

Regulatory Improvement Workplan



Regulatory Improvement Code Amendment Package 6 - Appendix (RICAP 6)

Proposed Work Plan - Appendix

Complete List of RICAP Eligible Items from Regulatory Improvement Request Database

July 24, 2013



Bureau of Planning and Sustainability

Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon

Charlie Hales, Mayor • Susan Anderson, Director



**The Portland Planning Commission will hold a public hearing for the
work plan on:**

Tuesday, August 13, 2013

12:30 PM*

1900 SW Fourth Avenue, Second Floor, Room 2500A

*Please call 503-823-7700 one week before the hearing for the scheduled time of this agenda item

The City of Portland is committed to providing equal access to information and hearings. If you need special accommodation, please call **503-823-7700. (TTY 503-823-6868).**

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Appendix to Proposed RICAP 6 Workplan

List of Items Eligible for RICAP 6

This table lists the items eligible for RICAP 6. As explained more fully in the Proposed Workplan, ideas and requests for regulatory improvement are fed into the Regulatory Improvement Request (RIR) database from a variety of sources, including letters and calls from citizens, and requests from City staff and others. Periodically, staff from the Planning and Sustainability Bureau and BDS review the database to select items eligible for inclusion in a RICAP project. 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.

The items that have been proposed for inclusion in RICAP 6 have been shaded to help readers navigate through the list. The list is sorted by code section and contains several columns:

- **Line #** - is provided for reference
- **RIR #** - the identification number for the item in the Regulatory Improvement Requests (RIR) database.
- **Item Label** - describes the topic and also indicates items that are part of a bundle
- **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 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.

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
1	32384	Open Space Zone	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	\$\$
2	369203	Maximum Transit Street Setback	Recent Code amendments have clarified in the Multi-Dwelling, C and E zones how the maximum transit street setback is applied in a variety of situations, with graphics included that clarify how the standard applies on sites where development already exists. These amendments were not included in the Open Space and Single-Dwelling zones where the maximum transit street setback applies to institutional uses.	To clarify how the maximum transit street standard in the OS and Single-Dwelling Zones applies to institutional uses, language that is similar to that in Section 33.120.220.C, including the graphics, should be included in the OS and Single-Dwelling zones.	33.100.200	Clarification	N/A	\$
3	341598	Open Space Zone	With the exception of building setbacks and parking, Conditional Uses in the OS zone are subject to the standards stated in Table 110-5 in the Single-Dwelling zones. Table 110-5 was intended to work in conjunction with additional standards that are identified in 33.110.245 (Institutional Development Standards). However, because the OS zone makes reference only to Table 110-5, it is not clear whether these additional standards are intended to apply to Conditional Uses in the OS zone.	Clarify whether the standards of 33.110.245 are intended to apply to Conditional Uses in the OS zone in addition to the standards in Table 110-5.	33.100.200	Clarification	N/A	\$

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4	341578	Open Space Zone	In RICAP2, an amendment was approved that allowed maximum building setbacks for institutions in Single Dwelling zones to be determined as part of the Conditional Use Review. This was in recognition that it may be appropriate for institutions to have greater setbacks in order to better fit in with the surrounding neighborhood. In the Open Space zone, the maximum setback is a stated 25', with no allowance for establishing an alternative maximum setback through the Conditional Use Review that may be more appropriate for the unique situation. The reason for allowing the maximum setback to be established through the Conditional Use Review for institutions in Single-Dwellings zones seems to equally apply to conditional uses in the Open Space zone.	In the OS zone, consider requiring the maximum building setback for conditional uses to be 25 feet, or per Conditional Use review.	33.100.200	Minor Policy Change	2.3	\$
5	26121	Garage Wall Limitation for Single-Dwelling Residences	Garage wall provisions for single-dwelling residential development are inconsistent and overly complex. There are too many sections of the code that regulate garage walls--base zones, "a" overlay, Community Design Standards, and Land Division narrow lot provisions. The standards are not consistent.	Amend code so that all the garage wall standards for single-dwelling residential development are consistent. Fix complicated situations where the base zone standard is superseded by provisions in other chapters. They regulate the same thing but are different.	33.110.	Minor Policy Change	7.1	\$\$\$
6	377375	Daycare	Daycare uses are not currently allowed by right as part of public housing developments in Single and Multi-Dwelling zones, though such uses are often a (desired) component of such developments.	Consider allowing, with limits, daycare use by right (as a primary or accessory use) in Single and Multi-Dwelling zones if part of a public housing development (such as a HAP development). Daycare for up to 16 children operated by a certified family childcare provider is already an allowed use in single and multi-dwelling zones.	33.110.100	Minor Policy Change	2.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
7	88161	Commercial Parking on Institutional Lots	Several close-in areas and main streets are experiencing a large amount of infill development. Because the commercial lots in these areas are not very deep and because they often have good transit service, on-site parking is neither required nor provided. Since these new facilities still have customers that arrive by car, this can put a stress on the street parking demand in adjoining residential neighborhoods. At the same time, there are open parking areas that are part of schools, churches and other institutions that are not being utilized in these neighborhoods. However, commercial parking in residential areas is prohibited so there is no way to legally allow businesses to access these parking areas for customers or employee parking.	Consider allowing certain commercial parking activities in residential zones as a limited or conditional use. If done as a conditional use, it could be tied into the conditional use requirements of institutions such as schools or churches, and would allow underutilized parking areas to ease the crunch of parking in mixed use areas.	33.110.100	Minor Policy Change	3.3	\$\$
8	16784	Vacant lots and demolition of accessory structures	For the purpose of determining buildable skinny lots, questions have arisen as to what is vacant. Accessory structures such as decks and carports, if attached have prevented lot segregations.	Should review this section and see if there are situations where a lot can still be considered vacant if a deck or carport or similar attached non-living area projects into the lot, i.e. can the deck be demolished with the adjoining lot still being considered vacant for 5 years.	33.110.212	Clarification	3.7	\$\$
9	37030	Height and setbacks in single dwelling zones	The current zoning regulations governing height, building coverage and lot size in the single dwelling residential zones do not provide adequate protection of the character of existing neighborhoods, many of which may contain smaller older homes. These neighborhoods historically limited their larger homes to the larger lots in the neighborhood. The recent trend toward larger homes has resulted in oversized homes being placed on small existing infill lots.	The City of Portland should revisit the zoning code height and lot coverage requirements. The 30 foot height limit has been in place for many years but with the current trend of building large houses on small sites there is a conflict with the new building or remodel project interfacing with the existing fabric of our neighborhoods. Allowing 2250 sq. ft. of lot coverage for a 5000 sq. ft. site combined with building up to the 30 foot height limit creates a massive volume which towers over the adjacent houses.	33.110.215	Minor Policy Change	2.4	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
10	17526	Narrow lot development	The maximum height of 1.5 times width for narrow lots in R2.5 is too restrictive for attached houses, especially in areas transitioning from a higher density zone to a single dwelling zone. Request submitted by phone from Rod Merrick, Architect.	Eliminate the 1.5 maximum height limitation for attached houses and apply the 35' max in the R2.5 zone.	33.110.215	Minor Policy Change	3.7	\$\$\$
11	345940	Setbacks for eaves	Eaves (and other minor projections) are currently allowed to project into the setback 20%. In zones with a 5' side setback where the building is built to the setback line, this translates into a 1' eave. Larger eaves can provide aesthetic quality, protect doors and windows from harsh weather, protect foundation walls from moisture, and provide extra shading to the building.	Allow eaves to project 40% into the required building setback.	33.110.220	Minor Policy Change	3.3	\$\$
12	215249	Land Division Monitoring - Rear Yards	Table 110-3 requires a larger front yard than rear yard in residential zones. Rear yards are often the most appropriate space for an on-site storm water infiltration facility (soakage trench, swale, or drywell). These infiltration facilities require more than five feet of yard depth. Five feet is also not sufficient for a usable yard.	Consider larger rear setbacks, 15 feet or more, to encourage more useful outdoor space, better urban form, and adequate space for on-site stormwater management.	33.110.220	Minor Policy Change	3.8	\$\$
13	666020	Transitional Sites	Transitional sites allow for attached houses, but it is not clear if the setbacks should be the base zone setbacks or double setbacks for attached houses.	33.110.240.H.4 change to "regulations for attached houses in R2.5 zones apply."	33.110.240	Clarification	N/A	\$
14	572608	Attached Houses on Corner Lots	It is not clear whether an applicant can request an adjustment to the minimum lot size in order to divide a corner lot for attached houses.	Specify whether the minimum lot size for proposing attached houses on a corner lot is a qualifying situation or is adjustable.	33.110.240	Clarification	N/A	\$
15	303194	Development on Corner Lots	The corner lot provision within 33.110.240.E that allows duplexes and attached houses at an higher density on corner lots, requires that the building maintain the image of a single family house by orienting main entrances to each street frontage. However, the code is silent on driveways and garage entrances, which can often be a main feature of the house. When both garages and/or driveways face one street, it detracts from the goal to make the units appear as one from each street frontage.	Consider requiring garages and driveways for each unit of the corner duplex or attached house to face a separate street frontage to maintain the single dwelling character.	33.110.240	Minor Policy Change	1.8	\$

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16	572609	Attached Houses on Corner Lots	It is not clear if the new additional development standards for attached houses on corner lots are achieving a better result.	Look at the development approved using the new development standards and consider whether the standards are working or whether use of the alternative option should only be allowed for new development on both lots.	33.110.240	Minor Policy Change	2.3	\$\$
17	346294	Duplexes on Corner Lots in Southwest	From B. Cunningham meeting w/SWNI. The corner lot provision is not consistent with community character in Southwest, due to the corresponding amount of impervious surface and resulting limited room for trees/vegetation that are central to community character	Eliminate corner lot provision in Southwest and other areas like it.	33.110.240	Minor Policy Change	0.5	\$\$
18	144333	Flag Lots	The flag lot regulations require minimum setbacks from all property lines that range from 10 feet (in R7-R2.5 zones) to 15 feet (RF-R10 zones). These setbacks are five feet deeper than those required for side and rear setbacks for non flag lots in these zones. Meeting the deeper setbacks on flag lots is made more difficult by a minimum lot width and depth of only 40 feet, which is less than that required for non flag lots. BDS has been processing an increasing number of Adjustments to the flag lot setbacks, primarily along what would typically be considered side and rear lot lines.	Reconsider the intent of requiring minimum "side" and "rear" setbacks for flag lots that are double those required for adjacent, non flag lot properties. While the minimum width and depth dimensions for flag lots were significantly reduced as part of the Land Division Rewrite, the minimum setbacks were not.	33.110.240	Minor Policy Change	(0.8)	\$\$
19	31230	Zero Lot Line Development	When developing under the zero lot line alternative, the zoning code allows eaves to overhang the lot line (with an easement), and windows in walls within 3 feet of the lot line. The Building code does not allow this for fire and safety reasons.	The contradiction between the Zoning Code and Building Code should be resolved.	33.110.240	Minor Policy Change	(1.7)	\$\$
20	572617	Wall-mounted Mechanical Equipment	It is not clear if there are setback and screening requirements for wall-mounted mechanical equipment. For single-dwelling development, this may include radon filters which may or may not have noise associated with them. In commercial development, it may include many different types of equipment.	Specify if standards apply to wall-mounted mechanical equipment.	33.110.250	Clarification	N/A	\$

