



188278

# Regulatory Improvement Code Amendment Package 8

## RICAP 8

Portland City Council Hearing  
February 15, 2017



Bureau of Planning and Sustainability  
Innovation. Collaboration. Practical Solutions.



# Portland City Code

1. General Provisions
2. Legislation & Elections
3. Administration
4. Original Art Murals
5. Revenue & Finance
6. Special Taxes
7. Business Licenses
8. Health & Sanitation
9. Protected Sick Time
10. Erosion & Sediment Control Regulations
- 11. Trees**
12. Air Pollution Emergency Responses
13. Animals
14. Public Order & Police
15. Emergency Code
16. Vehicles & Traffic
- 17. Public Improvements**
18. Noise Control
19. Harbors
20. Parks & Recreation
21. Water
22. Hearings Officer
23. Civil Rights
- 24. Building Regulations**
25. Plumbing Regulations
26. Electrical Regulations
27. Heating & Ventilating Regulations
28. Floating Structures
29. Property Maintenance Regulations
30. Affordable Housing
31. Fire Regulations
32. Signs & Related Regulations
- 33. Planning & Zoning**

# Recommending Bodies

## 33. Zoning Code

Planning & Sustainability  
Commission

## 11. Tree Code

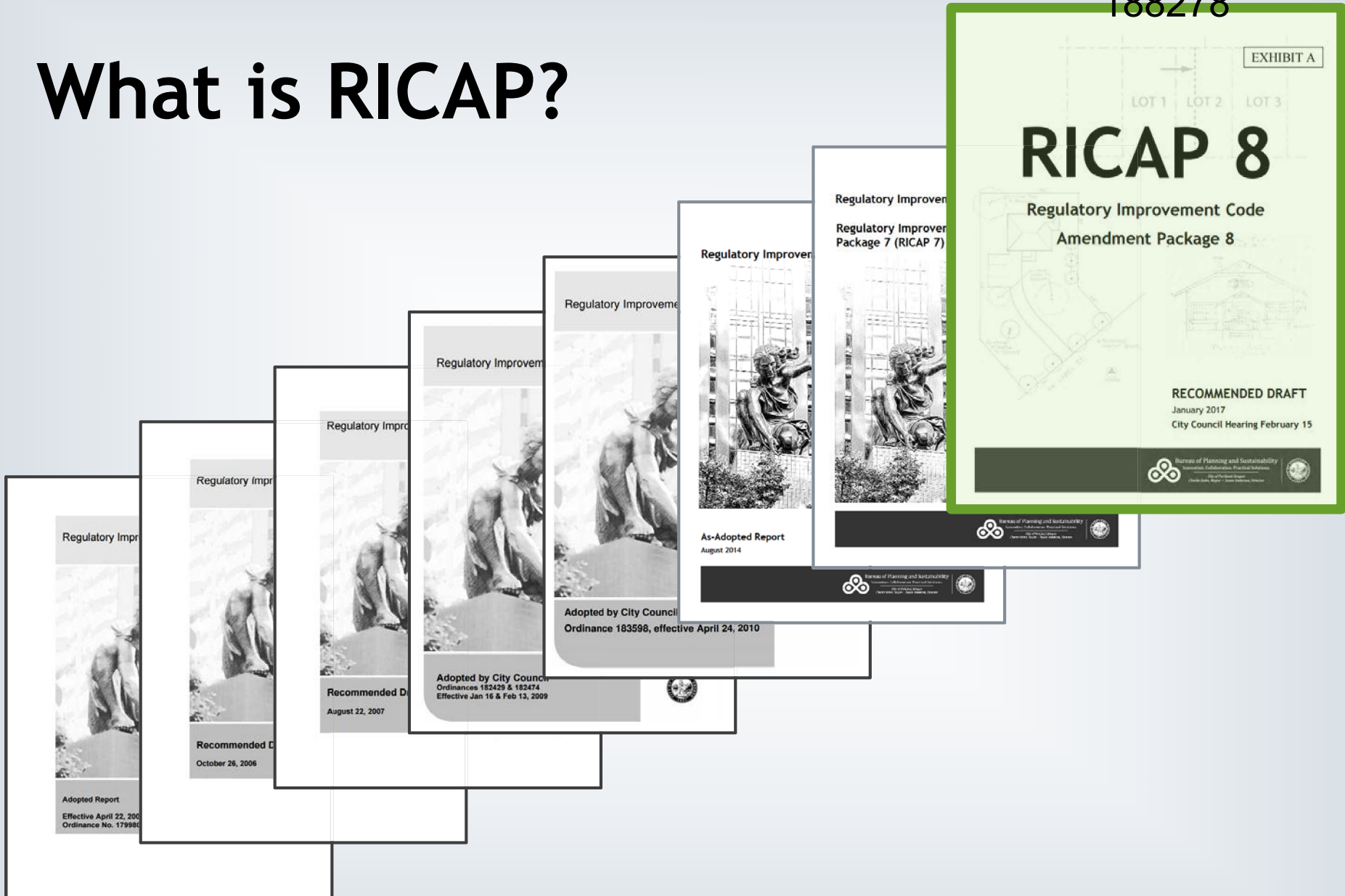
Urban Forestry Commission

Planning & Sustainability  
Commission

17. Public Improvements Code

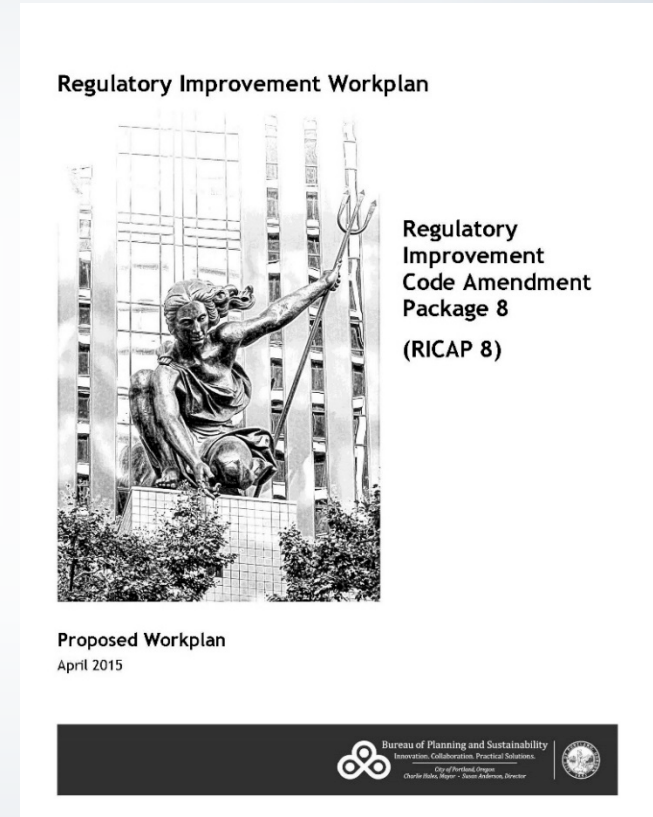
24. Building Regulations Code

# What is RICAP?



# RICAP Selection Criteria

1. Variety of stakeholders
2. Geographic applicability
3. Degree of impact
4. Regulatory Improvement



# Amendment Categories

## 33. Zoning Code

### Minor Policy Items (12)

Land Divisions/PLAs

Other

### Technical & Clarification Items (15)

## 11. Tree Code

### Minor Policy Items (8)

### Technical & Clarification Items (9)

## 17. Public Improvements Code

## 24. Building Regulations Code

# Public Involvement

Published *Public Discussion Draft* on August 29, 2016

7 week review and comment period:

- Met with coalitions, DRAC, Citywide Land Use Group
- Commission briefings

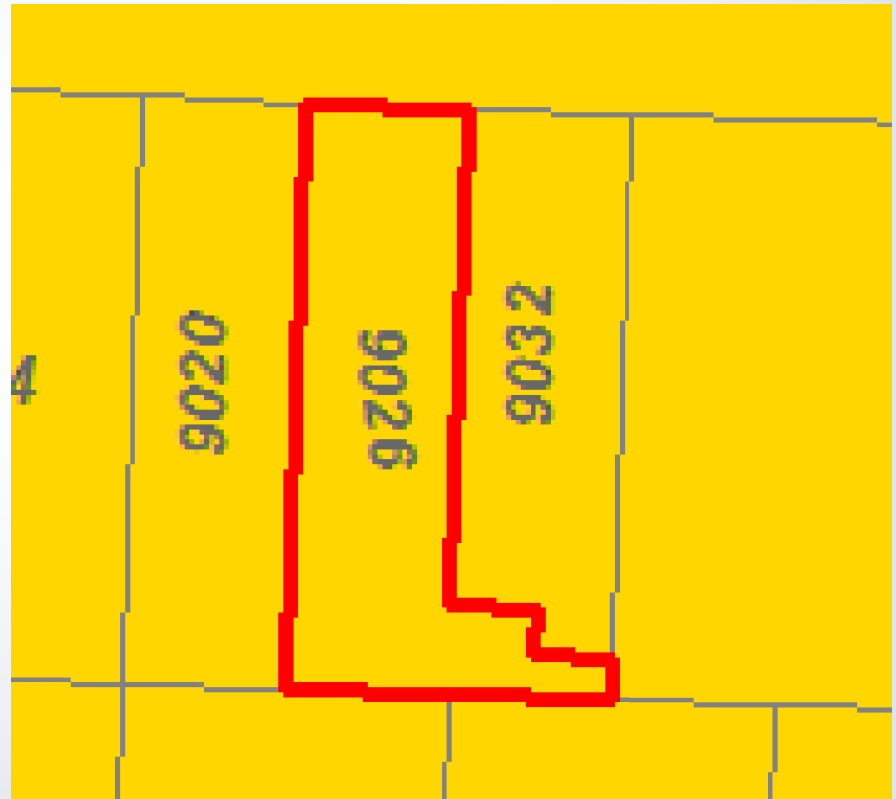
Published *Proposed Draft* on November 9, 2016

