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## MEMO

**DATE:** November 22, 2022  
**TO:** Planning and Sustainability Commission  
**FROM:** Jeff Caudill, Environmental Planner  
**cc:** Patricia Diefenderfer, Sallie Edmunds  
**SUBJECT:** Floodplain Resilience Plan Work Session #2 Memo

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On September 27, 2022, the PSC held a public hearing on the Floodplain Resilience Plan. Then, on October 25, 2022, staff responded to a variety of questions posed by the PSC and clarified how the proposed plan would affect properties in the floodplain.

On November 21, 2022, staff will recommend that the PSC vote on a number of staff proposed amendments, shown in Attachment A. These staff-recommended amendments fall into two categories:

- (1) Map Amendments (A-1 through A-4 in Attachment A)
- (2) Zoning Code amendments (A-5 through A-12 in Attachment A)

The proposed Zoning Code amendments are primarily clarifications, as recommended by BDS staff. More detail on each of these amendments can be found in Attachment A and the exhibits contained therein.

Staff plans to summarize the amendments and suggest that PSC vote on all of the amendments as a package. Any PSC member can request a separate vote on any amendment.



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**Attachment A**

**Items Marked for Discussion by Staff: None**

**Decision Table 1: Staff Proposed Amendments to the Proposed Draft**

Ref #	Comment	Commenter(s)	Topic	Comment or Requested Amendment	Staff recommendation	Staff rationale	Discuss?	PSC decision
<b>MAP AMENDMENTS</b>								
<i>Amendment to Map 6, Proposed changes to the River Environmental Overlay Zone in the Willamette River South Reach</i>								
A-1	N/A	BPS Staff	Proposed South Reach River Environmental overlay zone	Modify the extent of the proposed River Environmental to apply it to the river setback, land within 100 feet of the top of bank, and all high- and medium-ranked riparian resources.	Replace Map 6, Proposed changes to the River Environmental Overlay Zone in the Willamette River South Reach, on page 52 of the Proposed Draft with the replacement Map 6 shown in the collection of maps in Decision Table A - Attachment 1.	The proposed River Environmental overlay in the Proposed Draft inadvertently removed some medium-ranked riparian resources that were not in the combined flood hazard area.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
<i>Property-specific Overlay Zone Amendments</i>								
A-2	332046	Sudha Bajpai	Modification of the River Environmental overlay on 11930 S Riverside Drive	Remove the River Environmental overlay zone where it is applied to the house at 11930 S Riverside Drive and remove an additional area of at least 25 feet around the house.	Remove the River Environmental overlay zone where it is applied to the house, as shown in the collection of maps in Decision Table A - Attachment 1.	Removal of the River Environmental overlay zone from the house is consistent with the methodology utilized in the River Plan/South Reach. Removal of the River Environmental overlay zone from the area within 25 feet is not consistent with the methodology. The site is characterized by Special Habitat Area and medium-ranked tree canopy that is part of contiguous canopy that extends to the Willamette riverbank.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
A-3	Call with BPS staff	Jim Kurtshaw	Modification of the proposed River Environmental overlay zone and riparian buffer area on Riverfront Place Condominiums site (NW Riverscape St)	Property owner at 1736 NW Riverscape St contacted City staff to request that the River Environmental overlay zone and riparian buffer area proposals be reevaluated because, as a part of the Riverscape development (around 2010), the site was removed from the FEMA 100-year floodplain through a FEMA Letter of Map Amendment based on the site characteristics.	Remove the property from the combined flood hazard area, as the FEMA 100-year floodplain is the only flood map relevant to the site (the Modeled Willamette River 1996 Flood Extent does not extend onto the property).  With this modification of the combined flood hazard area, remove the proposed expansion of the River Environmental overlay zone and application of the riparian buffer area on the site.  See the modification to the proposed River Environmental and riparian buffer area for this site in the collection of maps in Decision Table A - Attachment 1.	City staff determined that the property had been removed from the FEMA 100-year floodplain through a Letter of Map Amendment and the property should not be considered as a part of the combined flood hazard area. Therefore, the proposed expansion of the River Environmental overlay zone and application of the riparian buffer area on the site is not warranted.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other

