawing MD MISC 2000-30002 1/1 (C-1). A copy of the referenced drawing will be provided upon request. If it is found that

the locate wire does not meet the referenced specifications, it will be the tenant's responsibility to repair at no cost to the Port.

2.3.10.2 Locations

Utilities shall be installed underground to the site and the buildings. The cost of utility extensions from the location within the right-of-way, including pavement cuts and replacement of landscaping, sidewalks, etc., shall be borne by the tenant.

2.3.10.3 Permits and Easements

- (1) Port permits or easements shall be obtained for all utilities crossing Port property, including, but not limited to, sanitary sewer, storm sewer, water, gas, electricity and communications.
- (2) The standard fee for Port processed permit or easement is \$5,000.00, upon the recording date of these Standards. The Port reserves the right to reasonably increase such fee if required to cover increases in the Port's costs to process permits and easements.
- (3) Removal and replacement of Port facilities in connection with the construction of utilities shall be in conformance with Port specifications and under Port supervision.
- (4) Indemnities shall be provided to the Port for use of Port permit or easement areas. Additional fees may apply.

2.3.11 Site Drainage

Surface drainage shall not be directed toward adjacent property. All surface and storm drainage facilities shall meet City requirements.

2.3.12 Pedestrian Circulation

- a. Where public sidewalks are constructed, pedestrian access shall be provided (by tenant) from the public sidewalk into the site.
- b. Safe and adequate on-site pedestrian access shall be provided (by tenant) from parking and vehicular circulation areas to the building.

2.4 Building Standards

2.4.1 General Building Design

2.4.1.1 Architect

All buildings shall be designed by an Oregon registered architect. All buildings shall conform to the requirements of the Oregon State Energy Code, Handicap Code and governing building codes.

2.4.1.2 Architectural Style

(1) The use of contemporary architectural styles is strongly encouraged. The use of unusual or eccentric architectural elements which would detract from the quality image of Rivergate Industrial District will not be allowed.

(2) Buildings shall be constructed of concrete tilt up panels, brick, natural stone or wood. Metal trim, canopies and exterior details, such as metal doors and windows, shall not be permitted. Metal buildings are discouraged and shall not be permitted on North Marine Drive and North Lombard Street.

2.4.2 Building Height

The maximum height of any building shall be 60 feet. Within 50 feet of a front property line the maximum height of a building shall be 20 feet.

2.4.3 Building Exteriors

2.4.3.1 Materials/Colors/Details

High quality building materials of a permanent low-maintenance type shall be used on all exterior walls of a building. Design and color shall be used consistently throughout each site. The use of two or more exterior colors is strongly encouraged to enhance the building. All exterior colors and materials shall be approved by the Port.

2.4.3.2 Parapets/Canopies/Fascias

The use of parapets, canopies and fascias is encouraged to break up large, uniform wall surfaces. Such features shall be in proportion to wall height and building mass.

2.4.3.3 Metal-Clad Buildings

Metal-clad buildings are only permitted on-sites not directly adjacent to North Marine Drive and North Lombard Street. Metal buildings (as allowed under these Standards) will receive special scrutiny by the Port to ensure that high structural and aesthetic standards are maintained.

(1) Review procedure

Plans for all metal-clad buildings shall be reviewed and approved by the Port prior to manufacture. The building design, material and finishing specifications, and a sample of the exterior metal surfacing shall be submitted to the Port at the time of preliminary plan review.

(2) Guidelines for metal-clad buildings

- (a) Metal building systems of stock design (without site-specific exterior architectural treatment) and pole buildings are not permitted.
- (b) Appropriate materials for exterior metal wall or roof paneling are anodized aluminum, weathering steel and galvanized or otherwise coated steel. All galvanized or coated steel shall have a factory applied baked paint finish. An unpainted galvanized finish will not be permitted.

The baked paint finish shall be resistant to chalking, fading, and film failure. Weathering steel will be allowed to develop its natural oxide coloring. Exterior finish shall not cause glare.

- (c) Ribbed wall panels shall have an architecturally pleasing profile. Panels with corrugated, crimped or any ribbed pattern presenting an agricultural or military appearance shall not be permitted.
- (d) All metal paneling shall be of sufficient gauge and quality to provide a rigid exterior surface.
- (e) The use of concrete or masonry wainscoting at the base of the building is encouraged to prevent damage to the metal siding.
- (f) All structural supports shall be concealed. Only interior fasteners shall be permitted.
- (g) A parapet, fascia or comparable architectural detail shall be provided to screen pitched roofs, roof mounted utilities and varying roof lines.
- (h) Exterior drains shall be constructed of rust resistant materials.

2.4.4 Roof Treatment/Penthouses/Mechanical Equipment Screens

All mechanical equipment located on roofs shall be fully screened from street views. Penthouses shall be an integrated part of the building façade and shall be constructed of compatible materials. Signs, letters, designs or other graphics shall not be painted or placed on roofs. Materials used for roofs shall have a non-glare surface.

