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MEMO

DATE: April 16, 2015
TO: Planning and Sustainability Commissioners
FROM: Morgan Tracy, City Planner
CC: Susan Anderson, Paul Scarlett
SUBJECT: Regulatory Improvement Code Amendment Package 7 (RICAP 7)

Attached please find the *Proposed Draft of Regulatory Improvement Code Amendment Package 7 (RICAP 7)*. This project proposes amendments to the Zoning Code to clarify ambiguous language, correct inconsistent regulations, and make minor changes to existing code policy to improve the city's regulations and foster innovation. In addition to the proposed code and explanatory commentary, the proposal also documents the process, and a summary of community involvement to date.

The RICAP 7 workplan adopted by the PSC on August 26, 2014 consisted of 45 items, including minor policy changes, clarification items, a research item and a set of items that did not result in proposed amendments to the code.

The following items address issues that resulted in minor changes to existing policy. Page numbers identify where the relevant commentary can be found in the Proposed Draft:

- Item 1 Minor changes to approved design reviews as a Type II procedure (p.236)
- Item 2 Require pre-app meeting prior to application submittal (p.220)
- Item 3 Clarify areas allowed/counted for limited uses (p.20)
- Item 5 Clarify height determination for sloped (i.e. shed) roof forms (p.320)

Two additional clarification items were added during the course of preparing the proposed draft:

- Item 46 Delete reference to building permit requirement for fences over 6' tall (p.18)
- Item 47 Remove reference to additional ground floor window requirements from adjustment criteria (p.222)

Five items were not forwarded for proposed amendments at this time (p. 325-328):

- Item 4 Clarify the distinction between "group living" and "household living". This topic was seen as larger than RICAP, as it affected potentially every household in the city. It is also complicated by Federal Fair Housing regulations.
- Item 6 Develop a height measurement methodology "white paper". This item was a research task. The background research has been completed, but it was determined that the findings and recommendations should be compiled and



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discussed with other related development standards issues as part of a subsequent project.

- Item 7 Remove the species specific street tree plan from the Ladd's Addition Conservation District Guidelines. Additional work is still necessary to finalize the replacement street tree list, as well as developing a procedure for updating the tree list in the future.
- Item 33 Clarify historic resource review exemptions for projects using the state minor structural label program. This program has been discontinued, therefore, changes are no longer needed.
- Item 37 Clarify applicability of Marquam Hill formal open area requirement. Staff found that clarifying the regulation may add unnecessary complexity to the code, and that it may be more appropriate to revisit the requirement in context of the entire OHSU campus, since the conditions and campus boundaries have changed when this requirement was first instituted.

On April 28, 2014 at an afternoon PSC hearing, the public will be able to offer testimony on the entire RICAP 7 proposal. Staff will present an overview, and leave the balance of the hearing time for testimony, follow up questions, Commission deliberation and decision.

If you have any questions, please contact me at (503) 823-6879 or morgan.tracy@portlandoregon.gov.