Ref #	Comment	Commenter(s)	Topic	Comment or Requested Amendment	Staff recommendation	Staff rationale	Discuss?	PSC decision
A-4	N/A	BPS Staff	Modification of the proposed River Environmental overlay zone and riparian buffer area on Rivage Apartments site (2220 NW Front Ave)	When investigating the Letter of Map Amendment for 1736 NW Riverscape St, it became clear that a portion of this site had also been removed through a FEMA Letter of Map Amendment. As a result, the central portion of the site that is currently identified in the FEMA 100-year floodplain should be removed from the combined flood hazard area and the plan proposals should be updated.	Remove the FEMA 100-year floodplain from the combined flood hazard area in the central portion of the property, as the FEMA 100-year floodplain is the only flood map relevant to this portion of the site (the Modeled Willamette River 1996 Flood Extent does not extend onto the property).  As a result of this modification to the combined flood hazard area, remove the proposed expansion of the River Environmental overlay zone and application of the riparian buffer area in that portion of the site.  See the modification to the proposed River Environmental and riparian buffer area for this site in the collection of maps in Decision Table A - Attachment 1.	City staff determined that the central portion of the property had been removed from the FEMA 100-year floodplain through a Letter of Map Amendment and the property should not be considered as a part of the combined flood hazard area. Therefore, the proposed expansion of the River Environmental overlay zone and application of the riparian buffer area on this portion of the site is not warranted.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
<b>ZONING CODE AMENDMENTS</b>								
<i>Substantive Amendments &amp; Clarifications</i>								
A-5	332079	BDS Staff	Adopted top of bank in the River Overlay Zones Map 475-2	Clarification is needed in the existing code language in 33.475.210.C as to whether an applicant can map the top of bank using a site-specific survey when the top of bank is shown on Map 475-2. The code reads as follows: "Where top of bank is not shown on Map 475-2, top of bank is determined as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank."	Update code in 33.475.210.C as follows:  "C. <b>The river setback.</b> The river setback extends from the top of the bank to a point 50 feet landward of the top of bank. See Figure 475-1. Top of bank is shown on Map 475-2. Where top of bank is not shown on Map 475-2, top of bank is determined as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank. <u>Where top of bank is shown on Map 475-2, applicants may choose to determine top of bank as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank.</u> "  For more detail, see the attached document that includes all of the staff proposed code amendments.	In reviewing the Central City 2035 Plan commentary (when this code was adopted), it was determined that the intent was to allow an applicant to submit a site-specific survey to confirm top of bank on sites that have an adopted top of bank as shown in Map 475-2.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
A-6	332079	BDS Staff	Adjustments to the landscape standard in the River Overlay Zones (33.475.220)	Allow approval of modifications to the landscape standard in the River Overlay Zones (33.475) through an Adjustment Review. In some cases, the prescriptive nature of this code section does not provide the necessary flexibility to address unique situations.	Update the code in 33.475.220 to remove "Adjustments are Prohibited" from the section's introduction text as follows:  "The following regulations apply to new development and exterior alterations to existing development in the River General and River Recreational overlay zones. <del>Adjustments are prohibited.</del> "  For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.	BPS staff agree that through the application of the River Overlay Zones landscape standards, it has become clear that the prohibition on the use of Adjustment Review for approval has caused issues for some proposed development along the Willamette River. Staff believes there is adequate guidance in the landscape standards to allow for approval through an Adjustment Review while still meeting the intent of the standards.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other

Ref #	Comment	Commenter(s)	Topic	Comment or Requested Amendment	Staff recommendation	Staff rationale	Discuss?	PSC decision
A-7	332079	BDS Staff	Exemption for public street and sidewalk improvements in the River Overlay Zones (33.475.405.N)	Update the language for exemptions to public street and sidewalk improvements (33.475.405.N) to include freeways, interstates, and ramps. The code definition of "street" excludes these things, which makes the exemption unusable in these areas. Since the current exemption is limited to developed portions of the ROW only, including other types of improvements would not result in increased impacts to resources.	Update code in 33.475.405.N as follows: "N. <del>Public street and sidewalk</del> improvements that are located within the developed portion of a public right-of-way."  For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2	BPS staff agree that this change is needed because there are a few locations where the River Environmental overlay zone has been applied to freeways and ramps and that the inclusion of these types of improvements would not result in additional impacts to resources.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
A-8	332079	BDS Staff	Updates to the dredging requirements in the South Waterfront Subdistrict (33.510.253.E.4.c)	The more detailed dredging exemption proposed in the Proposed Draft (33.510.253.E.4.c) only addresses areas outside of the federal navigation channel. Please indicate what applies to areas within the navigation channel.  Also, please clarify how this exemption aligns with 33.10.030.C, which states that dredging is regulated in the Willamette River Central and South Reaches only. Note that South Waterfront is not included on Map 475-1.	Update code in 33.510.253.E.4.c as follows: "c. Dredging, channel maintenance, and the removal of materials from the river; <del>and</del> as follows: 1. <u>Dredging, channel maintenance and the removal of material within the federal navigation channel.</u> 2. <u>Dredging, channel maintenance, and the removal of materials outside the federal navigation channel as follows:</u> <ul style="list-style-type: none"> <li>• <u>Dredging and the removal of materials in waters that are 35 feet deep or deeper, measured from the ordinary high water mark;</u>                              or</li> <li>• <u>Channel, slip and berth maintenance that has been approved by the U.S. Army Corps of Engineers.</u></li> </ul> 3. <u>The placement of dredged materials within the River General overlay zone is not exempt."</u>  And update code in 33.10.030.C as follows: "C. <b>Clarification for waterbodies.</b> The siting of fills or structures on or over waterbodies is subject to the zoning code provisions. The zoning code does not regulate shipping, dredging, boating, and other similar uses on or in water bodies. The zoning code does regulate dredging in the Willamette River Central and South reaches <u>and the Greenway overlay zone in the South Waterfront Subdistrict of the Central City</u> , but does not regulate dredging on or in any other portion of the Willamette River or any other water body." For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.	Staff inadvertently left out the exemption for dredging within the federal navigation in the Proposed Draft. This amendment addresses that oversight.  The changes to the dredging make these requirements consistent with those in the River Overlay Zones (33.475), which apply to the north and south of the South Waterfront Subdistrict.  The amendment to 33.10.030.C will clarify that dredging is also regulated in the South Waterfront subdistrict.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other