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21	96374	Cargo Containers	Industrial transport cargo containers are being used as storage structures in residential neighborhoods. They often detract from the appearance of the residential area.	Specify in the code that cargo containers are not allowed in residential zones. Placement of such a structure would then require an adjustment meeting the approval criteria.	33.110.250	Minor Policy Change	2.8	\$
22	433247	Accessory Structures Height	Detached accessory structures, including those with living area are allowed to reach the maximum height limit if they are located outside the rear setback. In the R2.5 zone, this can mean a structure up to 35 feet. As a result, they can be taller than the existing house. They also do not need to match the design of the house. This can create compatibility issues in the neighborhood, and privacy issues for adjoining neighbors.	Consider implementing standards that limit the maximum height of detached accessory structures, especially in the back yard, or at least limit them so that they match height & size limitation of an ADU and be lower than the primary structure.	33.110.250	Minor Policy Change	3.8	\$\$
23	405274	Accessory Structures Height	Detached accessory structures, including those with living area are allowed to reach the maximum height limit if they are located outside the rear setback. In the R2.5 zone, this can mean a structure up to 35 feet. As a result, they can be taller than the existing house. They also do not need to match the design of the house. This can create compatibility issues in the neighborhood, and privacy issues for adjoining neighbors.	Consider implementing standards that limit the maximum height of detached accessory structures, especially in the back yard, or at least limit them so that they must be lower than the primary structure.	33.110.250	Minor Policy Change	3.8	\$\$
24	269673	Accessory Structures Bulk & Height	Accessory structures can often be proposed as large as the existing house, and can also go up to 30 feet in height. Several residents of adjacent properties where larger pole barn facilities have been placed questioned whether this meets the intent of the code where accessory building should be accessory to the main house.	Consider reducing the 30' maximum height limit to 20' or stating that an accessory building cannot be taller than the existing house. May also want to re-consider current codes allowing an accessory building to be as large as existing house.	33.110.250	Minor Policy Change	3.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
25	17530	Garage limits for narrow lot development	The garage limitation wording for narrow lots is convoluted and provides opportunity for misunderstanding. 50% requirement and exception of E.4.c. (1) & (2) should be worded so that it is more obvious which apply	The wording "Generally" and "Exception" should be removed from 33.110.250.E.4.c.(1) & (2) because this section is not used as a typical standard and exception provision. Subparagraph E.4.a provides the direction on which standards to go to.	33.110.250	Clarification	4.3	\$\$
26	660643	Base Zone Design Standards	Clarify that the total length of garage wall facing the street cannot exceed 50 percent of the total length of facade for a duplex. The allowance for 50 percent of "each unit" does not apply for a side-by-side duplex.	Add a sentence to state that the 50 percent limit applies to the total length of garage wall and total length of street-facing wall for a duplex.	33.110.253	Clarification	N/A	\$
27	572606	Required Parking Space size	Detached garages are allowed within side and rear setbacks, but must be of a dimension to allow for parking a car (9 feet x 18 feet). Allow the structures to be smaller and in the setbacks if they are built to accommodate bicycles or motorcycles.	Provide minimum parking space dimensions for other types of vehicles and allow structures to park them within side and rear setbacks.	33.110.253	Minor Policy Change	6.0	\$\$
28	572604	Fences	Stock fence materials most readily available are four feet high.	Increase the height of fences in street setbacks from 3 1/2 feet to 4 feet. This should be changed in all base zones.	33.110.255	Minor Policy Change	4.8	\$
29	360069	Fences	The Zoning Code limits the maximum height of fences in front setbacks to 3.5 feet. The industry standard for many fence types is 4 feet. Also, the State requires a 4-foot-tall fence for day care sites. BDS has processed multiple Adjustments for 4 foot tall fences in front setbacks. While the 4 feet would reflect industry standards for some types of fences, fences over 3.5 feet in height in the front setback may reduce the visibility of properties from passing vehicles.	Consider whether it would be appropriate to increase the maximum allowed height of fences in front setbacks from 3.5 feet to 4 feet.	33.110.255	Minor Policy Change	4.8	\$
30	32371	Fences	Fences: Code enforcement is difficult on fence height regulations particularly in newly annexed areas of Multnomah County where formerly fences could be up to 4-feet in the front yard. Bureau of Buildings is currently using discretion when determining if a fence height is a public safety issue.	Reconsider fence height regulations, potentially allowing fences up to 4' in height in the front setback.	33.110.255	Minor Policy Change	4.8	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
31	33400	Multi-Dwelling Building Setbacks	The R2.5 - R7 single-dwelling residential zones allow a 3-foot side or rear setback along lot lines that abut alleys, street lot lines, and flag poles. Similar allowance for reduced setback should be available in the multi-dwelling zones.	Reduce required side and rear building setback, which is currently based upon plane of building wall. The setback requirement ranges from 5 to 14 feet. Reduce the requirement to 3 feet along lot line that abuts alley, street, or flag pole driveway.	33.120.	Minor Policy Change	3.6	\$\$
32	341645	Group Living in Institutional Multi-Dwelling Zones	In Table 120-1, Group Living is identified as an allowed use in the IR zone, with a Footnote 1. Footnote 1b states that in the IR zone Group Living is allowed only if it is a use identified in an Impact Mitigation Plan (IMP). In all other Multi-Dwelling zones, Group Living with 7-15 residents is allowed by right, and those having more than 15 requiring conditional use approval. It doesn't make sense that in the IR zone Group Living in all circumstances requires IMP approval.	Similar to what is allowed in all other Multi-Dwelling zones, consider allowing Group Living uses with 7-15 residents to be allowed by right in the IR zone, and for those with more than 15, allowed if approved through an IMP or as a Conditional Use.	33.120.100	Clarification	2.8	\$\$
33	579145	TDRs from Historic Landmarks	33.120.205.E.4.b allows density or FAR to be transferred from Historic Landmarks to sites within two miles of the Landmark. The intent was to provide an incentive to preserve the Landmark. However, some of the transfers are being made to sites in Historic Districts. The "receiving" sites then have a building that is often way out of scale with the surrounding district. These transfers provide an incentive to preserve one historic resource by degrading another. The possibility of the "receiving" site being a historic district was not considered during development of this code provision. (I worked on it, so I'm to blame.) Also note, that there is similar language in other base zones.	Require that "receiving" sites not be in Historic Districts, or limit the amount of FAR that can be transferred to a site in a Historic District to 1:1. The language should be changed in all affected base zones.	33.120.205	Minor Policy Change	2.5	\$\$
34	464943	Maximum Height in RH zones	Table 120-3 identifies maximum building height in the RH zone as "25/65/75/100'." The text in 33.120.215.B.2 could be made clearer how the 25' and 65' apply in this zone.	Suggest revising the language to read, "In the RH zone, where the FAR is 2 to 1, the maximum height is 65 feet, with a 25 foot height limit applying to the portion of the structure within 10 feet of a front property line."	33.120.215	Clarification	N/A	\$

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35	240066	Courtyard Housing Competition	Some of the Courtyard Housing Competition designs did not meet the requirement that the height of the building step down to 25 feet when within 10' of the front property line (buildings can go to 3' of front property line but are limited to a 25 foot height in the area between 3' and 10'). This regulations seems to be a remnant of steps to respond to the scale of single dwelling neighborhoods.	Consider eliminating the step down requirement for maximum height in the R1 zone. In areas where the R1 zone is on both sides of the street, or in situations where the buildings front a common green or shared court, the lower height may not be necessary.	33.120.215	Minor Policy Change	3.4	\$\$
36	40979	Multi Dwelling Height Bonuses	The bonus height provisions in Table 120-3 of Chapter 33.120 (City Code) is inconsistent with both the Goose Hollow plan and the Kings Hill Historic District. Application of the 1000 foot radius bonus provision, applied in the Kings Hill Historic District puts two City policies in conflict. The purpose of an Historic district is to preserve the historic value of the district and the purpose of the ht bonus is to encourage re-development. Applied to the same properties the two policies are incompatible.	Eliminate application of the bonus ht provision in an historic district by excepting historic resources from application of the bonus provision.	33.120.215	Minor Policy Change	(0.3)	\$\$
37	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	\$\$
38	34588	Setbacks in multi-dwelling zones	The purpose statement in 33.120.220, Setbacks states that one of the purposes of setbacks is to provide larger setbacks in the front yard. However, many of the zones actually allow a smaller setback in the front yard than they do in the side and rear.	Modify or eliminate the purpose statement related to front yards so that the purpose statement matches what is actually allowed in the zoning code	33.120.220	Minor Policy Change	1.0	\$
39	240060	Courtyard Housing Competition	Several Courtyard Housing submissions, including the first place winner contain 12 foot long driveways off of the shared court. This is currently not allowed, as driveways currently need to be at least 18 feet or less than 5 feet long. This provision is intended to prevent cars from parking and blocking sidewalks. This is not an issue when a shared street is proposed, because the entire street is also a pedestrian area.	Consider waiving the minimum/maximum driveway setbacks for projects that provide access off of a shared court.	33.120.220	Minor Policy Change	0.5	\$\$

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40	32379	Setbacks	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)	\$\$
41	352621	Main Entrance standards for Multi-dwelling Development	Currently there are standards that require main entrances face a street for houses, attached houses and duplexes in all zones, and for any commercial tenant space in a Commercial zone that is located adjacent to a Transit Street. It is not required for multi-dwelling developments. As a result, multi-dwelling developments often face all entrances to the interior of the site, or off to the side adjacent to a private vehicle area or side lot line; reducing interaction with the public street.	Consider incorporating a main entrance standard that requires at least one entrance to face the public street for multi-dwelling development in multi-dwelling and commercial zones.	33.120.231	Minor Policy Change	5.0	\$\$
42	240095	Courtyard Housing Competition	Many courtyard housing projects propose to have the garage be the dominating frontage orienting to the courtyard (i.e. shared street) tracts. This is contrary to the basic principles that emerged from the competition.	Consider adding regulations that require porches, balconies and /or living space to front onto the courtyard tracts.	33.120.232	Minor Policy Change	2.3	\$\$
43	235876	Courtyard Housing Competition	Many of the courtyard housing designs integrated their rooftops into overall landscaping and open spaces for the project. However, gardens on rooftops and/or eco-roofs would not qualify toward minimum landscaping requirements in the zoning code.	Allow or clarify that eco-roofs can qualify toward landscaping and outdoor area requirements.	33.120.235	Minor Policy Change	(0.5)	\$\$\$
44	386309	Recycling Areas	The Zoning Code includes a reference to Title 17 recycling area requirements in the Multi-Dwelling, Commercial, Employment and Industrial zones. There is no mention in the Single-Dwelling zones of a recycling area requirement for institutions, even though they are subject to the Title 17 recycling area requirements.	Include in the Single-Dwelling zones the Title 17 recycling area requirements for institutional uses. Also, correct the Title 17 reference in the Multi-Dwelling, C, E and I zones to 17.102.270.	33.120.260	Technical Correction	N/A	\$

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45	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	\$\$
46	273302	Amenity Bonuses	One of the amenity options to gain bonus density in section 33.120.265 is obtained by providing children's play areas. 33.120.265.C.2.b requires that play equipment be provided in the children's play area and that the play equipment be approved by the Parks Bureau. The Parks Bureau is unable to do this level of review for private projects. The requirement for Parks Bureau review also seems to indicate some level of responsibility and liability for the safety of the play equipment.	Remove the requirement in 33.120.265.C.2.b that the Parks Bureau approve play equipment that is provided to obtain the amenity density bonus for children's play areas.	33.120.265	Minor Policy Change	(1.0)	\$
47	635338	Amenity Bonus Provisions	Applicants using amenity bonuses for existing development do not achieve the desired intent of the regulations. Some of the amenity bonuses (outdoor recreation facilities) are tied to project valuation. It is not clear how to implement this provision when someone is adding units to an existing development. The cost of the project to add units is relatively low compared to what it would cost to build the whole project. In addition, if nonconforming upgrades are not triggered, it is not clear whether an applicant would meet all development standards or would need to ask for an adjustment.	Consider use of amenity bonuses only for new development, limit the bonuses that apply to alterations or state how they are to be applied to alterations.	33.120.265	Minor Policy Change	2.5	\$\$

