

Regulatory Improvement Workplan

RICAP 11

Regulatory Improvement
Code Amendment Package 11

Workplan Appendix: RIR Database Items

March 2025

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Summary of Database Items

The Bureau of Planning and Sustainability (BPS) has maintained a database of regulatory suggestions since the implementation of the Regulatory Improvement workplans in 2003. Known as the Regulatory Improvement Request (RIR) database, it contains regulatory suggestions made by city staff and members of the general public.

As explained in the Workplan document, the Regulatory Improvement Code Amendment Packages (RICAPs) are an ongoing program that has been paused and restarted several times over the years due to budget constraints. However, the RIR database continued to accept suggestions. As a result, many additional items were added to the database during that time, which has resulted in a backlog of over 400 items. In the fall of 2025, staff from PP&D and BPS downloaded and reviewed the list of all items in the RIR that have not been assigned to a previous project. This list can be found below. Items chosen from this list make up the bulk of the RICAP 11 workplan. Items selected from this database have been **highlighted** below. During the selection process for RICAP 11, some additional suggestions were submitted directly to Bureau staff that were selected for inclusion; therefore, not all items on the work plan are shown below.

Items that may be included in a RICAP are technical items and those that entail only minor policy changes. Issues that will result in more significant policy changes, or will require significant resources, are directed to other projects. This spreadsheet is presented as an appendix for the RICAP 11 workplan to illustrate the variety of items that are currently within the suggestion database. The list is sorted by code section and contains several columns described as follows:

- **RIR #** - the identification number for the item in the Regulatory Improvement Requests (RIR) database.
- **Item Label** – briefly describes the topic
- **Problem Statement** – a description of the problem as it was entered in the database.
- **Requested Action** – the requestor's concept for addressing the problem
NOTE: The text in the "problem statement" and "requested action" columns generally is verbatim from the database as entered by staff or members of the public. ***These columns do not represent an endorsement of the problem as specifically stated nor a recommended solution by the Bureau of Planning and Sustainability.*** As further research is done on these items, the proposed resolution of each issue may differ from the requested action.
- **Code Section** – cross reference to the section of city code that contains the regulation to be addressed
- **Complexity** – RICAP eligible items are either "minor policy", "clarification", "technical correction", or "consistency change"
- **Rank** – for minor policy items, a rank from negative (12) to positive 12 is assigned based on ranking criteria described earlier in this report.

- **Resource** – the number of dollar signs indicates a magnitude of order (\$) to (\$\$\$\$) for resources required to effectively evaluate, conduct needed outreach and develop solutions to address the regulatory improvement request.

The items on the following table are sorted by RIR#, which corresponds with the order in which the items were entered, with the newest items at the top.

UNASSIGNED RIR ITEMS

RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2858891	Required outdoor areas	Code is unclear about allowed encroachments into required outdoor areas, such as balcony railings and support beams	Consider clarifying whether or not building elements/features such as support beams and balcony railings are allowed in the required outdoor area dimensions or not.	33.130	Minor Policy Change		
2854538	Buffering standards	Many landscape standards have context provided that describes exceptions or allowed interruptions in the landscaping, but often, when there is a required buffer specifically, no language is in the code providing guidance on when interruptions are allowed. This has led to adjustment reviews for any intrusion into a required buffer, including institutional uses in residential zones, but also other buffering standards. An example of where the code does do this is Table 130-2 with 33.130.215.B.3, where buffering is specifically called out in the exceptions. In 33.140.215.B.4.a, buffering is specifically excluded from the extensions into the setbacks.- 33.110.255.B.1.b "" landscape buffer area for flag lots greater than 3,000sf. - 33.120.284.C.2 "" landscape buffer for certain flag lots- Table 110-9 "" Institutional Development Standards buffering requirements (33.110.270.C.8 does have an allowance for grassy areas).- Table 120-8 "" Institutional Development Standards buffering requirements (33.120.275.C.7 does have an allowance for grassy areas).There may be other examples and standards that could be included in this look. This item would partner well with the other items looking at other intrusions into required landscape setbacks for RICAP 11.	Please look at the buffering standards in the code universally and include allowances for, for example, one pedestrian path and one vehicle driveway, and anything deemed appropriate to interrupt required buffering. As it is now, in many circumstances many buffer standards have no exceptions or allowances, resulting in adjustments.	33.110.110 .255	Minor Policy Change	3.0	\$\$
2851682	Bonus height in Historic and Conservation Districts	The written standard in 33.130.212.B.5.b says that bonus height can only be earned in the Design Overlay, but Footnote 1 under Table 130-3 says that bonus height is allowed on sites within HDs, CDs, or the Design Overlay. Code commentary from the Historic Resources Code Project supports the idea that the bonus height should be available for	Allow bonus height for projects in Historic and Conservation districts not otherwise in "d" overlay.	33.130	Minor Policy Change	1.8	\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
		development in either Historic Districts or Conservation Districts but not otherwise located within the Design Overlay.					
2851679	National Register Districts	Code refers to wrong type of district	33.445.220.E.2.b. uses "Conservation Districts", but should be "National Register Districts".	33.445.220	Technical Correction		\$
2851678	Historic Designation Removal	Clarify whether "and" or "or" is meant. The word "and" in C.1. Per 33.700.D.3.a, the use of the word "And" indicates that all connected items or provisions apply. This seems to mean that in order to meet C.1, both 030.D.1 and 030.D.2 would have to not be met. However, proper application of this approval criteria would be if either 040.D.1 or 040.D.2 are not met, then C.1 is met. Standard preservation practice a resource requires both Significance (040.D.1) and Integrity (040.D.2) in order to be designated. And, indeed, our approval criteria for Designation (33.846.040.D) requires that all of the following approval criteria are met: Significance, Integrity, Proper Level of Protection. Therefore, if something had Significance but did not have Integrity, we would not approve designation. Thus it follows that if something lacked one of the two, de-designation would be appropriate. In Designation, Significance and Integrity are unique criteria as is Level of Protection. In Designation Removal, Significance and Integrity are lumped together and Level of Protection is separated because an applicant responding to 030.D.2 would be demoting the designation whereas an applicant responding to 030.D.1 would be seeking to remove designation entirely.	Confirm that if EITHER 030.D.1 or 030.D.2 is not met then that means that 040.C.1 is met.	33.846.040	Minor Policy Change	3.8	\$\$
2851677	Historic District window replacement	Historic review did not include window replacement because it was exempt, but style of window was not compatible.	Address style of window used for replacement in exemption.	33.445.200	Minor Policy Change	1.8	\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2851676	Temporary disturbance for ROW improvements	When there is temporary construction disturbance area outside of the ROW, e-zone exemption for the portion in the ROW is not appropriate because it only allows review of temporary disturbance (grading, tree removal, etc.). Alternatives analysis for design, location, construction methods it all ties back to the improvements being done. Not appropriate to evaluate grading or construction in isolation from the improvements.	Change to "Improvements and all temporary disturbance area must be within a public right-of-way used by truck or automobile traffic. And then add a "c" or some other clarification that if the exemption cannot be fully met, the improvements are subject to the regulations of this chapter.	33.430.080	Minor Policy Change	2.0	\$\$\$
2851666	Cottage Cluster separation	Not clear if stairs or other exterior features of a building are allowed within separation. Eaves have been allowed. Code commentary refers to things that contribute to building coverage, but this is not consistent with the code language.	Clarify elements associated with a building that are allowed within separation.	33.110	Minor Policy Change	4.0	\$\$
2851662	Stormwater facility decommissioning	There aren't clear standards for decommissioning underground stormwater facilities. DEQ requires this for some but not those serving roof drains from single-family residential. Needs discussion with Environmental Services, Site Development and City Attorneys. This isn't actually a clear and objective standard with regard to stormwater facilities and requires the City to set a standard elsewhere to implement it.	Clarify standard or remove requirement.	33.635	Minor Policy Change	3.0	\$\$\$
2851661	Type B ASTR intensity	The zoning code limits the intensity of Type A ASTRs at 5 guests in up to 2 bedrooms but does not put a limit on the number of guests in a Type B ASTR which has caused applicants to assume the intended intensity is 2.5 guests per bedroom which would equal 12.5 total guests in a 5 bedroom ASTR. Including a guideline of 2 guests per bedroom or 10 guests maximum would help set expectations for appropriate intensity which isn't so out of scale with a typical single-dwelling house.	Add a standard in 33.207.050.B that sets a maximum limit of guests to a ratio of 2 people per bedroom.	33.207.050	Minor Policy Change	3.8	\$\$
2851660	Medium-sized Music Venues	It is not clear whether medium-sized music venues are considered Retail Sales and Service or Major Event Entertainment uses.	Classify medium-sized music venues as Retail Sales and Service uses.	33.920.250	Minor Policy Change	2.0	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2851658	Use restrictions in C11	Uses are too tightly restricted for institutions in C11, leading some to request zone changes to C12.	Reexamine the limitations on Household Living, Office and Retail uses in the C11 zone.	33.150.100	Major Policy Change		\$\$\$
2851656	Eaves and Building Coverage	The definition of building coverage states that when eaves are greater than two feet, the entire eave is included in building coverage. Since eaves less than two feet are excluded, it seems like two feet of the larger eaves should be excluded.	Exclude two feet of eaves from building coverage regardless of size of eaves.	33.910.030	Minor Policy Change	1.0	\$\$
2851655	Qualifying Situations	Housing Adjustments Compliance Project allows adjustments to several situations that might have been considered qualifying situations. This makes current uncertainty about what is considered a qualifying situation more confusing.	Revise 33.805.040.B.4. to provide more clarity on what falls into a qualifying situation.	33.805.040	Minor Policy Change	1.3	\$\$
2851647	Structures on Wheels	The definition of Structure includes objects constructed in or on the ground. It is not clear if objects that are on the ground, but have wheels are included in this definition. Some of these objects would be impractical to move and have the same impact as something constructed in the ground (example is basketball hoop with base filled with water).	Consider clarifying "on the ground" or specifically excluding objects that are on wheels or could move with designed modification.	33.910.030	Minor Policy Change	-0.5	\$\$
2849927	Accessory Home Occupations outdoor activities	Businesses that allow people to come to a residence to rent the backyard for periods of time are not allowed under 33.203. Compliance cases for this for Swimply and Sniff Spot.	Consider easing 33.203.040.A.1 to allow some outdoor activities. Could include additional restrictions on time of use or number of days outdoor space is rented out.	33.203.040	Minor Policy Change	0.0	\$\$\$
2846777	Daycare: Nonconforming Upgrades	There is a shortage of Daycare businesses serving our community. I am working with a state-wide effort to identify and problem-solve some of the more challenging zoning code standards. Nonconforming Upgrades are challenging for new businesses. Daycares often locate on sites with multiple tenants, so they can be responsible for upgrades not related to their tenant space.	The COVID Ordinance exempted a number of zoning code uses from Nonconforming Upgrades, including Daycare uses. The request is to revise the zoning code to reflect that Daycare Uses are exempt from Nonconforming Upgrades.	33.258.070	Minor Policy Change	4.8	\$\$\$
2846770	Daycare uses in buildings	33.110.100 and 33.120.100 both outright allow Daycare Uses if located in a building that contains or contained a College, Medical Center, School,	Change the code in 33.110.100 and 33.120.100 to allow Daycare Uses if located in a building that contains or	33.110.100	Minor Policy Change	4.5	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
	with previous daycare use	Religious Institution or a Community Service Use. The problem is that Daycare Use itself is not listed, so buildings that historically housed a Daycare Use are required to go through a CU review if none of the other listed uses have a history on the site.	contained a Daycare, College, Medical Center, School, Religious Institution or a Community Service Use.				
2846759	Age-Friendly Amendments	Title 33 has outdated language related to aging and disability that should be updated in the next RICAP cycle.	Revise Title 33 to bring it in line with the City of Portland's Inclusive Writing Guide and best practices for aging-related communication. The following recommendations result from a review of Title 33: 1. Replace the terms "senior citizen" with "senior" (count = 1). 2. Replace "elderly" with "elder" or "older adult" (count = 14). 3. Replace "group homes for persons with disabling conditions" with "adult care homes" (count = 1). 4. Replace "vocational training for persons with disabling conditions" to "vocational training for persons with disabilities" (count = 1). 5. Replace "mentally disabled" with "intellectual disability" (count = 3). 6. Additionally, if 33.229 Elderly and Disabled High Density Housing is maintained, the title should be changed to Senior and Accessible Multi-Dwelling Housing.	33	Consistency Change		\$
2846757	Off-Site Impacts: Glare and Vibration	Since we are removing odor regs from T33 and eliminating requirements for documentation in advance at time of building permit with the Odor Project, we should revisit the vibration and glare standards Some issues with these standards were raised during the Odor project.	Consider updating the glare and vibration standards in 33.262	33.262	Minor Policy Change	5.5	\$\$\$
2846705	Short Term Bike Parking Accessibility	2020 update to bike parking standards removed a requirement for short-term biking to be accessible. Code Compliance used this standard in the past to ensure property owners did not place short-term parking behind a locked gate. With the standard removed, they can no longer prevent a property owner from locking up short-term bike parking.	Reinstate short term bike parking standard requirement for accessibility.	33.266.210	Minor Policy Change	7.0	\$\$
2846698	Appellant body for Type 3 procedures	Type 3 appeals are heard by City Council. Council has expressed interest of NOT being the appellant body.	Consider assigning the Planning Commission as the appellant body.	33.730.030	Minor Policy Change	1.0	\$\$\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2846691	Public Notice of legislative projects	There are several issues. 1) The section titled "public notice area" is not about the area, rather about the who the notice gets sent to. 2) We should send to all recognized organizations (per T3 and the Comp Plan), but DCL partners don't want to receive the notices anymore. 3) we should be publishing in the newspaper 35 days prior to the hearing, but we don't.	Update section to reflect current practices.	33.740.020	Minor Policy Change	3.3	\$\$\$
2846689	Number of Shelter Beds	Some of the shelters have been built with more than 60 beds. Now that we have experience with shelters with more than 60 beds that didn't go through a CU.	Increase # of beds from 60 to 100 beds.	33.285.050	Minor Policy Change	6.5	\$\$\$
2842127	Accessory Home Occupations outdoor activities	Businesses that allow people to come to a residence to rent the backyard for periods of time are not allowed under 33.203. Compliance cases for this for Swimply and Sniff Spot.	Consider easing 33.203.040.A.1 to allow some outdoor activities. Could include additional restrictions on time of use or number of days outdoor space is rented out.	33.203.040	Major Policy Change	3.8	\$\$\$
2840773	Title 11 emergency work amendments	Title 33 includes exemptions in the environmental zones for temporary emergency procedures necessary for the protection of life, health, safety, or property (33.430.080.B). There is not a parallel exemption in Title 11 for emergency work that does not originate with a dead, dying or dangerous tree.	Please consider creating exemptions in Title 11 that parallel the emergency exemptions in the environmental zones. PPD has dealt with many emergency situations (septic tanks and drainfield repairs, landslide damage repair and temporary shoring, etc.) in the environmental zones where Title 11 is more restrictive than Title 33, which doesn't make any sense. Consider aligning the two titles so that Title 11 does not create barriers for quickly addressing emergency situations that are not directly related to a tree.	33.430.080	Consistency Change		\$\$
2839956	River and pleasant valley overlay zones reference	the LDCU revised references to "environmental zones" to include River e and Pleasant Valley. We missed one in 33.633.220	Revise 33.633.220: All portions of the site that are in an Environmental [River Environmental, or Pleasant Valley Natural Resources] overlay zone, in the floodway, or will be in a tree preservation tract must be included in the first Final Plat stage.-see 33.633.120.B for example.	33.633.220	Technical Correction		\$
2838807	Applicability of Staged Final Plats	As part of the Land Division Code Update project, the review requirements in Chapter 33.662.120 removed reference to "staged final plats". This is incorrect, as the staged final plats are allowed in all zones.	Replace 33.662.120.E. with slight edit from previous code: "Phased Plans and Staged Final Plat. If [DELETE - the preliminary plan will be phased or if] the Final Plat will be staged, the standards of Chapter 33.633, Phased Land Divisions and Staged Final Plats must be met."	33.662.120	Technical Correction		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2837862	Temporary activities allowance for pop-up events	33.296.030 needs to be expanded to cover more than just fairs, carnivals, and other major public gatherings. There are often pop up events that extend for a month or two at a time that need to be covered by this chapter. examples include the Prosper winter village and also events that seem smaller scale and it's unclear if they are considered a major public gathering, such as the Portland Plage.	expand 33.296.030 to cover temporary pop up events that last a month or two. since these obtain fire conditional use event permits you could allow the events for the duration of the fire permit.	33.296.030	Minor Policy Change	4.3	\$
2833096	Medium sized event venues	The Zoning Code doesn't reference small to medium sized concert and music venues which can cause confusion among planners and applicants as to which use category these types of businesses would fall within.	The Retail Sales and Services use category or the Major Event Entertainment use category should reference small to medium sized concert and music venues so there is more clarity that they uses are classified as Retail Sales and Services.	33.920.250	Minor Policy Change	2.0	\$
2832611	Non conforming residential density	33.258.060.A.2. refers to sites in multi dwelling zones with residential structures moving out of compliance with max density in table 120-3. Since Better Housing by Design, this only applies to RMP sites. Following changes to 33.120.205.C from the LD code, this no longer requires the same lot dimensional requirements.	Delete section A.2, and revise A.1.a. so that the general restriction on increasing non conforming max density also applies to multi dwelling zones.	33.258.060	Technical Correction		\$
2832518	Design Standard QR23	Design Standards, Reflective Roof Surface QR23. The standard states that the Energy Star requirements must be met for the roof surface material, but an applicant has informed me that Energy Star no longer rates roofs, and that the CRRC rating replaced it in 2020. CRRC is the Cool Roof Rating Council.	Update this Design Standard with a more generic reference that won't go out of date.	33.420	Technical Correction		\$
2822971	Parking in residential setbacks	This code requirement seems to be onerous and inconsistent with how driveways are actually used. Furthermore, this becomes a barrier to someone wanting to add living space or an ADU on their property while still maintaining on-site parking.	Remove the requirement that a parking space cannot be within the front setback, as required in 33.266.120.C.2.a.	33.266.120	Minor Policy Change	6.8	\$\$
2822328	Cottage Cluster Pedestrian Standards	Cottage clusters require pedestrian connections, but the connection requirements lack some of the specificity of similar connections in multi-dwelling zones.	Include other requirements (lighting, change in material crossing vehicle area, curb parallel to vehicle area, shared vehicle/pedestrian if paving blocks or bricks) from multi-dwelling zone pedestrian areas or refer to that section.	33.110.260	Consistency Change	3.5	\$\$
2822324	Clarify visitability	Include code language that assists in implementing visitability requirements to meet intent.	Bathroom requirements: clarify that the unobstructed areas cannot be interrupted by permanent fixtures like the sink and toilet (allowed by ADA code). Clarify whether	33.110.260	Clarification	3.0	\$\$

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	requirements		door is allowed to swing into unobstructed area. Entrance requirements: clarify that route is hard-surfaced and no stairs between entry and sidewalk. Applicant proposed step within r-o-w.				
2821259	Accessible Routes in PDs	The criterion in 33.854.310.G. calls for accessible routes to connect buildings, common areas etc. In the multi-dwelling and mixed use zones, pedestrian standards in the base zone already address this. The ped standards are not in single dwelling zones, as multi dwelling development is not allowed (except cottage clusters, which have their own pedestrian connection standards). Additionally the use of "accessible route" vs. pedestrian connection can be confusing.	Revise 33.854.310.G to apply only in single dwelling zones, and revise terminology for consistency. Suggest: G. [Accessible] \Pedestrian\ connections. \On sites zoned RF through R2.5\ provide one or more accessible routes that connect all buildings on the site to adjacent streets, common open areas, and parking areas. Use landscaping and site furnishings to ensure the accessible route provides a pleasant user experience.	33.854.310.G	Consistency Change		\$
2817069	Cascade Station / PDX District Transportation Impact Analysis Review	The language in 33.508.220.C does not indicate where to find the land use process type or approval criteria for proposals to exceed the allocation limits of Table 508-1.	Please add a reference to 33.807 in 33.508.220.C.	33.508.220	Technical Correction		\$
2812575	Alley vs street	the zoning code definition for alley leaves some discretion in determining if something is an alley vs a street. PBOT also does not have mapping or data to clearly identify an alley.	consider amendments to definition of alley and street. alternatively, could improve Title 17 and PBOT mapping to show alleys differently in tsp that local service streets	33.910	Minor Policy Change	3.8	\$\$\$
2810841	Daycare use below state thresholds	Based on state requirements, our Zoning Code labels daycare or childcare uses taking place in a residences that are registered (up to 10 kids) or certified (up to 16 kids) to be classified as a household living use. However, there are thresholds below that where the state doesn't even require certification or registration (i.e. care for up to 3 individuals, or for more individuals from the same family). In those cases our code is silent, which could be implied to require a Type B Home Occupation permit.	Consider including the smaller scale daycare / childcare not subject to state requirements as part of a household living use to not unduly penalize a smaller operation.	33.920	Consistency Change		\$

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2799818	Portland Plant List	Vine Maple is included on the list of "Trees" on pages 155 and 178 of the Portland Plant List. However, Vine Maples are not an accepted replant species for Urban Forestry tree removal and replant permits. Community members are confused by the listing, creating a reoccurring issue when verifying permit replant requirements. Having Vine Maple listed as a tree becomes a point of contention when property owners plant them believing they are following city guidelines because they referred to the Portland Plant List in making their tree selection.	Please remove Vine Maple from the tree lists on pages 155 and 178 of the Portland Plant List.	N/A	Technical Correction		\$\$
2799716	Nuisance Tree clarification in Title 11	The Tree Code exempts nuisance tree species from preservation requirements only if they are documented as a nuisance species by an arborist report. If a customer chooses not to hire an arborist (thus, not "exempting," the nuisance trees from the preservation requirement) but still indicates nuisance tree species on their site there is no specific language in 11.50.040.C.1 that prevents them from using those nuisance trees to count toward the 1/3 preservation requirement. The same issue exists for dead, dying, or dangerous trees.	If the policy is to prevent nuisance species, as well as dead, dying, or dangerous trees to be used to count toward the 1/3 preservation requirement, that should be specifically stated in 11.50.040.C.1.	11.50.040	Clarification	5.5	\$\$
2786770	Building Coverage Calculation	Currently when building coverage calculations are calculated, they are done after a dedication if one is requested by PBOT. FAR calculations are done before dedications. Both should be calculated the same.	The code should be changed to calculate both FAR and lot coverage the same way and it should be calculated pre-dedication. When an applicant is asked to give land to the city for city ROW it is not a fair system that the builder now gets punished for the land size after the dedication.	33	Consistency Change	4.5	\$\$\$
2785088	Concurrent reviews	33.730.042 says more than one land use review can be consolidated into a single application and it is processed using the highest procedure type. 33.720.020 says that an overall application is reviewed by the review body assigned to the highest procedure. But for an appeal it says the appeal hearing will be before the review body assigned to the criteria being appealed. If one review is a type 2 and one is a Type 1, it's unclear whether the procedures for those reviews are utilized, since the code says that the appeal is heard before the review	clarify appeals under 33.720.020 and whether the review body is used for the appeal based on 33.710 or whether 33.730 is factored in on who is assigned the review (local or state).	33.720.020	Clarification	4.3	\$\$\$

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		body assigned to the criteria. Would the type 1 go to LUBA, but the type 2 review be heard locally? Or would there be a local appeal for the Type 1 because those criteria are assigned to a specific review body as outlined in 33.710..					
2784426	Title 33.445 Figure 445-4 Error	Figure 445-4 contains vestigial language that was not amended with the Historic Resources Code Project in 2022. The figure refers to street-facing elevations, which is no longer a parameter of the associated exemptions in 33.445.200.D.2.y and 33.445.210.D.2.y.	Include an amendment to Title 33 Figure 445-4 in the next RICAP project.	33.445.200	Technical Correction		\$
2783947	T33 applicability in ROW	BPS should consider whether Title 33 should apply in ROW for Transit Centers similar to how park-and-ride facilities are treated under 33.10.030.B.5. Straight read of the code says no, but PBOT believes Transit Centers should be treated the same as park-and-ride facilities.	Revise 33.10.030.B.5 to read: "Proposals for park-and-ride facilities for mass transit and Transit Centers."	33.10.030	Minor Policy Change	3.8	\$\$\$
2780789	Type A ASTR Permits	33.207.04.C.1.b Regulations on Type A ASTR permit requirements limit property owners from successfully completing the permit process. Proposal is to modify 33.207.04.C.1.b to ensure the notice is received where it is the most beneficial.	Modify 33.207.04.C.1.b to remove owners of property AND clarification that notification be sent to the neighborhood association(s) and not the district coalition office://Mail or deliver the notification letter as follows: All residential structure types except multi-dwelling structures. If the Type A accessory short-term rental is in a dwelling unit in a residential structure other than a multi-dwelling structure, then the notification letter must be mailed or delivered to the neighborhood association whose boundaries include the accessory short-term rental, and all residents abutting or across the street from the accessory short-term rental. See Figure 207-1.Multi-dwelling structures. If the Type A accessory short-term rental is in a dwelling unit in a multi-dwelling structure, then the notification letter must be mailed or delivered to all neighborhood associations whose boundaries include the accessory short-term rental, the property manager if there is one, and all residents of dwelling units abutting, across the hall from, above, and below the accessory short-term rental.//	33	Minor Policy Change	0.5	\$

UNASSIGNED RIR ITEMS

RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2780612	Turning radius for visibility standards	The code is unclear whether the swing of a door and wall-mounted fixtures can encroach into the turning radius that meets the visibility standard. In addition, Figure 110-14 and 33.110.265.E.3.b.(2) could be composed of two overlapping rectangles the form an "L" shape instead of being centered on each other.	Please provide additional clarity and updates to Figure 110-14 regarding visibility.	33.110.265	Clarification		\$\$
2779071	Building Permit Rats Inspection	When the city decided to allow condos, apts etc. to be built in single family residential neighborhoods on vacant land, like always they did not consider, research or think about what has been living on the undisturbed overgrown fields (I stupidly did not either). Well I have lived in my house across the street from a quiet peaceful vacant lot enjoying my yard rat free for 15 years. Well since I don't trespass or had any way of being warned or knew that undisturbed land was rat infested until they chopped down the trees that fed the rats, bulldozed the land forcing them to SCATTER thru the whole neighborhood to innocent unaware victims that didn't notice or know they were hiding mass reproducing (when threatened they multiply at higher rates to recolonize) until I started noticing what I thought was squirrel poop because I have a walnut tree above my garage and thought they got in somewhere then I thought it was nice so one day I put some rat bait in my backyard and there were like a hundred starving rats that came running by the time I figured out what I was fighting and realized my little squirrel problem was a huge rep problem that I do not know how to handle so I had to pay \$1,500 because they were in my crawl space which I just insulated and put down a brand new vapor barrier I had to clean for free I had to spend two weeks butchering my landscape getting rid of my compost pile I can never use my vegetable garden again I can't use my garage for storage and I have to live like a shut-in in the summer because they come	Add a requirement to approving building permit that the property owner MUST have a pest inspection, abatement and certificate PROVING it is rat insect and vermin free BEFORE DISTURBING (not building I mean driving on digging on ...anything besides walking on) because it would have only cost them about \$300 to ABATE their rat problem contained on their land but since they pretended they didn't see rat holes, I can't prove they were on their land besides the neighborhood being rat free the 15 years before they bulldozed and saved me THOUSANDS of dollars I spent in damages month of labor because my yard that never did was perfect shelter so no I can't store firewood or use my fire pit, use my garage for storage, sit in my patio furniture without disinfecting it because the rats piss on it, can't grow vegetables and get to pay \$150/mo for rat "control" not abatement since it's a neighborhood not neighbor problem.	N/A	Minor Policy Change	-1.3	\$\$\$