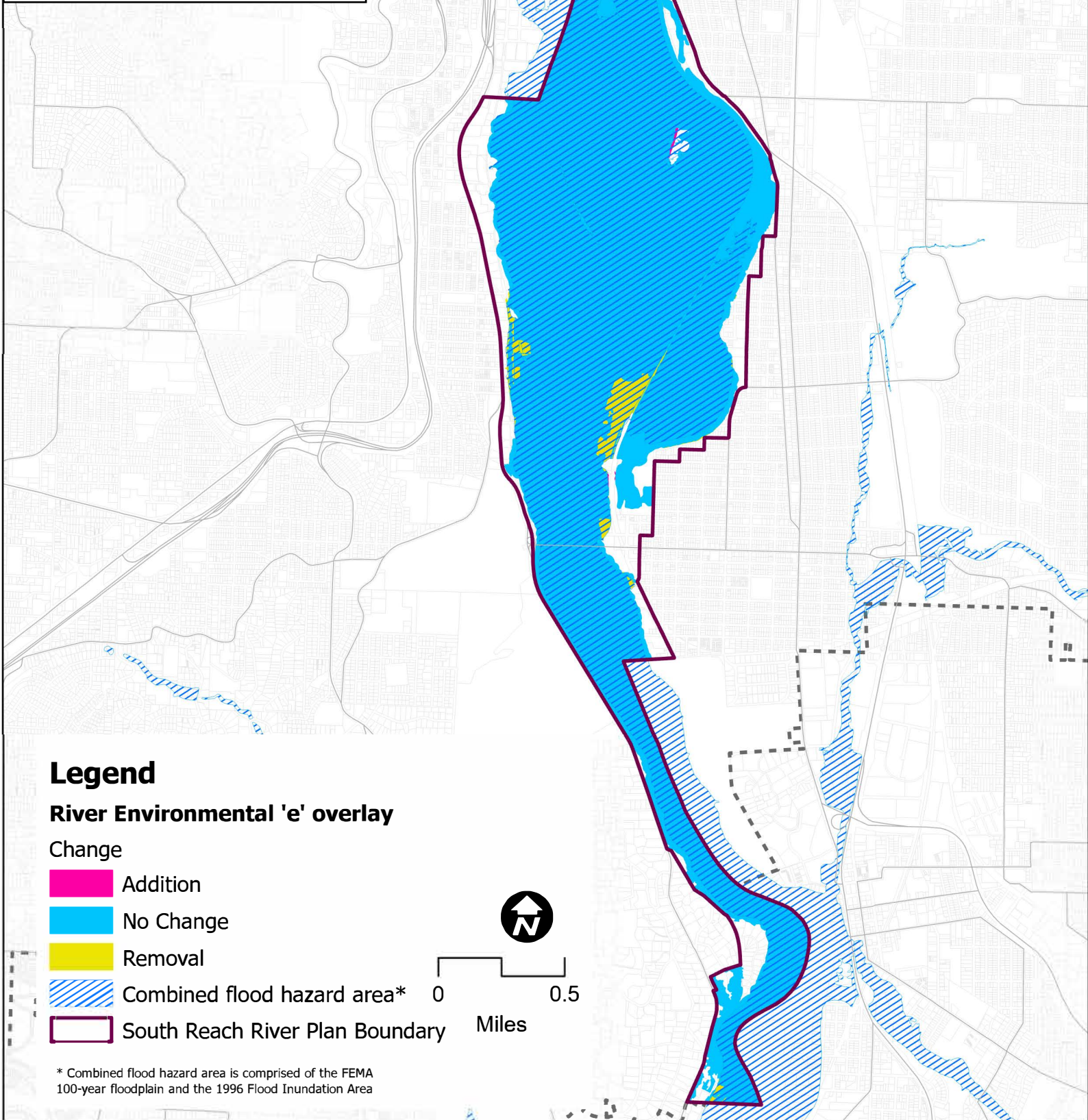
Ref #	Comment	Commenter(s)	Topic	Comment or Requested Amendment	Staff recommendation	Staff rationale	Discuss?	PSC decision
A-9	332079	BDS Staff	Clarify exemptions to tree removal in the South Waterfront Subdistrict (33.510.253.E.4.g.(4))	<p>Revise the tree removal exemption in 33.510.253.E.4.g.(4) to clarify the exemption applies to a combined total diameter of 50 inches.</p> <p>We understand that the intent is to exempt this activity from review, but still require the replanting requirements in the standards (33.510.253.E.5.i). It would be helpful to add a clarification to the exemption that indicates that the replanting requirements apply.</p>	<p>Update code in 33.510.253.E.4.g. as follows:  <u>“g. Tree removal as follows. Trees removed must be replaced as shown in Table 510-1.</u></p> <p>(1) <u>Trees on the Nuisance Plants List;</u></p> <p>(2) <u>Dead, dying or dangerous trees or portions of trees when they pose an immediate danger, as determined by the City Forester or certified arborist;</u></p> <p>(3) <u>Trees that exceed the height restriction of a view corridor within special height restrictions designated in the Central City Scenic Resources Protection Plan; or</u></p> <p>(4) <u>In addition to the trees listed above, up to a combined total diameter of 50 inches of non-native, non-nuisance trees.”</u></p> <p>For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.</p>	Staff agrees that it is important to clarify that the allowed tree removal is a total diameter of 50 inches and that tree removal that is exempt is required to replant per Table 510-1. A similar requirement is included in the River Environmental overlay zone requirements (33.475).	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
A-10	332079	BDS Staff	Modifications to lot size and dimensions in single dwelling zones through Environmental Review (33.610.200, 33.611.200, 33.430.280)	<p>Add language to clarify that modifications to lot size and dimensions in single dwelling zones are allowable through Environmental Review. Prior code changes unintentionally removed this allowance, which is an important tool for protecting resources in these zones.</p> <p>The issue was created because 33.610.200 and 33.611.200 state that “Adjustments are prohibited and only provides an option for Planned Development review. 33.430.280 states that the “The review body may not consider modifications to standards for which adjustments are prohibited.” A clarification in 33.610 and 33.611 is needed that alternative lot sizes/ dimensions may be approved through a PD or an EN modification.</p>	<p>Update 33.610.200, 33.611.200 and 33.430.280 to clarify that modifications to lot size and dimensions in single dwelling zones are allowable through Environmental Review. The proposed updates to each of these chapters are identified in the attached code updates.</p> <p>For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.</p>	Staff agrees that these changes are important for ensuring the protection of natural resources in the Environmental Conservation and Environmental Protection overlay zones.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other
<i>Technical Amendments &amp; Clarifications</i>								
A-11	332079	BDS Staff	Update Figure 510-2 in the South Waterfront Subdistrict (33.510.253.)	The text in Figure 510-2 should be updated throughout to include “South Waterfront Greenway <u>Setback</u> Area” throughout.	<p>Update Figure 510-2 to incorporate “setback” into the figure’s text where the “Greenway Area” is identified.</p> <p>For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.</p>	Not including “setback” was an oversight. It should be included in Figure 510-2.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other