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48	603168	Amenity Bonus with Existing Development	Some applicants choose to use the amenity bonus provisions to existing development. It is not clear how to ensure all of the development standards are met if the proposal does not trigger nonconforming upgrades and some of the bonus provisions refer to project cost. The project cost for an addition may be substantially less than it would be for new development.	Either allow amenity bonus provisions to be used only with new development or clarify whether the site needs to be brought into conformance with all development standards. Clarify whether the overall development cost includes the value of the existing development.	33.120.265	Minor Policy Change	1.8	\$\$
49	346730	Community Gardens	Update the Amenity Bonus' in Multi-dwelling Zones to include community gardens	Update the Amenity Bonus' in Multi-dwelling Zones to include community gardens and/or explore other zoning incentives for the provision of community gardens	33.120.265	Minor Policy Change	0.8	\$\$
50	215611	Amenity Bonuses	The amenity bonuses do not provide any incentive to build greener projects. Revisit (and update as necessary) the amenity bonuses (33.120.265) to encourage/facilitate more green building technologies.	Increase amenity bonus for solar hot water heating, and add other green building features to the bonus list. Also, review existing solar hot water heating standard and confirm it is up to date with current technology, and that it can easily be implemented the way it is written. (Tax incentives are generally not given out until the solar system is installed, but in order to receive the bonus this must be documented at the time of permit review.)	33.120.265	Minor Policy Change	3.1	\$\$
51	572607	Eaves on houses with reduced setbacks	Three foot setbacks are allowed for detached houses on new lots in multi-dwelling zones, but the code is silent on whether eaves are allowed to project into these setbacks.	Allow one foot eaves to project into the three foot side setbacks.	33.120.270	Minor Policy Change	2.3	\$
52	240096	Courtyard Housing Competition	Some of the courtyard housing competition designs included zero setbacks for a portion of the interior lot lines. This allowed for greater flexibility in house designs, but did not necessarily reduce privacy.	Modify the zero lot line provisions to provide more flexibility for private outdoor spaces between units. Ideas include requiring the double setbacks along only a portion of building walls or stipulating outdoor rooms of certain dimensions between units.	33.120.270	Minor Policy Change	2.1	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
53	34614	Attached Duplexes	Although attached duplexes are allowed in multi-dwelling zones through the alternative development options, it is not clear whether attached duplexes fall under base zone design standards or not. They are defined as a residential structure type under 33.910 but not for BZDs	Need to decide whether attached duplexes should be subject to base zone design standards (bzds) similar to houses and duplexes or whether they fall under multi-dwelling development.	33.120.270	Clarification	3.4	\$\$
54	441490	Fences	In Multi-Dwelling zones, the height of a fence measured from a front lot line is limited to 3 1/2" in a required street building setback. The R3 and R2 have only a "front" building setback, not a "street" building setback so it is not clear what the allowed height of the fence is within the front building setback of the R3 and R2 zones. If the standard was intended to apply to a street or front building setback, it should be made clear that it is the minimum (not maximum) street or building setback.	Clarify that the fence height applies to the minimum street or building setback.	33.120.285	Clarification	N/A	\$
55	587796	Industrial Uses in Commercial Zones	Table 130-1 includes variations of L, L/CU and CU for industrial uses, all of which refer to footnote 5. It is unclear how the footnote should be read for each circumstance. If CU is listed, is the use a CU regardless of size? Does the 10,000 square foot limit come into play? The mention of Utility Scale Energy Production specifically further complicates the footnote by making it seem that this use is a conditional use and others are allowed under 10,000 square feet. This was not the intent.	Break out the footnotes as in 33.140.100.B with clear language applying to what is allowed as a limited use and which requirements apply to conditions uses.	33.130.100	Clarification	4.0	\$\$
56	671999	Minimum C zone setbacks	The code requires a minimum setback based on the height of a building wall and five feet of L3 landscaping when a commercial zone abuts a residential zone. Commercial zones can be developed with single dwelling development and the setback and screening are out of character and excessive.	Allow a five foot setback with no screening required when commercially zoned property adjacent to residential zones is being developed with single dwelling development.	33.130.215	Minor Policy	3.0	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
57	260066	Commercial Zones Residential Buffer	Recent changes to the zoning code moved all of the footnotes from Table 130-3 into the body of the code. This has created some misinterpretations by applicants reading the code. Specifically, the L3 buffer requirement along R-zones is in the same subsection as the projection allowances for decks, etc. It was not the intent to allow these projections into the L3 landscaping strip	Clarify the L3 landscaping requirement to state that projections are not allowed into the buffer, with the exception of a building wall abutting the lot line.	33.130.215	Clarification	N/A	\$
58	33096	Maximum Transit Street Setbacks	Service stations and auto repair uses cannot meet the maximum transit street setback standards, and generally are not the type of uses that foster a pedestrian environment. They often need adjustments when being built or expanded. Well placed landscaping often does a better job at creating a pedestrian amenity in this case.	Provide an exception to the Transit Street Setback standards for these type of vehicle related uses (TBA - Tire, Battery, Auto Svc), since their location doesn't help the pedestrian environment by being close to the street.	33.130.215	Minor Policy Change	5.6	\$\$
59	32651	Commercial Zones	Ground Floor Windows and minimum standards for display windows. The Code needs to be clearer about the minimum standards for display windows when used to meet the ground floor window requirement. This causes problems for certain kinds of retail and perhaps a wall decoration or art work would be better in some cases by right.	Clarify what minimum standards are needed for display windows used to meet the ground floor window requirements	33.130.230	Minor Policy Change	1.7	\$
60	79707	Mechanical Equipment Screening	The screening requirements do not deal with mechanical equipment on the side of buildings and are not included in the nonconforming upgrade list of items. At least 2 recent changes to buildings in multifamily zones included massive mechanical equipment - on the side of a religious building and on the roof of a nonconforming commercial building - do not include screening. These are large, unsightly and noisy and are very visible from the adjoining sidewalks. 33.110.245 C.5; 33.120.250.C; 33.130.235.C; 33.140.235.C; 33.258.D	Require screening for mechanical equipment, regardless of location. Add mechanical screening to nonconforming use upgrades.	33.130.235	Minor Policy Change	1.0	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
61	352548	Pedestrian Standards in Commercial and Employment Zones	In Commercial Zones, and in EG1 and EX the area between a building and a street is required to be landscaped for use by pedestrians, or landscaped to the L1 standard. However, except for the EG1 zone, all zones do not have a minimum building setback. Is the intent to force a minimum building setback to accommodate L1 landscaping or useful hardscaping? If so, how deep should it be? In addition, this provision is not listed in the Pedestrian Standards for Multi-dwelling zones; therefore was the intent not to have it apply for residential development? Finally, do the trees use to meet the L1 landscaping so close to the street property line interfere with street trees?	Re-consider applicability of landscape or hardscape standards between the building and the street to situations where a building setback of a minimum depth (5') is voluntarily provided. Consider exempting these provisions for 100% residential development.	33.130.240	Minor Policy Change	0.0	\$\$
62	346738	Exterior display of goods	Currently exterior display of goods other than plans and produce are not allowed in CN, CO, CM, CS, and CX zones. Therefore, small market goods similar to public markets are not allowed in that zone except under the temporary activities chapter 33.298, which precludes permanent public markets in these zones.	Consider allowing exterior display of goods other than plants and produce in one or more of the commercial zones where it is currently not allowed.	33.130.245	Minor Policy Change	4.0	\$\$
63	672000	Detached garages in commercial zones	Commercially-zoned property can be developed with single dwelling development. There is no exception for detached garages to be within required setbacks when they are proposed adjacent to residential zones.	Include the exception for detached garages to be within setbacks with the other single dwelling residential development standards in commercial zones.	33.130.250	Minor Policy	3.0	\$
64	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-foot 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	\$\$

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65	132754	Accessory Home Occupations	Right now enforcement of 33.203.050.D is limited to private property. Home Occupations, like any use activity, are difficult to verify and enforce. Development, like the number of vehicles, is much easier to verify and enforce. For example, an ice cream vendor operates out of their house. The ice cream vendor parks 4 ice cream vans with signage on the street. We know that employees come to the site and drive those vans, except it is very difficult to prove. If 33.203.050.D applied in the ROW then the violation would be much easier to verify and enforce. The activity in the ROW is accessory to the land use violation on private property, we need the ability to connect these two realms. We have applied 33.203.050.D to the ROW in the past, but we don't believe this action will be upheld by the HO and the case will be thrown out.	Amend Code so that home occ. regs. relating to number of vehicles, 33.203.050.D, applies to the ROW as well as private property. Amend 33.10.030.B to add another exception so that 33.203.050.D of Title 33 applies in the public ROW. Or as an alternative, state that any vehicle associated with the Home Occupation must be parked on site.	33.203.	Minor Policy Change	(0.5)	\$
66	511839	Family Daycare term	33.920.430.D Description of the Use Category, Daycare, uses the term "family daycare" to describe daycare uses permitted by ORS 657A.440 (which are not considered Daycare uses in the zoning code). However, the ORS language uses the term "family child care home". For consistency, change the term "family daycare" read "family child care home". The same terminology is used for Accessory Home Occupations, in 33.203.020.D	Revise terminology to be consistent with ORS language, "family child care home", where appropriate.	33.203.020	Consistency Change	N/A	\$
67	307578	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	\$\$
68	603162	Detached ADU definition	The Zoning Code definition of "Attached Structure" allows an attachment by breezeway. It seems the allowance for an attached ADU (subject to 18 foot height limit) should be more substantial.	Require ADUs to be connected with living area in order to be considered attached and not subject to 18 foot height limit.	33.205.030	Minor Policy Change	3.8	\$

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69	220217	Conversion of detached structures to ADUs	Detached Accessory Structures are allowed to up to the same maximum height (30') as the maximum height for a house, if setbacks are met. However, the maximum height for detached Accessory Dwelling Units (ADUs) is 18 feet. Some landowners build a large accessory structure by right, and come in soon after to ask for adjustments to height and exterior materials to convert it to an ADU. When the structure is already built, it makes it harder to deny the adjustment request. This can create a type of loophole in the review process for the ADU. In addition, many neighborhood people feel that tall, detached accessory buildings reduce privacy for their back yard.	This issue should be researched to see if a 30 foot height limit is too high for detached accessory buildings. Possible solutions would be to lower overall height limits for detached accessory buildings, which would be neighbor's preference, or to increase height allowance for detached accessory dwelling units (ADUs).	33.205.030	Minor Policy Change	2.8	\$\$
70	661417	Short-term and vacation rentals	Many cities, including Portland have experience a large increase in the number of houses, and rooms in houses, that are rented out on a short-term basis informally through internet sites such VRBO and AirBnB. The residences are generally located within residential zones. The city's current Bed & Breakfast regulations require a conditional use process and many limiting conditions, so most of these rentals are illegal from a regulatory standpoint. These operations also do not pay any type of business tax, which means the city is missing out on a revenue source that other lodging options conform with.	Consider revisions to the Bed & Breakfast and/or Home Occupation codes that may allow more flexibility for renting out rooms on a short term basis, while ensuring that neighborhood impacts are still minimized, and lodging taxes are collected.	33.212.	Minor Policy Change	4.8	\$\$
71	441327	Bed and Breakfast	Regulations of 33.212.020 and .040 require that the individual or family that operates a bed and breakfast must reside in the house. BDS is seeing proposals where detached ADUs are used as part of the B&B, and in some cases, the individual/family that operates the B&B wants to reside in the ADU. Internal discussions in BDS concluded there is little to no difference whether the B&B operator resides in the house or the ADU.	Amend Section 33.212.020 and .040 to require the operator of a B&B to reside on-site. This allows the flexibility for the operator to live in the house or an ADU on the site.	33.212.020	Minor Policy Change	1.0	\$

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72	116188	Bed and Breakfast Facilities	I moved into a brand new home last February in NE Portland. I have friends occasionally stay in my guest suite with private bath on the main floor. Two of these individuals live in Seattle and travel to Portland regularly on business and have proposed paying me to stay in the room on a regular, recurring basis as opposed to staying in a hotel. (Less expensive and they prefer the home environment.) If I accept money for such a circumstance, am I required to get a permit for a "Bed and Breakfast"? Looking into this I have learned that I could get a conditional use permit, however the hangup is that my home is new construction and there is a rule that states that to be a Bed and Breakfast the home must be 5 years old. I don't understand why the home needs to be five years old (that would hardly constitute as "historic"). My home, although new, fits in with the character of the neighborhood. In fact, my home is considered one of the nicest homes on the block.	I propose that the rule stating that a home must be 5 years old be waivable (adjustable). I did not build my new home with the intention of operating a bed and breakfast, however I would like the opportunity to allow for the situation described in my problem statement. I do not see how this would in any way be a detriment to my neighborhood.	33.212.040	Minor Policy Change	(3.0)	\$\$
73	666028	Community Design Standards	The Community Design Standards are focused on development that looks like N/NE neighborhoods and should be more flexible to other areas. They do not work well with exterior alterations in C/EX zones. Some of the buffering requirements seem at cross-purpose with exterior finish requirements. Some of the CDSs are more permissive than the base zones.	Update Community Design Standards to work better citywide, clarify requirements for alterations in C/EX zones and make consistent with base zones.	33.218.	Minor Policy	8.0	\$\$
74	220206	Community Design Standards and Antennas	The Community Design Standards were written prior to the proliferation of Radio Frequency (RF) facilities, including monopoles, building and other structure mounted facilities. There is only a more general standard that covers all roof mounted equipment, but it doesn't apply to facilities mounted directly to the sides of buildings, etc. As a result, in certain design areas and conservation districts, monopoles and many building mounted facilities can go up without any additional oversight to the design of the installation	Consider creating Community Design Standards that are specific to regulating the installation of Radio Frequency (RF) facilities, both as monopoles and as building mounted facilities.	33.218.	Minor Policy Change	2.2	\$\$