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		in at night and I can't protect them from entering my property because now it's a city problem they are harboring by the Max stop on Powell and 92nd so even though I'm paying \$150 a month to control not a bait the rats that could have happened if they had to get a pest inspection before disturbing the land and taking care of their own rats that somebody never saw really like none of these land people that did surveys saw that they're a rat holes but yet now it's a neighborhood problem we can never get rid of all because some asshole got to build condos and profit and all he had to spend was \$150 and the whole neighborhood is never going to be I can never grow vegetables I can never use my yard I can't do anything I can't use my own garage for storage because it's old they chew new holes and I can't solve the neighborhood problem unless everybody paid for pests control all because of one person was it required to get a pest inspection a certificate to prove there are no rats or insects spreading to everyone else when they demolish the land actually disturb the land so that is all I'm asking is for that to be an added requirement for a building permit get a pest inspection otherwise this whole town is going to be taken over by rats and I hope you love it because I'm moving not sticking around to live in a rat infested hellhole paying for drug addicts while I work my butt off no I refuse to live in this town anymore you can enjoy but I'm just trying to save Portland from the cities retarded decisions forced upon us because the rap problem is going to be way worse than the homeless problem that I guarantee because you can't solve that one just like you can't solve the homeless but the homeless don't multiply in thousands					
2774845	Screening and	33.420.045 exempts several basic features and nonconforming upgrades, like parking lot landscaping, but screening for trash, mechanical	Exempt screening for trash, mechanical equipment, and loading areas from Design Review (and Historic Resource Review).	33.420.045	Minor Policy Change	4.8	\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
	Design Review	equipment, and loading areas are not specified and therefore require Design Review. There is not much to review about an L3 hedge around a mechanical unit, for example, which has a clear and objective standard, so this does not seem like a good use of staff's time and applicants' resources.					
2774843	Temporary construction trailers	Temporary construction trailers are not addressed anywhere in the Zoning Code.	Add temporary trailers to the Temporary Activities chapter (33.296.030).	33.296.030	Minor Policy Change	2.0	
2774197	Zoning regulations for transformers	Service provider requirements for location and separation of transformers don't allow zoning code requirements to be met.	Please examine setback and screening requirements for transformers.	33.110.270	Minor Policy Change	5.5	\$
2767657	Pedestrian trash screening exemption for Employment and Industrial zones	While 33.130.235 does not require screening in Commercial Mixed Use zones for ped trash receptacles, and 33.120.250 doesn't for multi-dwelling zones, this provision was lost for the Employment Industrial zones, which BDS staff have stated was an oversight.	Please add "Trash receptacles for pedestrian use are exempt." to 33.140.235 to match the parallel sections in the other zones.	33.140.235	Consistency Change		\$
2760734	Tree removal of dangerous trees	tree removal	change city code so that trees that property owners deemed to be a threat can be removed	11	Minor Policy Change	1.3	\$\$
2760595	Exterior work activities definition	Some exterior activities are difficult to categorize because the definition focuses primarily on industrial uses but retail uses sometimes of exterior activities beyond the typical outdoor seating and fruit/vegetable stands.	Please update the definition of exterior work activity so that it focuses on uses that aren't industrial.	33.910	Minor Policy Change	5.5	\$\$
2760580	Neighborhood contact threshold	33.110.050.A.1 and B.1 refer to "net building area" for neighborhood contact requirement but the context may be different from the definition of net building area and the intention is to require neighborhood contact when the intensity of development is greatly increasing at a site rather	Please confirm whether "net building area" as it relates to neighborhood contact refers to the overall increase in building area at a site (i.e. new building area minus demolished building area).	33.110	Minor Policy Change	3.3	\$

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		than just demolishing a building and replacing it with a comparably sized one.					
2734874	Floor area definition for attics	The definition of Floor Area and Figure 910-20 are confusing in relation to trusses, especially in the attic.	FAR is calculated to include unfinished attic spaces based on the definition in 33.910. However, if an applicant provides a truss package that shows that the useable space inside the attic is taken up by structural roof trusses that extend below the rafters of the roof, then we will use the bottom of the trusses for the 6'-8" measurement and much of the FAR area can likely be eliminated in the attic by the truss configuration.	33.910	Clarification		\$
2709262	Outdoor activities in parking lots	The Commercial Residential zoning is intended "to limit adverse impacts on surrounding residential areas." Currently, the zoning does not have controls on the use of parking lots or other spaces for outdoor dining and drinking. This leads to large commercial outdoor dining operations next-door to residential neighbors. Negative impacts include noise, congestion, hygiene and pest issues impacting neighborhoods.	Amend the Commercial Residential zone to place limits on the scale and impact of outdoor dining and drinking operations on residential neighbors. Control for size, proximity, noise and other nuisance and quality of life impacts.	33.130.245	Minor Policy Change	5.5	\$\$
2695460	Cottage clusters and trees	Hello, I live in NE Portland and am a member of East Columbia Neighborhood Association. We have been notified of a "cottage Custer" planned for our neighborhood and the developer is planning to cut down the only tree on that corner lot to maximize profit. "Cottage Cluster" developments are being fast tracked through the building permit process and we are worried about what this means for the trees in our neighborhood where we have large relatively cheap lots. Will all our trees be cut down for the sake of in-fill?	Make it more costly for developers to remove trees over a certain height. Attach cost to height of tree/ canopy of tree? An 80ft tree should cost \$80K to replace. A minimum number of mature trees need to be left on a site to create shade for young trees. Tree maintenance should be incentivized more than tree removal.	33.110	Minor Policy Change	5.0	\$\$
2689944	Individual outdoor area	The code is silent on whether a developer may increase the size of individual outdoor spaces over the required size (36/48sf) to meet the total required square footage of outdoor space for the project. This will result in some residential units not having access to their minimum amount of outdoor space.	Clarify in 33.130.228.B.2.a and 33.120.240.B.1 that the maximum amount of individual outdoor area used to meet this standard may not exceed the required size (36/48sf).	33.130.228	Clarification		\$

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2689933	Common outdoor area	33.130.228.B.2.b doesn't clarify whether common outdoor areas may be partially covered.	Clarify that common outdoor areas may be partially or wholly covered, but not fully enclosed.	33.13	Minor Policy Change	4.0	\$
2682214	Maintained street definition	The definition of maintained street is one that has been accepted for maintenance by the City of Portland, Multnomah County or the State of Oregon. This definition should capture accepted maintenance status from other bordering jurisdictions. In particular, Clackamas County. This is a technical definition change that captures the spirit of the definition.	Please update "maintained street" definition to include a street that has been accepted for maintenance by Clackamas County.	33.910	Clarification		\$
2674493	Temporary activities using trailers	33.296.030 is not clear regarding usage of trailer nor existing homes or buildings on the site as the temporary construction office.	Revise 33.296.030.F to address using a temporary trailer or existing house/building on the site as a temporary construction office. It is unclear whether the new clarification language should be added as a separate citation under 030.F, or 030.F.4.	33.296.030	Clarification		\$
2649631	Amend definition of Dwelling Unit	Consider amending the last sentence in the Zoning Code definition of, "Dwelling Unit," (the sentence that says, "Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill." This much specificity is not necessary since the Building Code already contains a definition of Dwelling Unit and Land Use Services lets the Life Safety Plan Review division determine whether or not an additional cooking area creates a dwelling unit in both primary, and soon, in detached structures.	For several years now the Life Safety Plan Review division has been using a Building Official Determination (BOD) allowing additional cooking facilities in houses under certain circumstances to NOT be considered an additional dwelling unit. As of the writing of this request, there is a project pending sponsored by LUS to rescind the additional sink Code Guide, and allow Life Safety to also determine whether cooking facilities within detached accessory structures create additional living units.	33.910	Consistency Change		\$
2641111	Tree Density for 3-4 Unit Cottage Cluster	Which tree density standard should apply to 3-4 unit cottage cluster developments? 11.80.020.B.19 doesn't provide clarification. Is it 'b' for 'One to Four Family Residential', and is it 'c' for 'Multi-Dwelling Residential'?	Need to update the definitions for development types in the Tree Code (11.80.020.B.19) to address 3-4 unit cottage clusters. In the meantime, staff will apply the tree density standard for Multi-Dwelling Residential development.	11.080.20	Minor Policy Change	2.3	\$
2641092	Outdoor area in cottage cluster	Cottage Cluster (33.110.265.G.1): What mechanism do we have to assure access to the common area(s) for all units in the event the 2 properties making up the site are sold separately?	One site may contain multiple lots. If the individual lots are sold separately, then the site would still be composed of the multiple lots--but now under multiple ownerships. Lot consolidation is not required. A Covenant/easement is not required.	33.110.265	Minor Policy Change	-1.5	\$

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2625773	Utility Buildings not addressed in current codes.	Current codes don't address the special nature of telecommunication buildings, changing technology, improving energy efficiency and provide a hindrance to improving the community's communication ability. These buildings provide the backbone of any and all digital communication and allow all citizens to commerce, yet zoning codes ignore this important function and only address retail, office, residential and mixed use in the downtown core.	Provide a specific exemption for existing telecommunication buildings that are made necessary by upgrading technology and energy efficiency. this would not apply to new buildings.	33.420.045	Minor Policy Change	0.8	\$\$
2622668	Limitations on environmental exemption for development within same footprint	Someone asked whether they could replace a house on an existing footprint by full demolition and rebuilding, using this exemption. We relied on the definition of new development vs existing development, but we don't believe this was the intent of the exemption, and if, for example, a small accessory structure were left, then we don't know we would be able to make a case that it was new development.	Please clarify the limits of this exemption and that it doesn't apply for full removal of existing development, or full removal of the primary structure, for example.	33.430.080	Clarification		\$\$
2622566	Clarifying loading allowances for vehicle area	Add the final phrase in stars below to this section to clarify the circumstances that loading isn't allowed: Placement, setbacks and landscaping. Loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-8 below. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed *between a building and a street*. Furthermore, remove reference to "prohibited" since Table 266-3 no longer prohibits anything.	Add the final phrase in stars below to this section to clarify the circumstances that loading isn't allowed: Placement, setbacks and landscaping. Loading areas must comply with the setback and perimeter landscaping standards stated in Table 266-8 below. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed *between a building and a street*.Furthermore, remove reference to "prohibited" since Table 266-3 no longer prohibits anything.	33.266.310	Clarification		\$
2582572	Exceptions to height limits in plan districts	Plan Districts like Macadam state height limits specific to the PD, but it is not clear whether the various exceptions to max height, such as elevator overruns, parapets, etc., would be applicable to the PD height limits as well. Base zone section 33.130.210.C. Exceptions, states "Exceptions to the base height, step-down height, and bonus height limits..." and does not include "plan district", so does	Add: "...and plan districts..." to 33.130.210.C Exceptions language, and in corresponding multi-dwelling zone language as well, if intent of code is to have these exceptions also apply to any PD-regulated max heights.	33.130.210	Clarification		\$\$

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		this mean these base zone exceptions under cannot be used in a Plan District? Twice now the Code Group has determined that they can be used; it would be helpful to have that codified, in the base zones for all PDs.					
2582547	Relationship between step-down height and bonus height	There is no clear direction in 33.120 about whether, when bonus height is earned, that bonus height is also applied to step-down height limits. The corresponding step-down height language in 33.130.210.B.3 states clearly that the step-down heights do not increase in this scenario, but there is no similar language in 33.120.	Add similar language to 33.120 to that which is already in 33.130 so it's clear whether the bonus height applies to step-down heights.	33.120.210	Consistency Change		\$
2544731	Cottage clusters on flag lots	It is unclear whether cottage clusters are allowed on flag lots. There is a minimum lot width of 36 feet (33.110.265.G.1.b), which refers to 33.930.100, which only includes information on how to measure standard lots in single dwelling zones (at the front setback line). It is unclear if this was meant to excludes flag lots intentionally or was an oversight.	Clarify whether cottage clusters are allowed on flag lots and update code accordingly.	33.110	Clarification		\$
2526435	"Abut" definition and use in Title 33	We have talked with Kim Tallant about this and she suggested it be addressed in a BPS code amendment project. In tables such as Table 266-5, perimeter parking lot setbacks/landscaping is required for "Lot line abutting street," etc. "Abut" is not defined in the Zoning Code definitions, though you defer to the dictionary, which says something like "shares a common boundary with." However, we have seen this applied in locations where there is parking on one side of a large site and hundreds or even more than 1000' away, staff require perimeter parking lot landscaping abutting the street, other lot line, etc. In some cases this does nothing for the intent of the standard (in this case screening/"Reduce the visual impact of parking areas from sidewalks, streets, and especially from adjacent residential zones") and actually, a 3' or 6' continuous evergreen hedge looks awkward in the middle of a site and that area would be better as P1, which	There are a couple of standards for which we have specific suggestions: 33.266.130.G.2.d(1) says "where a setback is provided that is greater than the required minimum, the landscaping must be placed within 25 feet of the edge of the parking area and driveway". o It seems 33.266.130.G.2.d(1) does not match up with Table 266-5""per Table 266-5, the standard would only apply if the property line ABUTTED the parking area and driveway. Perhaps Table 266-5 should be revised to say "lot line adjacent to and within 25 feet of street," and then this G.2.d(1) would not be necessary. Then also define "adjacent" next to or adjoining something else. Not separated from something else by another type of development." Figure 266-6 shows all the applicable landscaping requirements for parking lots/vehicle area. This clearly shows that if there is a building between the parking lot/area and the lot line then the perimeter landscaping does not apply. But perimeter parking lot landscaping would never be required on the edge of	33.266.130	Clarification		\$

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		<p>would soften the look of the parking lot more from a long distance. We have also seen the setback standard applied where an existing wall, retaining wall, or structure (but not a building) separates the parking from the lot line; therefore the parking is not "abutting" the lot line because it is separated by a structure. If there is something else that requires another type of screening (like exterior storage) or a building or structure (not defined/codified "what would count?) between the parking and lot line, then staff don't require it, but this is not clear in the code.</p>	<p>parking lot if there is a building in the way of the lot line. It is required if the parking lot abuts (shares a common boundary with) a lot line. But this brings up a question (not answered in the current code) about how many other things could intercept the parking and lot line. What about a tall wall (Clay Creative, Hoffman Yard retaining wall, other grade changes)? What about 1,000' of distance? o Figure 266-6 also contradicts Table 266-5. There is no scale on Figure 266-6 but assuming it is scaled within itself and the parking spaces are standard size, the property line is 78 feet from the parking area. Presumably there is other L1-level landscaping and/or trees (tree density) required on most sites between the parking and lot line. There could be fences. This figure is not clear enough about why the building is the only relevant exception. Standard G.2.b doesn't say that the parking area is exempt from setbacks and perimeter landscaping when there is a building in between the lot line and the parking area (you just refer to the figure. Suggest code clarity).There is no exemption related to grade, distance from lot line, etc. and the definition of abutting does not include a distance (again, other than the definition which is 0 distance/sharing a common boundary) but staff have said they can't just make one up using discretion for particular cases. If there are no buildings or other landscape screening areas between the parking area and the lot line, staff think that we need to meet the perimeter parking lot standard based on Figure 266-6, 33.266.130.G.2.d(1), and the lack of exemptions related to distance or grade changes. These sections need to be revised to add exceptions (such as grade, distance, existing mature vegetation, structures, etc.) or, better yet, use a word other than "abut" such as "adjacent to and within xx' of." This would also affect Table 266-8 and the screening tables within each zoning group, such as Table 140-4. (And anywhere "abut" is used.)</p>				

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2493909	Residential structure types	There are code sections that refer to "residential structures" (33.475.440.O) or "multi-dwelling structures" (33.130.242) where it is not clear whether mixed-use structures should be included in these definitions.	If the intent is to include mixed-use buildings in one or more of these other categories, review and update 33.910 Residential Structure Types to clarify this. Alternately, look at the individual standards for how these terms are used and clarify whether mixed-use buildings are included within the body of the standards themselves.	33.130	Minor Policy Change	2.8	\$\$
2493897	Drive aisle width in batch permits	When you have multi-dwelling development on one site, the standards of 33.266.130 apply and all two-way drive aisles are required to be 20 feet wide while there is no minimum width for driveways. In batch permits, with townhouses, or in other similar scenarios, you've got either structured parking in what looks like a residential garage, or perhaps one-off surface parking spaces. Are such spaces also subject to the 20-foot minimum maneuvering area behind them?	Clarify whether the 20-foot drive aisle width of Table 266-4 is intended to apply to all development scenarios, including a site with multiple attached townhouses or other similar development that functions more like single-dwelling residences, perhaps attached houses, but are all on one lot.	33.266.130	Minor Policy Change	5.0	\$
2492365	Changes to Gateway Open Areas standard language	In land division scenarios, we look at section 33.526.240.E. Section E requires a straight 15% of site area in "open area." Open area is not defined in the code. They talk about it in section D, but there is no reference to D in Section E. Nothing in E defines or describes open areas or specifies a certain size of each open area. Nothing requires the 15% to be contiguous. Because of the language under 33.526.240.E.2.c(1) that points you to the "standards of this section," we should assume that the open area required in E must be provided using the same standards listed under D when new floor area is created (minimum 20x20 area, approved through DZ, etc.) but it would be clearer if the language of section E specifically referenced the defining language for open areas.	Regulatory improvement request to add a reference in 33.526.240.E to section D and the open area requirements described therein more specifically.	33.526.240	Clarification		\$
2484074	Footnoting In Tables 120-3 and 130-2	Although provisions for zero-side-setback construction on Inner Area Neighborhood and Civic Corridors between RM2-RM-4 buildings, and also in the CM zones when abutting RM zones, such provisions, which will allow better results in housing, are not being taken advantage of, as far as I have	I suggest footnotes in table 120-3 and 130-2 in the "side setback" rows, and at bottom of chart, to direct applicants and planning staff to these provisions, which are hidden up to 12 pages beyond the Table. Although obliquely referenced, I suggest more transparent references to improve applicant utilization.	33.120.220	Clarification		\$

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		seen. (LMK if they have been). Changes needed in Title 33 Table 120-3, and section 33.120.220.B.3.j., and Table 130-2 and section 22.130.215.B.2.b.(1).					
2463344	Recreational Field exemptions	The bicycle parking project, effective in 2020 was intended to exempt bike parking improvements from counting against the exterior improvement limits allowed by right. Changes were made to 33.281 (school and school sites) and 33.815 (conditional use review) to include bike parking in the list of items not counted. However, the same change was not applied to 33.279, recreational fields, although the intent behind the changes would imply that this chapter should have also been amended.	Add bike parking to the list in 33.279.030.D of items that are exempt from counting toward the exterior improvement threshold	33.279.030	Consistency Change		\$
2461632	Landscaping and covered building areas	The applicant wants to include in-ground landscaping and ground-level pedestrian areas which are covered by building area above toward the 15% min. landscaped area standard. The areas they want to count are all open to the elements, but much of the area is covered by upper floors with about a 14-foot vertical clearance. Can these areas be included? The code doesn't provide much guidance and I didn't find this addressed in the code determination database.	Need guidance in the code for when landscaped areas can be counted even when covered.	33.130.225	Minor Policy Change	4.0	\$
2461613	Street lot line setback for garages	The language for street lot line setbacks for garages states: "3. Standard. A structured parking or garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the building." This was updated in BHBD, according to the commentary, from "dwelling unit" to "building" to be more inclusive of other residential structures, such as multi-dwelling structures with multiple units. Can "the building" refer to a building with an ADU and garage, thus allowing a garage in front of the primary house but in line with the ADU?	Need language added specifying the standard applies to the primary dwelling unit.	33.120.283	Clarification		\$
2431994	Electric fence regulation change	Oregon HB 4027, removed local authority to regulate electric fences. Most base zones in the standards for fences says: D. Reference to other regulations. Electrified fences are regulated under Title 26,	remove reference to title 26	33.120.285	Consistency Change		\$

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		Electrical Regulations. The use of barbed wire is regulated under Title 24, Building Regulations. BDS is working on edits to delete PCC section 26.03.110 - Electric Fences in order to comply with the state bill.					
2423276	Ground Floor Definition	When are dwelling units counted as ground floor when they are designed to be below grade level. recent determinations regarding Ground Floor, Code Group stated that basement dwelling units >4ft below grade would count as the ground floor in the context of 33.120.220.B.3 "Reduced Setback for Raised Ground Floor," and that dwelling units that most closely mirrored adjacent grade would be considered as Ground Floor units for purposes of 33.510.225 C.1. However, a proposal intends to meet 33.130.210.C.8 to achieve an extra 5 feet of height. According to the applicant, a significant portion of the north half of the building will be more than 4ft below the adjacent grade, and would not be counted as FAR.	Provide a def of Ground Floor or include qualifying language for this code 33.130.210.C.8.	33.130.210	Minor Policy Change	1.0	\$\$
2413575	Gateway PD reference to CX window standard	Gateway plan district refers to ground floor window standard of CX zone, but 33.130 does not differentiate standard by zone anymore.	Apply a different standard in Gateway or remove the code section.	33.526.290	Clarification		\$
2395477	Density vs FAR	33.470.040.D.2.b says. Except as provided in paragraph D.3, sites that have a commercial Comprehensive Plan Map designation are prohibited from developing to a residential density higher than that of the RM2 zone. But, the RM2 zone doesn't have a maximum residential density standard. RM2 has a maximum FAR. The code defines density as units per acre. FAR is defined as intensity. In addition, 33.532.240 allows "density" transfers in the x overlay. This should be translated to an FAR transfer because the RM and CM zones regulate FAR and not maximum density at this point.	Replace the words "residential density" with "maximum FAR" in 33.470.040.D.2.b AND update 33.532.240	33.470.040	Technical Correction		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2394911	Accessory structures and food cart pods	Table 266-3 states that, for CM2 sites less than 2 acres in area, vehicle areas are not allowed between a building and any street. This food cart pod proposes installing a modular, plumbed restroom on the interior of the site. Does such a bathroom meet our definition of a building and therefore run afoul of the vehicle area location standard? What about porta-potties that are used long-term but not plumbed and merely set on the existing paved area? Do we apply the standard to trash enclosures that meet the definition of "building" also?	Clarify accessory structure exemptions	33.266	Clarification		\$
2391751	Pedestrian Districts	In March of 2020 the TSP was updated to include changes to pedestrian district boundaries and new Pedestrian Districts. However, all aspects of Title 33 that reference specific Pedestrian Districts may not have been updated.	Update 33.521.220.D.1 to accurately reflect the changes to the TSP and conduct a more comprehensive scan of Title 33 to see if there are other instances that would be impacted by the changes to the Pedestrian Districts.	33.521.220	Consistency Change		\$
2389060	Central City Digital Models	33.825.025.C requires approval of buildings in the CCPD to include digital 3-D models (formerly were actual models) to archive into a city file for modeling downtown. BDS has not been requiring this with approvals as it creates a burden on applicants and BDS does not have the logistical tech support to do this work.	Remove the requirement to provide a 3-D model of downtown buildings.	33.825	Minor Policy Change	1.0	\$
2389048	Phased design plans	33.825.025.B.2 provides options for submission of phased design plans. However, these plans can result in multiple permits being submitted after the land use approval. 33.730.130 is not fully clear about expiration of approval in these cases.	Missing an important caveat that the LU is subject to the time limits stated in 33.730.130. Or maybe just add in 3. that the LU is subject to all other relevant regulations in Title 33.	33.825	Clarification		\$
2388959	Alterations to approved Design Review	The footnotes in Table 825-1 provide information on applicable process if an approved project submits a Design Review for changes while under construction. If code regulations have changed between original approval and the change proposal, this creates potential conflicts and uncertainty on how to apply the approval criteria and whether it triggers modifications.	This footnote should clarify that reviews falling under these provisions are subject to the zoning code in effect at the time of the original DZ approval to avoid potential zoning code conflicts during permitting. The language in this footnote currently reads "changes to an approved Zwick suggests this is the intent, but 33.700.080.A.1 says that applications for land use reviews will be processed based on the regulations in effect on the date the application is filed.	33.825	Minor Policy Change	1.7	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2388946	Marquam Hill Design Exemptions	The use of some of the terms for exemptions in the Marquam Hill plan district may be confusing. Other terms may now be more relevant. Also, references to facade should be clarified	C.2.a. Replace "addition "with "net increase"□. C.2.b. is the "area of the facade "speaking to one facade? Or a cumulative total of all facades?	33.420	Clarification		\$
2388619	Design Standards for new buildings on developed sites	There are two section, 33.420.050.C.1 and C.2 that determine the number of points needed. They are written in such a way that new buildings, of whatever size (potentially huge), could be added to a site but only need to meet the lesser requirements of C.2. There have been instances on larger sites where large new buildings have been proposed and only need 5 points regardless of building and site size.	If C.1 were written to apply to new development and new buildings, I think the results would be more equitable. Ideas for language: New development, new buildings with existing development, other alterations to existing development??Look at terminology in 825, too, for consistency?	33.42	Minor Policy Change	4.0	\$\$
2388593	Design Review Exemptions	The exemption for awnings, 33.420.045.B.7(1) & (2) refers to conditions of approval. That is not the same as the exemption for RF equipment in 33.420.045.B.8.d.(3). Conditions of approval is not a full representation of the design approval.	CONSISTENCY: look at 33.420.045 B.8.d.(3) "" this section only uses "previous design review" and not "conditions of approval"□. B.7.(1) Delete "conditions of"□. The "approval" is everything plus conditions. B.7.(2) Change beginning of sentence to: "If there are no previous design review approvals "□" Same reason as above.	33.420.045	Minor Policy Change	2.3	\$
2388551	Historic Review approval criteria	There is an issue with the application of approval criteria and how they relate between sections.	Change the approval criterion in 33.846.040.C.1 as follows ""□Sections 33.846.030.D.1. (change and to OR) D.2"□. This change would need additional discussion with BDS.	33.846	Minor Policy Change	3.0	\$\$
2388442	Procedure type	none given	For calculating procedure type we refer to affected façade area. Clarify that railings for a deck or porch count as affected façade area.	33.930.070	Clarification	3.0	\$\$
2388435	Historic overlay exemption	No problem statement given.	445.100.D.2.y: Add "or the window is installed in the existing opening" to the third bullet	33.445.200	Technical Correction		\$
2388424	Historic overlay exemption	No problem statement given.	445.200.D.2.af : Revise the code to say "decks that are no more than 30"above the ground" instead of 2-1/2 feet. And, should we also say "and not located in front of the front facade"□?	33.445.200	Minor Policy Change		\$
2388411	Historic overlay exemption	445.200.D.2.v(2) This exemption is noted to apply to replacement of windows in single-dwelling zones. Given context of the geography of historic/ conservation districts and what we know from the report, Historical Context of Racist Planning: A history of how planning segregated Portland,	Consider stating the structure type rather than base zone as allowing access to this exemption.	33.445.200	Minor Policy Change	1.0	\$\$