Ref #	Comment	Commenter(s)	Topic	Comment or Requested Amendment	Staff recommendation	Staff rationale	Discuss?	PSC decision
A-12	332079	BDS Staff	Clarify how the proposals apply to 33.631.100	Clarify how the proposed changes to 33.631.100 are intended to apply to existing development located in the combined flood hazard area. Existing language in 631.100.A.2 refers to “all <u>proposed</u> building areas,” which can be interpreted to mean that a lot with an existing building can be created in the flood hazard area provided lots with new building areas are outside. The amended language in 631.100.B.1 would require each lot to have area outside the flood hazard area for allowed or proposed uses. The language should be more consistent and make it clear whether all lots must have buildable area outside of the CFHA.	Update code in 33.631.100.A.2. as follows: “2. Where it is not possible to have all lots outside of the <del>special combined</del> flood hazard area, all <u>existing and proposed</u> building areas must be outside of the <del>special combined</del> flood hazard area.”  For more detail, see all of the staff proposed code amendments in Decision Table A - Attachment 2.	Staff intended for the requirements to apply to both existing and proposed building areas. The proposed update to include existing building area is needed.	<input type="checkbox"/>	<input type="checkbox"/> Support staff rec. <input type="checkbox"/> Other

# South Reach: Proposed River Environmental overlay zone

## DECISION TABLE A - ATTACHMENT 1 MAP AMENDMENTS

Proposed Amendment A-1: Replacement for Map 6 in the document



### Legend

#### River Environmental 'e' overlay

Change

- Addition
- No Change
- Removal
- Combined flood hazard area\*
- South Reach River Plan Boundary

\* Combined flood hazard area is comprised of the FEMA 100-year floodplain and the 1996 Flood Inundation Area



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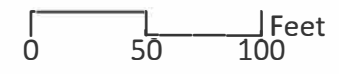
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# Floodplain Resilience Plan

## Proposed Removal of River 'e' Overlay

- Legend
- Existing River 'e' Overlay
  - Area of Removal of
  - Proposed River 'e' Overlay Zone Expansion
  - Building Footprints