Satellite dishes, antennas or other communication equipment shall not be mounted on the roof (see section 2.7, Electronic Communication Equipment, for specific requirements).

2.4.5 Temporary Buildings

Trailers, mobile offices and other temporary structures will not be permitted, except during construction. All approved temporary buildings must be removed promptly upon completion of the project.

2.5 Landscape Standards

The term 'Landscaping' shall refer to all areas within the project not utilized for buildings, parking spaces, vehicular circulation, truck loading, mechanical equipment, outdoor storage or refuse collection. Landscape areas shall include all walkways and other pedestrian areas. All land not covered by buildings, structures or paved surfaces shall be landscaped. All areas not planted with trees or shrubs shall be planted with groundcover or lawn. No un-landscaped area will be accepted, except in phased development where undeveloped area shall be rough seeded.

2.5.1 General Landscape Design Requirements

2.5.1.1 Concept

Landscape treatment of open areas shall provide a strong visual identity for the Rivergate Industrial District. The landscaping of an individual site shall enhance the overall image of Rivergate Industrial District. The use of large existing trees and shrubs in landscape plans is strongly encouraged.

2.5.1.2 Landscape Architect

All landscape plans submitted for approval shall be stamped by an Oregon registered landscape architect.

2.5.1.3 Berms

The use of berms throughout a landscape design is highly encouraged. Berms should vary in height and shall be fully landscaped with lawn and/or groundcover and shrubs.

The maximum slope on a berm shall be 5:1 for lawn. Berms may be steeper if planted with another groundcover which can be adequately maintained on a steeper slope.

2.5.1.4 Irrigation

An underground, automatic irrigation system shall be provided for all plant material, except rough seeded areas.

2.5.2 Setback Areas

Landscaping in all setback areas shall enhance buildings, form visual connections to other open areas, provide buffering and screening as necessary and create visual links between adjacent building sites.

2.5.2.1 Front Setback

- (1) One hundred percent of the front setback areas shall be landscaped, excluding parking spaces and loading areas.
- (2) Landscaping shall be designed to complement adjacent street landscaping and provide colorful accents at driveway locations.
- (3) Landscape design which accommodates water conservation is encouraged.

2.5.2.2 Side Setback

- (1) Along all side property lines, the 10 foot setback area shall be completely landscaped within 200 feet of the front property line.
- (2) Plant materials shall include a combination of trees, shrubs and groundcovers. Shrubs shall have a minimum height of 6 feet at maturity and a minimum planting height of 4 feet.

2.5.2.3 Rear Setback

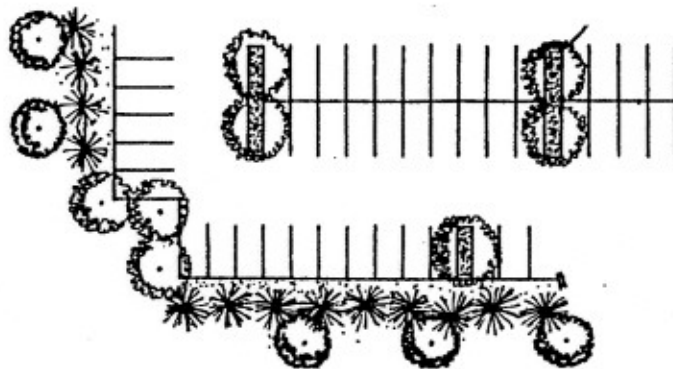
Landscaping may be required in a rear setback area when it is adjacent to a side setback. Landscaping may also be required in a rear setback area when it is adjacent to the Smith and Bybee Lakes natural area. Under such circumstances, the need for landscaping will be reviewed on a case-by-case basis.

2.5.3 Parking Areas

Landscaping shall be used in island planters and as perimeter screening from adjacent streets and property. Additional landscape areas may be needed to meet City requirements.

2.5.3.1 Island Planters

- (1) Island planters shall be provided for parking areas with 20 or more parking spaces (see Section 2.3.4 for specific requirements).



- (2) Landscaping is required in all parking islands. Plant material shall include trees, shrubs and groundcovers. The use of horizontally branching trees is encouraged to create a canopy which reduces glare and excessive heat.

2.5.3.2 Perimeter Screening

- (1) Perimeter screening shall be located in the required front and side parking setback areas. Along the south side of North Marine Drive and the east side of North Lombard Street, the front setback landscape screen may be located in the first 25 feet of right-of-way adjacent to the property line. A City ordinance will be required for irrigation and landscaping located within the public right-of-way.
- (2) Parking lots shall be screened from the street and adjacent property by a combination of berms, shrubs and trees. A dense screen shall be provided to a minimum height of 3 feet, measured from the parking lot surface.