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		perhaps we could consider stating the structure type rather than base zone as allowing access to this exemption.					
2388396	Historic code exemption	445.200.D.2.t(1): Exemption first says when on "1" a roof surrounded by a parapet that is at least 12 inches higher than the highest part of the roof surface the following must be met." The first point says "The solar energy system must be mounted flush or on racks with the system or rack extending no more than 5 feet above the top of the highest point of the roof;" "2. This seems to conflict with the first dash below point 3. Is this in fact in conflict or is the 2nd dash under point 3 intended to be used on any roof type?"	clarify conflict	33.445.200	Clarification		\$
2388387	Vesting	It would be helpful if this footnote said that reviews falling under these provisions are subject to the zoning code in effect at the time of the original HRR approval to avoid potential zoning code conflicts during permitting. The language in this footnote currently reads "changes to an approved HRR" which suggests this is the intent, but 33.700.080.A.1 says that applications for land use reviews will be processed based on the regulations in effect on the date the application is filed. We have had too many instances of this problem and would like to prioritize this request for this RICAP. This situation offers much uncertainty to the developer, has killed projects, involved CAO with each instance, and increases costs significantly for projects that are very far into their process.	Amend the code so that this footnote allows the new review to be based on the code in effect when the initial review was approved.	33.700.080	Major Policy Change		\$\$
2388378	Central City FAR transfer options	There may be an unintended issue that prevents properties that are contributing or designated as landmarks from sending FAR if they have no structures on them. They also can't transfer out FAR because of the way 33.510.205.D.2.a is worded. This impacts the ability to transfer FAR away from Pettygrove Park (contributing resource with no buildings) and the South Park Blocks (landmark	reconsider allowing landmarks without structures to transfer FAR.	33.510.205	Minor Policy Change		\$\$

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		fountain), as examples. I don't think the policy intended for the FAR on these and similar sites to be "trapped."□					
2388369	Central City FAR transfer	none given	510.205.D.1.b: Should National Register Districts and Landmarks be included in the list of properties eligible for improvement under this FAR bonus? (transfer in exchange for seismic upgrade)	33.510.205	Major Policy Change		\$\$
2386651	River Overlay top of bank	It is not clear in 33.475 whether applicant's can submit site specific surveys for top of bank. BPS has indicated that the intent is for the applicant to have the ability to provide site specific information, but the code has not been updated to clearly allow that option. "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."□	Please clarify 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.	33.475	Clarification		\$
2386629	River Overlay zone landscaping	Several situations have come up where the ability to fully comply with the landscaping standards will be very difficult or not desirable. This applies to the River Overlay 33.475.	Please consider removing the prohibition on Adjustments in 33.475.220	33.475	Minor Policy Change	1.3	\$\$
2386591	Lot dimension modification in single dwelling zones	Code changes unintentionally removed the ability to lot size modifications in Single-Dwelling zones through EN review. This is because 33.610.200 and 33.611.200 state that "Adjustments are prohibited" and only provides an option for PD 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 mod.	33.610	Clarification		\$
2379061	Common outdoor area	Can a 2nd-story building element (e.g. balcony, cantilevered roof, eave) encroach into the designated common outdoor area provided at grade? There is confusion whether cottage cluster common area is treated differently than other common outdoor areas.	Code Clarification - Cottages (in a cluster) cannot encroach on common outdoor area. Other chapters in Title 33 directly related to open space specifically allow encroachments, but not 33.110.265.G.9. for cottage clusters. In addition, individual outdoor areas in 33.110.240 can be covered. So a clarification may be needed whether common outdoor area for cottage clusters can include projections/overhangs.	33.110	Clarification		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2379039	Use limits	Use limits in the base zones refer to building/floor area and exterior display and storage. However, the section on how to measure use limits (33.930.055) describes that exterior eating area also counts toward the limit. The measurement description often gets missed by planners, so perhaps the language about exterior eating areas should move to the base zone footnotes, or the stuff that is included in the base zone limitation should move to the measurement section.	Code clarification: 33.930.055 OR amend all the use limits in the code.	33.510.119	Clarification		\$
2350433	Amend Tree Code, set up process to abate smothering vines	There is no specific provision that directly speaks to trees being smothered to death by vines in Title 11 Tree Code. Invasive plants like Clematis Vitalia are having rapid and devastating effects on our urban tree canopy. No City code nor staff position/department exists to enforce private and public property owners to keep this and other tree-smothering vines in check.	Please amend the Title 11 Tree Code to include required abatement of smothering vines. Please assign the task of enforcing this to a specific bureau and staff position.	11	Minor Policy Change	-2.0	\$\$
2349736	Definition of site and ownership	A house is defined in 33.910 as, "House. Except for a detached dwelling unit on a lot that was created through a middle housing land division, a detached dwelling unit located on its own lot." Lot is defined as, "Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). This definition also includes a lot that is smaller than the original platted lot solely because of condemnation or required dedication by a public agency for right-of-way. See also Ownership and Site." Site is defined in 33.910 and is defined as an ownership. Ownership is defined in 33.910 as "one or more contiguous lots that are owned by the same person, partnership, association, or corporation." I'm not quite seeing how lot and site are related. A house can be on a lot, which each of these are (or will be when the lot confirmation is complete). A site/ownership is considered to be adjacent sites	Clarify second sentence in the standard for adjacent lots that are separate tax lots in the same ownership.	33.110.260	Minor Policy Change		\$

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		commonly owned. Those don't contradict each other. It seems that we can propose houses based on the 33.910 definition and simultaneously qualify for the exception under 33.110.260 stating, "Attached houses are not required on sites that contain a combination of lots or lots of record when the combination is at least 26 feet wide". While I understand this is not the intent of the code, is the bureau not legally obligated to uphold the code as written? If the site definition should not be applied to residential, then I would expect to see that in a future iteration of the code, but at this time, it's not written that way - and I don't see any catch 22 about applying that definition here.					
2349731	Enhanced Pedestrian Street	Code says: 33.526.280.B Development on sites abutting an Enhanced Pedestrian Street as shown on Map 526-4, where the development is new development or that adds at least 40,000 square of net building area to the site, must meet the standards of this section. The standard says site. Does this standard apply to every public street around/through a site or only to frontages along the streets shown on Map 526-4, currently NE 102nd and NE Pacific? They will be extending NE 100th and NE Oregon which will create a full block site.	Determine if standard applies to entire site or frontages. Similar standard in 510.	33.526.280	Clarification		\$
2349728	Indoor recreational facility	Unable to find a definition for "indoor recreational facility" or "indoor tenant community room", or a minimum size requirement. Q. Does a 39sf space (without windows) qualify as an indoor recreational facility or community room? Applicant wants to meet required outdoor area standard using, in part, a 39sf amenity work from home/phone room space. The purpose statement says the indoor community facilities provide opportunities for recreation or gathering, which would be challenging in such a small space.	Provide more detail in what qualifies as an indoor rec facility.	33.130	Minor Policy Change	3.3	\$
2324137	Non-conforming	Figure 258-1 and the labeling of property line is causing confusion. The same line is being used to	clarify figure	33.258.050	Clarification		\$

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	g situations	represent internal property lines and for showing a property line as it existing 2 years before the use became non-conforming. People are interpreting the figure as showing that the gray lots were the original site and NCU while lot 4 was purchased after.					
2275020	Johnson Creek plan district bonus density	Section 33.537.120 provides an option for certain lands to gain bonus density of 50%, or higher if combined with density transfers. This provision was created many years ago when single-dwelling zones were limited to a house per lot, and multi-dwelling zones had maximum unit densities. However, the provision has rarely (if ever been used). It requires a PD approval and additional criteria. Recent code rewrites may have made this obsolete	Consider whether this bonus density provision is necessary considering the changes to allow more units through RIP and BHBD. Also consider whether the density transfer option in 33.537.110 needs tweaking with the new base zones.	33.537.120	Minor Policy Change	0.0	\$
2261765	SRO References in Parking Chapter	Both Table 266-1 and 266-2 include references to SRO as they relate to minimum parking requirements. The term SRO, for single resident occupancy was removed from the code with the Shelter to Housing Continuum project. Parking is based on Household/Group living use and on the structure types dwelling unit/congregate housing facility.	Remove the references to SROs.	33.266	Technical Correction		\$
2246271	Accessory Structure setbacks in C zones	The base setbacks in 33.130.215 generally require a 10-foot setback for sites adjoining an R-zone lot. This was established during the Mixed Use Zoning project of the Comp Plan update. The changes exempted buildings up to 15-ft in height from the 10-ft setback requirement. However, the same section also stated that detached accessory structures on sites with all residential uses were subject to the standards of 33.120.280 in the multi-dwelling zones. This sets up a conflict/discrepancy where a commercial building could fully extend into the setback but a residential detached accessory building can only be 24-ft long to be in the setback.	This language should be clarified to determine how the setback exemption for buildings up to 15-ft tall should apply to detached accessory buildings, both commercial and residential. Should residential detached accessory buildings have more restrictions than commercial? Note that prior to mixed use project, the reference to 33.120.280 was less of an issue, since shorter buildings were subject to a 5-ft setback anyway.	33.130.215	Clarification		\$
2245531	Additions to create triplex	The definition of triplex states that each unit must share a common wall or common floor/ceiling with at least one other unit. A proposal has been	Providing an example of development that could occur based on the definition of triplex.	33.91	Clarification		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
		submitted to connect an existing house to a duplex with bike storage assigned to the adjacent dwelling units.					
2237186	Group living in CI zones	Footnote 9 in Table 150-1 applies to Group Living Uses and specifically states that the Group Living use must be included in the campus's impact mitigation plan and that plan must accommodate the Group Living use's impacts. This assumes a new Group Living use and the presence of an impact mitigation plan.	Please evaluate Footnote 9.	33	Clarification		\$
2216385	Minimum Loading Space Requirements	The thresholds that trigger minimum loading spaces no longer align with need. Often the spaces go unused. In addition, the setback, landscaping and forward motion requirements can be problematic especially in constrained spaces See attached memo from NAIOP/BOMA	Please consider revising minimum thresholds for triggering a loading space for household living uses as well as the development standards that apply to loading spaces.	33.266.300	Minor Policy Change	4.0	\$\$
2214384	Eastern Pattern area rear setback and exemptions	The Eastern Pattern Area has a minimum rear setback requirement equal to 25 percent of the total depth of the site. One exemption allows for outdoor common area that is at least 10 percent of the site area and that measures 30 ft. by 30 ft. in all directions. It is unclear if this outdoor common area can be provided as a rooftop deck.	Please clarify if rooftop decks can be used to meet the minimum rear setback exemption for outdoor common areas.	33.120.220	Clarification		\$
2190524	Perimeter parking lot landscaping	33.266.130.G.2 and Table 266-5 requires a landscaped setback between surface parking and an abutting property line; however, there is no exception for if other development such as exterior storage (which doesn't have a screening requirement in Industrial zones) is located between the parking area and the lot line..	Please add an exception for Industrial zones stating that if exterior development is located between the parking and the lot line, no landscaped setback is required.	33.266.130	Clarification		\$
2173750	Location of vehicle area	33.415.330.B.1 states that no more than 30 percent of any transit street frontage maybe used for vehicle areas. However, it is unclear if the parking area were to be set back a significant distance from the street (with perhaps landscaping separating it) would that still be considered frontage.	Please define the distance of vehicle area and the street for it to be considered "frontage".	33	Clarification		\$

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2166537	Carpports and floor area	The zoning code has unclear regulations about whether a carport would be included as FAR. For instance, the definition of Floor Area does not include roofed porches, exterior balconies, or other similar areas unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter. But the definition of Floor Area also mentions buildings which is defined as a structure that has a roof and is enclosed on at least 50 percent of the area of its sides.	Please clarify if carports are included as FAR.	33.910	Clarification		\$
2162067	Flag lots and front lot lines	It is unclear if flag lots have a front lot line. This is particularly of interest when Community Design Standards may be used for new development since those standards specifically refer to front lot line.	Please clarify if flag lots have a front lot line.	33.218.100	Clarification	1.7	\$\$
2154001	Long-term bike parking in small units	The long-term bike parking ratios of 1.5 spaces per unit can be difficult to implement with smaller-scale apartment complexes placing studio or small 1-bd units on smaller lots, such as 5,000 sq ft. A 19 unit studio plan requires 29 bike spaces. The number of spaces can both impact the apartment's storage capacity and may also force removal of one or more units to provide bike room. These smaller units typically are meant for a single person.	Consider a bike parking ratio that is reduced for development on small lots, and/or for development consisting of small units like studios. Or as an option, base the ratio on bedrooms.	33.266.200	Minor Policy Change	3.3	\$\$
2152142	Long-term bike parking accessibility	Long-term bicycle parking standards do not require that long-term bicycle parking has to be distributed or accessible to all tenants in a multi-dwelling structure.	Please clarify if and how long-term bike parking needs to be distributed and accessible to all tenants of a building and not constructed in a way that only allows certain tenants access to the amenity.	33.266.210	Clarification		\$
2085445	Required outdoor area	The outdoor area requirements (33.130.228.B.1.b) for when a combination of individual unit areas and common areas is unclear. If at least 48 square feet of individual outdoor area is not provided, and instead the proposal is for a combination of individual and common areas, would a 29-unit building needing 1,392 square feet of required outdoor area be able to allocate that outdoor area to 6 dwelling units with a combined individual outdoor area of 1,307 square feet and a common room of 137 square feet?	Please specify if a combination of individual and common outdoor areas is used, do the individual areas only count toward 48 square feet requirement (even if larger) of the total requirement of individual areas plus common areas.	33.130	Consistency Change		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
2035586	Additional dwelling units and additions of up to 250 square feet	The code is not clear about whether the allowance to add up to 250 square feet of FAR to a primary structure that exceeds FAR limits also applies if the addition is for an additional dwelling unit.	Please clarify that the addition of up to 250 square feet also (or doesn't) apply to the addition of additional dwelling units.	33.110	Clarification		\$
2035584	Covered outdoor areas	The code is not clear about how much enclosure is too much for a required outdoor area. The code says that they can be covered but not fully enclosed, but what does "not fully" enclosed mean? Some mostly enclosed spaces can count toward FAR--is that what we want?	Please clarify that if an outdoor area is covered and is under 100% enclosed, it meets the standards for 33.120.240 or 33.110.235.C.2.	33.120.240	Clarification		\$
1974730	Setback averaging in Multi-dwelling Zones	The regulation for setback averaging in Multi-dwelling zones is unclear whether the setback used to match needs to be the like setback, for example a front setback can only match the front setback on the adjacent lot.	Please add clarity to the regulation. The setback averaging regulation in 33.110 has better clarity.	33.120.220	Consistency Change		\$
1969162	Public Safety Facilities in Commercial zones	In the Commercial Mixed Use zones, Public Safety Facilities are allowed by right except if they include a Radio Frequency Transmission facility, in which case a CU is required (see 33.130.100.B.8.a). The stated CU approval criteria are those that apply to a Public Safety facility (33.815.223) and not those that apply to RF Facilities (33.815.225). If a Public Safety Facility without an RF facility is allowed by right, one with an RF facility should only be reviewed per the CU approval criteria that apply to RF facilities.	Amend language in 33.130.100.B.8.a to state that a CU for a Public Safety Facility with an RF facility may require a CU, and reference the RF regulations in 33.274 (Radio Frequency Transmission Facilities).	33.130.100	Clarification		\$
1963899	Institutional Development Standards - pedestrian standards	33.110.245.C.10 (now 33.110.270) states that the on-site pedestrian circulation system for Institutional Development must meet the standards of 33.120.255, Pedestrian Standards; however, those standards are now based on the number of residential dwelling units.	Please correct the standard.	33.110.270	Clarification		\$

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1854722	Corrections to CU Master Plan	The EOA project included changes that needs to be reflected in code. The text in quotes is what needs to be added.5. Increases in the overall floor area of development on the site over 25 percent. Floor area for housing that is affordable as defined by Paragraph B.5 "of Section 33.820.080 is exempt from this limitation". 6. Increases or decreases greater than 25 percent in the amount of approved or required parking. Decreases for housing that is affordable as defined by Paragraph B.5 "of Section 33.820.080" are exempt from this limitation; and	Please make the above changes	33.820.080	Consistency Change		\$
1852521	Garage entrance setback	For the RM1 zone, should 33.120.220.E include an exemption to reduce the 18-foot garage entrance setback for steeply sloping lots? Several other provisions in 33.120 have exemptions for lots with 20% or greater slope, and it seems like an exemption here would make sense too.	See above.	33.120.220	Minor Policy Change	0.0	\$
1788715	Minimum and maximum density in IR zone	33.612 refers to 33.120 for minimum and maximum density in the IR zone but no density requirements for IR are mentioned in 33.120. All IR zone standards have been moved to 33.150. This reference was removed by Better Housing by Design.	Address minimum and maximum density in the IR zone as part of 33.612 or re-instate the reference to 33.150. Note there is no minimum density requirements in IR.	33.612	Clarification		\$
1776692	Neighborhood Contact	33.705.020.C.5.d(5) refers to the neighborhood meeting as it is optional i.e. "if one were held". The meeting is mandatory with Neighborhood Contact 3.	Please eliminate "if one were held" from 33.705.020.C.5.d(5).	33.705.020	Clarification		\$
1766890	Neighborhood Contact and CCMPs	33.730.030 is unclear if Neighborhood Contact requirements apply to Central City Master Plan reviews because there is a land use review and the potential for development but the CCMP doesn't result in the approval of development or increase net building area.	Please clarify if a Central City Master Plan review requires neighborhood contact. This issue could be clarified or corrected with DOZA.	33.730.030	Clarification		\$
1701121	Trees between buildings	The city is requiring trees on lots that are being built with just walk around clearance. The trees can cause problems in the future if there is not enough room for healthy root systems and room for the full canopy as the trees grow. Portland has many problem trees because of past tree planting. Trees planted need to be planted by city code not by	We need a new city wide requirement to plant trees with space needed to grow both canopy and root system so future growth is the most important factor. Note root barriers do not work for trees. The roots are too large and can grow around barriers or destroy them. Cutting back the canopy does not reduce most root systems Newell	33.248	Minor Policy Change	0.3	\$\$

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		name that limit the trees to those who's root system and canopy will be contained within the space that is open to the size of the tree's needs. Trees with canopy's that reach neighbor's roofs and roots that do not have room to grow can cause a lot of damage 5-10 or 20 years down the road. Trees can crack mountains. They change the water content of soil causing foundations to move. The city needs more than trees. They need smart planting including proper space to plant desired trees in a way that does not negatively impact building in the future.					
1699389	Planting trees too close to property line	The neighbor planted trees with in 12" of my retaining wall and property line.2 concerns. For me Damage to my retaining wall and patio. Branches hanging over my patio, I will cut them back. The lack of light because the trees are 28" from his 3 story building will cause the tree to bend over my patio., Some of threes are 12" from my property. the roots can damage my patio. Concern about egress using the egress exit wells from the basement apartments. the trees will grow large and that can be a safety issue/The large main building on the West end has a evergreen that will grow large enough to damage my fence and the gate to my property.	T-Owen was required to have 3 trees on the North of is development. The room needed for trees is not there. Remove all trees along side the building. Keep one tree in the patio area. Plant low growth shade plants so people can escape in case of fire. Replace the evergreen tree with a smaller evergreen bush that does not get very wide	33.248	Minor Policy Change	4.0	\$\$
1693872	Loading standard for Group Living	BDS has processed several adjustments to loading space standards when a building is a mix of Household Living and Group Living because the standards for both are separate.	Please combine the loading requirements for group living and household living.	33.266.310	Minor Policy Change	3.0	\$
1685778	Summary of Bonus FAR and Height	Some members of the public have commented that the conditions for allowance of extra bonus height in the CM2 zone be clarified or more explicit in code. The bonus height of 55' is only allowed when a design overlay zone is applied and the site is in a Comp Plan UC or CC designation.	Explore option to make this more clear, if possible. Possibly amend Table 130-3 or clarify in code text.	33.130.210	Clarification		\$
1576526	Additions to nonconforming	33.110.253.C.2.a states that an addition may be made to an existing detached garage that is nonconforming due to its location in a setback if it meets all other standards of the chapter. This could	Consider whether 33.110.253.C.2.a is necessary or if the requirements of both 33.110.253.C.2.a and b should be met.	33.110.253	Minor Policy Change	4.0	\$

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	detached garages	effectively allow very large additions, especially if the nonconforming garage were attached to the house. This seems to be in contrast with 33.110.253.C.2.b which provides very explicit specifications for additions to nonconforming detached garages.					
1551984	Active use requirements for sites within 100 feet of a transit street	Development is proposed for a site with frontage on non-transit street, but that is also located within 100 feet of SE Hawthorne, a transit street. The Centers Main Street Overlay requires the ground level floor area to be at least 25 percent active uses when within 100 feet of a transit street. It is unclear how this standard applies to a site that doesn't front on the transit street and if it applies to the building or the site.	The standard is unclear if it is intended to apply to portions of a site within 100 feet of a transit street, portions of the building, or the whole site or whole building. The site in particular abuts the rear lot line of a lot fronting on SE Hawthorne and ground floor active uses wouldn't normally be expected in this location. Please clarify how the standard is applied and consider if it is appropriate in situations where the site doesn't have frontage on or just around the corner from a transit street.	33.415	Clarification		\$
1549433	Drainage district flood protection activities	Refer to attached document. - Relates to drainage district improvements needed for OSHA compliance in e-zones.	Clarification of Development Code sections relating to Drainage District activities necessary for stormwater drainage, and flood protection and safety.	33.430	Minor Policy Change	-0.3	\$\$
1540114	Setback purpose statement in Commercial/Mixed Use zone	The setback purpose statement in the Commercial/Mixed Use zone states that "The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential uses. However, development that is entirely residential is allowed in the zone which makes the purpose statement imply that it is not necessary to comply with the setback.	Please remove "commercial/mixed use" from the purpose statement so that it refers to all potential development.	33.130.215	Clarification		\$
1537728	Height of field lighting poles	Table 110-5, Footnote 3, and Table 120-7, Footnote 3 both contain height exemptions for towers and spires with a footprint of 200 square feet or less; however, no exception applies to field lighting which results in many Adjustment requests.	Please consider adding a height exemption for field lighting.	33.110.245	Minor Policy Change	1.7	\$\$
1516790	Public wireless facilities	Public wireless facilities that don't qualify as basic utilities, such as BES wireless used to monitor infrastructure, would require a conditional use review because the exemption for facilities allowed without	Please update the allowances for facilities allowed without a conditional use review to include public facilities so that they aren't subject to greater review thresholds than identical Sprint/AT&T/Verizon/T-Mobile facilities.	33.274.035	Minor Policy Change	2.7	\$

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		a conditional use review in 33.274.035.A and B only applies to personal wireless facilities. In addition, since these type of facilities are not "personal wireless service facilities", they are subject to a higher review type. 33.274.050.B only applies to personal wireless facilities.					
1504290	RF Registration Forms	The Radio Frequency chapter has requirements for FCC certification and registration forms. This may be redundant with FCC compliance rules and with our application forms	Consider removing the requirements for FCC compliance letters in 33.274.040.C.5 and the registration forms under 33.274.060 and potentially replace with requiring compliance with FCC rules	33.274.040	Minor Policy Change	2.0	\$\$
1497447	Comp Plan follow up map fixes	Several maps were not correctly updated as part of the Comp Plan update. Please update them.	update the maps	33	Technical Correction		\$
1494784	Screening for rooftop mechanical	33.130.210.C.4 states that rooftop mechanical in the CM1, CM2, CM3, CE and CX zones may extend above the height limit, but it doesn't say if required screening is also allowed to extend above the height limit.	Please clarify that required screening for rooftop mechanical equipment may extend above the height limit.	33.130.210	Clarification		\$
1479143	PLA Application Requirements	33.667.200.B.1 states the submittal requirements for surveys as part of a property line adjustment application. It refers to ORS 92.050 Requirements of survey and plat of subdivision and partition; however this section does not discuss surveys for property line adjustments. .	The reference should be updated or deleted. (The Zoning Code does not refer to the ORS for final plat survey requirements).	33.667.200	Technical Correction		\$
1479057	Calculating land division density for projects with a common green	33.610.100.D indicates that "pedestrian connections that are self-contained streets created solely for the use of pedestrians and bicycles are not considered streets for the purposes of calculating density...". It is unclear if common greens should be included in the this exception.	Add code language to clarify if common greens should or should not be considered streets for the purposes of calculating density.	33.610.100	Clarification		\$
1479034	Rights-of-Way standards	33.654.110.B.1.d refers to "master street plans for the area identified in Goal 11B of the Comprehensive Plan". This is an outdated reference to the old plan.	Update the reference	33.654.110	Consistency Change		\$
1464283	ASTR - Condition	The current approval criteria for accessory short term rentals of 3-5 bedrooms currently use the general criteria for institutions in residential zones	Create more specific or more clear approval criteria for short-term rentals. Possible ideas include considering the size of the rooms, size of the building/site, amount of	33.815.105	Minor Policy Change	1.3	\$\$

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	al use criteria	(33.815.105 A-E).There is no guidance to determine how many overnight guests should be allowed or how to determine if that detracts from the livability	surrounding open space, the proximity of other short-term rentals, etc.				
1459539	Minimum density in River subdistrict of the St Johns Plan District	The River subdistrict of the St Johns Plan District includes a minimum density for residential development in the CM3 zone when all the floor area is in residential use (33.583.285.C). Prior to the addition of minimum density requirements to the Commercial/Mixed Use zones, the standard was more restrictive than the base zone which didn't have a minimum density requirement. Now that the zone has a minimum density requirement that apply to residential and mixed use development, the River subdistrict standard is more permissive.	Eliminate the standard because the base zone contains a more restrictive standard.	33.583.285	Minor Policy Change	1.3	\$
1453804	Temporary RF Facilities	33.296.030.H discusses temporary RF facilities stating they are allowed up to 120 days in the calendar year, which must be documented through a zoning permit; however, a lot of temporary RF facilities require a commercial permit.	Please change the reference to a zoning permit to something more general i.e. a permit.	33.296.030	Technical Correction		\$
1452702	Parking areas egress exception	The code allows an exception for parking areas with no more than 2 spaces to enter the local service roadway without a forward motion. However, the code and definition of "parking area" doesn't say if the exception would be allowed if there are two separated on-site parking areas with two parking spots each.	Please clarify if the above exception applies to the entire site.	33.266.130	Minor Policy Change		\$
1451188	Accessory uses in Greenway Industrial overlay	33.440.100.B.2 restricts the primary use on sites with an "I" overlay to river-dependent/related uses, but is silent on accessory uses. It can be assumed that uses accessory to a river dependent/related use would be allowed; however, 33.920.030.C states "accessory uses are allowed by right in conjunction with the use unless stated otherwise in the regulations. Also, unless otherwise stated, they are subject to the same regulations as the primary use". Based on this information, the accessory use would be subject to the same regulations as the primary use and would be required to be river-dependent/related.	33.440 should provide additional direction on how uses accessory to the primary use in the "I" overlay are regulated.	33.440.100	Clarification		\$