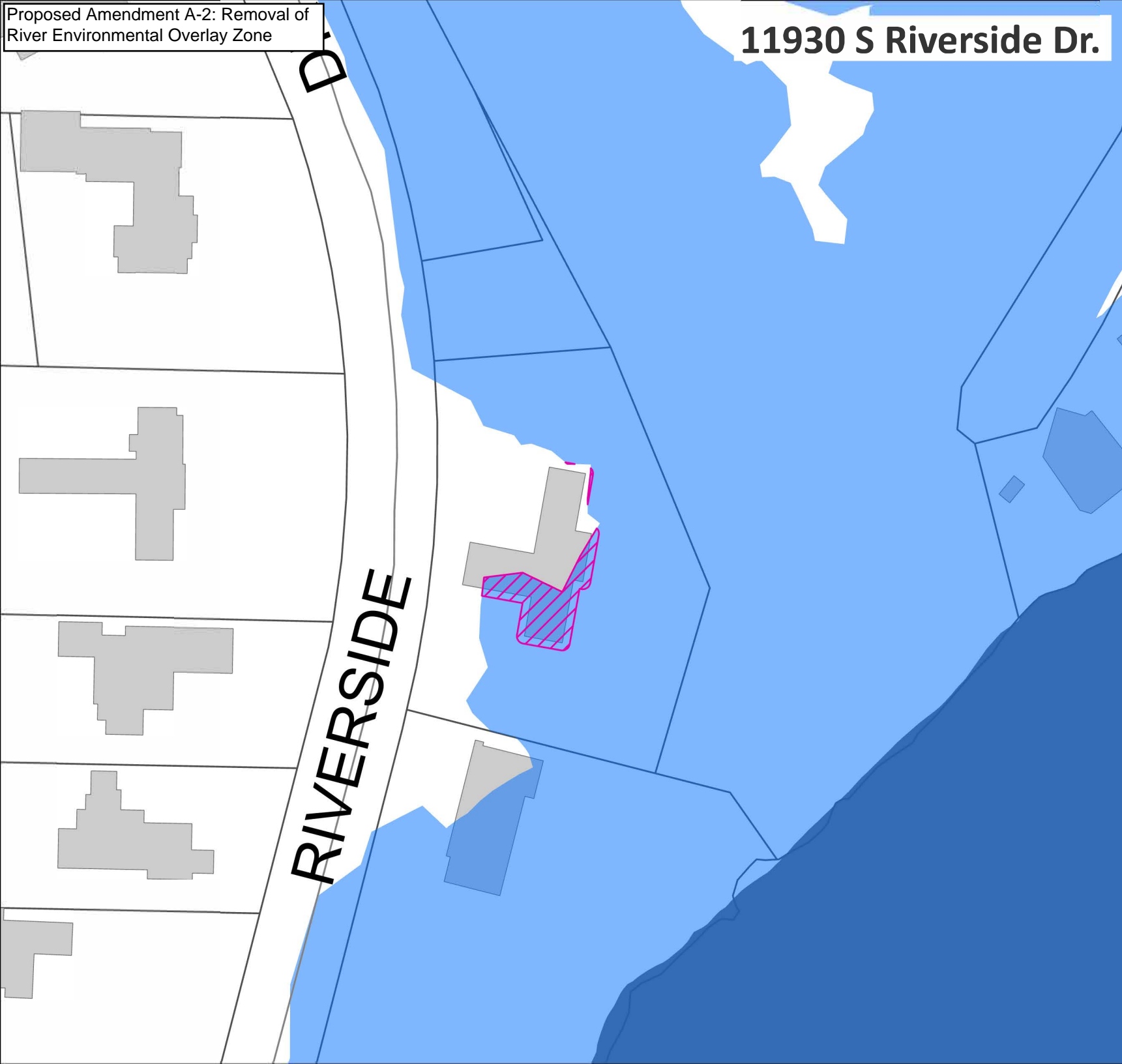


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





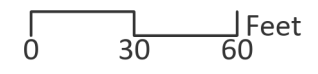
Proposed Amendment A-3: Modify proposed River Environmental overlay zone and riparian buffer area

# NW Riverscape St.

October 21, 2022  
City of Portland | |  
Bureau of Planning and Sustainability | |  
Geographic Information Systems

## Floodplain Resilience Plan Amendments to the Proposed River 'e' Overlay and Riparian Buffer Area (RBA)

- Legend
-  Area of Removal of Proposed River 'e' Overlay Zone Expansion
  -  Area of Removal of Proposed RBA
  -  Existing River 'e' Overlay
  -  Proposed Riparian Buffer Area (RBA)
  -  Combined FEMA 100-year and 1996 Flood Extents
  -  Building Footprints



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



Proposed Amendment A-4: Modify proposed River Environmental overlay zone and riparian buffer area

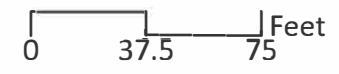
2220 NW Front Ave.

October 21, 2022  
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# Floodplain Resilience Plan

## Amendments to the Proposed River 'e' Overlay and Riparian Buffer Area (RBA)

- Legend
-  Area of Removal of Proposed River 'e' Overlay Zone Expansion
  -  Area of Removal of Proposed RBA
  -  Existing River 'e' Overlay
  -  Proposed Riparian Buffer Area (RBA)
  -  Combined FEMA 100-year and 1996 Flood Extents
  -  Building Footprints



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# DECISION TABLE A - ATTACHMENT 2

## CODE AMENDMENTS

(Proposed changes highlighted in gray)

underlined  
n in ~~strikethrough~~

### 33.10 Legal Framework and Relationships

# 10

#### 33.10.030 When the Zoning Code Applies

A.-B. [No change]

C. **Clarification for waterbodies.** The siting of fills or structures on or over waterbodies is subject to the zoning code provisions. The zoning code does not regulate shipping, dredging, boating, and other similar uses on or in water bodies. The zoning code does regulate dredging in the Willamette River Central and South reaches and the Greenway overlay zone in the South Waterfront Subdistrict of the Central City, but does not regulate dredging on or in any other portion of the Willamette River or any other water body.