- Continued meetings with coalitions
- PSC and UFC hearings in December 2016

Published *Recommended Draft* on January 18, 2017

# 3. Property Line Adjustments - Regular Lot Lines

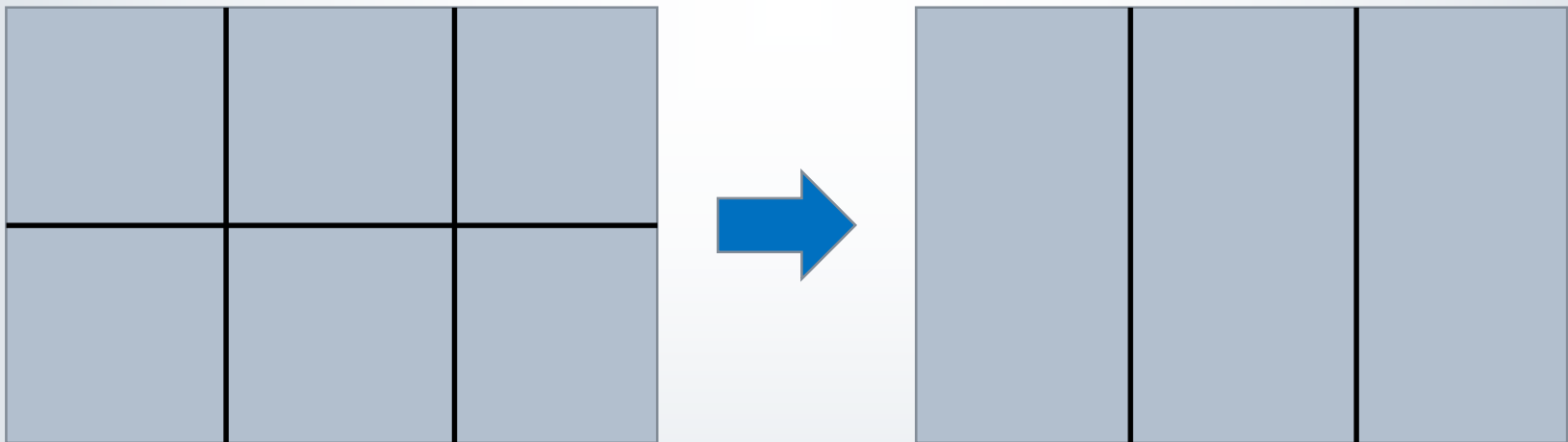
Introduce new standards  
to encourage regularly  
shaped lots





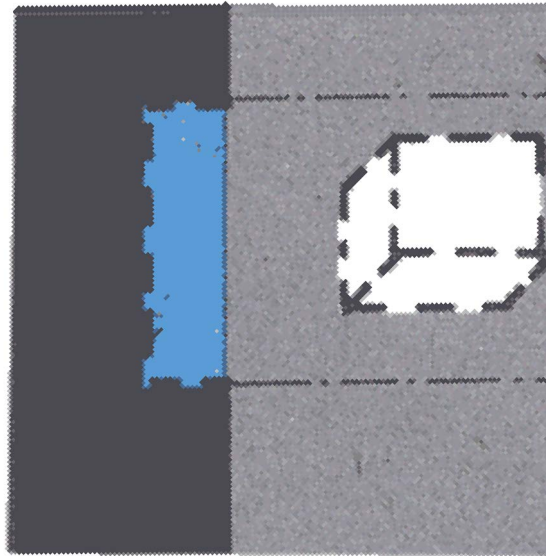
# 6-7. Lot/Plat Consolidations

- Allow the creation of up to 3 lots in one procedure
- Provides a process to remove conditions of approval that are no longer relevant



# 10. ROW dedications

Create a new measurement standard clarifying existing policy - that development standards apply to sites after ROW dedication



# 11. Loading Standards

Remove the forward ingress/egress requirement for loading spaces accessed from a local service street, outside of the Central City



# 14. 120-Day Delay Procedure

Require notice and a 120-day delay for the removal of ranked resources from the City's Historic Resource Inventory