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1451093	Planning Commission on role and amendments to Title 11	11.10.040 discusses amendments to Title 11. The section starts with a description of the Urban Forestry's role in making a recommendation on an amendment (11.10.040.B) and mentions Planning and Sustainability Commission but doesn't say they make a recommendation (11.10.040.C). Then, 11.10.040.E says City Council "makes the final decision on amendments, after considering the recommendations of UFC and PSC".	This section should be cleaned up to make the role of the PSC is better defined.	11.10.040	Clarification		\$
1437091	Healy Heights Plan District	The Healy Heights plan district has not been reevaluated for a long time, and appears to contain elements that may not be in sync with current federal requirements. Also, there are a number of provisions in the plan district that are not clear.	Complete a reassessment of the Healy Height plan district to verify that it is in compliance with federal requirements, and to clarify various sections, including:1. How is the replacement/rebuilding of an existing tower regulated?2. What does a "relocation" of existing tower mean?3. What approval criteria are used for the Type II review of a temporary tower? 4. In what situations is advice from the Design Commission for the construction of temporary tower required?	33.533	Clarification	1.3	\$\$
1429944	PDX Airport Landscaping Standard	The Port's adopted Portland International Airport Landscaping Standards do not match locations mapped in the Port's Wildlife Hazard Management Plan. Specifically, the Airport Plan District includes landscaping standards for the Airport Subdistrict in 33.565.220 which at times is not consistent with the mapping of the "Primary and Intermediate Zones" found in the Port's Wildlife Hazard Management Plan.	Please update where 33.565.220 applies so that it is consistent with the PDX Wildlife Hazard Management Plan.	33.565.220	Consistency Change	3.0	\$\$
1429913	Mechanical Equipment	The Portland Zoning Code does not define mechanical equipment and there is often confusion over what constitutes mechanical equipment and what does not (fans and duct work are examples).	Please define mechanical equipment in 33.910.	33.910	Minor Policy Change	3.0	\$\$
1425108	Reference to in-lieu-of in Inclusionary Housing Chapter	33.245.040, Inclusionary Housing Standards, states "Affordable dwelling units must be provided as follows, or a fee-in-lieu of providing affordable dwelling units must be paid. . . "However, there is nothing in 33.245 about the fee. That info is in the base zone regs, e.g., .120.205.F.2.b.	Add a cross-reference, either to the specific sections that talk about the fees, or just generally, such as "Information on the fee-in-lieu is provided in the base zone chapters." Suggestion: Add a Subsection C to 33.245.040:C. Fee-in-Lieu of providing dwelling units. When the requirements of this [chapter] [section] will be met by paying a fee-in-lieu of providing dwelling units, the fee must be paid [as	33.245.040	Clarification		\$

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			set out in Section 30.01.120, Inclusionary Housing] [as set out in Chapter 30, Affordable Housing Preservation and Portland Renter Protections] [as required by the Portland Bureau of Housing].				
1407674	Differing FAR on site	A recent zoning confirmation letter addressed a site that is two complete blocks separated by a street. Both blocks have different FAR and there was some uncertainty about how to calculate FAR for the site. The decision was made to calculate FAR separately for each block.	Please address how FAR applies on a site when there are two different floor area ratios.	33.91	Minor Policy Change	1.3	\$
1407546	Siding on detached accessory structures	33.110.250.C.4.a (2) states that "siding must be made from wood, composite boards, vinyl or aluminum products and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6" or less in width". However, 33.218.100.H.4 and 33.218.110.J.4 both refer to a "reveal of 6 inches or less".	Please make the standards consistent and refer to a reveal of 6 inches or less rather than the width of boards.	33.110.250	Clarification		\$
1403806	Columbia South Shore Plan District	The Columbia South Shore Plan District allows "professional/technical facilities" as a Conditional Use (33.515.130.C.1). This term is not defined and no guidance is provided as to what this applies to. Is an office use a "professional" facility?	Replace this term with a use category (or use categories) that are defined in the Code, or more precisely identify the type of uses that are to be included under this term.	33.515.130	Clarification	3.3	\$\$
1376018	Conditional Use triggers	The triggers for when development on the site of an existing Conditional Use is allowed or requires subsequent review is based in part on increases in floor area and increases in exterior improvement. We've had requests to build open, roofed structures on Conditional Use sites. These structure are not floor area, nor are they exterior improvement (as that definition specifically excludes roofed structures). Was the intent to require Conditional Use review for roofed structures over 1,500 square feet?	Clarify whether open roofed structures over 1,500 square feet trigger Conditional Use review.	33.815.040	Clarification		\$
1368144	Exterior storage versus parking	The definition of Exterior Storage includes some types of vehicles (vehicles for sale or lease, vehicle that have been towed, storage of recreational vehicles); however, it is not entirely clear whether the storage of buses, fleet vehicles or autonomous	Please evaluate whether some of the more common (or upcoming) types of vehicle storage are classified as Exterior Storage or Parking.	33.910.030	Clarification		\$

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		vehicles would be classified as Exterior Storage or Parking.					
1354349	Repair and maintenance of pilings	Repair of pilings often involves adding a metal or plastic sleeve to the pilings; however, the definition of Repair in 33.910 states that the similar materials are used for the repair which means adding a metal or plastic sleeve to an existing piling(s) would require Greenway Review.	Please add an exemption to Greenway Review in 33.440.320 stating that pilings can be repaired by adding metal or plastic sleeve without triggering Greenway Review.	33.440.320	Minor Policy Change	2.3	\$
1354327	Dimensioned environmental zones	When an environmental zone includes a dimension, the only description for how the measurement is applied is on the official zoning map; furthermore, the description of the measurement only applies to "p" zone and not "c" zone.	Please add a description for how to measure dimensioned environmental zones to 33.920 addressing both "c" and "p" zones.	33.920	Clarification		\$
1349063	Accessory structures in Glendoveer Plan District	The Accessory Structures Project updated zoning regulations to create more consistency for different types of accessory structures; however, the project did not address the Glendoveer Plan District which has specific rules about accessory structures in setbacks.	Please evaluate the Glendoveer Plan District to determine if its regulations should be updated so they are consistent with rules for accessory structures in general.	33.530.040	Minor Policy Change	2.3	\$\$
1344762	Land Divisions - wetlands	The intent of item 4 in RICAP 8 was to include wetlands in the land division regulations similar to streams, spring and seeps. While language was added to 33.640.200A, it was not carried through the rest of the section.	See RICAP 8, Item 4 related to 33.640.200. Carry wetlands language through Subsection C. See first in-house draft for reference.	33.640.200	Technical Correction		\$
1343997	Incorrect building code reference	33.258.070.D.2.a(2) references Section 1113 of the Oregon Structural Specialty Code; however, accessibility upgrades for existing buildings is now addressed in OSCC 3411.7 and further referenced in ORS 447.241.	Please update the reference.	33.258.070	Technical Correction		\$
1341918	Residential driveway slope	I went to the Permits office to research whether or not a permit existed for my driveway of a home I purchased last year. A standard vehicle cannot drive down the driveway because the slope is too steep. This wasn't communicated to me by the realtor nor developer. After discussing this issue with the Planning/Zoning and Transportation departments, we figured out a Building permit and Right-of-Way permit were approved, however, there appears to	Zoning code should have standards that regulate the driveway slope to a garage to ensure that a standard car can drive down and enter the garage. There needs to be standards on what classifies a garage to be a functioning, i.e. a standard car should be able to drive into it. Also, if this is not the case, it should be mandatory that the developer disclose to the agent and buyer that the garage is non-functioning and should not be able to call it a garage when listing a home. Thank you.	33.266.120	Minor Policy Change	-0.3	\$\$

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		have been a disconnect in that the building and right-of-way permits were not looked at together to see if a car could actually drive down the driveway and enter the garage. We found out that there is no city regulation on the driveway slope. May I ask why doesn't the zoning code have standards on regulating the driveway slope? Can BPS please change this?					
1325940	Internal parking lot landscaping	Parking spaces for motorcycles are much smaller than parking spaces for vehicles, yet the amount of interior parking lot landscaping required for motorcycle parking spaces is the same as that required for vehicle parking stations.	Evaluate whether interior parking lot landscaping requirements should be based on the type of parking.	33.266.130	Clarification		\$
1321240	Large Parking Areas	The regulations in 33.266.130.F.5 apply to large parking areas over 125,000 square feet in size. When an existing parking area increases in size such that it is now over 125,000 square feet in size, it is unclear how the regulations should be applied.	Please clarify if the regulations for large parking areas apply to the full parking area when an existing parking lot increases in size such that it now exceeds the 125,000 square foot threshold that triggers the large parking area regulations.	33.266.130	Clarification		\$
1321017	Northwest Plan District - standards on Main Streets and streetcar alignment	The Northwest Plan District standards for ground floor active uses apply to the ground floor of walls that "front" onto a main street or streetcar alignment. It is not clear what "front" means. Is this intended only to apply to the portion of the building that meets the maximum building setback? Is it intended to apply to accessory structures?	Consider clarifying standard so that it applies to the street-facing, ground floor of walls that are located within the maximum street setback.	33.562.240	Clarification		\$
1317539	Status of Bed and Breakfast Facilities	The Accessory Short Term Rental regulations (in Section 33.207.070) speak to the status of bed and breakfast facilities that existed without a revocable permit prior to 1988. This section also identifies what the status is of bed and breakfast facilities operating under a revocable permit. The code is silent on the status of bed and breakfast facilities that operated post 1988 as a Conditional Use, and particularly those that have more than 5 rooms for guests. Are these considered automatic Conditional Uses or Nonconforming Uses?	Clarify in Section 33.207.070 what the status is of those bed and breakfast facilities that operated post 1988, and particularly those that rent out more than 5 bedrooms.	33.212	Clarification		\$

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1310791	Fairs, carnivals and other major public gatherings	The Temporary Activities chapter in the Portland Zoning Code allows fairs, carnivals and other major public gatherings in the RX, C, E and I zones for up to 2 consecutive weeks; however, most circus-type events have a much longer duration and much more extravagant tents and structures which take time to set up and deconstruct. This requires the time-consuming process of taking an ordinance to City Council to "waive" the code and extend the timeline beyond 2 weeks.	Examine the length of time most circus-type events stay in Portland and extend the temporary allowance to equal that amount of time.	33.296.030	Minor Policy Change	-1.3	\$
1307121	Applying Table 110-5 to Conditional Uses in the OS zone	Zoning Code Section 33.100.200.B.1 states that Conditional Uses are subject to the development standards (generally) of Table 110-5. This means only the table is applied and not the full 33.110.245 which leads to weird results (i.e. 33.110.245.C.8 exempts grassy areas (like parks) from the setback standards in Table 110-5. Therefore, through nonconforming upgrades, a park that is also a CU (any park that has a parking area) may be required to landscape the full perimeter to the L3 standard. In addition, 33.110.245.C.4 and 5 contain standards that were probably intended to apply to parks since they are about outdoor areas and recreational fields for organized sports.	Please review whether subjecting Conditional Uses in the OS zone to only the standards in Table 110-5 is sufficient or if those uses should be subject to some or all of 33.110.245 as well.	33.100.200	Clarification		\$
1292005	Community Design Standards - windows	Applicant has proposed a window that is slanted at the top. The Community Design Standards require a vertical window. Does this window count as vertical?	Please clarify if a vertical window which is slanted at the top would meet Community Design Standards when they are updated.	33.218.110	Clarification		\$
1277589	Loss of development rights to permanent development features	33.258.070.E.1 states that "if a nonconforming exterior development such as an exterior storage area, is unused for 2 continuous years, the nonconforming rights are lost and a nonconforming exterior development may not be re-established". This makes sense when the nonconforming development is an activity such as exterior display or exterior seating, However, the wording also implies that all improvements such as a drive-through stacking lane that is less than 150 feet or a parking	Please clarify if 33.258.070.E.1 is intended to cause any nonconforming development to lose rights if unused for 2 years.	33.258.070	Clarification		\$

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		lot that is setback 4 feet instead of 5 feet if unused for 2 years would also lose nonconforming rights. .					
1274286	Detached Covered Accessory Structures - alterations	Detached covered accessory structures that are more than 15' in height are required to meet a number of developments standards related to appearance (33.110.250.C.4). However, additions to existing structures that do not meet a standard are exempt from that standard. It would seem the same exemption should apply to alterations as well.	Consider adding text in 33.110.250.C.4 that states alterations to detached covered structures that do not meet a standard are also exempt from that standard.	33.110.250	Consistency Change		\$
1257851	RF Facilities approval criteria	The Conditional Use approval criteria in Section 33.815.225.A have always been used by BDS staff for accessory equipment that is associated with antennas in the ROW, whether the equipment is on an existing building, or for new at-grade equipment screened by a fence. However, the language for when these approval criteria are not clear that antennas in right of way must still have equipment meeting criteria.	Amend language in 33.815.225.A to clarify these approval criteria also apply to accessory equipment associated with antenna that are located in the right-of-way. Similarly, language should be clarified in 33.274.035.A to state that accessory equipment associated with an antenna in the ROW, when in a C E or I zone more than 50' from an R zone, is exempt from CU review.	33.815.225	Consistency Change		\$
1253342	Land Division Stormwater Standard	BDS used to review private on-site stormwater management facilities. However, per City Council resolution 36764 and a signed MOU between BDS and BES (2010 original: https://www.portlandoregon.gov/bes/article/587923 ; 2016 amended and Restated: https://www.portlandoregon.gov/bes/article/587925) , review of "private on-site stormwater disposal facilities" is no longer conducted by BDS staff as of April 1, 2010. There are some exceptions, notably related to infiltration review when there are landslide or erosion related concerns (i.e. item I.A.4 under the 2010 MOU). PCC 33.653.030.B should be updated (or removed) accordingly in response to this change in review authority.	Work with staff from BPS and the BDS Land Division and Site Development teams to determine how best to correct the outdated code.	33.653.030	Technical Correction		\$
1241689	Conditional Use and change of use in	33.815.040.A2.a includes language about change of use within the same use category for Conditional Uses. It is not clear exactly what change of use includes. For example, if changing from one religious institution to another religious institution, is that	Absent clearer direction in the Code, BDS is implementing this regulation as follows: If the change in use is limited to the same activity within the use category, say from a senior center to a senior center (two similar activities in the Community Service use category), and there are no	33.815.040	Clarification		\$

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	same use category	considered a change of use, versus going from a senior center to a mass shelter (both of which are in the same Community Service use category)?	physical changes that would trigger a CU, and the change is in conformance with any prior conditions of a land use approval, no CU is required. However, if the change is from a senior center to a mass shelter (two different activities within the same Community Service use category), at least a Type II CU would be required. This needs to be clarified in the Code.				
1240751	Nuisance trees preservation and tree density	Title 11 is unclear whether nuisance trees can be voluntarily preserved and counted toward tree density requirements.	Please clarify whether nuisance trees can count toward tree density.	11.50.050	Clarification		\$
1240639	Define front elevation	33.218.110.E uses the term "front elevation" but it is not defined in the zoning code.	Please add a definition.	33.218.110	Clarification		\$
1235701	Enforcement of tree code	The Tree Code was written with the intent of providing the same authority for enforcement that is provided for enforcing the building and zoning codes. However, in practice Urban Forestry inspectors have discovered that some enforcement tools are not the same as those given to BDS, or they are missing	Add authority to levy liens and utilize other mechanisms for unpaid fees tied to Tree Code violations.	11.70.090, 11.70.100	Minor Policy Change	0.3	\$
1211265	Displacement parking	33.296.030.F.3 allows temporary parking areas during construction. BDS has interpreted this to mean temporary parking for construction workers, not tenants. Recently several projects such as the Portland Building renovation and OHSU expansion have needed temporary parking for tenants when tenant parking has been displaced due to construction.	Consider whether temporary parking for tenants during construction should be allowed as a temporary activity.	33.296.030	Clarification		\$
1194072	Setback for loading space on local service street	33.266.310.F.1 allows "Standard B" loading spaces to back onto a Local Service Street outside of the Central City Plan District. However, 33.266.130.C.2.a states that structures containing vehicle areas are subject to the building setbacks of the base zone where exiting in a forward motion is not provided. 33.910 includes non-passenger loading areas under	Please clarify the intent of 33.266.130.C.2.a.	33.266.130	Clarification		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
		the definition of vehicle areas, but not structured parking. 33.266.130.C.2.c states that structured parking that does not allow exiting in a forward motion must be set back 18 feet. It is unclear if 33.266.130.C.2.a is intended to apply to loading spaces.					
1180726	Amend title report references	The Portland Zoning Code includes references to title reports, but in many cases, per the Insurance Board, title reports are no longer being provided.	Adopt more general language that Multnomah County and the County surveyor uses. Multnomah County - Chapter 27 - Community Services states "a report issued by a title insurance company or authorized agent to perform such services in the state" in 27.062.A.5.	33.730.060	Consistency Change		\$
1177070	Interior Parking Lot Landscape Standards	Section 33.266.130.G.3.g includes language about minimum dimensions for tree planting wells that are located within the interior of a parking lot, and references Figure 266-7. Figure 266-7 seems to illustrate that a 5'x5' tree well can encroach into the minimum required 16' deep parking stall.	Modify Figure 266-7 so that it reflects the intended allowance for tree wells and parking stall depth.	33.266.130	Clarification		\$
1173475	Columbia South Shore Plan District office allowances	Section 33.515.110 allows uses of any size that appear to be in the industrial office use category only through a Type III conditional use review. However, the base zones regulations (EG, IG and IH) allow office space (either traditional or industrial) up to a certain size by right.	Clarify what the office restrictions in 33.515.110 are intended to apply to, and how those relate to the office allowances of the EG, IG and IH base zones.	33.515.110	Clarification	2.0	\$\$
1173094	Landscape standards and masonry walls	In both the L2 and L3 landscape standards, the shrub requirement can be replaced with a masonry wall of equal height to what the shrubs would have been. The width of a masonry wall would result in taking up a significant portion of the width of the landscape buffer, and the excavation required for a masonry wall could adversely impact the root zone for existing trees.	Consider allowing (in at least some zones) the shrubs required for the L2 or L3 landscape standard to be replaced by a masonry wall or an F2 fence.	33.248.020	Minor Policy Change	5.3	\$
1163771	North Cully Plan District applicability	The North Cully Plan District requirement in 33.560.020 states that "sites under 5 acres and improved with a value less than \$216,850 and modifications to existing single family dwellings and trailer park facilities are exempt from review". The way the sentence is written; however, make it unclear if all 3 circumstances mentioned need to be present	Clarify the intent of the exemption and if each circumstance is its own exemption, possibly include them in a bullet point list or refine the sentence.	33.560.020	Clarification		\$

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		to be exempt or if each circumstance is exempt from review on its own. BDS staff treats this standard as if each circumstance is its own exemption.					
1163744	Screening of mechanical equipment	33.110.250.F and 33.120.280.F don't require mechanical equipment to be screened from the street but 33.120.250.C does require screening between the mechanical equipment and the street	Correct this inconsistency in the code.	33.120.280	Consistency Change		\$
1156162	Paving in the Greenway Overlay	The Environmental Overlay zone provides an exception for new development and public street improvements that must be within an existing public right-of-way used by trucks and cars and that do not exceed the minimum width standards of PBOT. However, the Greenway Overlay zone provides no such exception.	Consider adding an exception in the Greenway Overlay zone that exempts development and public street improvements within an existing public right-of-way from Greenway Overlay regulations.	33.430.080	Minor Policy Change	-0.3	\$
1147820	Mechanical parking	A mechanical parking structure is proposed to increase parking capacity in an existing surface parking lot. Whether this structure would be considered "structured parking" and what landscaping standards would apply is unclear. This approach to parking is more prominent in other cities, so one could assume Portland will see more mechanical parking structures.	Please clarify how a free-standing mechanical parking structure is classified and what landscaping standards would apply.	33.266.100	Minor Policy Change	3.5	\$
1145642	Changes to Nonconforming Development	Language in Section 33.258.070.C regarding changes to nonconforming development needs to be clarified. As written, if a site has nonconforming development anywhere on the site, changes to development elsewhere on the site that don't bring the "site" closer into conformance are not allowed without an Adjustment review. This means if there is a nonconforming detached accessory structure on the site and the owner wants to do an addition to the house, an Adjustment would be required.	Consider changing the language in this section to read that only changes that bring development further out of conformance require an Adjustment.	33.258.070	Clarification		\$
1130969	Conditional Use Thresholds for Review	The Code is not consistent when identifying what changes to development trigger a Conditional Use review. Specifically, the Code is not consistent or clear when such changes result in a "net" change (meaning in the end there is no increase or	Evaluate how the term net is used when regulating changes to development on Conditional Use sites, and make consistent among the various CU related chapters.	33.815.040	Clarification	4.5	\$\$

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		decrease). In 33.815.040.B, some thresholds use the term net, and others don't. For parking, net is used in some places but not others. Also, the term "net" is used for different circumstances in 33.820 (CU Master Plans), in 33.279 (Recreation Fields for Organized Sports) and in 33.281 (Schools and School Sites).					
1130025	Solar Access	Our neighbor to the south is building a new house which completely blocks solar access. We have generated approximately 2 kWh /month in the 3 months since they put on the roof of the house as compared to the approximately 38 kWh/month we normally see in the winter. Our solar panels were installed in 2010 through solarize Portland. Our address is 7500 SE 35th	I don't think anything can be done, though I would be very grateful for any suggestions. It does seem like a waste of taxpayer dollars to subsidize solar that is then useless. Thank you for your attention. Jessica Greene	33.639	Major Policy Change		\$\$\$
1129846	Adjustments to use sizes	There are several regulations in the Zoning Code that allow primary uses, but only allow those uses up to a certain square footage. In some situations, to exceed the limits the Code states that exceeding that amount either requires a Conditional Use review, or is prohibited. However, there are several places where the Code is silent on the process to exceed the square footage (see for example 33.130.100.B.2; 33.531.140.C; 33.562.110.C). It is not clear whether an Adjustment can be requested to increase the square footage limitation in these instances.	Clarify whether the statement in 33.805.030.B.1 precludes requesting an Adjustment to these square footage limitations. One could argue that this statement doesn't apply in this situation as the use is allowed, it's just limited. Also, for those situations where the Code doesn't state it is prohibited to exceed the limit, that may imply that an Adjustment can be requested.	33.805.030	Clarification		\$
1128271	CU Changes for Park Maintenance Facilities	The current code, section 33.815.040.B, does not adequately or clearly address maintenance facilities uses in the open space zone. The Conditional Use (CU) section also requires CU review for facilities that are on large properties that have had previous CUs on the property, but where the previous CU has not physical connection or footprint relationship to the proposed maintenance facility project.	PP&R would work with BPS to rewrite Section 33.815.040 to more clearly and fairly address how and what is allowed when PP&R creates new or renovates or expands existing park maintenance facilities on OS-zoned park properties. Work on this effort with Shannon Buono and Sandra Wood began in July 2016 for RICAP 8 but was then removed.	33.815.040	Minor Policy Change	0.3	\$\$\$
1128002	Veterinary Hospitals	Veterinary hospitals are classified as Retail Sales and Service based on examples of "veterinarians" and "urgency medical clinics"; however, the use may have more in common with Medical Centers.	Examine whether veterinary hospitals should be classified as Medical Centers.	33.920.250	Minor Policy Change	-1.0	\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
1119011	Accidental destruction of nonconforming uses	A property owner has owned a commercial building since before 1992 when the zoning for the site was changed to R1. In 2002, an electrical fire damaged the building so that it was unusable. The building has been vacant since then. The owner claims since the loss of use was "accidental destruction", there is no timeline for reestablishing the nonconforming commercial use. In other words, the argument is 33.258.050.E.1 doesn't apply because 33.258.050.E.2 applies.	Clarify that meeting 33.258.050.E.2 does not mean 33.258.050.E.1 must not be met as well. (note paragraph reference changed from D to E with RICAP 8)	33.258.050	Minor Policy Change	-2.0	\$
1118650	ASTR noticing	There are distinct noticing requirements for short-term rentals depending on whether the rental is proposed within a house or within a multi-dwelling structure. These noticing standards anticipate that the surroundings include the same type of development. However, if a house is located adjacent, or across the street from a multi-dwelling development, then the notice must go to every resident of that development. This is more inclusive than if a short-term rental is proposed within the development itself.	Consider revising the noticing requirements for a short-term rental located adjacent to a multi-dwelling or mixed use development to better align with potential impacts of the short-term rental.	33.207	Clarification		\$
1110766	Mezzanines and floor area	The definition of floor area indicates that the floor area of mezzanines is included in floor area calculations "floor area is measured for each floor from the exterior faces of a building or structure". However, an argument could be made that mezzanines don't contribute to additional bulk or massing.	Clarify whether mezzanines should be included in floor area calculations.	33.910	Minor Policy Change	5.0	\$\$
1109769	Measuring the area of Limited Uses	Industrial office tenants who occupy 4 floors of a 6 story building in the IG1 zone in the Central Eastside Employment Opportunity subarea propose to eliminate all common hallways that allow other building tenants access to restrooms on their floors. 33.930.055 states that in multi-tenant buildings, common areas are not included as the area devoted to limited uses.	Clarify 33.930.055 to state "In multi-tenant buildings, common areas, accessible by all tenants or shared with an allowed use, such as lobbies, bathrooms and hallways are not included when other permitted primary uses that are not limited uses occupy the building".	33.930.050	Clarification		\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
1108191	Changes to CU boundary	A reduction in the boundary of an existing Conditional Use automatically triggers at least a Type II review regardless of the circumstance or size of the boundary reduction. Also, an increase in the boundary of any size requires a Type III.	Consider circumstances where a reduction in the boundary does not trigger a Conditional Use review. For example, a reduction resulting from a street dedication that does not violate any conditions of approval. Or, a reduction in the boundary under a certain size or percentage of the site that does not bring the site out of conformance with a standard and does not violate conditions of approval. Also consider allowing small additions to the boundary as a Type II.	33.815.040	Minor Policy Change	2.5	\$\$
1104257	Height exception for RF mounting devices	33.274.040.C.10 that allows a mounting device for RF equipment to exceed the height limit by 10 feet when mounted to an existing building or non-broadcast structure. However, the requirement does not state whether screening can also exceed the height limit.	Please clarify if screening of RF equipment is also allowed to exceed the height limit or if that situation needs to be approved through an Adjustment or modification.	33.274.040	Clarification		\$
1100083	ASTRs residency requirements	PCC 33.207.020.A describes an accessory short-term rental as one where an individual or family resides in a dwelling unit and "rents" bedrooms to overnight guests. This implies that the person or family residing in the dwelling unit must be the one that rents the rooms. However, PCC 33.207.020.B states that the resident may designate an operator, and the operator can "manage" the ASTR.	Clarify:1) What the intent is of the statement that an ASTR is one "where an individual or family resides in a dwelling unit and rents bedrooms to overnight guests;" and2) What the intent is of the operator.	33.207.020.A	Clarification		\$
1098213	Long-term bicycle parking	The Parking & Loading Section, 33.266.210.B does not have a long-term bicycle parking exception for a change of use proposed within an existing building in the Central City; however, the non-conforming upgrades section, 33.258.070.D.2.b.3) contains an exception. Therefore, the only time the exception is triggered is when a change of use to the same use category is requested and nonconforming upgrades are triggered.	BDS would like to inquire if the problem statement described above is intentional.	33.266.210	Clarification		\$
1096140	Parking Ratios for CUs and IMPs	For Conditional Use and Impact Mitigation Plans, the parking ratios are always established as part of the CU or IMP review. This is reflected in the approval criteria (for example, see 33.815.105.D.2). Use of the word "may" in Footnote 2 of Table 266-2 implies that the parking ratios may be established via the	Amend Footnote 2 of Table 266-2 to read, "Parking ratios for uses subject to a Conditional Use or Impact Mitigation Plan are established through the Conditional Use or Impact Mitigation Plan review."	33.266.110	Clarification		\$