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75	352578	Community Design Standards	The Community Design Standards are applied city-wide in the "d" overlay zone, and they are tailored to a particular aesthetic of inner east Portland neighborhoods and, for traditional and/or craftsman architecture. They are not context sensitive. In addition, they are organized by zone, not by building type, though several types of uses (and therefore building types) are allowed within some zones. The applicability of the standards is not development specific. Finally, they are very prescriptive, and do not offer any flexibility.	Consider revising the Community Design Standards to a) be organized by building or development type instead of zone, b) be context sensitive and have different standards for different geographic areas of the city OR provide options of different context-sensitive standards for the applicant to use at their discretion, and c) within the standards themselves, offer a menu of options to choose from to comply with the standard.	33.2.18.	Minor Policy Change	7.0	\$\$\$
76	31247	Community Design Standards	When the Community Design Standards were first implemented, there were few other design regulations for residential buildings (especially single family residences) in the base zones. Since then, the base zone design standards and land division design standards have been implemented. These standards have made some of the community design standards, duplicative, obsolete or sometimes conflicting. An example is with the regulation of attached garages.	Eliminate duplication of base zone design standards within the community design standards.	33.2.18.	Minor Policy Change	5.0	\$\$\$
77	433755	Community Design Standards and Adjustments	There have been instances where an applicant will choose to pursue an adjustment to a base zone standard in order to meet the community design standards in d overlay zones and in conservation districts. When community design standards cannot be met, the intended alternate mechanism is design review or historic design review. By pursuing an adjustment (which does not require that the entire development proposal be looked at holistically, just the impacted area), the higher design intent is circumvented. The most common example of this is a side setback adjustment to accommodate the required dimensions of a front porch, especially on lots 25' wide.	Prohibit adjustments to other, non-community design standards in order to meet the community design standards.	33.2.18.015	Minor Policy Change	3.8	\$\$

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78	660645	Community Design Standards	Code seems to discourage slider windows by stating that window need to be vertical or square, but does not explicitly state that sliders are not allowed. This leads to arguments about whether a horizontal slider window is one window or two and might encourage a band of individual lutes above a slider.	Explicitly state that horizontal slider windows cannot be used to meet the Community Design Standards.	33.218.100	Minor Policy Change	4.3	\$
79	33358	Community Design Stds.	The standard requires stairs (other than those leading to a main entrance) to be at least 40 feet from all streets. This seems impracticable for single dwelling zones, especially on corner lots. It seems more appropriate for multi-dwelling structures. Also, what does 40 feet from "all streets" mean? The edge of right of way? The edge of street paving?	Code change to make this only apply to multi-dwelling structures, and clarify that it is measured from the street lot line.	33.218.100	Minor Policy Change	3.0	\$
80	64344	Front Setbacks in e-zones	The Environmental development standards (33.430.140.N) generally state the maximum front setback is the same as the minimum setback required by the base zone. For sites in the Southwest Community Plan area and in conservation districts, the setback for primary buildings is based on the setbacks of primary buildings on the lots that abut each side of the site. The primary structure may be no closer to the front lot line than the adjacent primary structure that is closest to the front lot line, and no farther from the front lot line than the adjacent primary structure that is farthest from the front lot line; in no case may the structure be set back from the front lot line more than 25 feet. These standards create conflict where the base zone requires a minimum setback of 10 feet or less, but existing structures on adjacent lots are in excess of 10 feet from the front lot line. Because the E-zone development standards are in the 400s and the Comm. Design Standards are in the 200s, BDS/LUS will apply the e-zone front setback standard in such situations, with no Design Review required.	The Code should clarify how the regulations should apply in such situations.	33.218.100	Clarification	1.6	\$\$

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81	32691	Community Design Standards & flag lots	Community Design Standards, Flag Lots: Flag lots are already exempt from many of the base zone design standards and conformance with the Community Design standards, required through 33.405 often adds confusion.	Due to the limited visibility of flag lots from the street, development on flag lots should be exempt from the Community Design Standards.	33.218.100	Minor Policy Change	2.7	\$\$
82	32661	Community Design Standards	Community Design Standards: Requirements for specific exterior siding versus existing siding on building can conflict. In some cases, a type of siding that is consistent with the existing architectural style of the building is not allowed, and requires design review (e.g. shakes on an old English style). The requirement is also not always consistent with architectural or historical heritage of the area.	Reconsider the exterior siding requirements. Consider applying instead the same siding requirements included in 33.218.130.B and C, et al., which specifically exclude some exterior materials, but otherwise allow exterior materials that visually match the appearance of existing exterior materials.	33.218.100	Minor Policy Change	3.4	\$\$
83	251955	Community Design Standards	For exterior alterations of residential structures and for detached accessory structures in Single-Dwelling, R3, R2 and R1 zones, the Community Design Standards require shiplap or clapboard siding to have a reveal of 3 to 6 inches. This seems overly prescriptive. Applicants proposing a reveal that visually matches that of siding on existing structures on the site, but which doesn't meet the 3 to 6 inch standard, must go through Design Review.	Reevaluate the requirement that shiplap or clapboard siding have a reveal of 3 to 6 inches. The emphasis when using such siding should be that it visually matches the appearance (and placement) of such siding on existing structures on the site.	33.218.120	Minor Policy Change	3.3	\$\$
84	635341	Community Design Standards cross-reference	Residential projects in C and EX zones can use design standards for multidwelling zones, but the references in the multidwelling zones do not apply to C and EX zones.	Consider having projects in C or EX zones meet the standards for RX or RH projects. See 33.218.110.C and D -- it would not apply to any C or EX project and the height limits would be higher.	33.218.140	Clarification	N/A	\$

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85	572612	Convenience Stores	The regulations should clarify when the requirements must be met - for new convenience stores and for new operators of existing convenience stores. There is inconsistent use of the terms "applicant" and "operator" through the chapter. Clarify who is responsible to attend the neighborhood meeting. Provide for better neighborhood notice for convenience stores. Notification of property owners is only required when the neighborhood association responds to the request for a meeting and decides to hold a meeting.	Clarify that the chapter applies to new convenience stores and new operators, require the operator to attend the neighborhood meeting and require notification of surrounding property owners even if the neighborhood association does not request a meeting. Make the neighborhood contact requirements more consistent with other neighborhood contact requirements - certificates of mailing, etc.	33.219.025	Clarification	3.6	\$\$
86	31481	Vending Carts	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	\$\$
87	603171	Elderly & Disabled Housing	The Code references the Disability Project Coordinator and this position no longer exists.	Either reference a position that exists or be less explicit about how the design standards are reviewed.	33.229.050	Clarification	N/A	\$
88	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)	\$\$
89	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	\$\$

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90	105326	Landscaping	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	\$\$
91	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)	\$\$
92	229101	Nonconforming Situations	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	\$
93	341682	Nonconforming Situations	Figures 258-1 and 258-2 effectively illustrate to what extent a nonconforming situation may be expanded to other lots within an ownership. However, the Code language that goes with these figures is not clear. If reading the Code language, it would appear that lots on which the nonconforming situation may be expanded are the same regardless of the zone, but the figures make clear that's not the case.	The Code language should be revised to describe what is illustrated in the figures.	33.258.050	Clarification	N/A	\$

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94	252005	Nonconforming Uses	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 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.	Evaluate in a broader policy context how we regulate nonconforming uses and their impacts.	33.258.050	Minor Policy Change	4.3	\$\$\$
95	426944	Energy efficiency and renewable energy improvements and Non-conforming Upgrades	33.258.070.D.2 is intended to exempt the money spent toward certain projects that meet the Public Purpose Administrator (Energy Trust) incentive criteria from counting toward the value of alterations from which the dollar value of required non-conforming upgrades are derived. However, it is not clear whether only the criteria must be met, or whether the project has to receive the incentive. The intention of the original provision as adopted by RICAP 5 was that only the criteria must be met--it is irrelevant whether the project actually receives the incentive.	In 33.258.070.D.2.a(6), more explicitly state that energy efficiency or renewable energy improvements that meet the Public Purpose Administrator incentive criteria are exempt from the project value for purposes of triggering Non-conforming Upgrades, and that the project does not have to actually receive the incentive to qualify for this exemption	33.258.070	Clarification	N/A	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
96	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 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 non-conforming 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	\$
97	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	\$\$
98	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	\$\$\$
99	112975	Off-site Impacts and Glare	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
100	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	\$\$
101	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	\$
102	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	\$\$
103	377363	Required Parking	For institutional uses that are subject to Conditional Use review, the parking requirements for the use are determined as part of the review. This is recognized in parking ratio requirement (in Table 266-2) by including the phrase "or per CU review or Impact Mitigation Plan approval." However, there are still several institutional uses in the table that do not include this phrase. For these uses, it requires an Adjustment in addition to the Conditional Use when the proposed parking does meet the parking ratio identified in the table.	For all institutional uses in Table 266-2, include the phrase "or per CU or Impact Mitigation Plan approval." This allows the determination of what is an appropriate minimum and maximum amount of parking to be determined by PBOT on a case by case basis as part of the CU or IMP review.	33.266.110	Consistency Change	N/A	\$

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104	32424	Parking Requirements	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	\$\$
105	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	\$
106	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	\$\$
107	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
108	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	\$\$
109	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	\$\$

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110	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	\$\$
111	33089	Parking Regs	Front yard paving for duplexes in multi-dwelling zones - Why is the exemption only for ONE 9-foot driveway? It should be for two 9-foot driveways since there are two dwelling units.	Change the code to say they get two 9-foot wide driveways by right.	33.266.120	Minor Policy Change	4.3	\$\$
112	603195	Interior Parking Lot Landscaping configuration	Option 2 for interior parking lot landscaping patterns states that landscaping abutting a parking area that is not parallel to required perimeter landscaping can count as interior, but Figure-266-6 shows the landscaping between the parking area and a building.	Modify Figure 266-6 to show that the abutting landscaped area may be between the parking area and a building or may be to the interior of the site (not near a building).	33.266.130	Clarification	N/A	\$
113	341660	Parking	Section 33.266.130 states that structures containing vehicle areas where there is no forward ingress and egress from the street are subject to a garage entrance setback of 18'. Section 33.120.220.E.2 states that for structured parking where there is no forward ingress and egress from the street is subject to the garage entrance setback standards in Table 120-3. For the R1, RH, and RX zones, Table 120-3 states the garage entrance setback is 5' or less or 18' or more. There appears to be a conflict in the language between Chapters 33.120 and 33.266 about what the garage entrance setback should be in these situations.	Clarify whether in the R1, RH and RX zones the minimum garage entrance setback for structures where there is no forward ingress and egress from the street is 18', or 5' or less or 18 feet or greater.	33.266.130	Consistency Change	N/A	\$

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114	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	\$\$
115	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	\$\$
116	276385	Parking and Loading	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	\$\$

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117	240076	Courtyard Housing Competition	The infill design project created an option to allow fence screening instead of the 5' landscape buffer for driveways and parking areas. This option was limited to small infill projects providing 5 or fewer parking spaces. Many of the courtyard designs proposed 6 to 12 units, so the option is not available to these types of projects.	Consider expanding the allowance for a fence to be used instead of the 5 foot landscape strip, so it could apply to a larger number of infill projects that are still small in scope.	33.266.130	Minor Policy Change	1.8	\$\$
118	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	\$\$
119	17641	Vehicle Areas	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	\$\$
120	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	\$\$\$
121	207770	Short Term Bicycle Parking	Currently, light rail stations and transit centers are not required to have short term bicycle parking (i.e. bike racks).	Consider requiring some amount of short term bicycle parking at light rail stations and transit centers.	33.266.220	Minor Policy Change	0.0	\$

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122	666027	RF Facilities <i>(note item is similar to work plan item)</i>	The Zoning Code contains outdated regulations that go beyond what the City is allowed to regulate by federal requirements.	Remove technical regulations from RF chapter to make consistent with federal requirements. Clarify visual impact regulations.	33.274.	Minor Policy	6.5	\$\$
123	32953	Radio Frequency Transmission Facilities	The Radio Frequency Transmission Facility Chapter does not address new technology such as WiFi 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 WiFi 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	\$\$\$
124	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	\$\$\$
125	108182	Radio Frequency Transmission Facilities	Section 33.274.030-A exempts changes to certain previously approved RF facilities from conditional use review and the regulations of Chapter 33.274 if, in part, the changes "do not create a significant change in visual impact." This is a discretionary criterion, not an objective standard.	This discretionary criterion should be modified into an objective standard.	33.274.030	Minor Policy Change	1.5	\$\$
126	207092	Radio Transmission Facilities	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	\$

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127	150871	RF Facilities	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)	\$\$
128	99599	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	\$
129	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 antennas. 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 antennas, 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	\$\$

