



# Regulatory Improvement Workplan (RIW)

## Regulatory Improvement Code Amendment Package 4 (RICAP 4)

City Council Hearing  
Wednesday, December 10,  
2008





# Regulatory Improvement Workplan (RIW)

## Regulatory Improvement is...



- *A process to continuously improve and simplify the City's development code regulations, streamline procedures, cut costs, and increase customer service.*
- *In place since 2002*



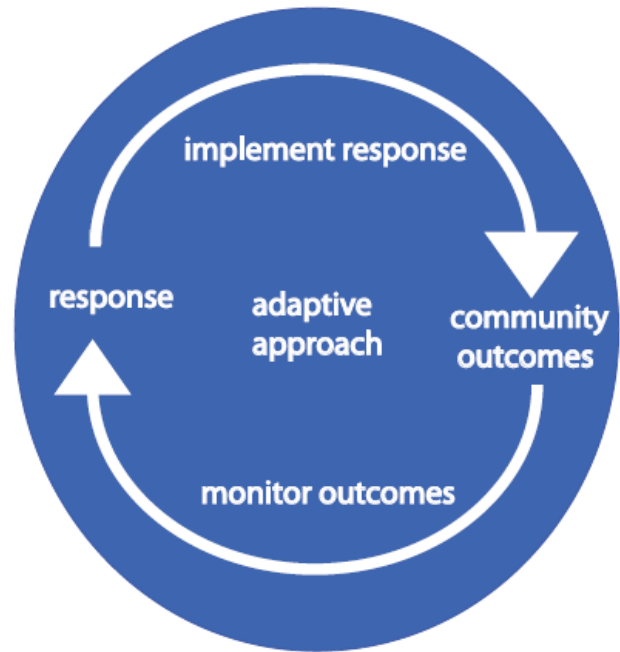
# Regulatory Improvement Workplan (RIW)

## This program includes:

- Coordinating the City's regulatory improvement priorities with other agencies
- Managing the RICAP and Code Monitoring Programs
- Maintaining the City's Regulatory Improvement Request (RIR) database



# Regulatory Improvement Workplan (RIW)



Issues from RIR Database

major policy change	periodic review/ Portland Plan
medium-sized issue	3-year work plan/ annual budget
minor policy issue	RICAP
technical correction	RICAP



## RICAP 4 — Land Division Issues

### Land Division Monitoring Project



May 22, 2007

Portland Planning  
Commission

- **Issues taken from Land Division Monitoring Report**
- **Presentation given to Planning Commission in May 2007**



# RICAP 4 — Public Outreach

## Regulatory Improvement Workplan



Regulatory  
Improvement  
Code  
Amendment  
Package 4

(RICAP 4)

Proposed Workplan  
July 2, 2007



- **RISAT (Regulatory Improvement Stakeholder Advisory Team) discussion over several months.**
- **Discussion with several interest groups during code formulation.**
- **2 Open Houses, one on Eastside, one Downtown.**
- **Expanded mailing lists to notify about open houses and hearing.**
- **Two Planning Commission Hearings were held.**



# RICAP 4 — Code Amendments

## Regulatory Improvement Workplan



Regulatory  
Improvement  
Code  
Amendment  
Package 4

(RICAP 4)