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		regulations of Table 266-2 and the regulations in 33.266.110 and 115. This is not the case.					
1087717	Update the use category for schools & colleges	The Use Category for Schools 33.920.480, is out of date. The Accessory Uses section should at least include parking. The Accessory Uses section of Colleges, 33.920.410, more closely matches the actual uses for Schools (except items in parenthesis): Accessory Uses/Colleges. Accessory uses include offices, (housing for students), food service, food membership distribution, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, (and support commercial).	Please consider updating the Accessory Uses section for 33.920.480 Schools	33.920.480	Minor Policy Change	5.5	\$\$
1087099	State Aeronautics references	Change all references in the Code (possibly only in 33.274) from Oregon State Aeronautics Division to Oregon Department of Aviation.	Change all references in the Code (possibly only in 33.274) from Oregon State Aeronautics Division to Oregon Department of Aviation.	33.274	Consistency Change		\$
1086404	Native Tree thinning	Title 33.430 PP&R planted restoration size planting 10-15 years ago with the expectation that many would die off. However, trees grew and now to improve forest health, the ecologist want to thin the trees. Presently a Type II Environmental Review is required for each site since natural areas have a p or c overlay.	Develop a Standard for native tree thinning for trees 12 or less dbh on public lands. This would allow tree thinning and enhance forest health. Mitigation could happen on site or in the watershed.	33.430	Minor Policy Change	-1.5	\$\$
1082376	LUR application requirements	Section 33.730.060.C.4 requires applicants for a Type III land use review to submit a copy of the pre-application conference summary notes. If notes are not submitted, it is an incomplete item. Given the summary notes for all pre-application conferences are prepared by City staff and saved in TRACS, there is no reason for the applicant to provide a paper copy,	Delete the reference in Section 33.730.060.C.6 to the applicant being required to provide a copy of the pre-application summary notes.	33.760.060 .C.4	Technical Correction		\$
1082109	Allow pedestrian connection through perimeter landscaping	The parking lot landscaping standards do not allow for a portion of the landscaped area to be paved or specify that a pedestrian connection can go through the landscaping.	Allow a minimum width pedestrian connection to cross required perimeter landscaping perpendicularly.	33.266.130	Minor Policy Change	4.8	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
1078725	Purpose statement for parking development standards	The purpose statement for parking lot development standards (33.266.130.A) is poorly organized. The bullets needs to be organized under headings so that it is clear what bullets apply to what standard.	Reorganize the bullets in the purpose statement so that it is clear what purpose applies to what standard (see below for suggestion).	33.266.130.A	Clarification	5.5	\$\$
1078713	Screening of mechanical equipment	For the screening of mechanical equipment, the Code typically reads, "Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment." We don't typically require trees to be planted in this situation, and we typically only require fences that are tall enough to screen the equipment (even if that is not meeting the 6' high F2 requirement. <	Revise the standard to only require L2 shrubs or F2 fences that are tall enough to screen the equipment.	33.110.245	Clarification		\$\$
1078700	Conditional Use accidental destruction	Unlike language in 33.258 about accidental destruction and when structures can be rebuilt, there is no similar language in 33.815, 33.820 or 33.281 regarding the rebuilding of structures on a Conditional Use site in cases of fire or other means beyond the control of the owner.	Include language in 33.815 (Conditional Uses), 33.820 (CU Master Plans) and 33.281 (Schools and School Sites) that speaks to rebuilding structures on a conditional use site when destroyed by fire or other means beyond the control of the owner. Language in 33.258.070.E2 can be used as a model.	33.815	Clarification	5.5	\$\$
1055659	Density bonuses in food deserts	Food scarcity and food deserts are an issue in portions of Portland. The zoning code does not have many tools to address this.	Explore the possibility of allowing bonuses (density, FAR, height, etc...) for projects in areas with food scarcity that help address the food scarcity. If an area is mapped by the USDA as having low food access, this could qualify the site for special bonuses. The bonuses could be either projects that include food stores, food pantries associated with the Oregon Food Bank, or projects that include an element like a community garden or market garden. This idea came up at a BDS Equity in Motion session.	33	Major Policy Change		\$\$\$
1055652	Food pantries require	Food scarcity and food deserts are an issue in portions of Portland. The zoning code does not have many tools to address this.	In some zones there are no allowances for community service uses other than as conditional uses. Conditional use permits are costly and take a great deal of time and	33	Minor Policy Change	3.8	\$\$

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	conditional use permits		expertise to secure. The question of whether or not it would be possible to waive the CU requirements for food pantries in some areas came up at a BDS Equity in Motion session. It would be wonderful to explore the idea of allowing food pantries to be allowed uses in zones that do not currently allow them outright.				
1055642	Food Production areas as landscaping	Food scarcity and food deserts are an issue in portions of Portland. The zoning code does not have many tools to address this.	Many of our zones require minimum amounts of landscaping. All of our landscaping standards address aesthetics and stormwater. It would be wonderful if there was also an option people could choose that allowed for food production either as gardens for residents or market gardens. This idea came up at a BDS Equity in Motion session.	33.248	Major Policy Change		\$\$\$
1052227	ASTR effects on housing stock	AirBnB, HomeAway and VRBO contribute to low availability of housing currently being experienced in Portland. Revenue for the city as well as local hotel/motels is impacted by each "sub-rental" unit. Additionally, we have home renters renting rooms out on AirBnB. The impact of "sub-rentals" is heavy to a neighborhood. "Strangers" coming and going at all hours is extremely discerning to homeowner's who purchased a home in a quiet and friendly neighborhood.	Tighten up city regulations to include less number of days the renter/homeowner can be absent from the premise if they are sub-renting (e.g. not the current 90 days instead make it 30 days. Require inspection/certification of available parking that will NOT create hardship on surrounding homeowners available parking. Require documentation of weekly waste removal (e.g. Waste Management subscription).Require monthly inspections and verification of homeowner/rental occupying the property...more than just a driver's license address. 4227 SW Comus is listed on VRBO and HomeAway as sleeping 16. The homeowner presented a driver's license with that address when submitting the application. The homeowner has been "housesitting" another home out of the neighborhood for 3 months and will continuing doing so for another 2 months.	33	Minor Policy Change	2.0	\$\$\$
1037220	Removal of vegetation in E-Zones	The exemption for removal of certain types of vegetation in e-zones does not specify that it must be done using hand-held equipment. This is not consistent with other parts of the code that require hand held equipment for planting and soil tests.	Add "using handheld equipment" to the exemption.	33.430.080	Consistency Change		\$
1037213	JCBPD Density Restrictions	If a site is within the south subdistrict and also floodplain, the code says the site is exempt from the south subdistrict regs and floodplain regs apply. This	Consider change this language so that the density limits still apply. Perhaps both sections should apply.	33.537.140	Technical Correction	0.5	\$\$

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		means that the site is not subject to the reduced density for sites with slopes over 20 percent.					
1023475	Determining average slope on irregular lots	It is not clear how to measure average slope on an irregularly shaped lot.	Provide direction in the code on how to measure the length of line AC and BD when those lot lines aren't straight lines. See proposal from BDS P&Z team.	33.930.080	Clarification	4.0	\$\$
1010452	Scenic Overlay Side Setbacks	The scenic overlay limits development in side setbacks for 100 feet from the scenic resource. In some places, lots are platted in such a way that the overlay applies on lots with no frontage on a scenic resource. In these instances the limitation on development within the side setback does not make much sense.	Limit the applicability of the scenic regulations for side setback to properties that have frontage on a scenic resource.	33.480.040	Clarification		\$
1007084	Amateur radio towers	The maximum allowed height for towers associated with amateur and citizen band transmitters (ham radios) needs to be clarified. Currently, Sections 33.274.030. E and H exempt elements of such facilities from the regulations of Chapter 33.274, but neither speaks to allowed height of towers. Additionally, the base zones exempt antennas from the maximum height, but say nothing about the structures on which they are mounted. ORS 221.295 provides special status to amateur radio operators and the height of support structures, and does not allow local jurisdictions to limit the height to 70' or less unless a clearly defined health, safety or aesthetic basis is identified. City Attorney has advised that lacking any specific statement in the Code on why the heights should be limited, we can't limit the height.	Evaluate what an appropriate height for towers associated with amateur radio communication facilities should be, and include a well defined purpose for why such a height is established.	33.274.030	Minor Policy Change	-0.8	\$
993621	Final plat conformance standards	Additional flexibility is needed to make minor changes between preliminary land division approval and final plat approval. Some of the current standards are very restrictive and it is not clear why.	Specific changes: 33.663.200A.2. allow an increase in width or depth of lots by more than 5%. does this even need to be restricted if the decrease of other lots is restricted?A.12. add flexibility to increase or decrease the width of a ROW, other than just for curb ramps. Issues	33.663.200.A	Minor Policy Change	4.3	\$\$

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			come up with new stormwater, fire or other requirements that may change the street design slightly.				
993516	Tree Density and landscaping standards	The Title 11 Tree Density standards require a tree area with minimum dimension based on the size of the tree (i.e.. 10x10 for a large canopy tree). The parking lot landscaping standards in 33.266 generally require a 4 foot wide planting area or a 5x5 tree area, therefore only small or medium size trees planted in most parking lots would count toward tree density. Also, the Tree and Landscaping Manual specifies planting strip widths for each tree. In some cases they are only 4' wide for a large canopy tree. This is also an issue for non-conforming upgrades. Existing trees within a planting strip that doesn't meet the minimum T11 tree area can't be counted toward tree density.	Review options to address the discrepancies noted between the tree density standards, parking lot landscaping standards and Tree and Landscaping Manual.	33.266.130	Consistency Change	4.3	\$\$
993200	Trees in E-Zones	There is an exemption that allows removal of dead, dying or dangerous (DDD) trees in the e-zone, however it applies "when no development or other activities subject to the development standards or review requirements of this chapter are proposed" (33.430.080.C.7). The general development standards cover removal of native trees (allowed only in certain situations), non-native non-nuisance, and nuisance trees. There does not appear to be an allowance to remove native DDD trees in development situations under the standards (33.430.140.J).	Add a development standard to cover removal of dead, dying or dangerous trees.	33.430.140	Consistency Change		\$
991203	Appeal decision procedures	The appeal procedures for a Type II and IIx indicate that BDS must prepare and mail an amended decision report within 17 days. However, the specific wording of findings and conditions that should be included in the report is often not clearly spelled out at the hearing. In these cases, staff should prepare a draft report for review and vote by the Commission/Committee prior to issuing the amended decision. This typically cannot occur within the 17 days provided.	Change the code to clarify the process for finalizing the appeal decision and incorporating flexibility for additional time to process the appeal.	33.730.020	Clarification	1.5	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
991189	Expedited Land Division	Recent changes to the ORS 197 under HB 3223 require the local jurisdiction to provide notice to land division applicants about whether they qualify to use the expedited land division (ELD) process. Our code requires a pre-application conference and neighborhood contact requirement for any ELDs. While this does not appear to be in direct conflict with the ORS, it may not be consistent with the intent to provide a faster process for simpler applications.	Consider removing the requirement for a pre-application conference for any ELD applications that would not normally require one (i.e. cases that would normally be a Type I or II).	33.730.013	Minor Policy Change	0.5	\$
988321	Status of expired Conditional Use Master Plans	Section 33.820.060 (Duration of the Master Plan) states an approved master plan remains in effect until development allowed by the plan has been completed or the plan is amended. This is misleading in that the campus retains its status as a Conditional Use, and continues to be regulated by the master plan even after it expires. The conditions of approval also continue to apply. All that expires is the ability to include new uses or development on the campus.	Include language in 33.820.060 and potentially 33.730.130 to clarify that when a master plan expires, the campus continues to be regulated by provisions of the master plan and related conditions of approval, but that any additional uses or development on the campus require a new Conditional Use.	33.820.060	Clarification		\$
978929	Conditional Use Master Plan thresholds	Both Chapter 33.815 (Conditional Uses) and Chapter 33.281 (Schools and School Sites) contain a threshold for determining when a Conditional Use review is required based on the amount of exterior improvement area that is proposed. In both these chapters, an increase in exterior improvement area of 10% or less is a Type II Conditional Use. This threshold is missing from Chapter 33.820 (Conditional Use Master Plans).	Include a threshold for Conditional Use Master Plans that increases in exterior improvement areas that are 10% or less require a Type II Conditional Use Master Plan review.	33.820.090	Consistency Change		\$
964140	Nonconforming upgrades	The code states that the value of the alterations is based on the valuation of the "entire project", not individual permits. However, it is not clear how to determine what the entire project consists of.	Clarify what is meant by "entire project" for the purposes of this code section. Perhaps all permits within a certain timeframe.	33.258.070	Clarification		\$
964017	Environmental Zone exemptions	There is an exemption under new development and improvements for "All land divisions with tentative plans, final plans, and recorded plats" that meet certain requirements. This wording creates confusion with applicants that think this can apply to a new land division application, when it is intended for	Clarify the language to make it clear that the exemption only applies to development within approved land divisions with recorded plats. Also, if the exemption is intended to apply to new PLAs, a separate exemption would be more clear.	33.430.080	Technical Correction		\$

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		built-out of previously approved subdivisions. Additional confusion is caused by apparent allowance to use the exemption for new PLAs (see reference in 33.430.165)					
963948	North Cully Development Review	The transportation criteria for the North Cully Development Review are much less rigorous than would be applied under a conditional use review.	Evaluate the approval criteria to determine if they are adequate to get the intended level of analysis and mitigation.	33.560.050	Minor Policy Change	2.5	\$\$
963594	Tree Code administration	Section 11.10.010 provides for the adoption of administrative rules and indicates that they can be appealed to City Council. However, there is no time limit in the code for filing such an appeal.	Add an appeal period to section 11.10.010.	11.10.010	Minor Policy Change	2.5	\$
963591	CU criteria for marijuana grow facilities	Agriculture uses requires CU approval in certain zones. In commercial zones, the CU approval criteria (33.815.115) do not speak to the unique issues/needs of the cannabis industry, such as police and fire protection and livability impacts to nearby residential uses.	Consider crafting specific Agricultural Use CU approval criteria that will address potential issues associated with marijuana grow facilities.	33.815.115	Minor Policy Change	1.3	\$\$
959674	Notice requirements	For land use review notices, Sections 33.730.070.B-I require that the name and telephone number of the recognized organization need to be identified on the notice. Given the frequent turnover in people who are representing the recognized organizations, which then results in a different phone number, it would be more efficient and accurate to be able to include in the notice a general email address for the recognized organization that can be accessed by persons representing the organization.	Amend 33.730.070.B-I to state that the name, telephone number or email address must be included in the land use notice. Need to confirm that this meets ORS requirements.	33.730.070	Technical Correction		\$
955409	Waste Related Uses in I zones	Under the Use table in 33.140, Waste Related uses are indicated as a limited or conditional uses in I zones. Footnote 8 indicates that a waste related use could be allowed by right if the use was approved by Metro and in conformance with their plan. This provision has never been applied, and is not anticipated to be applied by Metro in the future.	Remove this option for waste related uses, so that it is more clear that waste related uses are subject to a CU. The Metro option is not currently supported by the agency.	33.140.100	Minor Policy Change	0.8	\$
942741	Fleet parking	The Code is not clear as to what use category fleet parking should be included. Examples include	For taxi and ambulance dispatch centers, BDS has included these uses in the Industrial Service category, based on the idea that similar to contractors' yards,	33.920	Clarification		\$\$

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		dispatch centers for cab companies, ambulance companies, and bus parking.	equipment is stored on site but the service is performed off-site. For buses, if associated with repair and servicing of buses, the use has been included in the Warehouse and Freight Movement category as a bus or light rail barn, but if there is no repair and servicing occurring and only storage of buses, should it be Industrial Service?				
941798	Comprehensive plan addition	It is clear that one size fits all code does not provide adequate flexibility in many areas of the city when development needs guidance. The result is a complaint driven system which is wasteful of staff time, diverts money from other important development tasks, and erodes public confidence and support for planning by relying on adversarial effort to address differences. The complaint driven system in place results in loss of time, public money, and public trust by city residents.	Implement geographically based Plan District development to address specific area differences by using the existing tool in the zoning code. The Plan Districts would deal with specific zoning code changes while leaving most of the zoning code undisturbed. The Plan Districts could deal with problems such as commercial development, parking, density, environmental asset protections, historic culture, and other issues in the specific geographical area.	33	Major Code Rewrite		\$\$\$\$
919917	RV parking	We recently purchased a home in the Wilkes R7 zone listed in the MLS as a property with "great RV parking". This, along with room for our dogs to run in the back yard, was the main reason we decided to buy. The RV parking is a separate, paved driveway with electrical access on the west property line. Just one year later on 9/2/15 we received a Notice of Zoning Violation for 33.266.150 - parking our RV on this paved space because it was between the "front lot and building line". In addition we were cited for an unpermitted parking area that was installed over 30 years ago. These citations were a result of "confidential neighborhood complaints" and were issued against 4 homes on our street, one around the corner and possibly others. We believe this code is conflicting, unfairly enforced, and overly restrictive and that it is not in line with the quality of life sought by many of our current neighbors. Recreational equipment and associated extra parking spaces are very common in this area. People want to keep their equipment at home, not in an expensive storage facility where spaces are hard to find (we were on	The code should be revised - cookie cutter application of zoning codes across all zones and housing types create situations we believe are unfair, especially with a complaint-driven process of enforcement. We believe the code should allow RV parking based on a set of criteria or options, not just "may not be parked between the front lot line and the building line". Here are a few examples of criteria a revised code might address: 1) That the recreational equipment be currently licensed, insured, in good condition and not be used as a permanent living space. 2) That a permitted, paved parking space that is at least as long as the equipment to be parked be installed meeting the requirements of 33.266.120 C., D. and E. 3) That the location of the parking area meets at least one of the following options: a) It is behind the front building line defined as any part of the building line that is the closest to the front lot line. b) Where buildings encroach, a side-yard is not wide enough, or there is some other obstruction that it is as close as possible to the front building line, providing the recreational equipment does not extend to within 10 feet of the street. C) It is in some other location on private property and was installed after	33.266.150	Minor Policy Change	-2.3	\$\$

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		<p>several waiting lists) and security might be a problem. The size of a lot in our R7 zone generally provides enough space to park at home. The difficulty is that many of the homes in our area are single story ranchers with low roof lines and wide eaves preventing access to the side or back yard so parking is "up to "the building line but not behind it. These are nice RV's, they are licensed and well kept and are not "junkers" rusting to the ground. And they are parked on our property! Since the applicable parking code speaks to promoting an attractive residential appearance we don't see where an attractive, well-kept RV would be any different than a van, truck or car and it would not necessarily detract from an attractive residential appearance. If the criterion is simply to reduce visibility by pushing it back on the lot we wonder about the many homes we see on corners that can successfully park an RV "behind the building line" yet have it totally visible on the side street. If the criterion addresses the possibility that an RV might not be clean and tidy or that it might be "lived in "then why not enforce a code in situations where that actually applies? Certainly it is unfair to enforce Code 33.266.150 unilaterally but only when someone (who may be from a different street or neighborhood) has driven around writing down addresses and anonymously "complained"□. Another issue with this code is determining what the front building line is. Our notice letter stated our front building line is defined by the location of our front door. For many homes, including ours, the front door is recessed and other areas of the building are closer to the front lot line. While it would not really make a difference on our site due to the side yard encroachment of the roof eaves, it might make a difference elsewhere.</p>	<p>a documented neighborhood notification process was completed where not more than 10% of the residences on the affected block disagree with the placement. (Need some code written for this).These suggestions are just a start, so many different conditions exist that input from others is essential in order to create a zoning code that is flexible and achieves livability not only for people without recreational vehicles but also for the growing number of us who do have them and want to keep them on our property. Please notify me upon receipt and as work progresses. Thank you, Doña Gaertnertmcmurphy@msn.com14506 NE Schuyler St.</p>				

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916831	Parking dimensions	Aisle widths, space widths, and space depths interact when all three are minimized to make parking and maneuvering difficult--and potentially more hazardous. When parking spaces are 8.5 feet wide, cars cannot begin turning (to pull out) as early as in a wider space. The same is true for pulling in; the car must line up farther away from the space to make a complete turn into the space. This means that the aisle must be wider to accommodate the turn.	I recommend (for 90-degree parking), that when the space is less than 9 feet wide, the aisle be required to be at least 22 feet wide (or 24 feet). If the parking space is 9 feet wide, then the aisle could be 20 feet wide. It may also work to set the aisle width at 22 feet regardless of the width of the parking space. It should also be allowed to put the parking spaces at any angle (i.e., not just at the fixed angles listed in Table 266-4). (In the past, "compact" spaces were 8 feet wide and all two-way aisles were 24 feet wide. The spaces were difficult to use, but turning was less a problem than getting in and out of the car itself.)	33.266.130	Minor Policy Change	0.0	\$\$
916361	Type B Accessory Home Occupations vehicles	I am only allowed to keep one of my three vehicles at my home occupation, Type B business. The other two vehicles are high tops that I can stand up in and won't fit inside my garage where I store extra and seasonal audio equipment. I can't bring the other two vehicles here to load, even on my own property. I would like to occasionally be able to bring ONE VEHICLE AT A TIME to my own property to my garage door to load occasionally needed equipment.	Please work code to say that ONE VEHICLE AT A TIME, may come to the home business when within the prescribed hours of 8 am until 5 pm, for the purpose of occasionally loading or unloading.	33.203.050	Minor Policy Change	0.8	\$
916357	Type B Accessory Home Occupancy Business site restrictions	As the code now reads, I must pull my extended Dodge van into my garage to load and unload the audio equipment we store in the garage. We mostly leave entire audio systems in the van to lessen the impact on the neighborhood. Requiring me to load IN MY GARAGE, restricts the amount of space I have in the garage for storage of off season or extra gear that is occasionally needed. The code cited and needing revision is 33.203.040. Site-Related Standards.	I would like the code to be revised to read "all activities associated with an accessory home occupation must be in completely enclosed structures on the site, with the exception of loading of equipment or materials, which may be done between 8 am and 5 pm, by backing up to the structure when loading is needed. (In my case, this is my garage door on my own property at the end of my own driveway).	33.203.040	Minor Policy Change	0.8	\$
905278	Parking Standards purpose statement	Section 33.266.130.A contains the purpose statement for the parking standards. The bullets in this section describe the purpose for a host of different standards, such as location of parking, landscape standards, and stall and aisle layout. However, introductory sentence to these bullets states "Together with the transit street building setback	Reword this intro sentence to something like, "Together with the transit street and building setback standards in the base zone chapters, the development standards of this section are intended to:"	33.266.130	Clarification		\$

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		standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian District Districts:", implying that the purpose statement for landscape and layout standards apply only for sites along transit streets and in pedestrian district, which isn't the case.					
905276	Recreation Fields for organized sports	Section 33.279.030.G states that a recreational field used for outdoor sports can add up to 210 lineal feet of spectator seating without requiring approval through a Conditional Use Review. An examination of the Schools and Parks Conditional Use Code Refinement Project Recreational Fields Addendum shows that the 210 lineal feet was chosen as a proxy for 140 seats in bench-style bleachers. Basing the standard of bench-style seats penalizes the installation of higher-quality individual seats with backs and arm rests.	One option would be to leave the standard as 210 lineal feet, but add, "or up to 140 individual seats"□.	33.279.030	Clarification		\$
900055	Potential Landslide Hazard Area minimum density	33.610.100 indicates site area within the e-zone, potential landslide hazard area and flood hazard area are subtracted when determining minimum density. This works well for e-zone and flood hazard because they are specific mapped areas on a site. The landslide hazard mapping is very general and has large pixels when zoomed in to the site level. Therefore, subtraction of the specific mapped area doesn't make sense.	Clarify how minimum density should apply when a portion of the site is within a potential landslide hazard area. BDS practice has been to require no minimum density on single-dwelling land division sites that have any portion within the potential landslide hazard area.	33.610.100	Minor Policy Change	4.5	\$\$
894884	E-zone inconsistency	Language in different sections of 33.430 refer to "rights-of-way" or "roads", but not both. 33.430.230.B lists the procedure that applies (includes roads, but not ROW). 33.430.250.A lists the approval criteria (includes ROW, but not roads). This appears to be an oversight.	Make the lists consistent.	33.430	Consistency Change		\$
888504	Main Entrance in East Corridor-Gateway	The Entrance regulations in the East Corridor and Gateway plan districts apply in the RH, R1 & C zones as well as RX and EX in Gateway. Considering the zones, the standard appears to apply to residential projects. However, the entrance requirement refers to a main entrance for each tenant space. Tenant	Research the intent of this regulations in the East Corridor and Gateway plan district and clarify whether the entrance requirement should apply to all building entrances or just commercial ones.	33.521.250	Clarification		\$