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130	75031	Radio Frequency Transmission Facilities	Radio frequency transmission (RF) facilities operating at 1,000 watts ERP or less proposed to be located on an existing building or other nonbroadcast 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 nonbroadcast 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	\$
131	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	\$\$
132	262353	Permit Ready Houses	When using the Permit Ready Housing provisions of Chapter 33.278, adjustments or modifications to any development standard is prohibited. Not allowing adjustments/modifications further limits opportunities to use the Permit Ready house plans.	Consider allowing adjustments and modifications to development standards that are site-related, such as setbacks, and that do not change the physical configuration of the permit ready house itself (such as height, footprint, etc). The original intent of prohibiting adjustments or modifications was to prevent applicants from changing the physical features of the house itself.	33.278.300	Minor Policy Change	(2.0)	\$
133	671976	Recreational Fields for Organized Sports	The recent amendments for Recreational Fields for Organized Sports allowed 210 lineal feet of seating to be installed without having to go through a conditional use review. This was intended to allow small bleachers to be located next to play fields. However, because of the 1,500 square foot limitation on exterior improvement area, it is not always possible to install the 210 lineal feet without triggering a CU review.	The intent was to allow the 210 lineal feet of seating without restrictions. Section 33.279.030.A.4 should be amended to exempt from the 1,500 sq. ft. threshold the 210 lineal feet of seating allowed by 33.279.030.A.7.	33.279.030	Minor Policy	2.0	\$

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134	31253	Special Street Setbacks	These setbacks have not been reviewed for a long time. The Pedestrian Design Guide achieves many of the goals of the special setbacks. In addition, the special setback can conflict with the maximum transit street setback requirement.	PDOT should lead a review to see if they are needed any more, and include comments from ODOT.	33.288.	Minor Policy Change	1.6	\$\$
135	666034	Temporary Uses	The City is either ignoring transitional uses that are not allowed by the Zoning Code or using City Council Ordinances to waive zoning regulations. Consider changes to the temporary activities chapter to better handle these situations. Examples: vending cart pods, vacation rentals, shooting movies or TV shows, warming centers, Cirque du Soleil, homeless camps, storing a house to avoid demolition, the next big thing.	Consider changes to the temporary activities chapter to make the code better able to handle temporary and transitional uses.	33.296.	Minor Policy	8.8	\$\$
136	229012	Temporary Activities	Temporary activities and structures needed to address natural disasters or other health and safety emergencies are allowed for the duration of the emergency in all zones. However, with the exception of the OS zones, the time between these temporary activities must be four times as long as the duration of the last temporary activity. This limitation is not practical when applied to temporary activities and structures needed to address unforeseen natural disasters or other health and safety emergencies.	Consider exempting temporary activities and structures needed to address natural disasters or other health and safety emergencies from the requirement limiting the frequency and timing between these temporary activities.	33.296.030	Minor Policy Change	2.8	\$
137	33094	Temporary activities in the IR and R zones	The Temporary Activities chapter limits large events in the IR and R zones to nine days. The Apostolic Faith Church holds a two-week annual convention and needs to provide temporary RV parking on the site for 2-3 weeks to accommodate church members who travel to their camp site (SE 52nd and Duke). The existing nine days is not adequate.	Amend Section 33.296.030.A.4. a. to allow fairs, carnivals and other major public gatherings in the RF through RH zones at a site with an existing institutional use to occur twice a calendar year with each event not exceeding nine consecutive days or one event that does not exceed 18 continuous days.	33.296.030	Minor Policy Change	(0.3)	\$

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138	660924	Production Filming as Temporary Use	Portland has seen an increased number of movie productions and TV series that use on-location sites as part of their filming. These activities are coordinated with PDC and other bureaus such as PBOT, Parks and Police when necessary. There have been issues raised by the neighborhood about these activities. The activity, which usually occurs over 2-3 days is not listed as a temporary activity in 33.296.	Consider a regulation under the Temporary Activities Chapter to address on-location filming that occurs over a period of a few days.	33.296.030	Minor Policy Change	5.0	\$\$
139	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	\$\$
140	108172	Temporary Activities	The temporary activities chapter needs to be revisited to clarify what activities are allowed and their duration. Particularly in the OS zones, there is little guidance about how to determine whether something is temporary or not. Recent examples that have come up include Saturday Market locating in an OS zone, film-production ("on-location") in residential zones, and temporary parking for construction workers.	Revisit the temporary activity regulations so that they are more responsive in regulating the host of "temporary activities that are proposed.	33.296.030	Minor Policy Change	4.4	\$\$
141	34594	'a' overlay provisions	Section 33.405.050 allows a bonus density in some zones if someone is willing to go through a Type III Design Review. This requires a hearing with the Design Commission. The hearing is a major disincentive to use this section and it is never invoked.	Consider allowing a less intense review for small projects that may seek a bonus density, similar to how land divisions are reviewed (i.e a proposal with under 10 units would only need a type II Design Review)	33.405.050	Minor Policy Change	3.6	\$\$
142	34744	Flag lots	Applicants have been able to use the flag lot provision in the 'a' overlay for R2.5 and R2 to create duplexes on the flag lot. The code currently states that 'attached and detached' dwellings are allowed, while the rest of our code distinguished development between houses, attached houses and duplexes.	Clarify this section to either state that only attached or detached HOUSES are allowed or change it to allow duplexes if that is the intent.	33.405.070	Minor Policy Change	(0.3)	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
143	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	\$\$\$
144	267396	Buffer Overlay	The Buffer overlay establishes a minimum setback, with landscaping generally required in the setback. Structures, exterior storage and exterior display are prohibited in the setback area. However, sites where all the floor area is in residential use are exempt from the landscape standard of the Buffer overlay. It is not clear whether on sites developed for residential use that a fence (a type of structure) is allowed in the setback area.	Clarify whether fences are a type of structure allowed in the setback area on sites where all the floor area is in residential use. Given that the setback landscaping is not required on such sites, it would seem that it would be okay to have a fence within the setback.	33.410.040	Clarification	N/A	\$
145	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; or 2) 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	\$
146	397127	Buffer Overlay	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	\$\$
147	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
148	32396	Design Review and alterations	Design Review: Most major projects need to undertake some minor modifications to the original design during construction. This often triggers a new design review, which creates significant delays, often during a critical time in construction. Certain minor alterations should be able to be approved without a full review.	Allow minor modifications to plans already approved through design review to go through a Type I or less procedure, so that the applicant does not have to go through a full review. This should be allowed for modifications up to a certain percent of the overall project cost.	33.420.	Minor Policy Change	6.0	\$\$
149	31224	Design Review in EXd	The EX designation was intended to be an "industrial" zone that allows greater flexibility, and is now a mixed-use zone where Design Review is required. For remaining industrial uses, the d overlay creates situations where a minor alteration, such as a loading dock, requires Design Review.	Consider allowing minor alterations changes in the EXd zone to occur without the need for Design Review. Potential Outcomes 1. Decreases cost, time and complexity of reviews for minor projects.	33.420.	Minor Policy Change	1.6	\$\$\$
150	352574	Community Design Standards	In the Central City and Gateway Plan Districts where the "d" overlay is mapped, all exterior alterations must go through discretionary design review; Community Design Standards are not allowed to be used. For small alterations like vents/door window-replacement with different materials/roof-top mechanical equipment and other minor alterations, this can be a lengthy and expensive process prior to building permit issuance	Consider allowing the use of Community Design Standards for smaller alterations in the Central City and Gateway Plan Districts. At the same time, add/refine Community Design Standards that pertain to these types of alterations. For example, if vents are allowed to use Standards, add a Standard that addresses vents.	33.420.025	Minor Policy Change	1.5	\$\$
151	33497	Design Review	Standard public street improvements are exempt from DZ, but private streets and standard stormwater facilities are not.	Consider creating a similar exemption from Design Review for standard private street or stormwater improvements.	33.420.041	Minor Policy Change	4.3	\$\$

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152	481956	Parks and Open Areas Design Review Exemption for Non-Conditional Uses	In "d" overlays, new development and alterations to existing development require design review. "Development" includes all structures in and on the ground, including swimming pools, tennis courts, etc. Some Parks and Open Areas uses and associated development are allowed by right depending on the zone, and others require a conditional use review. In the design overlay zone, the code currently exempts development associated with Parks and Open Areas that did not also require a conditional use review from design review (33.420.045.1.)	On behalf of constituent: Discontinue design review exemption for development associated with Parks and Open Areas uses that do not require a conditional use review. Require design review for all development and alterations to new development for Parks and Open Areas uses (in design overlay zones) regardless if they are a conditional use or not. Alternately, increase the threshold for types of alterations that trigger conditional use review in chapter 33.8.15.	33.420.045	Minor Policy Change	(0.8)	\$\$
153	377805	Design Review	Mechanical equipment added to the roof of an existing building is exempt from design review and historic design review if the building is at least 45 feet tall (and other specified requirements are met). Rooftop mechanical equipment placed behind the parapet of an existing building less than 45 feet tall requires design review/historic review, even when the equipment is not visible.	Consider exempting from design review/historic review rooftop mechanical equipment placed behind the parapet of an existing building less than 45 feet tall if the equipment is not visible. Potentially, this would apply in lower density areas where views of the equipment from surrounding taller structures is not an issue.	33.420.045	Minor Policy Change	4.0	\$\$
154	32606	Design Review exemptions	Design Review: Changes to existing structures that are required by building code. Consider exempting from design review changes to existing structures that are required by building code, with potentially a limit on the maximum value of such changes. An example is an existing exterior stairway to a building in a nonresidential zone that must be rebuilt per Building Code to include a landing. The project has a cost less than \$10,000, but ends up triggering a design review.	Expand the list of exemptions to design review to include exterior alterations required by building code.	33.420.045	Minor Policy Change	1.6	\$\$
155	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	\$\$\$

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156	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 updated 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	\$\$\$\$
157	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	\$\$\$
158	169023	Environmental Zone Exemptions	There is an MOU between the City and Multnomah County Drainage District (MCDD). It was supposed to be "retired" when the Environmental Code Improvement Project was completed to MCDD's satisfaction. Staff worked with MCDD to craft the exemption language to capture the work MCDD needs to do within the slough channel. Recently, MCDD staff have discovered that the language in the zoning code does not provide the exemption they need. However, only a minor tweak is necessary to correct the exemption language.	33.430.080.C.6.c. allows an exemption for reconfiguring the cross section of a drainage channel below the ordinary high water mark. MCDD reconfigures the drainage channel both above and below the OHW mark, so the reference to OHW should be eliminated.	33.430.080	Clarification	N/A	\$

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159	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: Exemptions 33.430.080D. 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	\$\$
160	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 require 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	\$\$

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161	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	\$\$
162	225273	Environmental zone development standards for land divisions	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 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.	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 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.	33.430.160	Minor Policy Change	3.1	\$\$
163	245811	Environmental Overlays	When large woody debris must be anchored to the bank, or when several logs are assembled together to form a "log jam", as part of a bank restoration project, which is the desired method, it is considered both "construction activity" and a "structure." Environmental zone standards for resource enhancement projects 33.430.170 A and E, preclude construction activity in water bodies and structures, respectively, without environmental review.	The resource enhancement standards should be revised to allow installation and anchoring of large woody debris projects in Portland's water bodies. Amend the resource enhancement project standards in Section 33.430.170. A and E to also allow as structures the anchoring and assembly of large woody debris.	33.430.170	Clarification	N/A	\$

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164	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	\$\$
165	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)	\$\$
166	305565	Environmental Overlay Zone	33.430.140 states that modification of any of the standards requires approval through environmental review described in sections 33.430.210-280. The use of the word "modification" is confusing because there is an approval criterion for Modifications Which Will Better Meet Environmental Review Requirements (33.430.280). However, this criterion is intended to modify site-related development standards (such as those in the base zones or other chapters) and not intended to be used for development standards of the environmental chapter.	Clarify that 33.430.280 is for modification of site-related development standards of other chapters and is not intended to be used for any environmental zone development standards.	33.430.280	Clarification	N/A	\$

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167	225277	Environmental 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	\$
168	215298	Existing Lots in f overlay	The 'r' 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 'r' 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 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.	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)	\$\$
169	34735	Relocating a Historic Resource	Relocating a building requires the same process as the demolition of a building (i.e a demo permit is required for the site where the building is being removed). If plans for that site are not on file, the moving of the building is subject to the same demolition delay procedures as a demo. This is especially frustrating for someone wishing to move a historic resource, because they may also be subject to demolition review or demolition delay review.	Provide a mechanism to simplify the code and process for someone wishing to move a historic resource from one site to another.	33.445.	Minor Policy Change	2.1	\$\$\$