*Photo courtesy of Scott A. Tice*



# Title 11, Trees



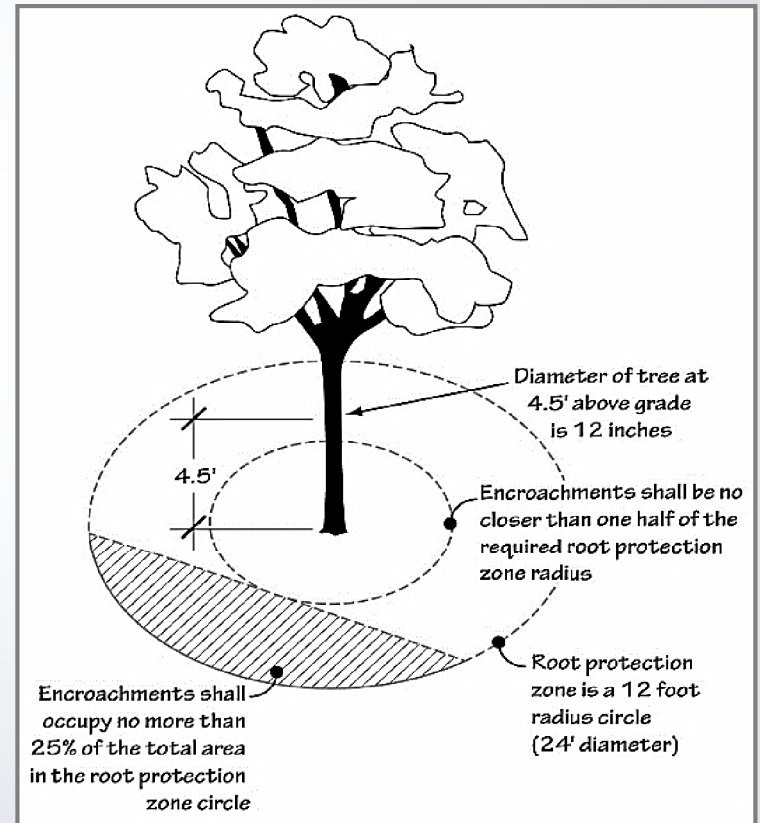
# 34. Heritage Trees - Damage & Removal

Modify fee structure to make penalties for damage on private property consistent with City & Street Trees



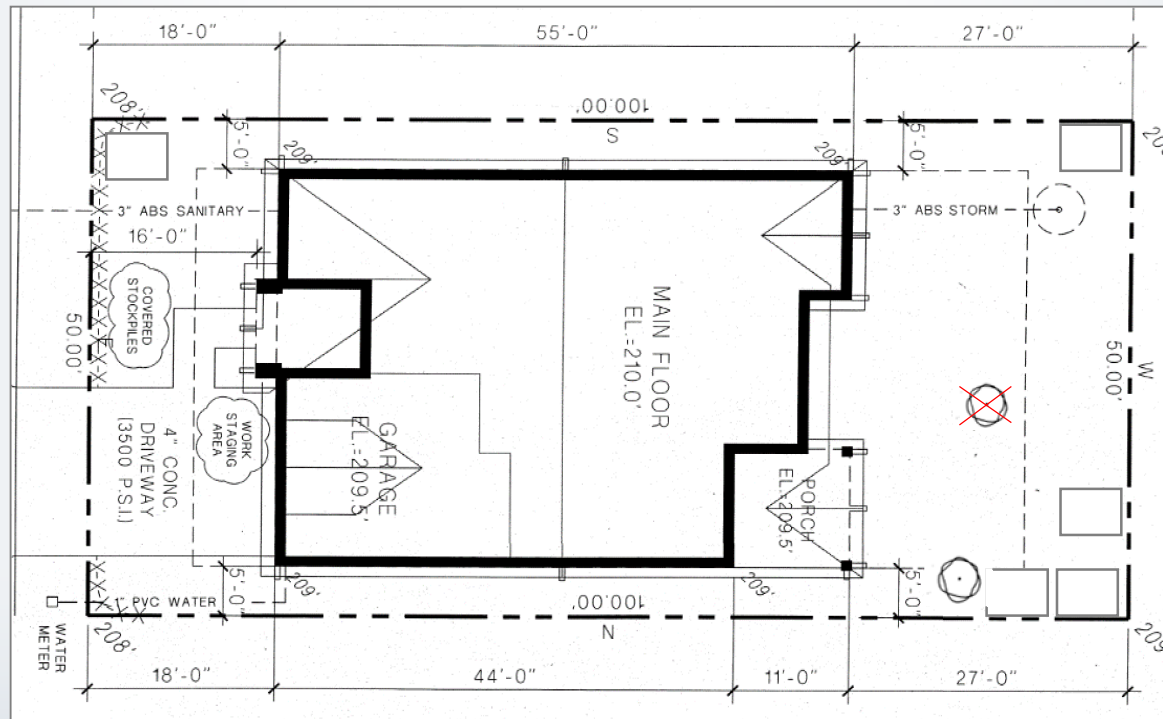
# 37. Ground Disturbance/ 38. Root Protection Zone Requirements

Modify trigger for tree protection requirements for construction activities with limited ground disturbance and adequate distance from existing trees



# 39. Tree Plan Requirements

Ensure dead, dying, or dangerous trees or nuisance species are not used to meet preservation requirements