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	plan districts	space is generally interpreted as commercial space, although is was recently clarified in the base zones to apply only to commercial tenants.					
881696	Fences in E-Zones	It is not clear if fences are allowed in the transition area of the environmental overlay zones. 33.430.140 indicates that standard "P" applies in the transition area. Standard "P" says that fences are only allowed in disturbance area. But, disturbance area is not limited in the transition area, therefore the standard does not seem to apply in the transition area.	Clarify the standard to make it clear whether or not fences are allowed in the transition area. One option would be to strike standard "P" from those that apply in the transition area.	33.430.140	Clarification		\$
881694	E-zone maximum disturbance limits in resource area	The formatting of Table 430-1 which states maximum allowed disturbance area is misleading. Applicants routinely overlook the footnote indicating that any area outside of the resource area must be subtracted from the square footage listed in the table.	Reformat the table to make the information in the footnote more prominent.	33.430.140	Clarification		\$
867380	Front fences in environmental zones	For single dwelling sites in environmental zones, the minimum front setback becomes a maximum, and the minimum front setback is zero. When applying the fence height regulations, they state that "fences within the front setback" are limited to 3-1/2 feet. Fences outside the required setback can be up to the base zone height. This can result in tall fences being built up along the street, and counter to promoting "eyes on the street"	Evaluate whether instead of using the "front setback" there should be a set minimum distance (i.e. 5 or 10 feet) along the street lot line (noting the exception already for corner lots) where fence height would be limited.	33.110.255	Clarification		\$
849561	RF Tower CU Criteria	1. Carrier requests a new monopole in an IG zone. The site is MORE than 50 feet from an R zone. 2. However, there is a trigger for Conditional Use for new monopoles when they are proposed and the new is within 2,000 feet of another tower [also in the I zone]. 3. So, it's clear that the proposed tower triggers a CU".4. Which set of approval criteria at 33.815.225 apply". 5. I come up with "'D' unfortunately" because the set of criteria at "'C' doesn't include "'I' zones"	Evaluate the criteria for monopoles in I zones and adjust/refine OR exempt sites in the I zone from the 2000 foot separation requirement.	33.815.225	Clarification	3.8	\$\$
832010	Loading Requireme	There have been numerous adjustment/modification requests to the loading standards, especially in association with Design Reviews. Issues typically	Consider developing more discretionary criteria that will allow staff the flexibility to balance public ROW needs with City design objectives with consideration to be given	33.266.310	Minor Policy Change	1.3	\$\$

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	nts/Design Reviews	arise when dealing with an existing narrow lot and/or a project that is not required by the Zoning Code to provide on-site parking spaces. The current thresholds that trigger on-site loading requirements do not provide staff with the flexibility to address existing conditions and/or response to unique development proposals (i.e. 45 studio apartments require the same number of loading spaces as 45 3-bedroom apartments).	to existing narrow lots, parking requirements, and the location of the proposed project.				
810305	Definition of Site	The Code definition of "site" raises practical difficulties in applying regulations of the Code to large ownerships. Because "site" is essentially defined as an ownership, unless the site is entirely vacant, any proposed development requires including the entire ownership when applying development standards, or for Type III land use reviews, when locating posting boards for notices. Examples include adjacent Port of Portland ownerships that can extend for miles along the riverfront, or several hundred acre city-owned parks, even though the development proposal is limited to a small portion (often a distinct tax lot or lots) of that ownership.	Consider amending the site definition to acknowledge that for large ownerships it may be more practical to identify the site as the project site and not necessarily the entire ownership.	33.910.010	Minor Policy Change	4.8	\$\$
784967	Ladd's Addition Historic Guidelines	The Ladd's Addition Historic District has specific guidelines including a specific tree planting map and species plan. This was created prior to the development of the city's plant list and includes nuisance trees. The Citywide tree project created a new title which prohibits the planting of nuisance plants in the public right-of-way. A task force has been set up to come up with alternative planting options for this district, but the guidelines need to be updated.	Update the Ladd's Additions Conservation District guidelines to include current tree planting policy.	33.445	Minor Policy Change		\$
773586	Stormwater Treatment in CSSPD	Columbia South Shore Plan District environmental regulations are so restrictive that stormwater treatment facilities cannot be located in the environmental zone, even the transition area. People are trying to clean up stormwater on their site where	Modify CSSPD e-zone regulations to allow a stormwater treatment facility in environmental zones through environmental review.	33.515.272	Minor Policy Change	0.0	\$

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		this industrial land is valuable but we are having to tell the applicants to remove developed areas to accommodate the stormwater facility.					
767574	Length of Compliance Period	Now that this provision has been in the code for several years, a review of the length of the compliance periods is warranted to see if the existing timelines (which expand to 5 years for large sites) may be too long of a time to allow for upgrades.	Review instances of delayed upgrades to see if compliance periods are appropriate.	33.258.070	Minor Policy Change	2.0	\$\$
756600	Micro Apartments as Housing	There have been two recent proposals for a type of housing where units are not self-contained and share certain facilities such as kitchens. These units are extremely small, like hotel rooms, but are rented on a month to month basis. Since each unit does not contain the full facilities to be declared a dwelling unit, they have initially been considered as a group living use. However the projects do not include any programs or share meal programs inherent in most group living facilities. They also don't neatly align with the single resident occupancy definitions, which are considered a type of household living use. This creates questions around requirements for auto and bike parking, etc.	The codes for use categories and the definitions should be updated to address this new type of independent living facility that includes some shared features such as kitchens etc. New policy should also be adopted for calculations of density and parking.	33.920	Minor Policy Change	5.3	\$\$
748762	Clarify right-of-way regulation	The last phrase in 33.10.030.B seems to indicate that all of Title 33 applies to the right-of-way if one of the listed items is meant. It seems the intent is to only have the regulations related to the items listed (overlay zone regulations) apply, not allowed uses, setbacks, etc. Even when looking at the regulations in the overlay zones listed, it is not clear how development standards apply in the right-of-way, since many reference setbacks or other measures that do not apply in the right-of-way.	Clarify that the entire zoning code does not apply for rights-of-way in certain overlay zones. Clarify how to apply the regulations of the overlay zones in the right-of-way.	33.10.030	Clarification	4.0	\$\$
738064	Wildlife friendly building guidelines	Develop guidance or regulations that encourage or require new development to protect habitat, provide habitat, or develop in a way that is support of wildlife and bird species.	Build a guidance document based on other City documents.	33	Minor Policy Change	0.5	\$\$

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738063	Stormwater management as a basic utility	The definition for basic utility specifically includes "stormwater facilities and conveyance systems". While that is helpful, when doing restoration projects that include stormwater management features, all of the sudden BDS has difficulty still claiming the project is "restoration" because we are installing a basic utility.	Revise the basic utilities description to allow a restoration option or revisit the restoration regulations of 33.430 and CU regulations of 33.815 to specifically exclude CU triggers for installation of this "basic utility".	33.920	Minor Policy Change	0.8	\$\$
738062	Offsite Stormwater CU requirements	The current CU regulations trigger when taking offsite stormwater onto a private property parcel. These regulations hamper ability for facility sharing - private properties sharing stormwater management facilities or private facilities taking adjacent ROW drainage. The CU regulations really do not address the limited issues generated by additional stormwater being treated on a parcel based stormwater management facility.	Revisit such a trigger in the CU regulations. Allow a CU exemption or standards when the only work onsite being done is taking adjacent site stormwater runoff.	33.815	Minor Policy Change	2.8	\$\$
736185	Maximum limits to use Community Design Standards	For Exterior Alterations, the community design standards are limited to those that affect less than 50% of a street facing facade and 1500 sq ft of area. However, a new commercial building of up to 20,000 square feet can be built using the standards. This seems to allow a lot more liberal use of the standards to new development.	Review original intent and consider a more fair application of the maximum limits where community design standards can apply.	33.420.055	Minor Policy Change	4.5	\$\$
734807	Land Divisions with Historic Landmarks	There has been an increase in the number of land divisions submitted for sites that contain a historic landmark. These sites often have larger pieces of land that could be developed under the zoning code, but the designations within local and state requirements applies to the entire site. The land division process does not have an adequate reference to require a resolution of historic site boundaries as part of any land division.	Consider a mechanism to either require that these sites obtain approval from the state office (SHPO) to change the historic site boundary prior to filing the land division, or require that a concurrent Historic Resource Review be done as part of the land division. In addition, the current markers for historic landmarks should be shown as a polygon that indicates the land that is subject to historic oversight.	33.700.015	Minor Policy Change	2.3	\$\$
712273	Illegal "bandit signs"	The problem of "bandit signs" involves two areas. The first is the apparent inability of the city to stop the placement of bandit signs nailed to power-poles. The second involves the posting of bandit signs along the roadways that are "staked" along access to public areas or on land that is vaguely "public" Often	Existing laws and responsibility for enforcement need to be addressed. The current laws are not being obeyed and the enforcement is not being followed. The signs proliferate, the persons placing the signs are not cited, the various city agencies are split among who is responsible for what type of sign posted in which	33	Minor Policy Change	-0.5	\$\$

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		the property owners are unaware that the signs are posted on the property. An example would be that the sign is posted at the entrance to a large shopping center, or along a vacant field or abandoned building.	location. I have many photographs and further information if you wish. Feel free to call me for any assistance. Jere Hudson503 661 9699				
709749	Use conflicts between EG and R zones	There are several sites along I-84 that have Employment zoning that are immediately adjacent to, and accessible through R5 zones. This allows uses such as industrial uses and things like nightclubs/bars to locate in areas where the only access is through the residential neighborhood	Consider placing limitations on these uses such as the size of bars and nightclubs, and/or consider creating a less intense buffer zone in these areas.	33.140.100	Minor Policy Change	1.3	\$\$
666036	Parking Requirements for land divisions and permits	There is a disconnect in the code between when is allowed by right and what requires a traffic study in considered proposed development. a 2-lot partition requires a traffic study, but a 30-unit apartment without parking in the same zone is allowed by right.	Consider more of a nexus between the potential impact of development and traffic analysis requirements.	33.660.120	Minor Policy Change	6.0	\$\$
666032	Headquarters Office	Reference in 33.920.240D.1 opens the door to office development in industrial sanctuaries. Provide more guidance on when this determination is appropriate.	Consider providing another category of Office use and specifying when it can be considered part of the other use category.	33.920.240	Minor Policy Change	2.5	\$
666031	Industrial Use Categories	Examples listed in industrial use categories have not been updated to reflect today's industries. Reference in "Industrial Office" subcategory is now so specific that it captures a disproportionate share of uses. Manufacturing use category contains very desperate uses -- artist studios and slaughter houses. It makes it difficult to look at list of considerations and find the most appropriate category.	Update examples in industrial use categories to make sure proposed uses are appropriate to industrial sanctuaries.	33.920	Minor Policy Change	5.5	\$\$
660926	Statewide Planning Goal Exception	The language in the approval criteria is too broad and sends the planner and applicant in an endless loop.	Clarify the approval criteria for a statewide goal exception.	33.850	Clarification	1.3	\$\$
660641	RF facilities reviews	RF facilities going through a Type Ix review should have more straight-forward process.	Make Type Ix conditional use reviews for RF facilities Type I reviews.	33.274.050	Minor Policy Change	3.3	\$\$

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648435	Original Art Murals Program	The 2009 adopted report for the Original Art Murals Project indicated that the new art program would be monitored for effectiveness 'to ensure that it is meeting the target goals of encouraging the creative expression of mural artists'. The report suggested a report be written after 2-3 years to analyze the effectiveness of the program and review the inspected results. After three years, there has not been any monitoring or reporting of the program while some issues about the limitations of the program have been illustrated by stakeholders	The program should be monitored for its effectiveness, including its relationship with the RACC program. BPS should also analyze why so few murals have gone through the program and explore its restrictions such as not allowing murals on non-building walls, or in some situations within the public right of way. Also should review legal issues related to signs and murals for updates. This could result in code or administrative rule amendments	33	Minor Policy Change	2.0	\$\$
629740	Screening and security	Many areas of the zoning code require the use of landscaping and/or fencing that provides continuous sight obstruction of 6-feet height or greater. This conflicts with CPTED goals to achieve natural surveillance through low, or see-through fencing or landscaping. Also, landscaping setbacks can provide opportunities for homeless camping	Consider incorporating CPTED goals to a greater extent when considering new screening standards, to provide natural surveillance.	33.140.245	Minor Policy Change	1.3	\$\$
603588	Motor Vehicle Parking purpose statement	It is unclear what to use for the "consistency with the purpose of the regulation to be modified" approval criterion for adjustments to the general parking regulations.	Include a purpose statement in 33.266.100.	33.266.100	Clarification	3.5	\$\$
572615	Scoreboards for Recreational Fields	Scoreboards are considered changing image signs and are restricted in size to 10 to 20 feet. Even the 50 square foot size limit is too small for most recreational fields.	Allow larger size provisions for scoreboards without adjustment with standards to allow the image to only be on one side of the sign, low glare lights and setbacks.	32	Minor Policy Change	-1.8	\$\$
572613	Required parking	The code specifies that when there are multiple primary uses on a site, the number of parking spaces required or allowed is the sum of the allowed parking for the individual uses. It is not clear if there are multiple uses in the same use category whether to first add up the area in the use category (multiple office tenants) and then calculate the number or to calculate the number per use and then sum the spaces. There is parallel language for bicycle parking.	Specify that the number of spaces is calculated for the total amount of building area in each primary use rather than per use.	33.266.100	Minor Policy Change	5.0	\$

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536622	Exemption from Environmental Review for waterway improvements relating to culverts	Environmental improvement projects almost always occur in the environmental overlay zones. Some of these projects are very cost-effective and/or opportunistic, but the permitting process ends up being a significant part of the budget (30%). Because the in-water work can only happen for 3 months out of the year, and the permitting process can take anywhere from 2 months to 1 year, it becomes extremely difficult to take advantage of partnership or funding opportunities as they arise. This is ironic because the environmental overlay codes are supposed to protect the environment, but they are getting in the way of improving it.	Make an exemption for environmental improvement projects that either remove culverts completely or replace them with a clear span bridge. Here's some mocked-up code language:Exemptions33.430.080D. The following new development and improvements:3. Public culvert improvements meeting all of the following: a. improvements must be within an existing public right-of-way or on City-owned property AND b. the culvert must be replaced by a clear-span bridge, constructed within the footprint of the existing culvert and above top of bank of any water bodies OR c. the culvert must be removed completely, leaving an open channel.	33.430.080	Minor Policy Change	1.0	\$\$
508202	Drive throughs in buffer overlay zone	Drive-throughs are allowed (if the base zone allows) in buffer overlay zones, though they are potentially associated with impacts that the buffer overlay zone is intended to avoid that enhance the separation of non-residential and residential uses, including restricting motor vehicle access. Noise from speakers can also have an impact on adjacent residential uses.	1) prohibit or not allow drive-throughs in buffer overlay zone; or2)include amplified noise from drive-throughs as part of the definition of exterior work activities (which are prohibited in the buffer overlay zone)	33.410.040	Minor Policy Change	3.3	\$
482162	Recreational Trails in Environmental Zones	33.430.190 contains the standards that must be met for public recreational facilities, including recreational trails. If the standards are not met, the trail may be approved through Environmental Review instead. The standards state that the trail must be no wider than 4' with 2' clearance on either side. This may be too narrow to accommodate a range of users, and may be something to allow via environmental standards versus on a case by case basis through environmental review	Consider broadening the width that is allowed for public recreational trails approved under the environmental standards track.	33.430.190	Minor Policy Change	3.3	\$\$
481779	Residential Home Impacts	Residential Homes, defined by the State of Oregon and by Title 33, is a residence for 5 or fewer disabled persons and for staff persons. Residential Homes are a Household Living use and allowed wherever Household Living Uses are allowed and are subject to all development standards for Household Living Uses. In some cases, increased parking, trash, and noise may occur as a result of the reasonable	Explore additional parking requirements for Residential Homes. Explore amending nuisance and noise codes to address increased garbage and nighttime noise for Residential Homes. Explore modifying resident limit (in conjunction with the State). Solutions will need to be extensively reviewed against state and federal law. See ORS 443.70-443.825.	33.910.030	Minor Policy Change	-1.8	\$\$

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		care(per FHA) provided when multiple caregivers are coming to and from the site, that are atypical of other Household Living Uses					
448414	CPTED Principles	There may be areas of the zoning code that run counter to the principles of the Crime Prevention through Environmental Design (CPTED) standards. See attached table.	Audit and refine, where appropriate regulations that affect CPTED principles positively or negatively to promote and remove barriers to CPTED principles in the Zoning Code. Several may be related to landscaping.	33.248	Minor Policy Change	0.8	\$\$
446845	Food Cart Impacts	Currently, food carts are regulated as vehicles. They can park wherever there is a legal parking area. There are no standards that govern use of port-a-potties or possibly garbage areas. Overall, the issue of potential negative impacts from temporary uses like food cart pods have not been examined.	Address impacts and needs generated by the location of food carts such as the need for restrooms, trash and recycling area.	33.296.030	Minor Policy Change	6.5	\$\$
446828	Address height of RF antennae	From 9/24/10 e-mail: the FCC has analog rights to sell to wireless providers, since analog tv is not utilizing them, so this will allow for super fast wi-fi in the future, for providers who purchase these rights. The wave lengths for analog are larger, so this means that providers are going to need longer antennae's. In the past, they've been about 3 feet long, but in the future, they could be asking for ones 8 feet long. I don't think it impacts the heights of the poles they need, but they will need longer antennae's, which will be something we'll have to deal with visually on rooftops, etc. The larger they get, the harder it becomes to screen them and deal with the "visual clutter". It's this ongoing battle to have them moved back from the edge of the roof, but functionally, the providers need them closer to the roof, so from a design standpoint it is very challenging.	Consider amendments (if any) to incorporate potentially longer antennas.	33.274.040	Minor Policy Change	3.5	\$\$
411291	Irvington Historic District Design Guidelines	The Irvington Historic District is currently being developed and reviewed by the NPS for designation on the National Register of Historic Places. When/If this happens alterations must be reviewed through historic design review. Applicable guidelines will be 33.846.060.G, based on the Secretary of Interior's standards. These criteria are focused on historic preservation, but are not unique to Irvington's	Develop district-specific design guidelines for the pending Irvington Historic District. Evaluate incorporating obsolete Irvington-specific community design standards into design guidelines and/or create plan district (or add to Laurelhurst and Eastmoreland Plan District) to retain those standards.	33.846.060	Minor Policy Change	3.3	\$\$

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		context. In addition, alterations will no longer be allowed to utilize the Community Design Standards after designation of a Historic District. Some of the current standards are specific to Irvington, like a 25' street setback, and standards regarding finished grade, attached garages, and vertical building proportions (See Chapter 33.218). These standards will effectively become obsolete when/if the historic district is designated.					
397127	Buffer Overlay landscaping standard	In the E and I zones, the Buffer overlay requires a 20' setback landscaped to the L3 standard along all street lot lines. Vehicle access through the setback is prohibited. There are situations in the E and I zones where this landscape requirement precludes any vehicle access to the property, essentially precluding reasonable use of the property.	Allow at least one point of vehicle access through the landscaped setback area in situations where there is no other means of access to the site.	33.410.040	Minor Policy Change	3.3	\$\$
397058	Buffer Overlay	The Buffer overlay has a requirement for L3 landscaping along lot lines in identified situations in the C and E zones. This requirement seems to conflict with the stated intent of the minimum street-facing window requirements of the C and EX base zones (see for example the purpose statement in 33.130.230.A).	Reconsider the need for the L3 landscape standard along the street lot lines, or as a less favored alternative, if this landscape standard is retained, allow an exemption from the window standard when the L3 landscape standard is required.	33.410.040	Minor Policy Change	3.5	\$\$
391555	Parking Lot landscaping	The current code indicates that interior landscaping can't be parallel to and abutting perimeter landscaping. There are other standards where the landscape can be perpendicular to the nose of cars "" but apparently only when the spaces are in the interior of the parking lot and arranged in double rows. While the intent is a good one - the rules are written upside down and so confusing, and they don't allow for any flexibility. It seems the idea is to have islands and shade trees "" but also allow for an exception for people that can add a storm swale between rows of parking spaces. It makes sense to allow for the storm strip around the perimeter of the parking lot too, as topography dictates the best storm water treatment for a particular site.	Make the interior landscaping rules simple. If the intent is to require landscape islands with trees to shade parking spaces "" just say it. The basic standard could be stated as:1. Provide one landscape island for each 8 parking spaces.2. Provide a landscape island at the ends of each row of parking spaces.3. Provide one shade tree in each island. The exception could be:1. If a storm strip can be provided between rows of cars "" or in front of cars around the perimeter of the parking area "" no islands required between spaces "" BUT you still have to have the ones at the ends of the spaces.	33.266.130	Minor Policy Change	4.8	\$\$

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385450	Transpiration related evaluation factors	Reference to "Safety for all modes and transportation system" needs to be reworded and further defined to be reviewable. Clarification if individual evaluation factors are each a required item or as a whole they need to be met on balance.	Zoning code update to clarify approval criteria and how the language should be interpreted. (Comp Plans, Zone Changes, Conditional Uses, etc.)	33.815	Clarification	2.8	\$\$
385181	Wireless in right of way	Lack of zoning control in the Right Of Way. OCCFM says there will be 800 new cell towers constructed by putting wireless antennas on existing utility poles or replacing the utility poles with larger metal poles to support cell equipment. Communities around these sites are reacting negatively to the proliferation of wireless technology in residential streets. In order for the City to manage this expansion and mitigate loss of property value and visual blight in neighborhoods there needs to be a wireless master plan in place and this will require the ability to zone the ROW	Begin the process of reviewing the best way to plan for and manage the proliferation of wireless sites in residential neighborhoods. Review the City's position on zoning the ROW and compare with other cities who are more successfully managing this issue. Consider a wireless master plan process.	33.274.020	Minor Policy Change	5.3	\$\$\$
383156	Legislative projects review time	60 day minimum time between Planning Commission recommendation and Council hearing would allow the public additional time to review and comment on the recommendation	Increase the time between Planning Commission recommendation and City Council hearing to 60 days minimum	33.740.030	Minor Policy Change	0.8	\$
362951	Applicable design guidelines for historic districts previously designated as conservation districts	Currently, historic districts that have district specific design guidelines are subject to those guidelines, while those that don't are subject to the community design guidelines (or central city fundamental design guidelines for properties in the CCPD). Some historic districts were originally designated as conservation districts (local) which had their own guidelines. However, at the time of the historic district creation, additional properties were added. Therefore some properties are subject to the old design guidelines of the conservation district, while others are subject to the more general community design guidelines or central city design guidelines; though both types of properties reside in the same historic district. South Portland historic district and the predecessor Lair Hill conservation district is one example	Consider revising the applicable design guidelines for all properties within a historic district to be consistent; preferably the old conservation district guidelines, regardless if a specific property was included in the prior conservation district.	33.846.060	Minor Policy Change	3.0	\$\$

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362324	Applicable guidelines for Landmarks	Currently, within the Central City Plan District, all Landmarks are subject to the guidelines of 33.846.060.G. These guidelines are based on the Secretary of Interior standards and are more stringent and specific than general district or community design guidelines. However, outside of the Central City Plan District, Landmarks that are also in historic districts with district specific guidelines are subject only to the district-specific guidelines and not 33.846.060.G. Landmarks in historic districts withOUT district specific guidelines are subject to these guidelines. In addition, Landmarks that are also in conservation districts are subject to either the district-specific guidelines or the community design guidelines, but never to 33.846.060.G.	The code should be revised to apply the guidelines of 33.846.060.G to all historic and conservation landmarks; regardless of their location within the CCPD or a historic or conservation district	33.846.060	Minor Policy Change	2.3	\$\$
352615	Vehicle Area limits	The vehicle area limitations of 33.266.130.C refer to Vehicle Area and by reference, Parking Area. Neither the Vehicle Area or Parking Area definitions explicitly call out structured parking. Is the intent to include structured parking in the Vehicle Area limitations?	Explore whether structured parking should be subject to the same limitations as surface parking. If so, consider explicitly including structured parking in the definition of Vehicle Area or Parking Area. If not consider explicitly excluding structured parking within the standard.	33.266.130	Clarification	4.8	\$\$
352608	Vehicle area limits	Vehicle area limitations for all uses other than houses, attached houses, and duplexes are determined by zone and location in proximity to transit streets. For many zones adjacent to Transit streets and for several other multi-dwelling zones, the limitation is 50%. However, in CG, and in some cases in CN2, drive through uses like gas stations are allowed by right. These uses, especially gas stations, have large vehicle maneuvering areas, which may require more vehicle area than allowed.	Consider exempting vehicle area limitation for gas station uses. Alternately, establish vehicle area limitations based on building type or use, rather than zone.	33.266.130	Minor Policy Change	3.3	\$\$\$
352552	Perimeter Parking area landscaping for non-residential uses	On small sites, where parking is desired, it is difficult to accommodate required aisles and parking space dimensions without reducing the size of the building footprint significantly. The vehicle area limitations at the front of the site necessitate that parking be placed in the rear, further exacerbating this problem. Currently, where there are 5 or fewer parking spaces provided accessory to household living uses, a 3' F2	Consider extending this allowance to non-household living uses as well, in order for a small amount of on-site parking to be provided but also allow additional area for building area. The parking issue is especially relevant for development adjacent to streets that have no on-street parking available.	33.266.130	Minor Policy Change	1.8	\$\$

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		fence can substitute for the otherwise -required 5' landscaped setback adjacent to vehicle areas.					
346297	Carbon emissions approval criteria in land use decisions	From Climate Action Plan Public Review Draft; Land Use and Transportation group, Objective 4, Action iii, action to be completed by 2012.	Require individual land use decisions to include estimates of carbon emissions, potentially as an approval criteria or as an inventory mechanism	33	Major Policy Change		\$\$\$\$
341567	Conditional Use Review thresholds	For Conditional Uses, floor area can increase up to 10% if approved through a Type II review, and exterior improvement areas can increase up to 10% if approved through a Type II review. However, despite an applicant being allowed under separate permit to increase both floor area and exterior improvement areas by up to 10% each, under a single permit the cumulative floor area and exterior improvement area cannot exceed 10%.	Consider allowing (in 33.815.040.B.2.a.5) for a cumulative increase in floor area and exterior improvement area of up to 20%, as long as neither the floor area nor exterior improvement area individually increases by more than 10%.	33.815.040	Minor Policy Change	1.0	\$\$
341562	Conditional Use Review thresholds	Any net increase or decrease in the area of a site regulated as a Conditional Use requires Conditional Use Review, regardless of the size of the increase/decrease, and regardless of whether there are any impacts associated with the change. At minimum, a decrease in site area is reviewed as a Type II Conditional Use Review, but only if the decrease does not bring the site out of conformance with a development standard. Otherwise, all other decreases, and all increases require a Type III Conditional Use.	The thresholds for when a Conditional Use Review is triggered, and whether the review is a Type II or Type III, should be reevaluated. Some changes in site size are so insignificant that they could be allowed by right. For example, a small decrease in site size that results in a slight decrease in a required development standard (say a setback reduction) should not require a Type III Conditional Use Review, but potentially only an Adjustment Review.	33.815.040	Minor Policy Change	2.8	\$\$
309755	Planting strips	Per a recent in Portland article, existing regulations for the use and maintenance of planting strips are not very clear or well understood by the public. It's likely that many on-the-ground planting strip installations would be deemed non-compliant in the face of a neighbor complaint.	If regulations are prepared to clarify what is and is not allowed in planting strips, I propose that these regulations be as flexible as possible so people can continue using these strips for vegetable gardening, flower gardening, landscape and art installations, and other expressions of personal creativity. Amidst the current and historic ambiguity about rules on planting strips, people have come up with all kinds of wonderful and creative things to do in these areas (which are their responsibility to maintain after all). Not everyone will think that all these	33.654.120	Minor Policy Change	2.0	\$\$