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170	420657	Alterations allowed through Structural Minor Label program and Historic Design Review	In a Code Hearings Officer Appeal of case 07-156014 CC, the HO affirmed noted that alterations allowed through the State's structural minor label program are not the same as a building permit and are not included as part of the first clause of the exemption that is repeated for the four different types of historic resources, "Changes that do not require a building, site, zoning, or sign permit from the City, and that will not alter the exterior material or color of a resource having exterior materials or color specifically listed in the Historic resource Inventory, Historic Landmark nomination, or National Register nomination as an attribute that contributes to the resource's historic value." The intent of this exemption is to ensure that alterations that either require a permit or, if they don't require a permit but alter an attribute listed on the nomination, are subject to Historic Design Review. Prior city interpretation is that the structural minor label program is a sub-set of a building permit; but the HO ruled it is not. The HO also noted that the structural minor label program is administered by the State, not the City.	Change the language of the exemption repeated for Historic Landmarks, Conservation Landmarks, Historic Districts and Conservation Districts to read: "...do not require a building, site, zoning, or sign permit from the City or a structural minor label from the State, and that will not alter...." Alternately, the exemption could be broken down into sub-paragraphs since there are several qualifiers for each clause.	33.445.320	Technical Correction	N/A	\$
171	33057	Signs in Historic Districts	The current sign code requires Historic Design Review for all signs in Historic Districts regardless of size. Many of these signs are for small businesses. This review adds time and cost to the permitting process. These small signs are routinely approved. In non- historic design zones signs less than 32 sq ft are exempt from design review.	Provide an exemption from Historic Design Review for signs not larger than 8 sq ft in Historic Districts. This will still meet the intent of the design guidelines without putting an undue burden on small businesses. The exemption should only apply to non-illuminated wall & projecting sign and should not apply to any historic properties or landmarks. The district where this would have the largest impact would be the Alphabet Historic District in northwest.	33.445.320	Minor Policy Change	5.0	\$\$

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172	300690	Community Design Standards	In Design overlay zones, the maximum limits on the use of Community Design Standards don't apply to development where any of the floor area is in residential use. For historic resources, residential development that is a Conservation Landmark or in a Conservation District may use the Community Design Standards, but the limits on when they may be used apply. Based on a memo from the City Attorney, it is BDS' understanding that the limits were not intended to apply to residential development designated as a Conservation Landmark or in a Conservation District	Clarify whether the limits on the use of the Community Design Standards were intended to apply to residential development that is a Conservation Landmark or in a Conservation District. Confirm whether the limits on the use of the Standards were intended to apply to historic landmarks and in historic districts, and not to conservation landmarks and in conservation districts.	33.445.700	Clarification	N/A	\$
173	31552	Transit Streets	Existing CG zoning and transit street designation along parts of Sandy may no longer be relevant. Metro has assigned a main street designation on Sandy as far east as 82nd and in the Parkrose area.	Revisit current zoning and transit street designation of part or all of Sandy Boulevard, Create incentives for property owners to "upzone" from General Commercial to Commercial Storefront along Sandy.	33.460.	Minor Policy Change	2.4	\$\$
174	661845	Main Entrance Requirements	A recent LUBA case could not make the interpretation that the Division Street overlay main entrance requirements are intended to apply to the non-residential portion of a mixed use project. Although the code doesn't apply for residential only situations, it is not clear to which types of uses it should apply in mixed use developments. Similar main entrance provisions are included in the base zones and plan districts	Clarify how the transit street and main street main entrances apply to the different uses of mixed use development. (Note item was addressed in New Apartments and Parking Project.)	33.460.310	Clarification	N/A	\$
175	433636	Main Street Corridor Overlay	The retail floor area regulations along Division Street in the m overlay do not make it clear that there are limitations on the amount of retail in zones where retail is an allowed use. The regulation has been read by the public as a special allowance for retail regardless of zone.	Clarify that the regulation for retail is limited to zones where retail is an allowed use.	33.460.310	Clarification	N/A	\$

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176	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)	\$\$
177	276702	View Corridor from Rose Garden to Mt. Hood	The view corridors and the building heights that protect the corridors may need to be reviewed or fine-tuned to preserve their utility.	Review view corridors and building heights to ensure their continued relevancy	33.480.040	Minor Policy Change	(1.0)	\$\$
178	482132	Plan Districts and Overlay Zones with Design Overlay Zone	Some plan districts (see Marquam Hill, Hollywood as examples), and overlay zones (see "m" overlay) have the requirement for design review as a standard within the plan district or overlay chapter. However, the requirement for design review is expressed through a "d" overlay zone. This can be confusing because thresholds and exemptions for design review are located both in the plan district or overlay zone, and in the design overlay zone chapters. It appears to be redundant information.	For plan districts or other overlay zones that also have the "d" overlay, re-examine the need for design review information to be contained in the plan district or overlay zone in addition to in the "d" Design overlay zone. Be consistent with where design review requirements are expressed (within the PD or Overlay, or just 33.420) among all plan districts and overlays that also have the "d" overlay zone.	33.500.	Consistency Change	5.0	\$\$
179	660662	Albina Plan District Parking	Reference pre-dates other parking provisions and makes plan district more restrictive when it is meant to be more permissive.	Clarify that parking minimum reductions are allowed in addition to other minimum parking exceptions.	33.505.220	Minor Policy Change	2.3	\$\$

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180	410764	Retail Sales and Service in EG2 Zone in Columbia South Shore Plan District	33.515.120 allows Retail use in the EG2 up to 25,000 sq ft by right. (IG2 zones can have by right 4 retail uses up to 3,000 sq ft, or a single retail use up to 12,000 sq ft). 33.515.130.D then states retail uses in excess of that identified in 33.515.120 are allowed through a CU, but asking for retail uses in excess of 20,000 sq ft is prohibited. If 515.120 already allows retail up to 25,000 in the EG2 zone, it doesn't make sense that 515.130 would say a CU is allowed to increase that amount specifically in the EG2 zone, but in no case allowing more than 20,000 sq ft. The 20,000 sq ft limit in 515.130 was intended to apply only to retail in the IG2 zones, with no limit on the amount of retail allowed through a CU for retail in the EG2 zone. This would be more consistent with the retail limit concept in the base zone (which allows a CU for unlimited retail in the EG2 zone, with a 20,000 sq ft cap on retail in the IG2 zone). Also, the original language in the CSSPD allowed unlimited retail in the EG2 zone if approved through a CU. During RICAP 4, the Proposed Draft originally had the "prohibited above 20,000 sq ft" language under 33.515.120.C which was specific to the IG2 zone. However, since this limit was the threshold between the CU and being prohibited, it was subsequently moved down to 33.515.130.D in the CU section for the Recommended Draft. However it was overlooked that this section applied to both EG2 and IG2 zones. The intent was that the maximum only apply to the IG2 zones. EG2 zones do not have a maximum limit through a CU, other than having to meet approval criteria.	The simplest fix could be to just put "In the IG2 zones, the total area of all . . ."Possibly a more clear approach would be to create a paragraph for EG2 and one for IG2.	33.515.130	Technical Correction	N/A	\$
181	391542	Columbia South Shore Plan District	It is not clear whether heavy trucks may be parked/stored within the 150' setback from NE Airport Way (Columbia South Shore Plan District). It seems the intent of the standard is to preclude work activities, and the storage of equipment and materials within this setback, but there is no mention of how heavy trucks are regulated.	Clarify whether the parking/storage of heavy trucks is allowed within the minimum required 150' Airport Way setback area in the Columbia South Shore Plan District.	33.515.205	Clarification	N/A	\$

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182	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	\$\$
183	33496	Columbia South Shore	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 re-vegetation of transition areas in Columbia South Shore.	33.515.278	Minor Policy Change	4.7	\$
184	352504	Gateway Plan District Pedestrian Standards	These standards apply to development on any site abutting an Enhanced Pedestrian Street. Either landscaping or hardscaping is required between the building or exterior improvement and the street, but no minimum depth of this landscaping or hardscaping with amenities is required. However, in most zones mapped on these streets, 0' front setback is required, or in some cases 3' for R1 zoned properties. It is unclear whether these standards do not apply when the buildings are built with no (or little) setback, and if so, how deep should it be to realistically accommodate L1 landscaping or hardscaped amenities. Also, for Residential development, the standards imply dense, Northwest district-type multi-dwelling development, but minimum densities in R1 can generate less dense development that would not fit this pattern	Consider modifying the applicability of this standard to a) Commercial or Mixed-Use development and b) to development where a setback of at least 5' is provided.	33.526.260	Minor Policy Change	(1.3)	\$\$

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185	352538	Gateway Plan District Enhanced Pedestrian Street Standards	All new development or significant additions of floor area on Enhanced Pedestrian Streets in Gateway are required to meet required building line standards and ground floor active use standards that specify minimum height, depth and window area for tenant spaces that are appropriate for ground floor commercial development. However, some areas are zoned R1, which does not allow commercial uses. In addition, residential uses are also allowed in the Commercial zones. Where 100% residential uses are desired, the standards require that commercial-type tenant spaces be incorporated onto the ground floor--thereby requiring the development to be mixed-use.	Consider not applying these standards in the R1 zone. Also explore whether these standards are intended for development in 100% residential uses or just mixed-use.	33.526.280	Minor Policy Change	1.5	\$\$
186	31136	Healy Heights Radio Frequency Advisory Board / Healy Heights Plan District	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)	\$\$\$
187	660660	Johnson Creek Density Transfer	Language in density transfer section can be read to say these are the only provisions for density transfers in the plan district. Clarify whether density transfers in multidwelling base zone provisions are also available.	Clarify that these provisions allow for transfers in single dwelling zones and are in addition to multidwelling base zone transfer allowances.	33.537.110	Clarification	N/A	\$

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188	121069	NW Hills Plan District	In 2003, changes were made to the NW Hills plan district that expanded the wet season limitations on soil disturbance from properties only in e-zones to all properties within the Forest Park and Balch Creek subdistricts. These changes were intended to bring the Zoning Code (Title 33) into conformance with Title 10 (Erosion and Sediment Control Regulations) wet season limitations. Site Development staff now believes that the Title 10 wet season limitation was in error, and intended to apply only in environmental zones.	The intent of the wet season limitations, both in Title 10 and Title 33, needs to be clarified and the necessary Code changes made.	33.563.100	Clarification	2.6	\$\$
189	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-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.	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	\$\$
190	416794	Development on Lot Remnants in the Linnton Hillside Subarea	RICAP 5 created a new definition for "Lot Remnants" and developed policy for when Lot Remnants can be developed (if they were created before 7/26/79 and meet the minimum lot size for new lots in the zone and are 36' wide). However, this new definition and policy did not get translated to the Linnton Hillside sub-area since it is the only plan district in the code that has more specific rules for development of existing properties.	Create policy for if and when Lot Remnants can be developed in the Linnton Hillside subarea.	33.563.220	Consistency Change	N/A	\$

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191	416793	Lot Width in Linnton Hillside Subarea	The method for measuring lot width in the Linnton Hillside Subarea of the Forest Park Subdistrict of the Northwest Hills Plan District is not consistent with the rest of the city. The entire city used to measure lot width at the front setback line. As part of RICAP 4, the method for measuring was changed and no longer referred to the front setback. All references to front setback were removed as part of RICAP 4, except for the Linnton sub-area, which is the only plan district that has separate more specific rules for development on existing properties. The reference to measuring at front setback line was inadvertently left in the code.	Remove the reference to measuring at the front setback line when discussing minimum lot widths in the Linnton Hillside Subarea.	33.563.220	Consistency Change	N/A	\$
192	33713	Tree Removal in Rocky Butte Plan District	Rocky Butte Plan District contains tree removal exemptions that are more strict than those contained in environmental zones (i.e. trees can only be removed w/in 5' of building footprint rather than w/in 10') However, 33.570.040.B states that tree removal in an environmental overlay zone is subject to environmental review instead of tree review. Since the environmental chapter has different standards, this creates an inconsistency, especially since the removal of the tree wouldn't necessarily cause an environmental review.	The inconsistency between the Rocky Butte standards and the Environmental Overlay standards should be cleaned up. One possibility is to change 33.570.040.B to say that the tree removal in environmental zones are subject to the environmental regulations of Chapter 33.430, rather than saying subject to Environmental Review.	33.570.040	Minor Policy Change	1.9	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
193	309727	ADU Flag Lots	<p>Although ADUs provide a great way to inconspicuously add density to existing single-family neighborhoods while simultaneously addressing the need for small, affordable homes, few ADUs have actually been built. A major obstacle to getting broader market acceptance for this model lies in their financing. Simply put, the cost of building an ADU is typically higher than the value the ADU adds to the property on which it is constructed. By allowing ADUs to be located on their own 'mini-flag' lots, they could be financed independently, allowing more to be built.</p>	<p>Allow property owners to create separate tax lots for ADUs. These could be called ADU Flag Lots and would offer separate tax ID numbers for the (primary) single family home and its detached or horizontally attached ADU. Owners would be required to follow all existing rules and regulations applicable to siting and design of ADUs, so the physical form and location of ADUs would remain unchanged from current code. In this way, people could obtain independent financing to develop ADUs. How to do it: One possibility would be to create a new type of lot called an ADU Flag Lot , specifically designed for this situation. Just as it's not physically possible to add an ADU to any single family lot because of spatial constraints, it probably wouldn't be possible to come up with a set of ADU Flag Lot dimensional criteria that would make it possible to create an ADU Flag Lot for every ADU that can be built. But if it worked in most cases, this would still be an enormous improvement over the current situation. Lender acceptance: There's every reason to believe that lenders will (ETC) accept ADUs on their own lots as security interest for mortgage financing. These lots would be functionally equivalent to traditional flag lots, only smaller. In one project, Sabin Green, buyers of individual ADUs were able to obtain mortgage financing after ownership of the ADUs were</p>	33.610.	Minor Policy Change	(2.3)	\$\$