# Recommendation

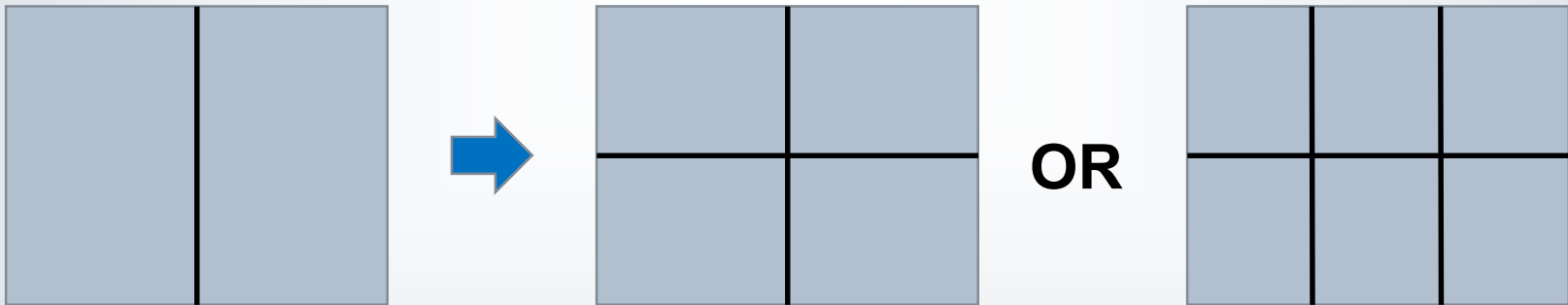
## Approve the RICAP 8 Ordinances to:

- Amend Title 33 (Zoning Code), Title 17 (Public Improvements) and Title 24 (Building Regulations) as shown in the RICAP 8 Recommended Draft Report;
- Amend Title 11 (Trees) as shown in the RICAP 8 Recommended Draft Report;
- Authorize staff to amend commentary to reflect any amendments proposed as part of today's hearing; and
- Adopt the commentary as legislative intent.



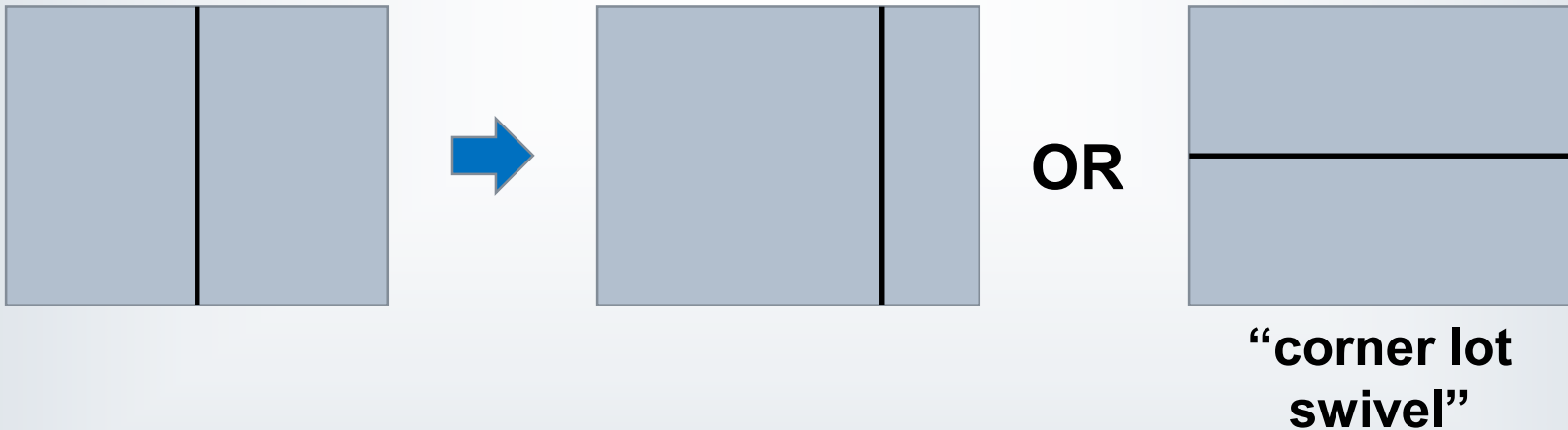
# Bundle 1: Land Divisions, PLAs and Lot Consolidations

- A **Land Division** divides an existing property to create additional lots, parcels or tracts



# Bundle 1: Land Divisions, PLAs and Lot Consolidations

- A **Property Line Adjustment** relocates a single existing common property line between two abutting lots