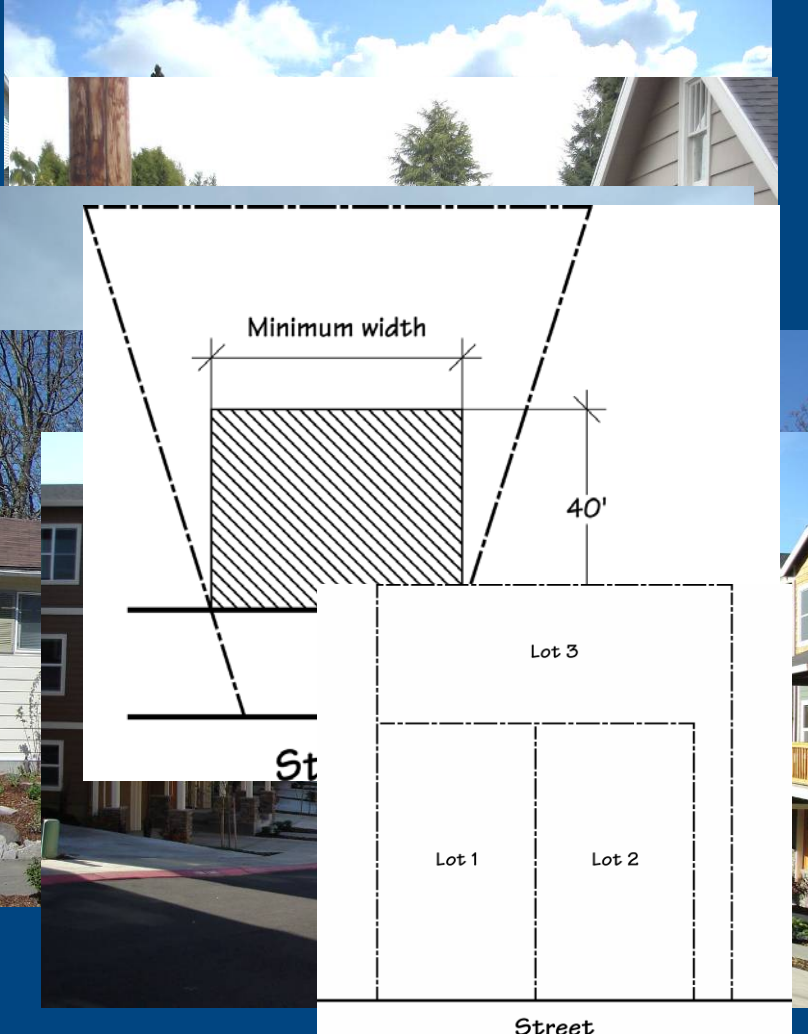
- 46 items addressed through these amendments.
- The list includes the Division Street issue.

Proposed Workplan  
July 2, 2007





## RICAP 4 — Land Division Topics:



- Alleys – clarify when are they appropriate
- Flag Lots – when and how?
- Lot Width – clarify measurement
- Narrow Lots – revise approval criteria
- Corner Lots – improve design requirements
- Planned Development Criteria – address site design





# RICAP 4 Mandated Items — Manufactured Dwelling Regulations



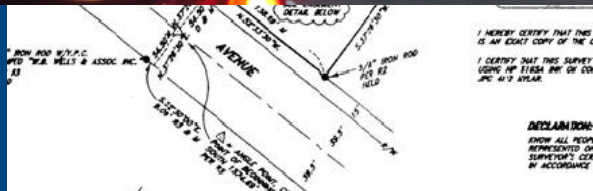
- Amend regulations on manufactured homes and manufactured dwelling parks
- Revise definition of manufactured dwelling park.
- Amendments to conform with state law.