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				<p>legally separated from their associated primary dwellings by setting them up as condominiums. Although this condominium strategy could certainly be replicated, it is significantly more expensive, complicated, and time-intensive than would be a simple 2-unit subdivision. Regulatory protection: There are a few ways in which ADUs are legally intertwined with the associated primary dwelling that might need to be preserved through a subdivision process. One example is the limitation on number of residents in the ADU + primary dwelling to a single household, as defined by statute. Another example is the potential sharing of water service between the two lots, and accompanying responsibility for bill paying. These and any other linking regulations could be memorialized in a deed restriction that gets recorded against both properties as a precondition to creating an ADU Flag Lot. Similar restrictions were included in the condominium documents at Sabin Green, and this did not seem to scare off any lenders.</p>				

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194	33430	Land constraints to Minimum Density	There are sites, proposed for land divisions that are currently zoned for a single-dwelling density that cannot be achieved due to natural constraints and lack of services. The most common problem is related to minimum density and stormwater disposal. Adjustments to minimum density are prohibited. The applicants should not be forced to request Comprehensive Plan Map and Zoning Map Amendment Reviews (fee \$23,255) to "downzone" the property.	Consider the following solutions: (1) remove prohibition of Adjustment to the minimum density standard or (2) create Land Division exception to minimum density standard based upon carrying capacity of land and services.	33.610.100	Minor Policy Change	7.6	\$\$
195	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	\$\$
196	215266	Land Division Monitoring - Alleys	In several situations, the Zoning Code requires that lots that abut an alley must have access from the alley. This can be a problem when the alley is unimproved and the applicant is then required to make the improvements, especially if the lot is mid-block and fences or other structures have been built in the alley right-of-way.	Study ways to help finance these alley improvements.	33.610.200	Minor Policy Change	1.3	\$\$
197	33424	Maximum Lot Size	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	\$\$
198	33033	Lot Dimensions	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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199	17236	Alley access requirements	In several places (33.610.200.D.2, 33.218.100.F.1, 33.218.110.H.1) the Zoning Code requires that lots which about an alley must have access from the alley. This can be a problem when the alley is undeveloped and the applicant is then required to make the improvements, especially if the lot is mid-block and/or fences or other structures have been built in the alley ROW.	Consider eliminating the alley access requirements, or provide alternatives when vehicle access from the alley is not physically feasible.	33.610.200	Minor Policy Change	3.9	\$\$\$
200	481973	Land Division Approval Criteria in Potential Landslide Hazard Areas	33.632.100 states, in part, "Locate the lots, buildings, services and utilities on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street from the site, is reasonably limited."The first clause states that the lots, buildings, services and utilities must be located on the safest part of the site, but the more specific, later clause says that must be done in a way that risk is reasonably limited. It's possible to not be located on the safest part of the site but still meet the approval criteria in that the risk as described is reasonably limited.	Clarify the intent and resolve the ambiguous, potentially conflicting language.	33.632.100	Clarification	N/A	\$
201	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	\$\$
202	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	\$\$

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203	31138	Seeps and Springs	The new Land Division Code Rewrite regulations regarding seeps and springs are more restrictive than current environmental zone regulations. The environmental zones should continue to protect environmental resources the city deems significant.	Reexamine regulations regarding seeps and springs. Potential Outcomes ¹ . Ensures that the new seeps and springs language will not result in situations where protections are stricter outside environmental zones that within such zones.	33.640.	Minor Policy Change	3.1	\$\$
204	52156	Streams Boundary	Setting the boundary of tract for a stream, via a Land Division Review, is difficult when there is not a well defined stream/ drainageway (shallow. with no defined top-of-bank).	Amend Section 33.640.200.A.1 to allow applicants the option of either defining the edge of the stream by using the top-of-bank definition or through a wetland delineation, prepared by an environmental scientist.	33.640.200	Minor Policy Change	3.6	\$\$
205	215251	Land Division Monitoring - Transportation Impacts	The transportation approval criterion that calls for "safety for all modes" is unclear. Does this mean that almost any development that increases traffic cannot be approved in SW Portland? (Development = traffic = less safety for pedestrians in areas w/o sidewalks.)	Clarify or provide more specific guidelines for how projects can meet the criteria in this section.	33.641.020	Minor Policy Change	3.9	\$\$
206	240092	Courtyard Housing Competition	The City does not have a clear policy to allow alternative paving products such as grasscrete and other grass-grid products as private street or alley surfacing.	Allow these surfaces to be used for private streets (including shared courts) and alleys.	33.654.	Minor Policy Change	2.6	\$\$
207	91698	Common Greens and Private Tracts	Common greens and other privately-owned pedestrian tracts are not allowed to provide connections between public streets, discouraging pedestrian connectivity.	Allow common greens and other privately-owned pedestrian tracts to be through connections between streets, when these connections are not needed to meet pedestrian connectivity requirements.	33.654.120	Minor Policy Change	1.1	\$
208	26128	Common Greens	An applicant is proposing use of common green (non-vehicle, private street) in R5 zone to create multiple corner lots. Corner lots may be built with duplexes with extra unit not counting towards density maximum. Was the common green provision envisioned to be used in this manner?	Restrict the creation of common greens when they are used to create corner lots and the common green street frontage is not needed for vehicle or utility access.	33.654.120	Minor Policy Change	3.8	\$

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209	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 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.	33.654.120	Minor Policy Change	2.0	\$\$
210	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 "news").	Allow some number of lots to have only alley frontage ("accessory lots").	33.654.120	Minor Policy Change	3.0	\$\$

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211	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	\$\$\$
212	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)	\$\$
213	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	\$\$
214	33362	Landslide Hazard Area	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	\$\$\$
215	666036	Parking Requirements	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	6.0	\$\$

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216	33007	Replat	We need a process for replatting and vacating lot lines. None is specified in the code, and there are no approval criteria. This comes up a lot with street vacations, and the need to replat lots and vacate lot lines so there are no landlocked lots remaining after a street vacation.	Create a new process for replatting existing lots that is between a Property Line Adjustment and a Land Division in its complexity.	33.675.	Minor Policy Change	4.3	\$\$
217	299821	Implementing the Code	Section 33.700.005 states that a building permit is required for all new development, and to changes to existing development. This is an overstatement as there are a variety of changes that can be made (landscaping, fences, small sheds, etc) that do not require a building permit.	Modify the language to read that changes to existing development "may" require a building permit depending on the size type of change proposed.	33.700.005	Clarification	N/A	\$
218	666016	Neighborhood Contact timing	It is not clear whether the date of initial contact is meant to be when the letter was sent or when it was received.	Change "date of initial contact" to "date the initial letter was sent". This is confirmed by certificate of mailing.	33.700.020	Technical Change	N/A	\$
219	666035	Neighborhood Contact	The neighborhood contact requirements are encouraged and used more often to give neighborhood associations a chance to have a voice in a development proposal, but there are no requirements that a developer makes any changes based on the feedback.	The intent of neighborhood contact requirements should be clarified to limit false expectations.	33.700.020	Minor Policy	6.5	\$\$
220	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	\$\$
221	666012	Regulations in Effect at Application	Clean up preamble in 33.700.080 and change wording for complete application so it is clear the application does not need to be determined to be fully approvable to be considered complete.	Change preamble to: "This section applies when zoning map changes or zoning code amendments become effective after the date an application has been submitted, but prior to a decision being made on the application. Change "that" to "whether" in 33.700.080.A.2 last sentence.	33.700.080	Clarification	N/A	\$

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222	33371	Conditions of Approval	Staff has used this section to sunset conditions of approval applied to a site prior to 1981 in all 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.	If the intent of this section is to sunset all conditions applied prior to 1981 (except for land divisions and PDs), regardless of any change in zoning regulations, then the intro paragraph should be rewritten to delete references to change in zoning regulations.	33.700.110	Clarification	0.3	\$\$
223	572610	Status of Revocable Permits	The language for the status of revocable permits without expiration dates uses the term "ownership" instead of "owner". Because ownership refers to a site rather than an entity, it has created confusion about the status of the permit rights when the owner of a site changes but the site itself does not change.	Clarify the language to use the term "owner" if that is what is meant.	33.700.120	Clarification	N/A	\$
224	572611	Status of Revocable Permits	Revocable permit rights are very problematic, particularly where they granted additional dwelling units or rights for commercial uses in commercial buildings in residential zones.	Transfer some or all revocable permit rights to nonconforming situation rights to allow for some flexibility and a review process for changes.	33.700.120	Minor Policy Change	3.5	\$\$
225	446809	Historic Landmarks Commission and Design Commission membership	Both Historic Landmarks Commission and Design Commission have 7 commission members, though the code refers to 8.	Change references to Historic Landmarks Commission and Design Commission to specify that there are 7 members for each commission	33.710.050	Technical Correction	N/A	\$
226	57254	Adjustment Appeals Process	Appeals to Type II Adjustments are heard before the Adjustment Committee. The legislative intent for forming the Adjustment Committee in 1991 was based on work load concerns, which have never materialized. Many efficiencies could be gained by having the Hearings Officer hear these appeals.	Consider changing the hearings body for appeals to Adjustments from the Adjustment Committee to the Hearings Officer.	33.710.070	Minor Policy Change	5.8	\$\$\$

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227	34590	Review Processes	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 1 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	\$\$\$
228	660698	Land Use Review Comment Periods	Procedure descriptions for Type I, IX, II and IIX state the length of time from notice to decision, but do not specify the length of the comment period.	State the length of comment period.	33.730.015	Clarification	N/A	\$
229	273286	Type IIX Appeals	Type IIX appeals require the hearings officer to make a decision with 14 days of the record closing (33.730.025 I. 6 a.). All other decision/recommendations made by the Hearings Office must be made with 17 days of the record closing (See 33.730.020 I. 6 a. & 33.730.030 E. 3 a.) The Hearings Office has been unable to determine why there is a difference in the length of the decision making period.	Change the time allowed for the Hearings Officer to make a decision on a Type IIX appeal from 14 days to 17days. This would make the decision period for a Type IIX the same as it is for all other decision/recommendations made by the Hearings Officer	33.730.025	Consistency Change	N/A	\$
230	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)	\$\$
231	32360	Administration Procedure	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	\$\$