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			uses are fun and positive. But on the whole, I think they provide a very positive and varied contribution to the urban landscape, and provide a great opportunity for people to work outside in front of their homes, which builds community as neighbors meet one another and supports community safety by having additional eyes-on-the-street.				
307578	Adult daycare	The Zoning Code definition of daycare includes care for children, teens and adults. However, the accessory home occupation regulations dealing with daycare only speak to care for children. Given our definition of daycare includes caring for children, teen and adults, the same should be true for how we regulate daycare when proposed as an accessory home occupation.	Amend the accessory home occupation regulations to allow daycare for teens and adults, in addition to children. This would bring consistency between our definition of daycare and how we regulate daycare facilities that are operated as an accessory home occupation.	33.203.020	Clarification	2.8	\$\$
302446	Nonconforming residential parking	Since 1985, grandfathered-in vehicle and recreational vehicle parking has been allowed in non-conforming locations on residential property. Also, the grandfathered rights are being extended when change in ownership of real property occurs. This is contrary to 33.258.010 which states: "THE INTENT IS TO GUIDE FUTURE USES AND DEVELOPMENT IN A NEW DIRECTION CONSISTENT WITH CITY POLICY AND EVENTUALLY BRING THEM INTO CONFORMANCE."	Amend Title 33.258.040 to read: "The status of a nonconforming situation may be affected by change in ownership." Add to Section 33.266.120: "C.1.c.: Non-conforming vehicle parking in all residential zones shall conform immediately to residential parking surface and location regulations upon change in real property ownership."	33.266.120	Minor Policy Change	0.5	\$\$
302445	Residential parking limits	Oversized residential lots (larger than 50' x 100") are common in East Portland. Residents are adding large concrete parking pads to Required Driveways in order to park and store multiple (up to 30) vehicles, facilitating illegal vehicle repair and vehicle sales. Per 33.266.150: "The regulations of this section are INTENDED to reinforce community standards and to promote an attractive residential appearance in the City's neighborhoods. The size, number and location of parked and stored vehicles in residential zones are regulated in order to preserve the appearance of neighborhoods as predominantly residential in character. . . ."	Add to 33.266.120(3), Front Yard Restrictions: "In single-dwelling zones the maximum total width of all Required and Non-Required vehicle parking spaces allowed within the front lot line shall be no wider than 20 feet on any lot over 50 feet wide."	33.266.120	Minor Policy Change	1.5	\$\$

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300715	Split Zoning	Interpretation of code is confused when a development spans zones.	When a development spans zones it becomes a Type III Planned Development.	33.700.070	Minor Policy Change	3.5	\$\$
290173	Residential Code compliance	Too many vehicles stored on a residential lot. when City of Portland Annexed East Portland, from Multnomah County, they took away the code to limit vehicles in a residential lot that limited only 5 vehicles. This was submitted 8/8/08 through BDS on behalf of residents. This is currently a line item for a RIW project but also needs to be looked at FROM BDS. Residents, Neighborhood Associations, and East Portland Advocates are forming a committee to tackle this code problem. Most effected areas Parkrose, Parkrose Heights, Argay, Lents, Centennial, Russell and Hazlewood. Individuals from all of these areas are in favor and want quick action as to mitigate this negative trend	Vehicles shall be limited to 5 on one residential lot. Restore stated Multnomah county residential code from annexation from City of Portland.	33.266.120	Minor Policy Change	2.5	\$\$
290168	Code enforcement on vehicles	This code amendment is to limit the amount of vehicles that are stored on any residential lot. Neighborhoods across East Portland are being impacted by the City of Portland not able to enforce massive vehicle storage conducting in auto repair, dumping of auction bought vehicles to store, sell and work on. This includes enforcing chop shop operations happening in East Portland Neighborhoods. Multnomah County had a limit of 5 vehicles per lot until City of Portland annexed East Portland. Neighborhood Associations, residents, Individuals are as we speak forming a Code compliance committee to change this and has plans to present this case with impacting photos to city council. This committee will consist of Argay, Parkrose Heights ,Parkrose, Hazlewood, and Lents individuals. This has been brought forth before 8/8/2008 nothing was done to mitigate this problem.	Restrict the number of motor vehicles to 5 per residential lot. This will bring back this code that was prior existing in Multnomah County. and is not existing in City of Portland' s Code.	33.266.120	Minor Policy Change	2.5	\$\$
283026	Crematorium	Crematoriums have historically been placed in the Community Service Use Category along with columbariums and mausoleums. However, there are	Consider reviewing existing regulations to determine if crematoriums that do not have customer interaction	33.920.420	Minor Policy Change	-0.3	\$\$

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		crematorium services that operate without involving the general public, and they provide their services to funeral homes, hospitals, etc. In other jurisdictions, these operations are often allowed in industrial areas, as they generally don't have visitation facilities, and the public does not come onto the site. However, our industrial zones consider this a conditional use, while it is allowed in commercial zones.	would be better located as an industrial use category rather than a community service use category.				
276385	Parking and Loading minimum stall width	The minimum width for a parking stall is generally 8'6", with a minimum two-way aisle width of 20 feet. This combination of stall and aisle width restricts the maneuvering room for cars entering and leaving parking stalls, resulting in cars parked askew in the stalls and crowding the adjacent spaces, or even encroaching into the adjacent stall.	Consider expanding the minimum parking stall width (for spaces at a 30 to 90 degree angle) from 8'6' to 9'. The extra foot (6 inches in each stall) would allow cars to turn sharply enough to get into the parking stall.	33.266.130	Minor Policy Change	3.3	\$\$
275963	Garbage and Recycling areas for Townhouses and Rowhouses	This may be a problem with both rowhouse lots as well as with townhouse condo units. Often these developments are built on deep narrow lots (especially in southeast) where the driveway or private street does not contain the room for a truck to enter and turn around. The consequence of this is that all the individual units have garbage and recycling containers that get placed along the public street. This can be both unsightly and block pedestrian access on the sidewalk (see photos linked below)	Research current standards in both the zoning code (Title 33) and within the Garbage/Recycling regulations (OSD/T17). These codes should be amended so developments either provide enough maneuvering room for trucks to access the individual units, or a common area that is accessible to the trucks should be required.	33.120.260	Minor Policy Change	0.5	\$\$
273414	Definitions : Houseboat vs Floating Residence	Title 33 uses "Houseboat" to describe floating homes in Chapter 33.236, Floating Structures. We also use it (although we don't define it) in the Definitions chapter. Title 28, Floating Structures, defines "barge home," "floating home," and "houseboat." In addition, I think State law uses different definitions too.	Clarify the terms and consider using a consistent set of terms with Title 28 and, perhaps, State law.	33.236	Consistency Change	-3.0	\$\$
267421	Conditional Use Review - physical	For several types of Conditional Uses, the applicant must demonstrate the "physical compatibility" criterion is met. When the site is located in a Design overlay, in a historic or conservation district, or is an	Exempt proposals from the Conditional Use "physical compatibility" approval criteria when the proposal is also subject to a Design or Historic Design Review.	33.815	Minor Policy Change	-0.8	\$

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	compatibility	individual landmark, this criterion is addressed through the concurrent Design or Historic Design Review process.					
265722	Approved resource enhancement in E-zones	BES has large scale resource enhancement projects approved through Environmental Review. After one or two years, project components can required maintenance. For example, large woody debris needs to be shifted out of the center of the channel to prevent flooding or scour holes that form in banks during high water need to be filled. 33.430.080.C.1 allows maintenance, repair, and replacement of structures and some other development in the E-zones, but does not allow maintenance and repair of approved resource enhancement projects.	Amend 33.430.080.C.1 to exempt maintenance, repair and replacement of "approved resource enhancement projects" from the environmental zones regulations.	33.430.080	Minor Policy Change	1.3	\$\$
259644	Onsite vehicles on single dwelling lots	33.266.120 has standards for vehicle location and paving requirements. The standards deal with separate requirements for accessory rec vehicles and passenger cars. The code does not limit the overall number of vehicles stored on a lot. If the location and paving standards are met, then the allowed yard can be paved and can be made into a storage lot for illegal auto repair activities. Storing cars in the backyard is unsightly and does not meet the purpose statement for vehicles in residential zones. Neighborhood Associations, residents, Individuals are forming a Code compliance committee to change this and has plans to present this case with impacting photos to city council. This committee will consist of Argay, Parkrose Heights, Parkrose, Hazlewood, and Lents individuals.	Consider limiting the overall number of vehicles allowed on residential lots. Mult Co code used to limit the number of motor vehicles to not more than 5. This code amendment is proposed to help address illegal auto repair uses occurring at residential sites.	33.266.120	Minor Policy Change	1.8	\$\$
252005	Nonconforming Uses - change of use	A legal nonconforming use can change to another use in the same use category without further review, even when the impacts associated with such a change can be significant (i.e., going from a watch repair shop to a restaurant). On the other hand, changes from a legal nonconforming use to nonconforming use in another use category requires a \$5,000 discretionary Nonconforming Situation	Evaluate in a broader policy context how we regulate nonconforming uses and their impacts.	33.258.050	Minor Policy Change	4.3	\$\$\$

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		review even when impacts will be less (i.e., going from a manufacturing use to a locksmith). The way in which we regulate nonconforming uses and their impacts does not always seem to get at the fundamental issue of regulating the impacts of such uses.					
251996	Figures in Zoning Code	It is not always clear what Code regulations are being depicted in the illustrative figures found throughout the Code.	Consider including in the figure the relevant Code citation that is being illustrated.	33	Technical Correction	1.8	\$\$
236651	Process for "green projects"	Currently green projects have no incentives as they must go through the same land use review process and timeline as other projects. This reduces the incentive to create green features.	Create an expedited process for land use reviews and/or permits that feature green building features.	33	Major Policy Change		\$\$\$
229101	Nonconforming Situation reestablishment	Nonconforming uses that have been discontinued for more than three continuous years, but less than five, may request reestablishment through a Nonconforming Situation Review. In the circumstances where an applicant seeks to reestablish a use, with no change to use or development, a simple documentation procedure (using standard or non-standard evidence) may be a more practical route. The approval criteria for a Nonconforming Situation Review assume a change in use or development has occurred.	In situations where an applicant proposes to reestablish a use that has been discontinued for more than three years but less than five, and no changes in use or development are proposed, consider allowing the use to be documented using procedures in Section 33.258.038 instead of requiring a Nonconforming Situation Review (Section 33.258.080).	33.258.038	Minor Policy Change	1.6	\$
225277	Environmental zone violations	A property owner ran their tractor through the p-zone along the creek and created a new vehicle crossing. The area of disturbance was large. However, because there wasn't evidence of tree removal, they are allowed to correct the violation through a plan check. This is inconsistent with what the general development standards would require had they requested to do this project. It would have triggered a land use review because they couldn't meet the setback from waterbodies.	Under 33.430.405.A.2 a standard should be listed that if the disturbance area is within a certain distance from a waterbody, then they cannot use Option One to resolve the violation.	33.430.405	Minor Policy Change	4.3	\$
225273	Environmental zone development	33.430.160.G - The code is not clear on when to apply these standards to the entire environmental zone or just resource area. The city attorney has directed us to apply these to the environmental zone	This standard should specify what standards are used in environmental zone and resource area. For example, you could state 33.430.140.C only applies to resource areas, 33.430.140.K & M-R applies to the entire environmental	33.430.160	Minor Policy Change	3.1	\$\$

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	standards for land divisions	since this code section does not specify otherwise. However, this results in situations where lots being created that only have transition area are being required to have maximum front setback limitations.	zone, and 33.430.140.N applies only to lots with resource area. It is not recommended to just add language that all these standards apply to the resource area since we want to continue to regulate tree removal in the transition area.				
215631	Nonconforming development upgrades	Green features added to a site may have more beneficial impact than some of the items listed on the Nonconforming Development Standards upgrade list (33.258.070.D). For example, adding an eco-roof to an existing building may have a more significant impact on reducing stormwater runoff then adding landscaping buffers into a parking lot where all of the stormwater is already directed to catch basins.	Allow some green building features to be added to an existing project in lieu of meeting other Zoning Code Standards on the Nonconforming Development Upgrade list.	33.258.070	Minor Policy Change	1.0	\$\$
215619	Land Use Review procedures	There is no incentive to provide green features for projects that go through a land use review. Land Use Reviews could provide incentives for green projects.	Consider expediting the land use review period, or reducing the procedure type (i.e., Type I, II or III), for projects that meet a minimum "green" standard (in particular for land division/final plats reviews).	33.730	Major Policy Change		\$\$\$
215608	Green building incentives	Code flexibility should be created to promote green building technologies.	Instead of amending sections of the code that would apply to all buildings, create a special section that is used only for green buildings. This section would allow green buildings to vary from one code standard on a menu of items (such as eaves, minimum window requirements, minimum number of parking space, etc.).	33	Major Policy Change		\$\$\$
215605	Land Use Review approval criteria	The approval criteria for Adjustments, Design Review and Environmental Reviews do not allow for consideration of green building technologies.	For Adjustment, Design or Environmental reviews that are triggered in part by a project's proposed green building component, an approval criteria that considers the benefits of such green technologies should be included.	33	Major Policy Change		\$\$\$
215298	Existing Lots in 'f' overlay	The 'f' Future Urban Zone overlay is intended to severely limit development until the UGB is extended to that area. As such, the minimum size for new lots is 20 acres. However, the code states that any existing lots less than 20 acres may be developed. This predates much of the more recent lot standards now found in 33.110. Since there is no specific standard in the 'f' overlay, it is possible for an existing lot of 52,000 square feet to be developed, even if that lot is adjacent to another substandard lot owned by the same family. In addition, there is no	The overlay should be clarified to provide a minimum lot size for existing lots that is greater than the base RF standard to prohibit a single ownership from separating out small existing lots for development purposes. In addition, the code should be clarified to disallow property line adjustments that reduce a lot over 20 acres to one that is under 20 acres.	33.435.040	Minor Policy Change	-1.6	\$\$

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RIR #	Item Label	Problem Statement (as defined by the requestor)	*Requested Action: (as defined by the requestor)	Chapter Section	Complex.	Sum of Eval Criteria	Resource Feasibility
		wording prohibiting property line adjustment to reduce a conforming lot of over 20 acres to one that is under 20 acres. There is only a provision that applies to existing lots under 20 acres.					
215265	Land Division Monitoring - alleys	Currently all lots must have street frontage. There may be alternatives that provide better site layout. (London allows development to front on alleys (or "mews").	Allow some number of lots to have only alley frontage ("accessory lots").	33.654.120	Minor Policy Change	3.0	\$\$
215260	Land Division Monitoring - street ownership	There are limited mechanisms for assuring that private streets in subdivisions are maintained and operated properly - additional concerns raised now that most streets require very extensive stormwater facilities. Streets must also provide fire access, and parking enforcement is difficult on private streets (illegal parking blocking fire access). The new Fire Code requires private streets to be wider than public streets in many situations, with corresponding stormwater impacts.	Revisit policy on public vs. private streets, especially in light of fire bureau and stormwater requirements.	33.654.150	Minor Policy Change	5.1	\$\$\$
215254	Land Division Monitoring - Connectivity	There are several issues that have made it difficult to achieve street connectivity goals. See the proposal for a list of possible items to consider.	"The following issues need to be analyzed:" "Street connectivity is difficult to achieve on Outer SE superblocks. Possible solutions involve a minimum site size for a land division in selected areas, certain lot proportions of depth to width, or a street map consistent with the TSP connectivity map (Map of extreme connectivity problems)" "Connectivity policies are generally not being met. Connectivity language needs strengthening." "Should we make the connectivity approval criteria into standards that are to be met unless adjusted?" "Alternatively, should we incorporate these connectivity standards into a generalized greater staff authority over site planning?" "Create a tool to develop neighborhood-driven master subdivision plans for large blocks." "Create a fund for PDOT to buy property needed for key connections."	33.654.110	Major Policy Change		\$\$\$
215251	Land Division Monitoring -	The transportation approval criterion that calls for "safety for all modes" is unclear. Does this mean that almost any development that increases traffic cannot	Clarify or provide more specific guidelines for how projects can meet the criteria in this section.	33.641.020	Minor Policy Change	3.9	\$\$

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	transportation impacts	be approved in SW Portland? (Development = traffic = less safety for pedestrians in areas w/o sidewalks.)					
215244	Land Division Monitoring - solar access	The solar access approval criteria are actually prescriptive standards. The text and diagrams don't match.	Clarify the language and diagrams so that they are consistent.	33.639.100	Clarification	3.6	\$\$
215242	Land Division Monitoring - solar access	Solar regulations are not having a meaningful impact.	Re-think the structure of these regulations, and consider solar as part of a broader package of sustainability standards.	33.639	Major Policy Change		\$\$\$
212390	Paved parking areas	Requiring driveways for houses and duplexes to be paved increases impervious surface on the site, and contributes to stormwater management issues.	Review Title 24 (Building Regulations) and Title 33 (Zoning Code) to determine if more residential driveways can be unpaved, even if the adjoining streets are paved.	33.266.120	Minor Policy Change	4.6	\$
212244	Minimum required parking	Requiring a minimum number of parking spaces can be contrary to desired goals of "green" development.	Consider allowing "green" projects (particularly green houses in Single Dwelling Zones farther than 500 feet from transit) to be exempt from, or have reduced, minimum parking requirements. This could be tied to increasing the exemption allowed by 33.266.110 B.4 that allows auto parking to be replaced by bike parking.	33.266.110	Major Policy Change		\$\$\$
212201	Solar Access	Homeowners invest in solar panels only to have their solar access later blocked by adjacent development.	Overhaul Land Division solar access regulations (33.639) to be more meaningful, and consider ways to better protect solar access rights for lots beyond the land division regulations. Look for solutions other cities have implemented.	33.639	Major Policy Change		\$\$\$
212093	Tree Preservation/Protection	Requirements for tree preservation and protection can conflict with goals for promoting the establishment and use of photovoltaic (solar) panels.	Consider allowing amendments to approved tree preservation plans, as well as Environmental overlay zone regulations and other tree protection measures in the code, if the applicant can demonstrate that identified trees will block the best possible solar access for photovoltaic (solar) panels.	33.630	Major Code Rewrite		\$\$
211547	Site definition and Nonconfor	The current definition of "site" does not address or limit responsibility for nonconforming upgrades to the tenant improvement being permitted. A literal application of the "site" definition may require improvements on parts of the site not related to the	Add a fourth bullet to the definition of "site" that reads, "If a proposed modification to an existing building involves only interior tenant improvements, then the owner/applicant may define the site as the building,	33.910.030	Minor Policy Change	1.0	\$\$

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	ming Upgrades	tenant's project. In situations with multi-block sites under one ownership, this can result in making upgrades to parking lots blocks away that are unrelated to the individual tenant, such as the ConWay site or Brewery Blocks.	parking lots, walkways, sidewalks and landscape areas adjacent to the building."				
207092	Radio Transmissi on Facilities equipment cabinets	Equipment cabinets associated with a radio frequency transmission facility require a Conditional Use review, even when the equipment cabinet is located within a building.	Exempt from Conditional Use review equipment cabinets (associated with radio frequency transmission facilities) that are located within a building.	33.274.035	Minor Policy Change	2.2	\$
198923	Adjustmen ts and Modificati ons	1. BDS' current practice is that when code says "Adjustments to this standard are prohibited," they consider modifications through other reviews (EN, DZ, PD) to also be prohibited. We need to codify that practice. 2. Where the code says something like, "Exterior display and storage are prohibited" (33.521.270), with no reference to "adjustments are prohibited," BDS will allow modifications through other reviews (EN, DZ, PD). Is that what we mean?3. And then there's the eternal question: What is a qualifying situation?	Clarify intended practice about when regulations can be adjusted or modified and what may be a qualifying situation.	33	Clarificatio n	7.0	\$\$\$
193329	Title 17 and Transporta tion Impact Study	Section 17.88.050 allows PDOT to require a transportation impact study when:"¢ There is a land use review; and"¢ The land use review includes approval criteria that require adequate transportation services; and"¢ When they expect specified traffic generation thresholds will be exceeded. The study looks at safety and operation impacts, and also at the adequacy of services: is there enough capacity on the streets to accommodate the expected traffic? In situations where a land use review is not required, only building permits, PDOT has the authority to require a traffic impact study that looks at the safety and operational impacts of the site layout and design of driveways, but not adequacy of services. However, development allowed without a land use review can	Amend Title 17 to give PDOT the authority to require a traffic impact study that considers adequacy of services even if there is no land use review for the site.	17.88.050	Major Policy Change		\$\$\$

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		have the same impacts on street capacity as development that requires a land use review.					
189873	Artificial turf and landscaping	The Portland Zoning Code does not allow plastic grass to be used as a ground cover	Please consider allowing artificial turf as a substitute for ground cover - it does not require maintenance, there are no pesticides required, and it stays green year-round.	33.248.030	Minor Policy Change	-3.6	\$\$
189708	Adjustments and Modifications	1. Adjustments to "qualifying situations" are not allowed. However, it is not clear in the Code when a regulation is a "qualifying situation."2. In situations where Adjustments are not allowed, it is not clear whether modifications through other reviews (DZ, EN, PD) are allowed.	Clarify throughout the Code when standards and regulations may be adjusted or modified. Stating specifically when a standard or reg. cannot be adjusted or modified, or including a section that identifies qualifying situations (which can't be adjusted) are possible solutions.	33	Clarification	8.2	\$\$
185987	Natural Resource Management Plans (NRMP)	Several NRMPs are mapped in the City and mentioned in 33.430. In order to find out the implications of being in a NRMP, it is necessary to read through a long and not very specific document. Some of the property within the NRMP is mapped with an environmental overlay and some is not, so it is challenging to figure out development standards.	Explore other ways to regulate development within a NRMP area. Revisit the NRMP areas to see if the additional requirements are still desired.	33.430.030	Minor Policy Change	4.3	\$\$\$
173203	Nonconforming upgrades	It is not possible to get many of the required nonconforming upgrades for nonconforming uses and/or development when the zone doesn't even allow the particular use or development. Examples include landscape setbacks for exterior improvement areas, pedestrian circulation systems, landscaping in existing building setbacks, screening, required paving for exterior storage and display areas.	There should be a basic level of nonconforming upgrades required for nonconforming uses/development. Potentially, such uses and associated development should be upgraded to the standard required in the next highest base zone in which the use /development would be allowed (i.e., if there is nonconforming exterior improvement area in a Multi-Dwelling zone, it would have to be upgraded to the standards required for such development in the Commercial zones).	33.258.070	Minor Policy Change	5.6	\$
169010	Environmental Zone exemptions	the exemptions in Chapter 33.430 need to be slightly modified to allow property owners in the Wildfire Hazard area (as mapped in GARTH) AND with environmental overlay zone on the property to do some brush maintenance. Chris S is working with a consultant team to determine the exact dimension and specifications of the maintenance. It does not entail "clearing" but will likely involve more than is currently exempt by 33.430.	exact language TBD- I want to get this item in to RICAP so it can be included in a RICAP package ASAP. The consultant team will be doing public outreach in the Forest Park area and they want to be able to provide information and assistance to homeowners.	33.430.080	Minor Policy Change	2.8	\$\$

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150871	RF Facilities and CU's	Section 33.274.035.B.3 exempts RF facilities from Conditional Use review if (among other things) the tower is more than 2,000 feet from any other facility that is supported by a tower not operated by the applicant. There are situations where towers within 2,000 feet and operated by another provider are full, with no co-location opportunities.	Consider amending 33.274.035.B.3 that allows the RF facility by right in situations where the applicant demonstrates 33.274.035.B 1 & 2 are met, and provides documentation that towers within 2,000 feet (operated by other providers) are full in terms of co-location opportunities and cannot support another facility.	33.274.035	Minor Policy Change	-0.8	\$\$
112975	Off-site Impacts from residential uses	Chapter 33.262, Off-Site Impacts, of the Zoning Code, only regulates nonresidential uses from uses in the R, C and OS zones. Often, impacts such as glare, noise and vibration that originate from residentially used properties can have as much of a negative impact as those from nonresidential uses	Especially for glare, consider expanding the off-site impacts to cover impacts such as halogen lighting from one residential use to other properties.	33.262.080	Minor Policy Change	2.1	\$\$
105326	Landscaping unimproved areas	On larger commercial sites, Planning and Zoning sometimes sees ambiguous gravel areas that the applicant doesn't identify as parking, storage or display, and therefore does not need to meet any of the associated landscape standards. These areas often end up being used for parking, storage or display, creating Code compliance situation.	Consider requiring that any "unclaimed" area on the site must be landscaped. This would help with aesthetics by preventing the possibility of a gravel site (or largely gravel);improve stormwater management; and reduce Code compliance cases.	33.248	Minor Policy Change	2.1	\$\$
99689	Street trees in Historic Districts	There are two problems encountered with this issue.1.) In Chapter 33.10 there is no mention on whether the zoning code applies to rights-of-way in Historic/Conservation Districts, even though language in 33.445, Historic Resource overlay zone suggests that it does.2.) It is not clear if other parts of the code should apply (i.e. the landscaping chapter, 33.248) when addressing an issue such as street trees. Currently, there is conflict, because the zoning code considers Norway Maples a nuisance tree while the Ladd's Addition Street Plan requires Norway Maples to be planted.	Provide clarification and consistency to aid in determining what regulations should apply to street trees in the historic and other overlay zones.	33.10.030	Clarification	-0.5	\$\$
99599	Removing abandoned RF Facilities	Section 33.274.040C (General Requirements) requires RF towers to be removed if no facility on the tower has been in use for more than six months. This requirement helps to reduce visual clutter, and potentially provides increased siting opportunities for new facilities.	Consider expanding language in Section 33.274.040.C regarding abandoned facilities to include all RF facilities.	33.274.040	Minor Policy Change	0.4	\$