# RICAP 4 Mandated Items — Metro Industrial Regulations



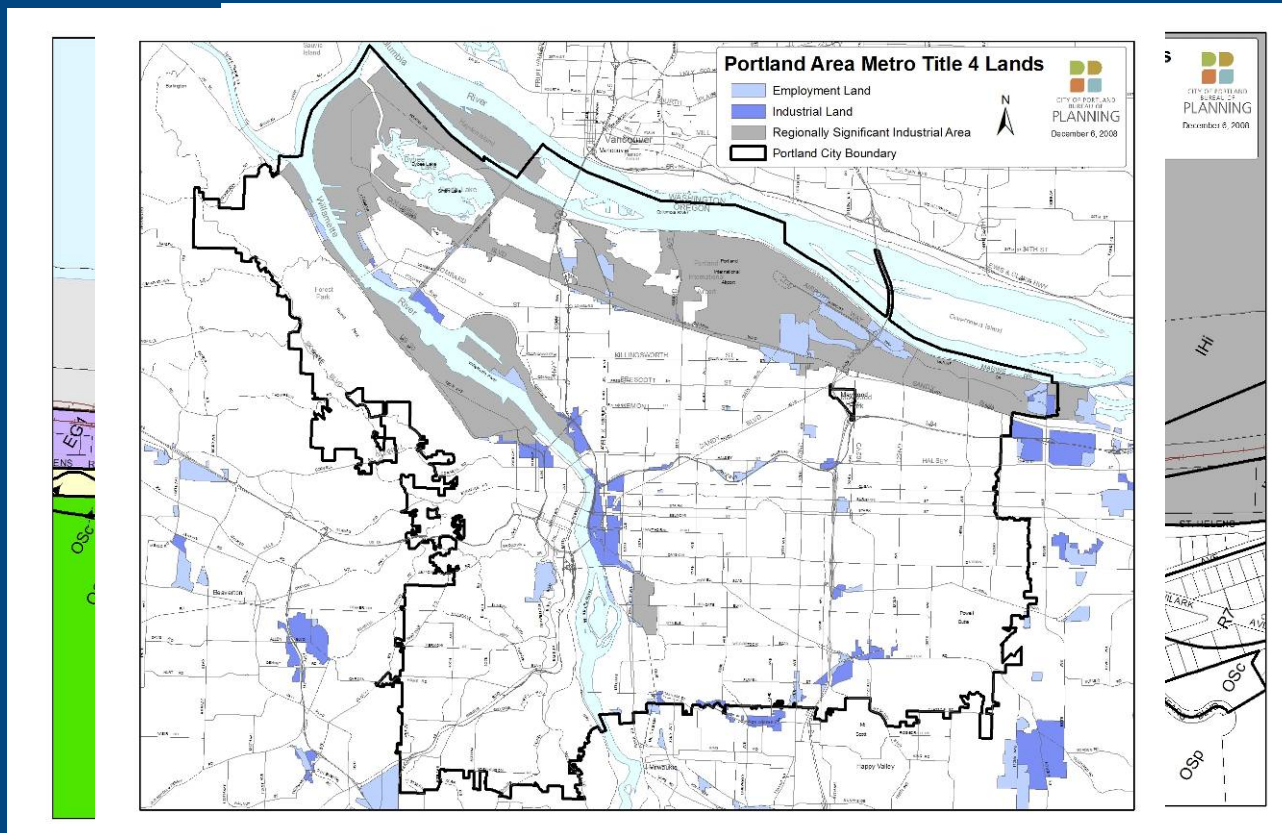
- Limits on separate retail and office uses in industrial or employment zones
- Comprehensive Plan Map Size & Approval Criteria
- Conditional Use Review criteria for freight traffic
- Limits on Industrial Land Divisions





# RICAP 4 Mandated Items — Metro Industrial Regulations

## Linnton Area Issue and Metro/City Maps





## RICAP 4 Mandated Items — Metro Industrial Regulations

**Choices on the Linnton mapping issue include:**

- **Follow up on Linnton Plan by requesting that Metro change its maps to Industrial to match city decision.**
- **Re-look at the original Council decision by reopening the Linnton Plan process (fund a legislative project)**
- **Re-open the Linnton mapping question through the current River Plan.**
- **Make no change which means that Metro and City maps for Linnton remain inconsistent**



## RICAP 4 — Items of Interest



- **Revise open area requirement in Gateway plan district**
- **Amendments affecting radio frequency (RF) facilities**
- **Revise the tree protection and survey requirements**
- **Revise Laurelhurst and Eastmoreland plan district boundaries**
- **Refine Division Street Retail limitations (separate discussion)**



## RICAP 4 — Recommendation

### Planning Commission Recommends that Council:

- Adopt Recommended Draft and Ordinance for RICAP 4;
- Amend Zoning Code as shown in Recommended Draft; and
- Direct staff to monitor effect of amendments as necessary.