2.5.4 Loading Areas

Front loading areas shall be screened from the street by a combination of berms, shrubs and trees. Along the south side of North Marine Drive and the east side of North

Lombard Street, the landscape screen may be located in the first 25 feet of right-of-way adjacent to the property line. A City ordinance will be required for irrigation and landscape located within the public right-of-way.

2.5.5 Building Entries

Landscaping adjacent to building entries shall be used to channel pedestrian traffic from parking areas to buildings and emphasize the entries of the buildings.

2.5.6 Fences and Walls

- a. Wall and fence design, color and materials must complement the landscaping and building architecture.
- b. No fence or wall shall be located in the front setback area. Perimeter fencing and walls around the entire site and barbed wire is not permitted, except by special request for security purposes. Uncoated chain link fencing and razor wire are not permitted under any circumstance.
- c. No fence or wall shall exceed 8 feet in height, except to screen mechanical equipment, outdoor storage areas and storage tanks.
- d. Evergreen trees, shrubs or vines shall be provided on the exterior side of all screening walls and fences.

2.5.7 Utility and Mechanical Equipment/Boxes Screening

Pad mounted transformers and other utility and mechanical equipment and boxes shall be completely screened from view with plant material that is consistent with the utility company regulations and compatible with the surrounding landscape.

2.5.8 Undeveloped Areas

All undeveloped areas shall be rough seeded and maintained at a maximum height of 6 inches.

2.5.9 Planting Requirements

2.5.9.1 Planting Size

The minimum planting size for trees is 1 1/2 inch caliper and a minimum height of 8 feet, unless multi-trunked or planted in groupings of varying heights, in which case the heights may vary between 6-10 feet. Fifty percent of a grouping shall be 8 feet or above in height. Shrubs shall have a minimum planting size of 3 gallons, 12 to 24 inches in height, and 12 inch spread. At least 50 percent of the shrubbery shall have a minimum height of 24 inches at planting time. Groundcover shall be a size and density to fill in within two years of planting. Please note that City street tree requirements (trees within the right-of-way) may vary from Standards. In the case of a conflict, the more restrictive requirement shall apply.

2.5.9.2 Landscape Separation Strip

A separation strip shall be provided between all tenant and right-of-way landscaping. The strip shall be constructed of 2 x 6 inch pressure treated wood. This divider shall be set 2 inches above grade to accommodate bark and sod, and is not necessary where tenant landscape abuts right-of-way sidewalk.

2.5.9.3 Planting Installation

All required landscaping shall be fully installed within six months after final inspections of the buildings constructed on the site.

2.6 Lighting

2.6.1 Site Lighting

- a. Street lighting shall conform to City standards.
- b. Exterior lighting shall be controlled by photo electric switch, clock switch or both, in accordance with Oregon energy code.
- c. High pressure sodium lamps shall be used for all street lighting, area parking and general site lighting.
- d. Lighting levels, colors and fixture types shall be consistent throughout the site and shall complement the architecture and landscaping. Street lighting, area parking and general site lighting shall be designed in accordance with the latest edition of the Illuminating Engineering Society (IES) Reference and Application Handbook.
- e. All lighting shall use cut-off type fixtures. No lighting shall cast glare onto adjacent parking lots, buildings and streets.
- f. Wooden light poles shall not be permitted. Poles shall be either steel or aluminum. Poles shall have a painted or anodized finish to match site-lighting fixture housing.
- g. All design light levels are to be considered Average Maintained, utilizing factory certified maintenance factors.
- h. General areas and parking areas shall have pole-mounted cut-off lamp fixtures to create a washing effect. Pole heights shall be 20 to 30 feet. Foot-candle range shall be 2 to 3, with a 4:1 average to minimum ratio with a 1 foot-candle minimum.
- i. Main entrances to parking lots shall have pole-mounted cut-off type fixtures. Required foot-candle range (3 to 5) shall be higher to provide a visual signal of entry and provide additional illumination for safety purposes. Pole height shall be consistent with parking lot light (20 to 30 feet).

2.6.2 Exterior Building Lighting

- a. Lighting shall be designed to highlight, not dominate the design of the building.

- b. Exposed lamp source light fixtures are prohibited. No visible light source will be permitted.
- c. All architectural lighting shall be indirect wall lighting (i.e., wall washing), overhead down lighting or interior illumination which spills outside.
- d. Formal entries of buildings shall use recessed or controlled cut-off wall fixtures to create an indirect wall washing effect, with a foot-candle range of 5 to 10. Side entries shall use recessed or controlled cut-off wall fixtures, with a foot-candle range of 3 to 5.