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232	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	\$\$\$
233	657383	Notice of Type III Decision	Up until 1995, the zoning code had a standard set of items that were required to be a part of a Notice of Decision (pending appeal). A code project separated out the information by Land Use Types, but there was no information provided for the Notice of a Type III decision (pending appeal). There is also inconsistency in who receives notices in an earlier section.	Amend the section in 33.730, Quasi Judicial Procedures to include the checklist of what should be included in the Type III notice of decision. Also, ensure in the procedure sections that notice of proposals and decisions are sent to both owners and applicants	33.730.070	Technical Correction	N/A	\$
234	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)	\$\$
235	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	\$
236	32698	Comprehensive Plan Map Amendments	Comprehensive Plan Map Amendments: The code indicates that net loss of potential housing units is based on the maximum density allowed by the zoning designation, but is not clear when the zoning and Comprehensive Plan do not match.	Clarify whether the legislative intent in calculating the net loss of potential housing units was to base it on the current zoning or on the Comprehensive Plan Map designation.	33.810.050	Minor Policy Change	5.4	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
237	25131	Housing Pool	Housing Pool issues: The review criteria used to subtract units from the housing pool is difficult to meet in all but the most extreme cases. See criteria 33.810.060.C.	Eliminate or alter the limitation on who may use housing pool units.	33.810.060	Minor Policy Change	5.9	\$\$
238	25129	Housing Pool	Adding viable housing units to the housing pool has been difficult due to the covenant requirement for adding units to the pool located in 33.810.060.B.1. In addition, it is difficult to use approval criteria 33.810.050.A.2.b.(7) because of this same covenant requirement. Residential units, once constructed tend to remain a residential use with or without the covenant. Although the inventory has tripled over the years, the increase could have been much higher if the covenant requirement was not in place.	Eliminate requirement for the covenant in 33.810.060.B.1, and in 33.810.050.A.2.b.(7) so that units can more easily be added to the pool. This item should be done in conjunction with RIR 25131 so that addition and subtraction from the pool is an easier process.	33.810.060	Minor Policy Change	5.9	\$\$
239	267421	Conditional Use Review	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 individual landmark, this criterion is addressed through the concurrent Design or Historic Design Review process.	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)	\$
240	385450	Transportation 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	\$\$
241	660658	Conditional Uses	The code says a CU is required for a change of use in the same use category for sites with existing conditional uses. This is often misread to mean it is only triggered for a change between the broad categories (residential to institutional). It is not necessarily clear that a CU can be triggered for the same use -- one church to another church -- when none of the other triggers are hit (change to number of people, change to floor area, change to parking).	Change wording to make clear what is meant by "use within the same category" and clarify when a CU is triggered for the change.	33.815.040	Minor Policy Change	5.1	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
242	341567	Conditional Use Review	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	\$\$
243	341562	Conditional Use Review	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	\$\$
244	17639	Conditional Use Reviews	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	\$\$
245	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 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.	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 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.)	33.815.105	Minor Policy Change	5.9	\$\$

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246	262363	Design Review	Apart from projects that are in the Central City and close-in neighborhoods, all other projects in Design zones are processed through a Type II review, regardless of the project's size or dollar value. This results in reviewing large projects under a limited 28-day time, which is not practical for either City staff or neighborhood associations who want to meet, and discuss the proposal, and get comments back to BDS.	Consider processing design reviews outside of the Central City and close-in neighborhoods as a Type Ix when over a certain dollar value. The Type Ix would increase the public review period from 21 days to 30 days, and the time in which the decision is due from 28 days to 42 days (from date of complete application).	33.825.025	Minor Policy Change	4.5	\$\$
247	341528	Historic Design Review	Section 33.846.060.F.1 is intended to state that the Central City Fundamental Design Guidelines (and criteria in 33.846.060.G) are to be used when a historic resource is in a subdistrict of the Central City Plan District that does not have its own design guidelines. However, the first "not" in the sentence makes the regulation read if the historic resource is in a subdistrict that has its own design guidelines, the Central City Fundamental Design Guidelines (and criteria in 33.846.060.G) are used.	Delete reference to the first "not" in the sentence so that it reads, "Where there are no guidelines that are specific to the Historic District and the site is in a subdistrict of the Central City plan district that does not have subdistrict design guidelines, the approval criteria are the Central City Fundamental Design Guidelines and the criteria in Section 33.846.060.G;"	33.846.060	Technical Correction	N/A	\$
248	411291	Irvington Historic District (Pending) 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 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.	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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249	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	\$\$
250	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	\$\$
251	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
252	13593	IR Zoned Property for Non-Institutional Uses	When IR-zoned property used by an institution is sold to a non-institutional use, the property remains zoned IR. The IR zoning is not conducive to other uses.	We should include an option so that a sale of a property zoned IR to a non institutional buyer who could not use or did not want the IR zoning could revert to previous zoning without going through a Type III zone change and Comp Plan amendment.	33.855.030	Minor Policy Change	3.7	\$\$\$
253	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	\$\$\$
254	32507	Zone Map Errors	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)	\$\$\$
255	434527	Organize Energy-Related Definitions	The number of definitions that relate to energy are growing and it is therefore more time consuming and confusing to flip to several different pages of energy related definitions when necessary for cross-reference	Consolidate all energy-related definitions under one "Energy-Related" heading, similar to Historic Resource related definitions, Transportation related definitions, etc.	33.910.	Technical Correction	N/A	\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
256	100322	Definition of Household	The term "household" is defined in 33.910 as, "One or more persons related by blood, marriage, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit. It is unclear from the existing definition how households that include domestic partners are treated. Due to Measure 36, the City is prohibited from recognizing same-gender marriages. However, the City of Portland recognizes domestic partners, and has a Domestic Partnership Registry which it administers along with Multnomah County.	Amend the definition of "household" to read (new language in caps), "Household. One or more persons related by blood, marriage, legal adoption, DOMESTIC PARTNERSHIP, or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit."	33.910.	Minor Policy Change	3.1	\$
257	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 care (per FHA) provided when multiple caregivers are coming to and from the site, that are atypical of other Household Living Uses	Explore additional parking requirements for Residential Homes. Explore amending nuisance and noise codes to address increased garbage and night-time 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)	\$\$
258	211547	Definitions	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 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.	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, parking lots, walkways, sidewalks and landscape areas adjacent to the building."	33.910.030	Minor Policy Change	1.0	\$\$

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259	67035	Legal Lot of Record	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 established. If it was combined with another piece of land since 1979, it is not clear whether it could be re-separated.	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	\$\$
260	60133	Covered Parking and FAR	Covered parking in conjunctions with residential projects counts towards overall floor area ratio (FAR). This can create a disincentive to projects with structured parking because it takes away from potential living area. It also penalizes small infill sites. Please look at reducing the FAR contribution of covered parking in RH and RX zones	allow covered parking to not count towards FAR in RH and RX zones or, as in the Northwest District Plan, only count 50%	33.910.030	Minor Policy Change	3.6	\$\$
261	32370	Building Wall Measurements	Measurements: Building wall height determines the side setback from an R-zoned lot in a C [& E] zone. This relates to Tables 130-4 and 140-5. The Code does not tell us how to measure building wall height.	Define "building wall height".	33.910.030	Clarification	2.3	\$\$
262	17642	Floor Area Definition	The definition of floor area is pretty specific to mean only the square footage above ground. However there are circumstances in the code where "floor area" is used several different ways. As part of FAR (floor area ratio), it limits the amount of floor area that may be built above ground. In other places, it means the total square footage in a building, including both above and below ground (e.g., parking ratios).	Locate where the term is throughout the code and clarify its intended use. Consider a solution similar to that in the Central City Plan District where "floor area" refers to the square footage above ground, "gross building area" refers to all the square footage in a building (above and below ground), and "net building area" to refer to gross building area minus parking.	33.910.030	Clarification	6.0	\$\$

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263	61816	Housing Types	The Code applies different standards to similar structures (attached houses and attached-house-like apartments and condo townhomes; and two-unit attached housing projects and duplexes). The distinction is based solely on the form of ownership. This issue is most apparent with the following standards: Front facade windows, Front facade garage limitations, Street access from front yard vs. rear access, Number of curb cuts allowed by PDOT, Front yard paving, Front entrance locations, Landscaping	We need to modify the definitions and housing type descriptions so that these similar housing types are reviewed under the same standards. This might involve a new term, or a re-chunking of existing standards.	33.910.030	Minor Policy Change	4.6	\$\$\$
264	32420	Fee Waivers	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	\$\$\$
265	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 disparate 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	5.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code- Section	Complexity	Rank	Re- source
266	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	\$\$
267	441351	Household Living Use Category	In the description of the Household Living use category (33.920.110), guest houses that contain kitchen facilities are prohibited as being accessory to Household Living. However the Bed and Breakfast regulations recognize that an ADU can be part of a bed and breakfast operation (33.212.050.D). The ADU regulations also recognize that an ADU can be on the site of a bed and breakfast (33.205.030.C.3). The prohibition on guest houses in the Household Living use category seems to conflict with what is included in 33.205 and 33.212.	Clarify how the phrase "guest houses that contain kitchen facilities are prohibited as accessory to Household Living" relates to the allowance for ADUs being used as part of a bed and breakfast.	33.920.110	Clarification	N/A	\$
268	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	2.5	\$
269	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)	\$\$\$

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270	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	\$\$
271	283026	Crematorium	Crematoriums have historically been placed in the Community Service Use Category along with columbariums and mausoleums. However, there are 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.	Consider reviewing existing regulations to determine if crematoriums that do not have customer interaction would be better located as an industrial use category rather than a community service use category.	33.920.420	Minor Policy Change	(0.3)	\$\$

Line #	RIR #	Item Label	Problem Statement (as described by the requestor)	Requested Action (as suggested by the requestor)	Code-Section	Complexity	Rank	Re-source
272	32437	Adjustments to Density	The old code allowed for a density adjustment of one additional unit if the area was within 500 square feet of the next unit in multi-dwelling zones. (as in our case - the requirement meaning that 1501 sf would be required for the last unit if the lot area was less than the increment of 2000 sf per unit in an R2 zone). The new code will not allow any adjustments for density and will permit an additional unit if the area of the lot allows the fractional unit of .9, thus allowing the rounding up to 1 additional unit. In development scenarios where a couple of square feet of lot area is the difference between 2 or 3 units, the new code effectively penalizes these lots by 300 square feet (the difference in our case between the previously required 5501 sf for an additional unit and the new code which will only allow the additional unit if the land area is 5800 sf) While we were granted a density adjustment for our project, we were required to meet all the other code requirements including lot coverage, parking, outdoor space and maximum height. The new code has effectively removed the opportunity to construct additional dwelling units in a city whose mandate is to construct infill housing units for an increased population.	Re-analyze the current rounding system for density and review the prohibition on adjustments to any increase in maximum density.	33.930.020	Minor Policy Change	4.9	\$\$\$
273	635336	Measuring Height	The code references finished grade within five feet of a building as the point to measure height. Applicants have used retaining walls to change this point of finished grade in a way that does not reflect the general slope of the lot. In addition, it should be clearly stated in the code that the point of grade is referenced from the wall of the house and not from attached accessory structures, such as decks.	Consider other points of measurement that might more accurately reflect the general slope of the lot and be less open to manipulation.	33.930.050	Minor Policy Change	6.0	\$\$
274	346566	Height Measurement	The base points for height measurement as described in the Measurements chapter refer to "final grade". Therefore, it is possible to manipulate final grade in order to meet the height limit. There is concern that this leads to taller buildings (above sea level) and that this may conflict with ORS requirements about grade needing to slope away from the building.	Revise the method of height measurement as it relates to grade.	33.930.050	Minor Policy Change	5.3	\$\$

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275	34634	Measurements	The measuring height section in measurements provides an option to measure a stepped or terraced building as the maximum height of any segment of the building. It is difficult to implement this provision as a clear and objectionable standard, especially in conjunction with all the height options available for steeply sloping lots.	The provision for measuring the height of segmented or terraced buildings should be clarified or removed.	33.930.050	Minor Policy Change	6.0	\$\$
276	31397	Measurements	Measurement of height. Several residential projects have recently generated controversy because of the multiple ways height can be measured on sloping lots, and the difficulty in verifying compliance. Issues also include the ability to add to a grade adjacent to a house in order to lower the height.	The Ombudsman's office supports a review of the process of measuring height on sloping sites. It may be worth revisiting the code amendments that were brought to council several years ago.	33.930.050	Minor Policy Change	5.7	\$\$\$
277	648443	Original Art Mural	The Original Art Mural Program was set up in 2009 with the limitation that it be used only on the walls of buildings. This was to alleviate concern that specific walls could be built to hold signs. Since it's implementation, there have been many requests to use the program to paint murals on non-building walls such as retaining or stair walls, non-building walls at schools (tennis backstops), or walls within public rights-of-way. Since they cannot use this program, they are forced to either go through the RACC approval process, or permit it as a sign.	Consider expanding the program to allow original art murals to be placed on non-building walls.	TITLE 4 of City Code	Minor Policy Change	1.5	\$\$
278	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	TITLE 4 of City Code	Minor Policy Change	2.0	\$\$

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279	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.	TITLE 32 Sign Code	Minor Policy Change	(1.8)	\$\$
280	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.	TITLE 33 Zoning Code	Technical Correction	1.8	\$\$
281	189708	Adjustments/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.	TITLE 33 Zoning Code	Clarification	8.2	\$\$\$
282	198923	Adjustments and Modifications	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 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.	TITLE 33 Zoning Code	Clarification	7.0	\$\$\$