# Regulatory Improvement Workplan (RIW)

**Thank you.**

**We will present the  
Division Code  
separately.**



# Regulatory Improvement Workplan (RIW)

## Regulatory Improvement Code Amendment Package 4 (RICAP 4)

### *Division Street Regulations*

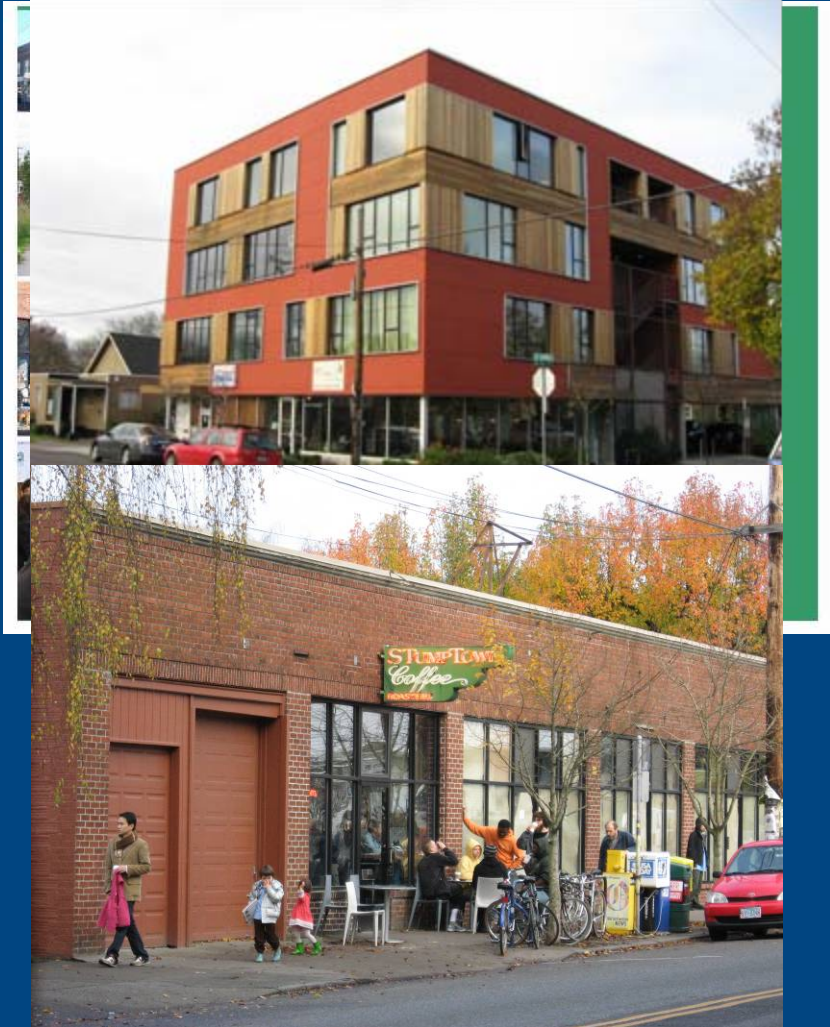
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# RICAP 4 – Division Street Regulations - Background



## Division Green Street / Main Street Plan

- Plan for well-designed mixed use development.
- Encourage places for small businesses to thrive.
- Retail size limit of 10,000 square feet per use.



# RICAP 4 – Division Street Regulations



## Unintended Consequences

- Vacancy of older, large format retail.
- Affects surrounding businesses
- Dead Zone created on Street



## RICAP 4 – Division Street Regulations

- **Neighborhood and business representatives attended Planning Commission hearing.**
- **They requested that staff address the Division Street retail limits with a sense of urgency.**
- **Planning Commission directed staff to bring a solution under the RICAP 4 hearing.**



# RIW – Division Street Regulations - Recommendation

## Refine Division Street 10,000 sq ft Retail Limitation

- Exception for existing buildings
- Retains limitation on ground floor
- Allows additional area on other floors



A1.2



## RICAP 4 – Division Street Regulations

### Consequences of This Amendment:

- The amendment will not dictate the specific type of retail use at eligible locations.
- The amendment may allow a larger retail use to move into the neighborhood without neighborhood oversight.



# RIW – Division Street Regulations

## Amendment has limited application

- Only applies to retail sales and service uses.
- Limited applicability for existing larger retailers.
- Will not likely affect larger buildings already split up into separate spaces.