2.6.3 Service Areas/Loading Areas

- a. Service area lighting shall be contained within the boundaries of the screening wall. No light shall spill over to areas outside of the service or loading areas.
- b. The light source shall not be visible from the street or adjacent property.
- c. Service/loading area lighting shall use controlled cut-off type wall or pole-mounted light fixtures with a 3 to 5 foot-candle range, with a minimum of .5 foot-candle.

2.6.4 Pedestrian Paths and Pedestrian Area Lighting

- a. Low-level, point-to-point lighting is acceptable for pedestrian paths. Emphasis shall be placed on clearly defining the path.
- b. Outdoor pedestrian areas (i.e., courtyards, entries, etc.) and paths shall use either lamps mounted in bollards or on 8 to 10 foot posts, or other treatments which provide adequate illumination. Foot-candle ranges shall be 2 to 3 for general pedestrian areas and 0.5 to 1 for paths.

2.7 Electronic Communication Equipment

2.7.1 Location

Electronic and communication equipment shall only be located in side and rear yards and shall not be located within 50 feet of the front property line. Such equipment shall not extend into the side landscape setback area and shall not be mounted on the roof of a building or structure.

2.7.2 Screening

Electronic and communication equipment shall be screened with landscaping so that the site is not dominated by the equipment. To aid in screening, it is suggested that the equipment be painted/coated black or dark brown.

2.8 Signs

Signs are an important element contributing to the identity of the Rivergate Industrial District and are intended to add to the aesthetic appeal of the area.

The use of signage shall be coordinated with landscape and building elements and shall complement the overall design of the project. Consistent colors, materials and typography for all signs will contribute to the high image of the Rivergate Industrial District.

2.8.1 General Requirements

- a. All signs shall be integrated with the architectural and landscape design of the site and shall be in scale with their surroundings.
- b. All signs shall meet City requirements. The Port shall review and approve all sign designs prior to the tenant obtaining sign permits.
- c. The location of a sign in a public right-of-way will require an ordinance by the City.

2.8.2 Prohibited Signs

Flashing and rotating signs; billboards; roof signs; temporary signs, including but not limited to banners, reader boards and A-frames; signs placed on fences; signs painted on exterior surfaces of any building (except inset letters or symbols – see 2.8.4 below) and vehicles used as signs are not permitted.

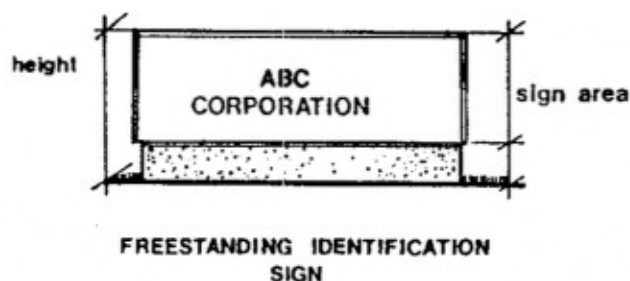
2.8.3 Freestanding Business Identification Signs

2.8.3.1 Single-Tenant Sign Along North Marine Drive and North Lombard Street

One business identification sign of a freestanding, solid base, monument-type will be permitted for each street frontage on a single tenant site. The sign shall not exceed 72 square feet in sign area and 10 feet in height from finished grade level. The base or pedestal of the sign is not included in the sign area calculation, but is included in the height. No other freestanding advertising sign or billboard shall be permitted.

2.8.3.2 Multi-Tenant Sign Along North Marine Drive and North Lombard Street

One freestanding, solid base, monument-type sign will be permitted for each street frontage on a multi-tenant site for the purpose of identifying the building(s) and its tenant(s). The sign shall not exceed 90 square feet in sign area and 10 feet in height from the finished grade. The base or pedestal of the sign is not included in the sign area calculation, but is included in the height. No other freestanding advertising sign or billboard shall be permitted.



2.8.3.3 Single-Tenant Sign/All Other Areas

One business identification sign of a freestanding, solid base monument-type will be permitted for each street frontage on a multi-tenant site for the purpose of identifying the building(s) and its tenant(s). The sign shall not exceed 70 square feet in sign area and 6 feet in height from finished grade. The base or pedestal of the sign is not included in the sign area calculation, but is included in the height. No other freestanding advertising sign or billboard shall be permitted.