D. [No change]

Language to be added is underlined.  
Language to be deleted is shown in ~~strike through~~.

## 33.430 Environmental Zones

430

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### **33.430.280 Modifications That Will Better Meet Environmental Review Requirements**

The review body may consider modifications for lot dimension standards or site-related development standards as part of the environmental review process. Except as specified in 33.610.200 and 33.611.200, ~~the~~ review body may not consider modifications to standards for which adjustments are prohibited. Modifications are done as part of the environmental review process and are not required to go through the adjustment process. Adjustments to use-related development standards (such as floor-area ratios, intensity of use, size of the use, number of units, or concentration of uses) are subject to the adjustment process of Chapter 33.805. In order to approve these modifications, the review body must find that the development will result in greater protection of the resources and functional values identified on the site and will, on balance, be consistent with the purpose of the applicable regulations. For modifications to lot dimension standards, the review body must also find that the development will not significantly detract from the livability or appearance of the area.

## 33.475 River Overlay Zones

475

### 33.475.210 River Setback

The following regulations apply to new development and exterior alterations to existing development in the River General and River Recreational overlay zones. Adjustments are prohibited.

**A.-B.** [No change]

- C. The river setback.** The river setback extends from the top of the bank to a point 50 feet landward of the top of bank. See Figure 475-1. Top of bank is shown on Map 475-2. Where top of bank is not shown on Map 475-2, top of bank is determined as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank. Where top of bank is shown on Map 475-2, applicants may choose to determine top of bank as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank.

Where alteration to the river bank carried out to meet 33.475.440.H results in the top of bank shifting landward, the applicant may choose to measure the setback from the original top of bank. When this occurs, a survey of the original top of bank line and new top of bank line must be submitted for verification that the top of bank has been measured according to the standard in 33.930.150, Measuring Top of Bank, and then recorded with the County recorder. In all cases the river setback line must be at least 5 feet landward of the new top of bank line. Before installing the required landscaping, the following standards must be met:

### 33.475.220 Landscaping

The following regulations apply to new development and exterior alterations to existing development in the River General and River Recreational overlay zones. ~~Adjustments are prohibited.~~

**A.-B.** [No change]

- C. Landscaped area site preparation.** Before installing the required landscaping, the following standards must be met:

1.-2. [No change]

### 33.475.405 Items Exempt From These Regulations

The following items are exempt from the River Environmental overlay zone regulations:

**A.-M.** [No change]

- N.** ~~Public street and sidewalk i~~ mprovements that are located within the developed portion of a public right-of-way.

**O.-S.** [No change]

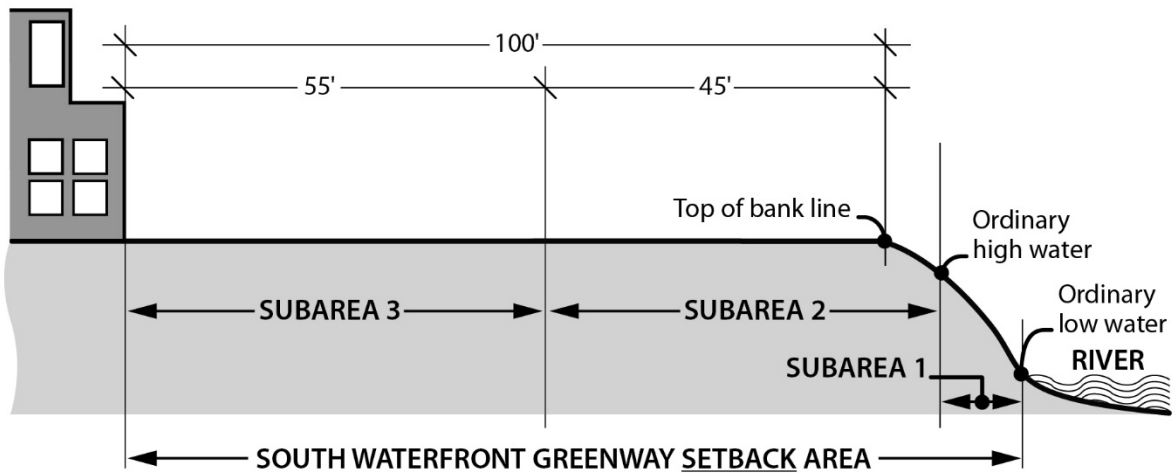
### 33.510 Central City Plan District

# 33.510

#### 33.510.253 Greenway Overlay Zone in the South Waterfront Subdistrict

A.-C. [No change]

**Figure 510-2**  
**South Waterfront Greenway Setback Area and Subareas**



Greenway Setback Area = from ordinary low water to 100' from top of bank line  
Subarea 1 = from ordinary low water to ordinary high water  
Subarea 2 = from ordinary high water to 45' in from top of bank line  
Subarea 3 = from 45' in from top of bank to 100' in from top of bank line

DRAFT

**D. Required South Waterfront Greenway Setback Area improvements.** Adjustments and modifications to this subsection are prohibited.

