

Portland Planning Commission

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June 11, 2024

Mayor Wheeler and City Commissioners
City Hall
1221 SW 4th Ave
Portland, OR 97204

Dear Mayor and City Commissioners,

The Planning Commission is pleased to offer its support for the Land Division Code Update (LDCU) project. On March 26, 2024, the Planning Commission held a hearing on the staff proposal, and on April 23, 2024, the Commission voted unanimously to recommend approval of the Land Division Code Update project.

The LDCU project responds to City Council's directive¹ to simplify the land division process for small residential development. Dividing oversized lots and parcels in residential zones increases the opportunities for additional housing and is an especially important tool for increasing housing in areas that are zoned for houses, duplexes,

¹ Resolution #37593, adopted November 3, 2022



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triplexes and fourplexes. To this end, the LDCU project proposes zoning code amendments that will streamline the residential land division review process by reducing regulatory barriers and uncertainty.

The City's land division regulations were last updated in 2002. This project is a comprehensive update to the 2002 regulations and includes many technical clarifications in addition to substantive changes. Together, the changes:

1. Create clear and objective standards for the aspects of land division regulations that currently only have discretionary approval criteria,
2. Recalibrate existing standards, thresholds, and review procedures, and
3. Update the Portland's Potential Landslide Hazard Area Map.

The amendments create an innovative set of land division regulations that will allow the applicant to choose between the clarity of clear and objective standards or the flexibility of discretionary approval criteria. Clear and objective standards are a one-size-fits-all approach that offers certainty around what is required, while discretionary approval criteria offer flexibility to meet the intent of the regulation when site specific circumstances make it hard or impractical to meet the standard. This approach allows the applicant to tailor each set of land division regulations to create the most expedient review for their purposes.

The Planning Commission appreciates the amount of work that project staff put into this proposal. The update to the landslide hazard map resulted in over 5,000 notices to potentially affected property owners. Staff responded to nearly 60 calls from stakeholders, and we took testimony from 16 individuals. Many were complimentary of staff and grateful for the information they received. While some of the testimony expressed concerns related to the map update, staff was able to allay the concerns by reiterating that the only purpose of the map is to determine if additional geotechnical analysis is warranted as part of an application for a land division – in other words, the map has no effect except as part of land division process.



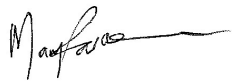
Recommendation

The Planning Commission recommends that the City Council take the following actions:

1. Adopt the Land Division Code Update Recommended Draft report
2. Amend the Zoning Code (Title 33), as shown in the Recommended Draft.
3. Repeal the 2002 Potential Landslide Hazard Map (Appendix B to Exhibit A of Ordinance Number 175965).

Thank you for considering our recommendations.

Respectfully submitted,



Mary-Rain O'Meara, Chair