2.8.3.4 Multi-Tenant Sign/All Other Areas

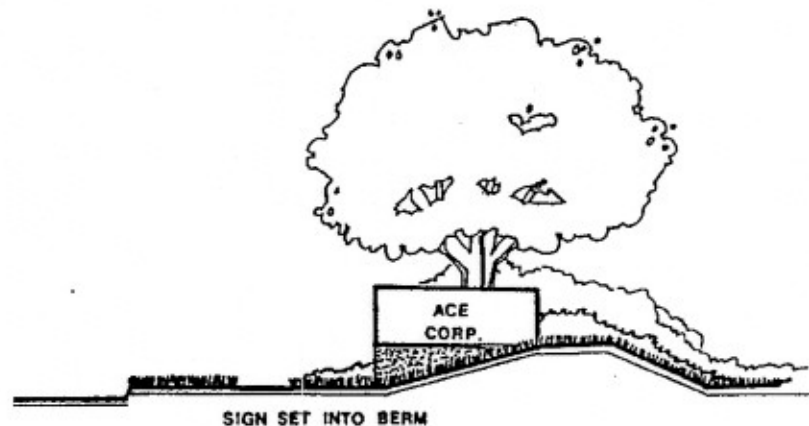
One freestanding solid base, monument-type sign will be permitted for each street frontage on a multi-tenant site for the purpose of identifying the building(s) and its tenant(s). The sign shall not exceed 70 square feet in sign area and 6 feet in height from finished grade. The base or pedestal of the sign is not included in the sign area calculation, but is included in the height. No other freestanding advertising sign or billboard shall be permitted.

2.8.3.5 Location

All freestanding business identification signs shall be located at least 10 feet behind the property line. Signs located along the south side of North Marine Drive and the east side of North Lombard Street will be permitted to be located in the area 15 feet in front of the property line, in the right-of-way. A City ordinance will be required for signs located within the public right-of way.

2.8.3.6 Berms

Freestanding signs shall not be placed on top of berms, but may be set into a berm.



2.8.3.7 Illumination

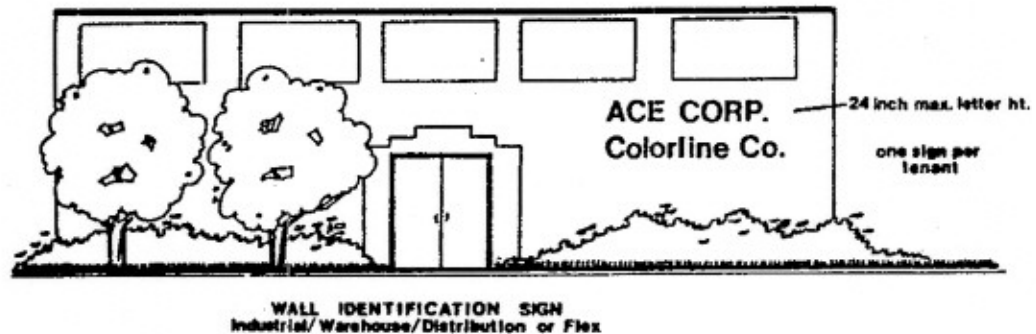
Freestanding signs shall only be illuminated by backlighting of raised letters, internally illuminated individual letters or by low intensity spotlights. Internally-illuminated box or can signs are prohibited. No sign illumination shall create glare. All light fixtures shall be screened from view.

2.8.3.8 Materials

All freestanding signs shall be constructed of concrete, brick, stone or anodized metal.

2.8.4 Building-mounted Business Identification Sign and Logo

- a. One business identification wall sign or logo may be placed on an exterior building wall for each tenant.



- b. Wall signs shall not extend above the top of the wall or parapet, and shall appear as an integral part of the architectural design of the building.
- c. Wall signs shall be made up of individual letters. The letters may be raised, inset or flush mounted. No box or can signs, or signs painted on a board or similar surface and mounted on a building are permitted.
- d. Letter size shall be consistent with the scale of the building and shall not exceed 24 inches in height. Letter size up to 36 inches may be permitted on buildings along North Marine Drive and the east side of North Lombard Street.
- e. Wall signs may consist of individually illuminated letters or may be illuminated by backlighting or low intensity spotlights. No sign illumination shall create glare. All light fixtures shall be screened from view.

2.8.5 Directory Sign

- a. One directory sign may be used for multi-tenant buildings.
- b. Directory signs shall only list the tenants' names and location within the building.
- c. The sign may be either a wall-mounted glass case or a freestanding, solid base monument-type sign. The sign shall be located in close proximity to the building.
- d. The sign area shall not exceed 20 square feet. Freestanding signs shall not exceed 6 feet in height above finished grade.

2.8.6 Directional Signs

2.8.6.1 Location

Directional signs such as "enter," "exit," "shipping," etc., shall be located adjacent to driveways. No sign shall be located so as to obstruct the vision of vehicles or pedestrians. Directional signs shall not be located in the public right-of-way.

2.8.6.2 Size

Directional signs shall not exceed 4 feet in height from the grade and 6 square feet in sign area.

2.8.6.3 Design

All directional signs shall be uniform in design using post-and-panel design. Posts and panel shall have a durable black finish. All lettering shall be white, Helvetica Medium. Letters shall not exceed 6 inches in height.

2.8.6.4 Illumination

Directional signs shall not be illuminated.

2.8.7 Building Address

All buildings shall have address numbers placed at, or as close as possible, to the main entrance.