1. Required landscaping.

- a. When development on the site, or alterations to structures, the site, or rights-of-way are made, and BDS determines that the value of the proposed alterations on the site is more than \$330,800, the site must be brought into conformance with the landscape requirements of Paragraph E.5.f.g. that apply to subareas 2 and 3 of the South Waterfront Greenway Setback Area. The value of the alterations is based on the entire project, not individual building permits. It is the responsibility of the applicant to document the value of the required improvements.

The following alterations and improvements do not count toward the dollar threshold of this subsection:

(1)-(5) [No change]

- b. [No change]

- c. Supplemental application requirement. Where landscaping is required by this paragraph, the applicant must submit a landscape plan to BDS that shows that the landscaping will grow to meet the landscape standards of Subparagraph E.5.fg., below, within five years. The landscape plan must be certified by a licensed landscape architect, or by a qualified restoration specialist as part of a formal City revegetation project under authority of Portland Parks and Recreation or the Bureau of Environmental Services.
  2. Bank improvements. In subarea 1, when there is any regrading, bank stabilization, or other activities affecting the contours and composition of soil, the requirements of Paragraph E.5.fg. for subarea 1 must be met.
  3. Major public trail and pedestrian connections and public viewpoints. When development on a site, or alterations to structures, the site, or rights-of-way are made that add more than 50,000 square feet of floor area to the site, the applicant must provide public access easements for, and construct, the major public trail, pedestrian connections to the major public trail, and public viewpoints in accordance with Subparagraph E.5.de., and Subparagraph E.5.ef. The requirement to provide an access easement for, and construct, the major public trail, pedestrian connections, and public viewpoints applies only when the development described above will increase the use of the major public trail system or will contribute to the need for additional major public trail facilities, and application of the regulations is determined to be roughly proportional to the impacts of the proposed development. The square footage added to the site is calculated based on the total amount added, regardless of the amount demolished
  4. [No change]
  5. Landscaping monitoring and reporting. Monitoring required landscaping is the ongoing responsibility of the property owners. If landscaping is required by the subsection, the owner must submit a report to BDS documenting that the landscape standards of Subparagraph E.5.fg. below, have been met on the site. The report must be submitted within 1 year of the installation date, or within the timeline approved through a South Waterfront Greenway Review. See Chapter 33.851.
- E. Review thresholds and development standards.** ~~Generally, proposals are subject to design review. In most instances, applicants may choose between meeting development standards or going through South Waterfront greenway review. In some instances South Waterfront greenway review is required.~~
1. ~~Where these regulations apply. The regulations of this subsection apply in the South Waterfront Greenway Area as shown on Figure 510-2. The regulations apply to development and alterations to structures, sites, and rights-of-way.~~

- ~~12.~~ 12. Design review. Within the South Waterfront Greenway Setback Area shown on Figure 510-2, New development, and changes to the land or structures including excavations and fills, bridges, and docks are subject to design review, unless exempted by Paragraph E.4.
- ~~23.~~ 23. South Waterfront greenway review. South Waterfront greenway review is required for the following:
  - a. New development or exterior alterations that do not meet the standards of Paragraph E.5.~~b through E.5.i~~ and are not exempted by Paragraph E.4. South Waterfront greenway review is not required for exterior alterations to nonconforming development in the South Waterfront Greenway Setback Area if the exterior alteration brings the site closer to conformance with the applicable standards in E.5;
  - b. New development, or changes to the land or structures, riverward of top of bank, including excavations and fills, bridges, and docks, unless exempted by Paragraph E.4.
3. Adjustment review. An adjustment, or modification through design review, is required for new development or exterior alterations that do not meet the standards of Paragraph E.5.j and are not exempted by Paragraph E.4.
4. ~~Exemptions from design review and South Waterfront greenway review.~~ The following are exempt from this Subsection: design review and South Waterfront greenway review;
  - a. Changes to the interior of a building ~~where there are not exterior alterations;~~
  - b. Normal maintenance and repair;
  - ~~c. Excavations and fills of less than 50 cubic yards;~~
  - cd. Dredging, channel maintenance, and the removal of materials from the river; and as follows:
    1. Dredging, channel maintenance, and the removal of material within the federal navigation channel.
    2. Dredging, channel maintenance, and the removal of materials outside the federal navigation channel as follows:
      - Dredging and the removal of materials in waters that are 35 feet deep or deeper, measured from the ordinary high water mark; or
      - Channel, slip and berth maintenance that has been approved by the U.S. Army Corps of Engineers.
    3. The placement of dredged materials within the River General overlay zone is not exempt.
  - de. Emergency procedures necessary for safety or the protection of property;



Language to be **added** is underlined  
Language to be **deleted** is shown in ~~strikethrough~~