## RICAP 4 — Recommendation

**Planning  
Commission  
Recommends that  
Council:**

- **Adopt Recommended Draft that applies to Division Street;**
- **Amend Zoning Code as shown in Draft;**
- **Adopt Special Division Street Ordinance; and**
- **Direct staff to monitor effect of amendments as necessary.**



# Regulatory Improvement Workplan (RIW)

**Thank you.**

**This concludes the  
Division Street  
presentation.**

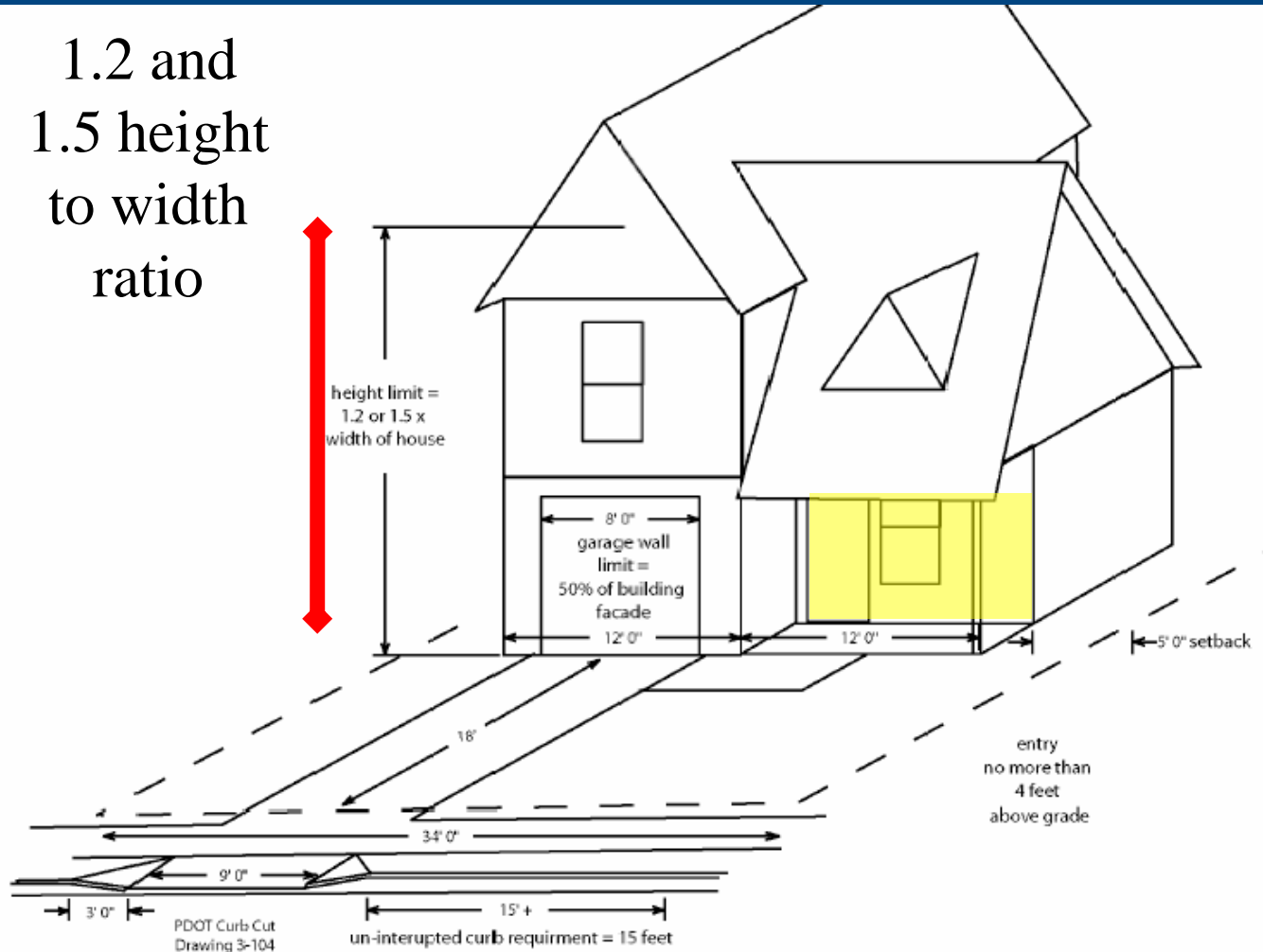






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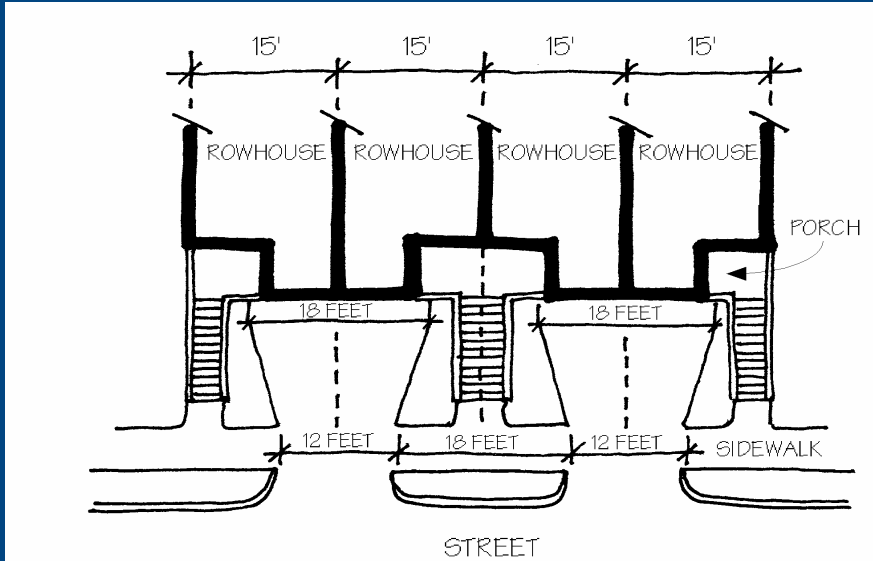