The numbers shall face the street or entrance walkway. In multi-tenant buildings which do not have one main entrance, the address shall be placed at a prominent location on the building and easily visible from the street. The numbers shall be consistent with the business identification signs.

2.8.8 Window and Door Signs

Small incidental signs for business hours, telephone numbers, etc., may be placed on windows and doors. The total sign area for all incidental signs shall not exceed a total of 2 square feet. The maximum letter height shall be 1 inch.

2.8.9 Temporary Signs

2.8.9.1 Real Estate

Freestanding temporary real estate signs may be permitted, but must be submitted to the Port for approval prior to installation. The sign shall not exceed 8 feet in height from grade and 40 square feet in sign area. Display period shall be limited to one year with written approval from the Port for extension. Display period must also conform to City temporary sign restrictions.

Real estate signs shall be limited to one sign per street frontage of a site and located 25 to 50 feet from the curb. Real estate signs shall not be mounted on a building or in windows. All signs shall be constructed of durable materials.

Real estate signs shall be removed promptly upon completion of the property transaction.

2.8.9.2 Construction Signs

One temporary construction sign shall be permitted for each building site. The maximum sign area shall be 32 square feet. All construction signs shall be removed after certificate of occupancy has been issued.

3. PERFORMANCE STANDARDS

The following Performance Standards shall apply to all tenants in the Rivergate Industrial District. The intent of these Standards is to avoid creation of a nuisance or unsanitary conditions within Port developed facilities.

3.1 Property Use

The use of the property, buildings and other facilities erected on the site shall comply with the laws, statutes, regulations, ordinances and rulings of the State of Oregon and other governing bodies having jurisdiction. The buildings and other facilities comprising the development shall comply with the development plans as approved by the Port. Any subsequent changes in use must be requested in writing and are subject to approval by the Port.

3.2 Air Quality

Any facility locating on Port property shall comply with all Department of Environmental Quality (DEQ) air pollution control regulations referenced in the Oregon Administrative Rules (OAR) and amendments thereto. No open burning shall be permitted.

3.3 Water Quality

The discharge of treated or untreated sewage and/or other waters into the sanitary sewer system and storm sewer system shall conform to the codes and ordinances of the appropriate local and state jurisdictions.

3.4 Noise, Odor, Heat and Glare

All tenants must comply with State, DEQ and City noise standards. No objectionable noise, odor, heat or glare which is detectable beyond the property line will be permitted. All exterior lighting changes shall be submitted to the Port for review and approval.

3.5 Vibration

No vibration generated on-site which is discernible without instruments shall be permitted beyond the tenant's property boundaries.

3.6 Waste Material

All materials, including wastes, shall be stored and all properties maintained in a manner which will not attract and aid the propagation of insects, bird or rodents, or in any way create a health hazard.

3.7 General Environmental Obligations

All activities shall be conducted in compliance with applicable laws and regulations, in cooperation with Rivergate Industrial District property owners' and tenants' efforts to comply with applicable laws and regulations, and in adherence with the best management practices applicable to tenants' or owners' use of the Property. Rivergate Industrial District property

owners and tenants shall manage, and as appropriate, secure their property and its use so as to prevent any violation of law or regulations by any party.

3.7.1 Use of Hazardous Substances

Use, handling, storage and disposal of Hazardous Substances necessary to conduct business shall be performed by Rivergate Industrial District property owners, tenants and their respective employees and agents, contractors or invitees, in compliance with all applicable laws and regulations.

3.7.2 Storm Water Management

Storm water generated in Rivergate Industrial District shall be managed appropriately prior to discharge. Any development within the Rivergate Industrial District, including modifications to the surface conditions or construction improvements, shall be performed in a manner that provides for adequate and lawful storm water collection, transport and discharge. Storm water management shall not allow the accumulation of storm water or run-off to adjacent properties.

4. MAINTENANCE STANDARDS

The Maintenance Standards outline the required level of upkeep and repair for structures and the surrounding property in Rivergate Industrial District.

4.1 Buildings

Exterior walls, facings, trim, canopies and any other exterior detail which have been painted or similarly treated, shall not be allowed to become cracked, chipped, faded, warped or in any other way seriously deteriorated. Materials that have been stained or otherwise treated to age naturally will be allowed to do so. The tenant shall be responsible for repainting building exterior surfaces a minimum of once every five years. The Port may extend or decrease this time period on a case-by-case basis as needed. Broken windows, doors, canopies or other damaged exterior elements shall be replaced promptly.