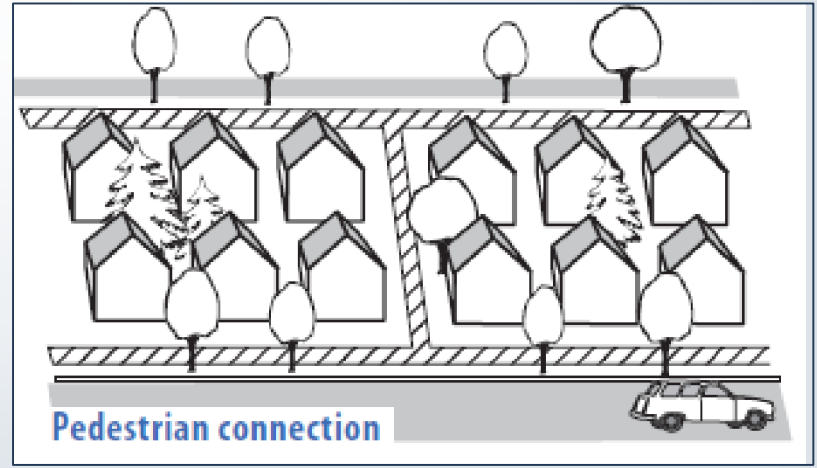
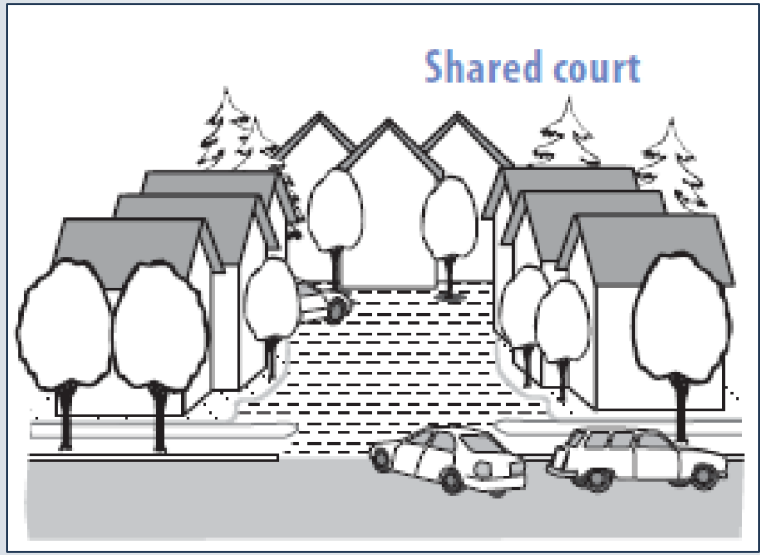
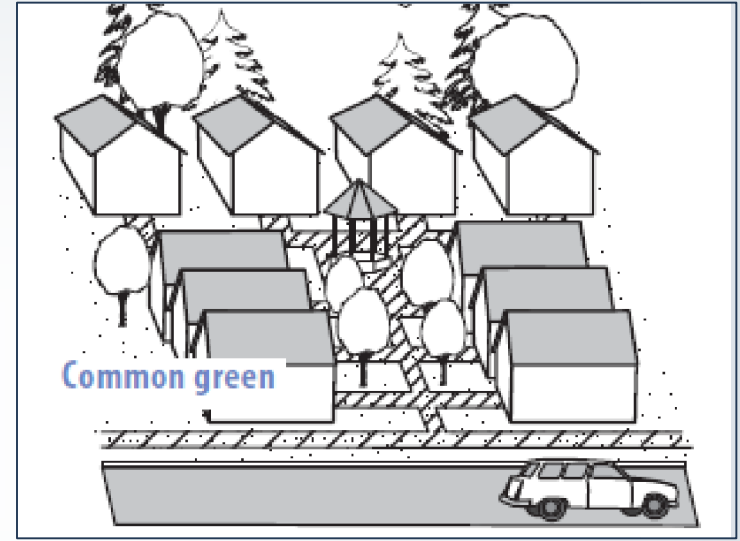
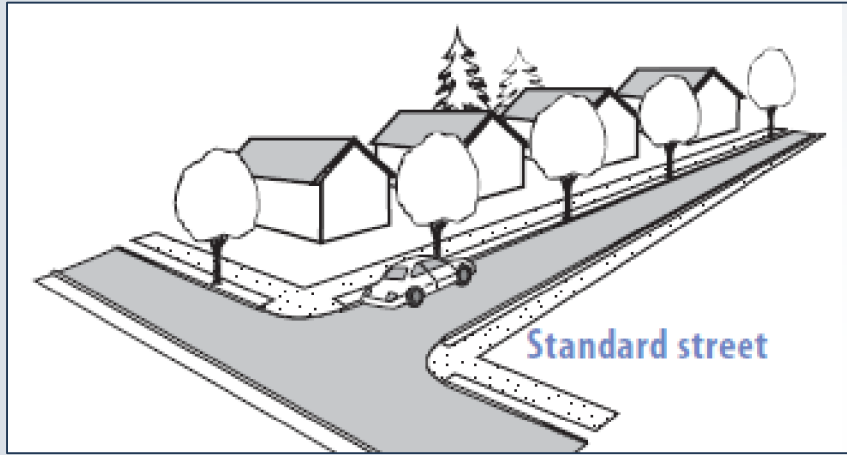


# Bundle 1: Land Divisions, PLAs and Lot Consolidations

- A **Lot Consolidation** removes lot lines within a site. Results in a new plat of only one lot.