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# Regulatory Improvement Workplan (RIW)

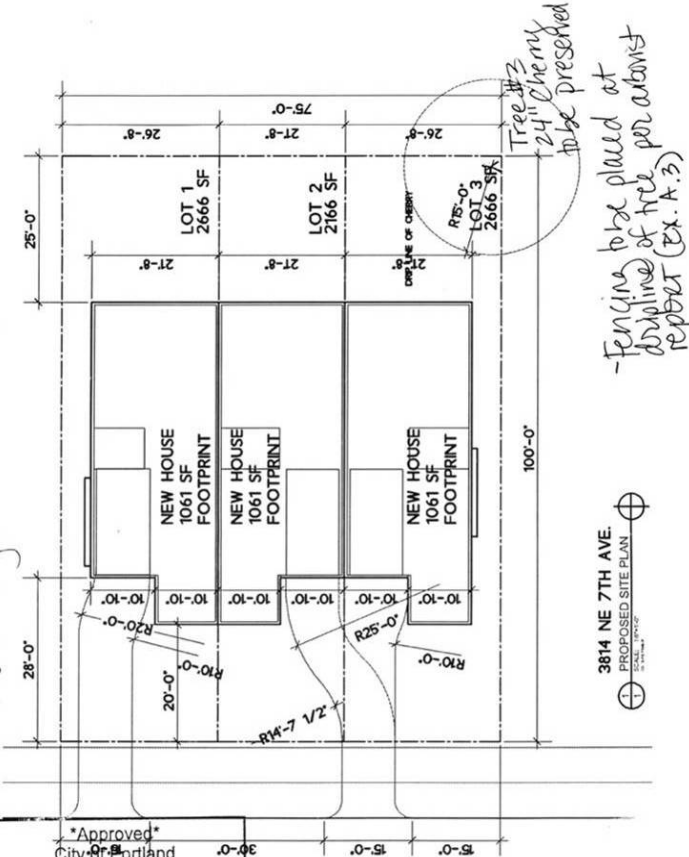
## Curb Cut Requirement Issues





# Regulatory Improvement Workplan (RIW)

Preliminary Plan & Tree Preservation Plan



\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planning  
 Date \_\_\_\_\_  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval.  
 Additional zoning requirements may apply.

7TH AVE LU 04-019802 EXHIBIT C,1

## Curb Cut Requirement Issues