4.2 Landscape Areas

The following Standards shall be used for the maintenance of landscape areas throughout the site:

1. All on-site landscaping shall be maintained by the tenant. Maintenance shall include all landscaping, signs, lighting, fencing, storm water catch basins and other facilities located within the property line.
2. Landscaping in all parts of the site shall be continuously maintained to ensure an orderly attractive appearance and to meet specific demands of all plant materials. The following tasks shall be performed:
 - a. Establish a regular mowing schedule for all turf areas. Fertilize on a scheduled basis to maintain good color and health.
 - b. Prune all shrubs to maintain intended height specified in the landscape design. All shrubs and trees planted near entries, exits and signs shall be pruned to avoid blocking driver views. Trim groundcovers as necessary to keep borders neat.

- c. Apply fertilizer and insecticide to trees, shrubs and groundcovers on a scheduled basis to maintain plant health. Apply herbicides to planting beds and turf areas to control established weeds and weed seeds.
- d. Clean up and remove all litter, debris, trimmings and clippings from all landscaped areas.
- e. Replace all diseased and dead plant material promptly.

4.3 Fences/Walls

Fences and walls shall have damaged, broken or rotten members repaired or replaced. Painted or similarly treated surfaces which are subject to weathering shall not be allowed to crack, chip, fade, warp or deteriorate.

4.4 Paved Areas and Other Surfaces

Paved areas for loading, parking (permanent and temporary), outdoor storage, driveways and pedestrian paths shall not be allowed to remain broken, cracked, settled or otherwise in need of repair. Dirt and litter shall be promptly removed. Grass, weeds and other plant materials that grow through joints and cracks shall be removed. Areas covered with gravel, bark dust or wood chips and all other open areas shall be kept free of weeds and litter. All markings painted on paved surfaces shall be maintained to be clearly visible.

4.5 Signs

Signs shall be repaired or replaced if damaged or significantly deteriorated. Sign lighting shall be maintained, with burned-out fixtures replaced promptly. Signs which are no longer appropriate due to a change of tenant shall be removed.

4.6 Lighting

All exterior lighting shall be maintained at adequate levels of illumination. Broken or burned-out elements shall be replaced promptly. Damaged fixtures and poles shall be replaced promptly.

5. ENFORCEMENT OF STANDARDS

The Port, at its option, may treat any failure to comply with these Standards as a default, or the Port in the alternative may proceed as follows:

If, within 30 days of written notice to the tenant, tenant has not begun to repair or correct the deficiencies stated in the notice, the Port may enter into a contract for the repair or correction of such deficiencies and the tenant shall reimburse the Port for the costs of such repairs or corrections, plus 10% for the Port's administrative expenses. Failure to pay such amounts within 10 days of invoice shall be deemed a default and subject to interest at the prime rate. The Port reserves the right for itself or designees to enter upon the premises for the purpose of inspecting, repairing or correcting deficiencies.

All the conditions, restrictions and standards contained in these Standards shall be construed together, but if at any time one of these conditions, restrictions or standards becomes invalid or for any reason unenforceable, no other condition, restriction and standard shall be thereby affected or impaired.

APPENDIX A

DEFINITIONS

1. Building Setback Line

The minimum distance which all buildings and structures shall be set back from the property line adjacent to streets and from the side and rear property lines.

2. Design Guidelines

Guidelines for the development of individual sites in a manner which will enhance the working efficiency and visual amenities of the total area, while providing latitude and flexibility for the individual developer.

3. Final Plans

Detailed Development Plans submitted to the Port for final approval. Included are a detailed site plan, architectural and engineering working drawings, construction specifications, exterior material color board, landscape and irrigation plans, sign plans and a construction schedule. Final plans, approved by the Port must be used to proceed with application for appropriate state and city building permits.

4. Flexible Warehouse/Office Buildings

Buildings designed to be flexible enough to accommodate a variety of different uses, ranging from office and research and development to warehousing/distribution and light manufacturing. The buildings are usually one or two stories and generally have more than one tenant.

5. Front Setback

Requires open space areas which face roadways.

6. Greenway Setback

The Willamette Greenway setback, as defined by the City, is a required open space along the Willamette River. Refer to City zoning code for specific greenway requirements.

7. Landscape Area

All areas within the project site which are not utilized for buildings, parking spaces, service area, vehicular circulation, outdoor storage, loading, mechanical equipment or refuse collection. Landscape areas shall include all yards, required screening, walkways and any land not covered by buildings, structures or paved surfaces.

8. Lead Track

A designated track upon which trains are operated by timetable, train order, or both, or the use of which is governed by block signals.

9. Maintenance Standards

Guidelines which are provided to outline the required level of upkeep and repair for structures and the surrounding property.

10. Nuisance

Any use or activity which produces any of the following or similar effects discernable outside of site boundaries or affecting any surrounding property: noise or sound that is objectionable due to its volume, duration, frequency or shrillness; smoke; gas; fumes; odors; dust, dirt or ash; unusual fire or explosive hazards and excavation. Only excavation made in connection with construction is permitted.

11. Open Space Area

Any part of the site not occupied by either a building or the paved surface area used for vehicular circulation, parking, loading or service areas.