# 2A. Land Divisions/Pedestrian Connections



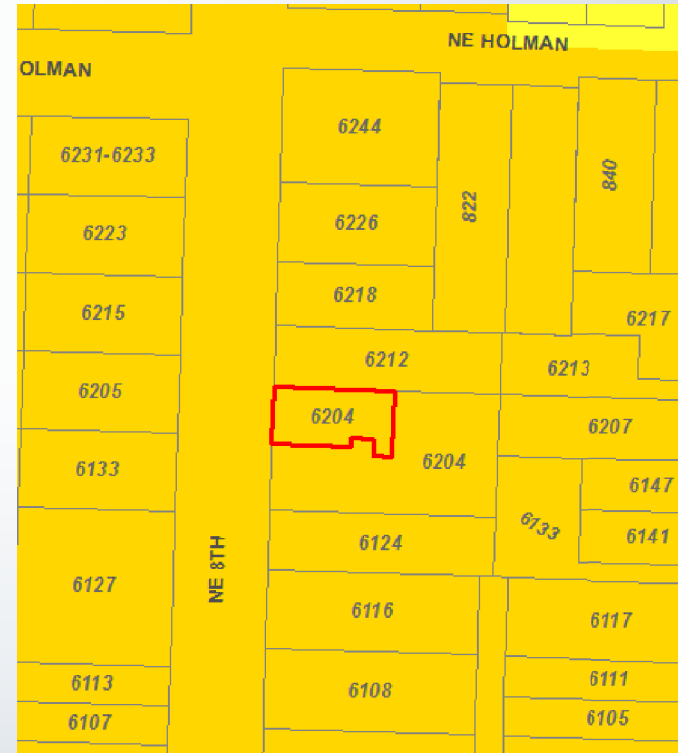
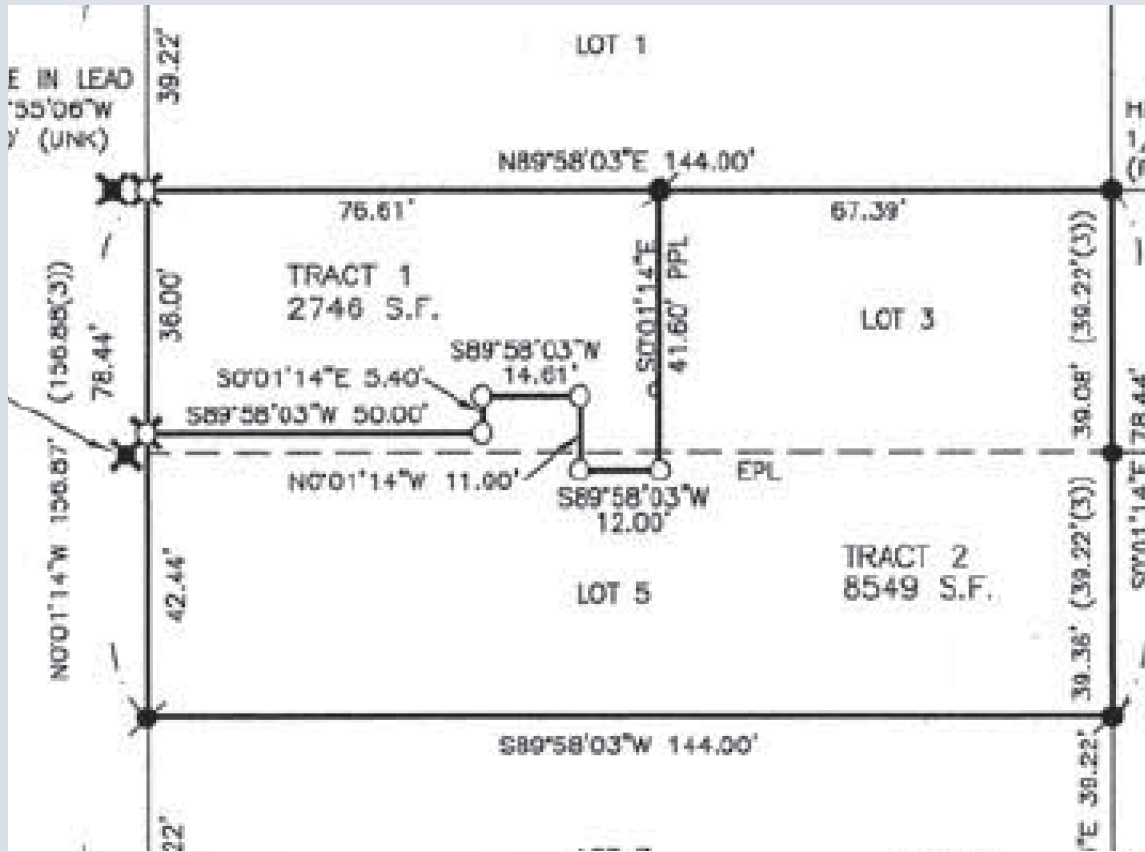
# Item #3 - PLA Examples