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89466	Fleet Parking	Vehicles such as ambulances, cabs, jitney buses and other similar "fleet-type" vehicles on a site are considered parking despite having different characteristics. Applying the various parking standards to this type of "parking" (interior and perimeter landscaping, maximum parking ratios, and Central City Parking Review triggers) doesn't make sense.	Reevaluate how parking standards are applied to fleet parking. In many cases, the characteristics of fleet parking is more comparable to exterior storage.	33.266	Minor Policy Change	3.6	\$\$
88720	Incentive for Energy-Efficient Houses	The City Code does not provide many incentives for development that is energy-efficient. The EPA-administered ENERGY STAR certification program is used for new houses, is field verified, and has marketing support. The lack of connection to the City's development regulations is a lost opportunity and the City's sustainability goals could be promoted with incentives incorporated into development regulations.	Examine building, zoning, and development codes to identify ways to provide incentives (density, reduced fees, timeline, etc.) for houses that are ENERGY STAR-certified.	24	Major Policy Change		\$\$\$
88258	Radio Frequency (RF) Transmission Facilities	The Radio Frequency (RF) Transmission Facility chapter was first established in 1993. Since then it has received only one major update, in 1997. Although this chapter is intended to cover both large broadcast facilities (i.e. radio/television transmission towers) and small facilities such as wireless phone and internet (i.e. cell towers), large changes in technology over the past several years have made this chapter out of date, despite some recent amendments. In addition, the 1997 RF chapter update dictated that the regulations be reviewed in 2003 to determine adequacy to public health. This has not been done, although the FCC is the governing organization for public health..	Review the Radio Frequency (RF) Transmission Facility chapter and provide updates where needed to cover new technology. The review should include the following actions:1.) Re-examine the Type I CU requirement that applies in all zones for facilities in the right of way that need to place equipment on private property.2.) Review and update standards for building mounts, possibly as an alternative to a land use review.3.) Review the Conditional Use approval criteria. If possible remove the reference to development standards of 33.274, as any facility has to meet those at the time of permit.4.) Consider deleting Table 274-1. Facilities are under the jurisdiction of the FCC in regards to emissions.5.) Remove references to timed review of city regulations, (33.274.080).6.) Include provisions to address new technology items such as third generation (3G) wireless facilities and exempt such facilities that are consumer based and don't require licensing.7.) Continue to coordinate with the franchise agreement to refine right of way regulations.	33.274	Major Policy Change		\$\$\$

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88204	Environmental Review approval criteria	The environmental overlay zone chapter contains many sections including the purpose of the overlay, what activities are exempt, development standards and approval criteria if a environmental land use review (EN) is needed. The zoning code also contains a separate chapter where most land use review approval criteria are located. The fact that the EN approval criteria are located in the environmental overlay zone chapter is confusing.	Move the approval criteria for environmental reviews to the 800's series of chapters under an environmental review chapter.	33.430.250	Consistency Change	-0.4	\$\$
79007	Solar Access standards	The standards assume an in-town grid pattern of development that falls apart in typical Outer Southeast or West Hills proposals where there isn't consistent lot width along street frontages. The general feeling among BDS Land Division staff is that the standards for solar access are not achieving any meaningful purpose, nor promoting any meaningful increase in solar access.	Revisit the solar access regulations, and either revise them so that they achieve the intended purpose, or consider deleting them.	33.639	Minor Policy Change	6.7	\$\$
75031	RF Facilities review procedures	Radio frequency transmission (RF) facilities operating at 1,000 watts ERP or less proposed to be located on an existing building or other no broadcast structure in an OS or R zone, or in a C or E zone within 50 feet of an R zone, are reviewed through a Type II procedure. The exact same facility when located in an I zone is reviewed through a Type III procedure. We should be consistent in the review procedure assigned to these types of facilities.	Process RF facilities operating at 1,000 watts ERP or less proposed to be located on an existing building or other no broadcast structure in an I zone within 50 feet of an R zone through a Type II procedure, instead of the current Type III procedure. The Type II procedure would be consistent with how the same facility is processed in OS and R zones, and in the C and E zones when within 50 feet of an R zone.	33.274.050	Minor Policy Change	4.1	\$
67180	Type IIx threshold	The Type IIx procedure is triggered when a land division request includes an adjustment. In many situations, the adjustment is triggered by existing development being too close to a new lot. A concurrent adjustment for existing development should not trigger a higher level of review; the adjustment does not add much work or complexity to the land division case.	Allow land divisions that include an adjustment to existing development to be processed as a Type I instead of a Type IIx.	33.660.110	Minor Policy Change	6.2	\$\$
67035	Legal Lot of Record loophole	The definition for legal lot of record requires it to have been created and recorded prior to July 26, 1979, but it does not state whether it needs to be kept as a separately recorded plot once it was	Provide clarification in the definition of "Lot of Record" regarding whether the plot of land can be combined with another plot and then later separated.	33.910.030	Clarification	5.6	\$\$

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		established. If it was combined with another piece of land since 1979, it is not clear whether it could be re-separated.					
45839	Nonconforming residential uses	If a nonconforming residential structure located in an industrial zone is destroyed by accidental fire and the destruction exceeds 75% of the assessed value, the owner cannot rebuild the home. Many homes in industrial areas are on small sites that don't have much value to industrial uses. The prohibition on rebuilding the structure puts an added hardship on the homeowner	Amend the code to permit the reconstruction of a residential structure within an Industrial Zone, even if such a structure and use would be a non conforming use. New residential construction could still be prohibited.	33.258.050	Minor Policy Change	1.8	\$\$
34745	Nonconforming upgrades	The requirements for nonconforming upgrades don't work well in existing older industrial zones such as Guilds Lake and the Central Eastside. The placement of existing buildings, driveways and the limited parking make it difficult to retrofit these sites for improvements such as perimeter landscaping. This forces businesses investing in the area into requesting an adjustment, which creates a disincentive to invest in these older areas.	The zoning code should provide some flexibility in applying non-conforming upgrades in older industrial areas where the building and site layout don't provide options for requirements such as landscaping etc. Perhaps, special requirements could be place in areas zoned IG1 or IH.	33.258.070	Minor Policy Change	3.4	\$\$\$
34743	Scenic resources in environmental zones	When the e-zones were created all development in the a 'p' or a 'c' zone required a public review. To simplify the clutter of overlay zones on the zoning maps, sites that were in both the 'c' and the 's' zones had the 's' zone taken off the map in place of an approval criteria that called for consideration of scenic resources. A few years later a pure administrative track was created for development in 'c' zones. This new administrative process makes no reference to scenic resources. Consequently development in the 'c' zones runs the risk of violating the City's Scenic Resources Protection Plan (SRPP). The SRPP is an acknowledged part of the Comprehensive Plan and just as the e-zones are, it implements protections of a Goal 5 resource	The 's' zones need to be put back on the zoning maps to avoid permitting projects that negatively impact protected scenic resources. No ESEE analysis has ever been done addressing the loss of protection for these resources, but they may not be protected since many of their locations are not shown on the zoning maps. The possible consequence is that a permitted built project may be discovered, perhaps by a neighbor, to have violated a scenic resource.	33.480	Consistency Change	-1.1	\$\$
34646	Approval criteria	The approval criteria related to police protection that are stated in the Conditional Use and Zone Map reviews are unclear in their intent. The comments	The preference of BDS would be to delete the "police protection" part of the approval criteria, or to at least clarify it or set standards for it. (See staff comments	33.815.105	Minor Policy Change	5.9	\$\$

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	and police protection	that come in for these reviews are often unrelated to the issue that is being reviewed. Comments often can come in that are counter to other zoning code requirements such as landscaping.	below. May need to work towards a larger police bureau involvement in the beginning of crafting plans, rather than at the end during reviews of individual land uses.)				
34643	Waste Related or Recycling Operations	Recycling operations seem to fall under several use categories, depending on what they are doing. The Industrial Service category includes salvage and wrecking and recycling operations under examples, Manufacturing and Production can include uses that "Process" goods, and Waste Related uses are those that "receive solid or liquid wastes from other for disposal on the site or for transfer to another location". This often leads to confusion when these uses are reviewed in the DSC.	The use categories related to recycling goods should be analyzed and clarified, with the result that perhaps one recycling/waste related category can be created.	33.920	Minor Policy Change	6.0	\$\$
34590	Streamline review process	With the changes in fees and review procedures, there is now no Land Use procedure that is relatively straight forward that could be applied to simple cases. This discourages applicants from requesting adjustments to simple cases that could result in better development	Can a new (or revised) review process (like the old Type II) be put in the code for the simplest reviews? There could be two possibilities: 1) shifting the Type I LD reviews to Type II and redefining the Type I review process to be more streamlined or 2) creating a Type Ix for the existing assigned reviews and redefining Type I to be more streamlined.	33.730	Minor Policy Change	8.0	\$\$\$
33496	Development in Columbia South Shore environmental zones.	Land divisions involving e-zoned land in the South Shore need to meet standard 33.515.278.B, instead of standard A. They have to re-vegetate the entire resource area, even if there is no disturbance proposed in that area. This can create a great cost at the land division stage, which may not be appropriate.	Consider revising the triggers for revegetation of transition areas in Columbia South Shore.	33.515.278	Minor Policy Change	4.7	\$
33424	Maximum Lot Size standard for Single-Dwelling Residential zones	Through Land Division Reviews, often Adjustment Reviews are requested to exceed the allowance for maximum lot size. This standard is intended to ensure that the maximum density requirement is not exceeded via a later partition of an over-sized lot. However, there are valid situations where larger lots are necessary. Propose a different standard to ensure maximum density requirements are achieved.	Eliminate the maximum lot size standards. Identify a different approach to ensuring maximum density standards will not be exceeded.	33.610.200	Minor Policy Change	4.7	\$\$
33371	Conditions of	Staff has used this section to sunset conditions of approval applied to a site prior to 1981 in all	If the intent of this section is to sunset all conditions applied prior to 1981 (except for land divisions and PDs),	33.700.110	Clarification	0.3	\$\$

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	Approval sunset provision	situations (except for land divisions and PDs). However, the introductory paragraph states that this section applies only in situations where zoning regulations on the site have since changed.	regardless of any change in zoning regulations, then the intro paragraph should be rewritten to delete references to change in zoning regulations.				
33368	Columbia South Shore Environmental Overlay Zones	Columbia South Shore Trail: It is not clear whether construction of the Columbia South Shore Trail in an e-overlay requires an environmental review. Section 33.515.260.B.2.c states the trail is subject to e-review. Sections 33.515.276.2 and 3 state that they are allowed without e-review	Clarify the legislative intent of these two apparently contradicting regulations.	33.515.260	Consistency Change	1.2	\$\$
33362	Landslide Hazard Map	The Potential Landslide Hazard Area Map is too broad and general. It triggers a number of more onerous requirements even if it turns out that the site is not in a hazardous area, such as a pre-app, neighborhood contact, and higher review procedure. this occurs even if only a little of their site is in the Potential Landslide Hazard Area.	The map needs to be refined to provide better site by site detail, or else the code needs to be adjusted to allow some flexibility for the applicant to show that he is not in a landslide hazard area before the additional review and fees are charged.	33.660.110	Minor Policy Change	6.3	\$\$\$
33090	Release of conditions recorded on a deed	The city requires many things to be recorded, such as an acknowledgement regarding sprinklers and some conditions of approval in a land use review. These title exceptions don't sunset, and confuse future redevelopment when they keep appearing on title reports even though they are no longer relevant. This has been a problem on many final plats.	Develop a means to allowing whomever signs plats on behalf of BDS to release recorded land use approval items that are no longer relevant.	33.660	Clarification	-1.1	\$\$
33084	Headquarters offices	Headquarters offices are allowed as an exception to the office limits in the industrial zones. Over time as businesses change, these headquarters offices are fully or partially abandoned by the original business. Making some productive use of this space can be almost impossible given the Zoning Code restrictions and the design of the space.	Develop an option in the Zoning Code that will allow a business to sublease unused existing headquarters office space that was built in compliance with the code in an industrial zone.	33.920.240	Minor Policy Change	-0.7	\$\$\$
33033	Lot Dimensions and non-conforming lots	What if you want to divide a site in half, and the site itself doesn't meet the minimum lot depth? Do they need to go through a PD even though the depth is not going further out of conformance?	Currently, they would need to go through a PD, until this is fixed. A provision should be added to allow these lots to be divided without forcing them through a planned development.	33.610.200	Minor Policy Change	4.5	\$\$

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33003	Type III Reviews	The decision in a Type III review is subject to a 14 day appeal period. When no one testifies on the case, there is no one except the applicant who has standing to appeal. The applicant should not have to wait until the appeal period has expired to submit plans for permits.	If no one except the applicant has standing in a Type III land use decision, the applicant should be allowed to waive their right of appeal to eliminate the appeal period.	33.730.030	Minor Policy Change	-0.8	\$\$
32953	RF Facilities for Wi-Fi	The Radio Frequency Transmission Facility Chapter does not address new technology such as Wi-Fi facilities. These wireless facilities are low power, but run at high frequencies (2.4GHz and up). It is not clear if there is an exemption in the chapter, or if these need to be regulated the same as standard wireless facilities. Compounding the problem is that a Wi-Fi network can be as simple as a tabletop antenna to provide internet within an office, or can be as large as a standard wireless phone transmission facility (panel antennas, equipment, etc.).	Review and update 33.274 (Radio Frequency Transmission Facility Chapter) to ensure that it can adequately address some of the new wireless technology without creating unnecessary burdens.	33.274	Minor Policy Change	0.9	\$\$\$
32641	Public Record for legislative projects	Public Record: It is not clear in the code what elements are required to make up the public record for legislative projects. What elements must be part of the Planning Commission record that gets forwarded to City Council?	Specifically identify those portions of the Planning Commission record that are part of the record in a legislative proceeding. The Code should specify the record included: minutes of the Commission meetings; meeting notices and mailing lists; all correspondence, maps photos and other documents submitted to the Commission; and the Commission's report and recommendation to the Council.	33.740.020	Clarification	-0.1	\$\$
32617	Zoning Map Amendments	Zone Changes in Compliance with Comprehensive Plan Map: The approval of zone changes in compliance with the comprehensive plan are essentially limited to a technical review to determine adequacy of public services. As indicated in 33.730.010 (Purpose), Type II procedures are intended for reviews that involve lesser amounts of discretion and lower potential impacts than reviews considered under the Type III procedure. This seems appropriate for the level of discretion involved with zone changes in compliance with the comprehensive plan map.	Consider changing review procedure from a Type III to a Type II.	33.855.050	Minor Policy Change	7.4	\$\$\$

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32613	Parking and loading	Parking and Loading : Limitations on vehicle area frontage.33.266.130.C.3 limits vehicle areas adjacent to a transit street or street in a ped district to a maximum of 50% of the site's street frontage. It is not clear what type of structure may be allowed to separate the vehicle area from the street frontage.	Clarify what is acceptable separation between the vehicle area and the street. If a single building wall and nothing else provides acceptable separation, the code should say that.	33.266.130	Clarification	3.9	\$\$
32507	Zone Map Errors of Environmental Resources	There is no quick process for mapping newly discovered environmental resources or for adjusting the map. There should be a quasi-judicial procedure to allow anyone to request addition or removal of an environmental zone on the zoning map, based on natural resources present or absent.	Provide a quick, sure process to allow corrections to mapping of environmental resources. The process should be available for when a resource is discovered that was not previously protected (e.g. a stream with no e-zone), and for when a property owner believes an overlay was applied in error or wishes to refine the line's placement. It should require ESEE analysis, and reference to adopted legislative projects to ensure compliance with the bigger picture.	33.855.070	Minor Policy Change	-0.5	\$\$\$
32506	Mitigation banking in Environmental Zones	Projects that provide watershed wide environmental improvement don't provide relief to individual property owners when they need to make improvements.	Allow watershed-wide environmental improvement plan to be used by individual property owners and support either on or off site mitigation.	33.430.010	Minor Policy Change	3.3	\$\$\$
32424	Maximum parking requirements for shell buildings	Maximum Parking Ratios: Maximum parking ratios are based on the use of the site. However, for speculative shell buildings, where there is no identified tenant or use, what maximum parking ratio is used? This issue is greatest with industrial buildings where both the minimum and maximum parking ratio for manufacturing uses is significantly different from warehouse uses.	The code needs to be clarified to provide direction on minimum and maximum parking requirements for shell buildings.	33.266.115	Minor Policy Change	4.4	\$\$
32420	Fee waivers for recognized organizations	The definition of "recognized organization" in 33.910 includes business and industrial associations that are recognized or listed by ONI. While ONI maintains a list of business and industrial organizations, they do not recognize them, and as such, they should not be receiving the same fee waiver benefits as neighborhood organizations, which are recognized by ONI.	Business and industrial associations are not recognized by ONI as they do not hold themselves to the public meeting requirements, and are not subject to the more restrictive requirements found in ONI's guidelines. We may want to remove the reference "or listed" in the "recognized organization" definition. This would make clear that only those organizations that are recognized by ONI are defined as a "recognized organization."	33.910.030	Clarification	1.9	\$\$\$
32389	Northwest Hills Plan District	Skyline Plan District (Now Northwest Hills PD): In the Balch Creek subdistrict of the skyline plan district, ninety percent of the portion of the site in the e-	Define the term 'closed canopy forest' and determine how to administer this regulation and how this should relate to other tree preservation measures.	33.563.110	Clarification	1.0	\$\$

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		zone must be retained or established in closed canopy forest. Please define "closed canopy forest" in a way that lets us know how to administer this regulation, or consider replacing the term.					
32384	Open Space Zone CU trigger	Open Space Zone: One of the threshold for a park CU in OS zones is "other facilities that draw spectators to events." It is not clear what is meant by events, and could be interpreted to include casual spectators.	Amend limited uses to read 'facilities that draw spectators to SCHEDULED events in a park'. The intention is to avoid a narrow interpretation whereby the possibility of casual spectators would trigger a conditional use review.	33.100.100	Clarification	1.0	\$\$
32379	Garage Entrance Setback	Garage Setbacks: The 5-foot or less garage setback in multi-dwelling zones doesn't work for rowhouse development. People just park over the sidewalk.	Eliminate the 5-foot or closer garage setback standard for rowhouse development in multi-dwelling zones	33.120.220	Minor Policy Change	-1.0	\$\$
32360	H.O. recommendations on Map amendments and goal exceptions	Administration/Procedure: 33.730.040 requires Council hearings on amendments to Plan Map and goal exceptions; in these cases Hearings Officer's decision is just a recommendation to Council. Council must hear the case even if no appeal, and with no appeal fee. Bob Stacey suggests we change the code so that the Hearings Officer's denial of a map amendment is final unless it is appealed.	Change the code so that the Hearings Officer's denial of a map amendment is final unless it is appealed.	33.730.040	Minor Policy Change	1.1	\$\$
31583	Simplified Type I LUR Process	The Type 1 process is rarely used in Portland, but many other jurisdictions use it as a more streamlined administrative review for minor adjustments and other limited Director's decisions.	Allow certain minor reviews such as the following to go through the Type I process:1. Adjustments to specific code standards subject to limited criteria.2. Zoning confirmations or Director's decisions where a specific code interpretation is necessary and has not been previously addressed by City.3. Minor Design Review cases involving minimal exterior changes (e.g., addition of a single window), but which do not qualify for use of Community Design Standards.	33.730	Major Policy Change		\$\$\$
31546	Elimination of plan districts and overlays	The continued expansion of the number of overlay zones and plan districts to the City's zoning code has created an overly complex regulatory process, where multiple sections must be consulted to determine issues such as setbacks, uses and building coverage.	Eliminate all (or almost all) plan districts, overlays, and mixed use (EG through RX zones). Replace them with menu-matrix zoning. Menu-matrix zoning will use a limited list of options, but allow them to be combined in a variety of ways to produce a great variety of outcomes. It would also be much simpler to understand and administer - and to plan new districts.	33	Major Code Rewrite		\$\$\$\$

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31481	Vending Carts and Drive Through Facilities	Vending carts on wheels are currently regulated as vehicles. If they are under 16 feet long, they are allowed in areas where retail uses are allowed and do not have to meet the development standards for buildings. Vending carts often have drive-through facilities associated with them. The drive-through regulations are written for bank or fast food drive-throughs and are too intense for vending carts.	The drive-through regulations should address vending cart drive-throughs separately and provide for reduced standards.	33.224.050	Minor Policy Change	2.9	\$\$
31396	Natural Resource Management Plans (NRMP)	The Natural Resource Management Plans (NRMPs) are far out of date and have become difficult to administer correctly. For example, the PEN 1 NRMP contains plant lists that are excessively restrictive; the Smith and Bybee Lakes NRMP needs to be update to match current Metro and Parks Bureau plans for trails and other facilities. Finally, NRMP's are difficult to coordinate with other provisions of Title 33	Review and revise existing Natural Resource Management Plans	33.430.010	Minor Policy Change	5.0	\$\$\$\$
31280	Maximum Density	Maximum Density is calculated differently in single dwelling and multi dwelling zones. What to do on a split zoned site, where the street runs along the zone line? In single dwelling zones, you subtract 15% from the density calculations when a street is created. In multi dwelling zones, you subtract the actual area of the street. This system is too complex when the street straddles the zone.	Clarification is needed on how to deal with this when the proposed street is straddling the zone line. Perhaps create one way to calculate minimum density in all zones.	33.610.100	Minor Policy Change	1.3	\$\$
31272	Comprehensive Plan Map Amendments	It is difficult to adequately consider the cumulative impacts and issues of Comprehensive Plan Map amendments when done incrementally under the current process.	These amendments should be bundled and considered annually, perhaps legislatively, rather than quasi-judicially.	33.810	Major Policy Change		\$\$\$
31254	Land Use Review procedures	The city does not have an adequate process for being able to create new regulations for a small area that has specific concerns, but may be made up of more than one owner. The present quasi-judicial process is not designed to handle policy implications, and the legislative process is too cumbersome for such cases.	Develop a new "quasi-judicial" or "quasi-legislative" process for re-zoning small areas or groups of properties with something in common or to consider minor changes that apply to a group of owners.	33.855	Major Policy Change		\$\$\$

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31231	Master Plans and planned expansions	Current Zoning regulations do not have an adequate master plan process to allow vesting of multi year or multi phase projects so that changed regulations cannot disallow projects that have not yet been permitted, but which are consistent with the master plan	Develop master plan process to allow vesting of multi-year or multi-phase projects.	33.820	Major Code Rewrite		\$\$\$\$
31219	Prohibition on Adjustments	Increasingly, new regulations in the Zoning Code indicate adjustments to particular development standards are prohibited. This prevents applicants from proposing alternatives development options that still meet the intent of the standard. An overuse of this "prohibition" clause precludes the flexibility to address on a case by case basis unique conditions that may merit an adjustment.	Evaluate where this clause is being used, and whether it is necessary in all situations. Potential Outcomes1. Provides greater flexibility for applicants.2. Facilitates development on sites with unique constraints.	33	Major Policy Change		\$\$\$
31199	Industrial Use Categories	The existing industrial use classifications need to be updated to reflect such uses as creative industries. Additionally, changes to the Wholesale Sales category are needed to clarify the differences between Wholesale Sales and Retail Sales and Service uses. The distinction currently is gray, and results in enforcement problems and a proliferation of retail establishments in industrial areas.	Update industrial use categories classifications to address new technologies/new industries. Potential Outcomes1. Eases implementation and enforcement of the Code.2. Facilitates the siting and development of emerging industries.	33.920	Major Policy Change	5.9	\$\$
31140	Vesting for large subdivisions	State statute establishes a 10-year vesting period for subdivisions of at least four lots. The 10-year vesting period allows subdivisions to be developed under the zoning regulations in place at the time of tentative map approval. The result is that subdivisions developed under the old Code is immediately non-conforming. Additionally, such development may cause undesirable neighborhood and/or environmental impacts that have been addressed by Code updates since the vesting date. The 10-year vesting period also complicates implementation because City staff must determine which codes were in place at the time of tentative map approval, and which would apply to new development today. State statute allows local	Establish a more limited vesting period for large subdivisions. The Zoning Code should include a vesting period that is less than the 10-year period. Potential Outcomes1. Provides surrounding residents with greater certainty on what will be developed in large subdivisions.2. Facilitates implementation of zoning regulations.	33.700	Major Policy Change		\$\$\$

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		governments to establish their own vesting periods not to exceed 10 years.					
31136	Healy Heights Radio Frequency Advisory Board	Since its adoption, it has been difficult to determine the scope of the Healy Heights Plan District and its corresponding Healy Heights Advisory Committee. The committee has not met regularly and does not have a clear agenda.	Status could be changed to be similar to Historic District Advisory Committees (see 33.846.025). Consider no longer providing city staffing. Consider alternative notification requirements and/or other options. Potential Outcomes1. Establishes alternative method to achieve same objective while reducing demands on limited staff resources.	33.533	Minor Policy Change	-2.6	\$\$\$
31073	RF Facilities chapter update	The Radio Frequency Transmission Facility Chapter has not had a major update since 1997, and is out of date with many emerging cellular and wireless technologies.	Amend and update existing zoning regulations that have been superseded by FCC regulations. Update existing zoning regulations to address emerging technologies. Potential Outcomes1. Updates existing radio frequency transmission facility regulations for consistency with federal requirements, and clarifies how existing zoning regulations address emerging technologies.	33.274	Major Policy Change		\$\$\$
25564	Yard Debris Use classification	Yard debris recycling facilities tend to be classified as Waste Related Uses. The restrictions and reviews are not appropriate for a yard debris recycling facility because the impacts tend to significantly less than a typical Waste Related use.	Amend the Waste-Related Use description to add yard debris recycling as an exception and include a statement that yard debris recycling facilities are classified as an Industrial Service Use. The Industrial Services Use Category already identifies recycling operations as an example.	33.920.340	Clarification	1.4	\$\$
18208	Buffer 'b' Overlay	This overlay adds little benefit and creates confusion and the need for land use reviews that have little value.	Eliminate or significantly modify the Buffer 'b' Overlay zone.	33.410	Minor Policy Change	5.9	\$\$\$
17641	Vehicle area clarification	The term "vehicle area", as in "vehicle areas are prohibited between the building and the street" is used. It is not clear whether this always or sometimes include vehicle areas that are within a building or not. The definition of "vehicle area" is ambiguous (All the area on a site where vehicles may circulate or park including parking areas, driveways, drive-through lanes, and loading areas") and the variety of contexts in which the term area also ambiguous. 33.266.130.C is where there are a lot of refs, but they are also in plan districts, etc.	Locate where the term is throughout the code and clarify if it is intended to include vehicle areas within a building.	33.266.130	Clarification	1.3	\$\$

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17639	CU triggers	CM 2004 clarified the triggers for site increases and decreases when development is proposed. However, there are situations where the site area increases or decrease without any development being proposed. it is unclear if a CU review is always, sometimes, or never required in this situation.	Clarify the triggers for review when no development or use changes are proposed but there is an increase or decrease in site area.	33.815.040	Minor Policy Change	4.9	\$\$
17239	Landslide Hazard Study	The application requirements for a Land Division require a Landslide Hazard Study for specific areas. This study must be prepared by both a Certified Engineering Geologist and a Geotechnical Engineer. These specialists are similar and have overlapping areas of knowledge. For smaller sites with lesser risk (i.e. lower slopes, more stable soil types, etc.) requiring that both specialists prepare the study is a significant cost burden and unnecessary.	Similar to other jurisdictions (Salem, Lane County), establish a tiered approach based on site size, slope, soil type, etc. and allow either specialist to prepare the report for some sites and require both only where both are needed.	33.730.060	Minor Policy Change	6.4	\$\$\$
16791	Garage setback in R1 zone	Vehicles parking across sidewalks in front of garage doors of row houses. Current code allows 5 foot setback to garage door in R1 or higher zones. This is not a problem for the intended use of these zones for multi-family buildings. It IS a problem when these zones are used for single family row houses.33.120 Table 120-3	Eliminate the option for a 5 foot setback in R1 and higher zones when single family garages are built.	33.120.215	Minor Policy Change	2.3	\$\$