12. Parking Bay

A single row of parking spaces.

13. Performance Standards

Guidelines which are provided in order to avoid the creation of nuisance or unsanitary conditions in developed areas within the Rivergate Industrial District.

14. Permanent-Type Construction

Structures or ground facilities constructed with the intent of providing service over the length of the lease agreement or warranty deed, with use of materials and methods of construction which will maintain their appearance and functionality. Trailers, mobile offices and other similar temporary structures are not considered as permanent-type construction.

15. Port of Portland

A municipal corporation organized under the laws of the State of Oregon and governed by a nine member board which establishes and controls the Port's policies and activities.

16. Preliminary Design

Design concept plans submitted to the Port for initial approval prior to detailed planning and design. Included are conceptual site and building plans, conceptual landscape plan, proposed uses and approximate locations of utilities, loading areas, mechanical equipment and any other special apertures.

17. Property Line

The boundary which limits the extent of a particular parcel of land.

18. Rear Property Line

The property line describing the rear boundary of a parcel, opposite the property line fronting the street.

19. Rear Yard Setback

Required open space which faces the rear property line.

20. Screening

Evergreen plant material, berms, fences or walls of sufficient height and capacity to conceal the view of a particular function or area from the street or adjacent properties.

21. Setback

Open space areas used to enhance the perimeter of individual building sites, provide space for buffers and screening and form visual connections to other open spaces.

22. Side Setback

Required open space area which faces other parcels.

23. Sign Area

The area of the sign's surface (per side) which displays letters or symbols.

24. Spur Track

A stub track extending out from a main or other track.

25. Standards

A set of plan review policies, design standards, performance standards and maintenance standards used to guide development of the Rivergate Industrial District.

26. Switch

A connection between two lines of track to permit cars or trains to pass from one track to the other.

27. Tenant

Individuals and/organizations which have either leased or purchased property which is subject to regulation or control by the Port.

28. Variance

A written notification by the Port which modifies one or more Standard as they apply to a particular lot and particular tenant.

APPENDIX B

LANDSCAPE SPECIFICATIONS FOR DEVELOPMENT

Irrigation

1. Tenant Supplied Irrigation Water

When a tenant is required to supply water for the right-of-way landscaping, the following components will be required:

- a. Point of connection (tee) as near to the center of the right-of-way area to be irrigated;
- b. Gate valve to isolate system from tenants;
- c. Approximately sized meter reading in cubic feet.

2. Tenant Supplied Power

When a tenant is required to supply power for the right-of-way landscaping, the following components will be required:

- a. Point of connection at tenant's circuit panel;
- b. Appropriate wire from point of connection to right-of-way;
- c. Circuit breaker mounted within the controller box.

3. Tenant Supplied Irrigation Controller

When a tenant is required to supply an irrigation controller for the right-of-way landscaping, the following components will be required:

- a. Port approved controller;
- b. Controller mounted in side weather proof enclosure;
- c. Enclosure mounted on approved pedestal;
- d. Two spare control wires will be provided from the controller to the farthest valve box in either direction.

4. Irrigation Components

- a. All bed zones will be drip irrigated with a Port approved drip system.
- b. Lawn zones will be irrigated with a Port approved Rainbird spray or rotor type head system.
- c. Provide Port approved drain valves in the low point of the mainline and in at least one valve box.

Planting

1. Ground Preparation

- a. Excavate unsuitable fill to clean material 6 inches below curb top.

- b. Add 4inches of Port approved topsoil.
 - c. Add 2inches of Port approved compost.
 - d. Rototill to a depth of 6inches.
- 2. Planting
 - roved compost.
 - d. Rototill to a depth of 6inches.
- 3. Planting
 - a. Place shrubs and groundcover a minimum of 2 feet from curbs and walkways.
 - b. Ensure soil moisture content is adequate to support the needs of shrubs, trees and groundcover as determined by the prevailing weather conditions.
 - c. Consider mature size of shrubs when placing in beds, the larger the shrub, the closer to the middle of the bed.
 - d. Finish grade to be smooth, free of rocks, clods and debris.
 - e. Apply 2inches minimum bark dust/mulch.

Executed this 6th day of APRIL, 2007.

PORT OF PORTLAND

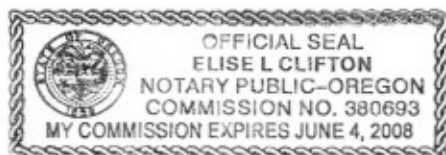
By: _____

Bill Wyatt, Executive Director

Acknowledgment of Port of Portland:

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on April 6, 2007, by
Bill Wyatt, as Executive Director of the Port of Portland, a port
district of the State of Oregon.



Elise L. Clifton
Notary Public of Oregon
My Commission expires: June 4, 2008