- ~~f. The placement of up to four single piles, or two multiple-pile dolphins for each 100 feet of shoreline for an existing river dependent or river related use.~~
- ~~eg. Development of public streets identified in the adopted *South Waterfront District Street Plan, Criteria and Standards* are exempt from design review, but not greenway review.~~
- ~~f. Planting of native vegetation listed on the Portland Plant List when planted with hand-held equipment or equipment with a wheel surface-to-ground pressure of no more than 7.5 psi.~~
- ~~g. Tree removal as follows. Trees removed must be replaced as shown in Table 510-1.~~
  - ~~(1) Trees on the Nuisance Plants List;~~
  - ~~(2) Dead, dying or dangerous trees or portions of trees when they pose an immediate danger, as determined by the City Forester or certified arborist;~~
  - ~~(3) Trees that exceed the height restriction of a view corridor within special height restrictions designated in the Central City Scenic Resources Protection Plan; or~~
  - ~~(4) In addition to the trees listed above, up to a combined total diameter of 50 inches of non-native, non-nuisance trees.~~
- 5. Development standards. ~~The following development standards must be met unless the applicant chooses South Waterfront greenway review. Adjustments and modifications to these standards are prohibited.~~
  - a. Where the standards apply.
    - (1) Standards E.5.b through E.5.h apply in the South Waterfront Greenway Setback Area shown on Figure 510-2. South Waterfront greenway review is required for proposals that do not meet the standards. Adjustments to standards E.5.b through E.5.h are prohibited.
    - (2) The standards in E.5.i apply within the combined flood hazard area and within the South Waterfront Greenway Setback Area shown on Figure 510-2. South Waterfront greenway review is required for proposals that do not meet the standards. Adjustments to the standards in E.5.i are prohibited.
    - (3) The standards in E.5.j apply within the River General overlay zone. Adjustments or modifications through design review are allowed for the standards in E.5.j.

## 33.610 Lots in RF through R5 Zones

# 610

### 33.610.200 Lot Dimension Regulations

Lots in the RF through R5 zones must meet the lot dimension regulations of this section.

- A. [No change]
- B. **Minimum lot area.** Each lot must meet the minimum lot area standard stated in Table 610-2. Lots that do not meet the minimum lot area standard may be requested through Planned Development Review or, when the site is in an environmental overlay zone, as a modification through environmental review. ~~Other than as specified in this Subsection,~~ ~~Adjustments~~ are prohibited.
- C. [No change]
- D. **Minimum lot width.** Each lot must meet one of the following regulations. Lots that do not meet these regulations may be requested through Planned Development Review or, when the site is in an environmental overlay zone, as a modification through environmental review. ~~Other than as specified in this Subsection,~~ ~~Adjustments~~ to the regulations are prohibited.
  - 1-2. [No change]
- E. **Minimum front lot line.** Each lot must have a front lot line that meets the minimum front lot line standard stated in Table 610-2. Lots that are created under the provisions of Paragraph D.2 above, may reduce the front lot line to equal the width of the lot. Lots that do not meet the minimum front lot line standard may be requested through Planned Development Review or, when the site is in an environmental overlay zone, as a modification through environmental review. ~~Other than as specified in this Subsection,~~ ~~Adjustments~~ to this standard are prohibited.
- F. **Minimum lot depth.** Each lot must meet the minimum lot depth standard stated in Table 610-2. Lots that do not meet the minimum lot depth standard may be requested through Planned Development Review or, when the site is in an environmental overlay zone, as a modification through environmental review. ~~Other than as specified in this Subsection,~~ ~~Adjustments~~ to this standard are prohibited.
- G. [No change]

## 33.611 Lots in the R2.5 Zone

# 611

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### 33.611.200 Lot Dimension Regulations

Lots in the R2.5 zone must meet the lot dimension regulations of this section. Lots that do not meet these regulations may be requested through Planned Development Review or, when the site is in an environmental overlay zone, as a modification through environmental review. ~~Other than as specified in this Subsection, A~~adjustments to the regulations are prohibited.

## 33.631 Sites in the Combined Flood Hazard Areas

631

### 33.631.020 Where the Approval Criteria Apply

The approval criteria of this chapter apply to proposals for land divisions where any portion of the land division site is in the ~~special~~ combined flood hazard area.

### 33.631.100 Flood Hazard Area Approval Criteria

- A. RF through R2.5 zones.** The following criteria must be met in the RF through R2.5 zones:
1. Where possible, all lots must be outside of the ~~special~~ combined flood hazard area; and
  2. Where it is not possible to have all lots outside of the ~~special~~ combined flood hazard area, all existing and proposed building areas must be outside of the ~~special~~ combined flood hazard area.
- B. RM1 through RMP, C, E, I, IR, and CI zones.** The following criteria must be met in the RM1 through RMP, C, E, I, IR, and CI zones:
1. ~~Where possible, e~~ Each lot must have adequate area outside of the ~~special~~ combined flood hazard area to accommodate allowed or proposed uses. This criterion does not apply to river-dependent uses; and
  2. ~~Where it is not possible to create lots that have adequate area outside of the special flood hazard area to accommodate allowed or proposed uses, the following must be met:~~
    - a. ~~Lots must be configured so that development on them will reduce the impact of flooding and to provide the greatest protection for development from flooding;~~
    - b. ~~Lots must be configured so that allowed or proposed uses that are not river-dependent will be able to locate on the highest ground and near the highest point of access, and so that development on the lots can be configured in a manner that will minimize obstruction of floodwaters; and~~
    - e. Where the proposed uses and development are river-dependent, lots must be configured so that development on them will minimize obstruction of floodwaters.
- C. In all zones.** The following criteria must be met in all zones:
1. Services proposed in the ~~special~~ combined flood hazard area must be located and built to minimize or eliminate flood damage to the services; and
  2. [No change]