- NE 8<sup>th</sup>
- SE Tenino
- SE Yamhill



188278

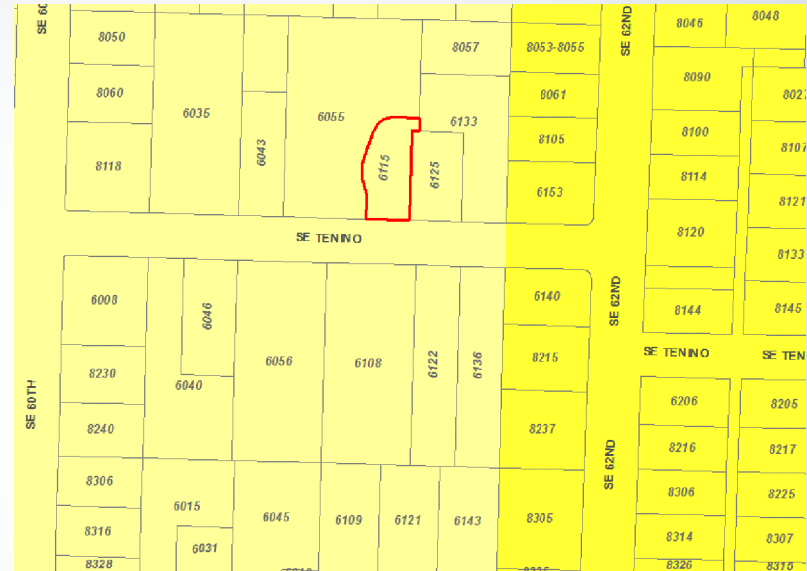
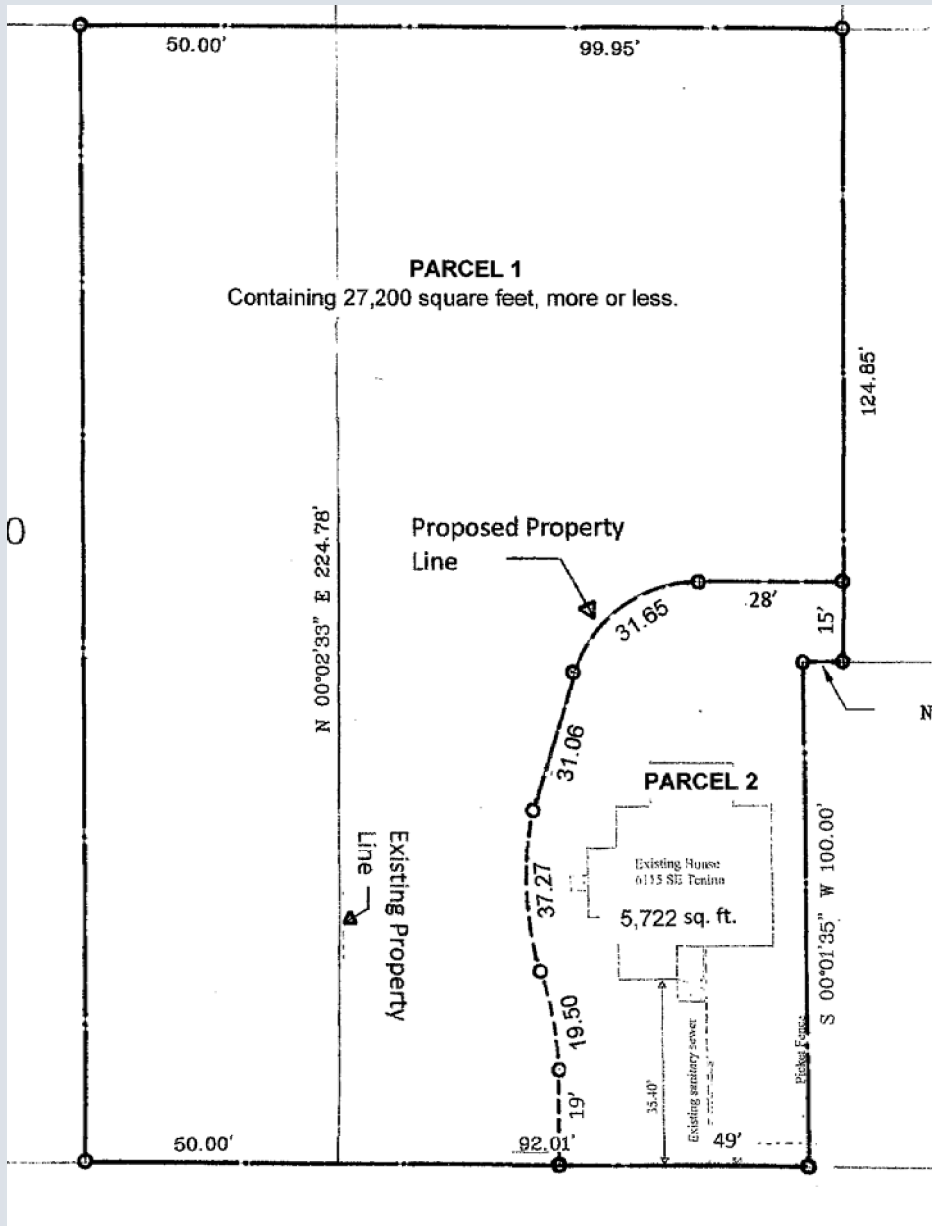
# NE 8th



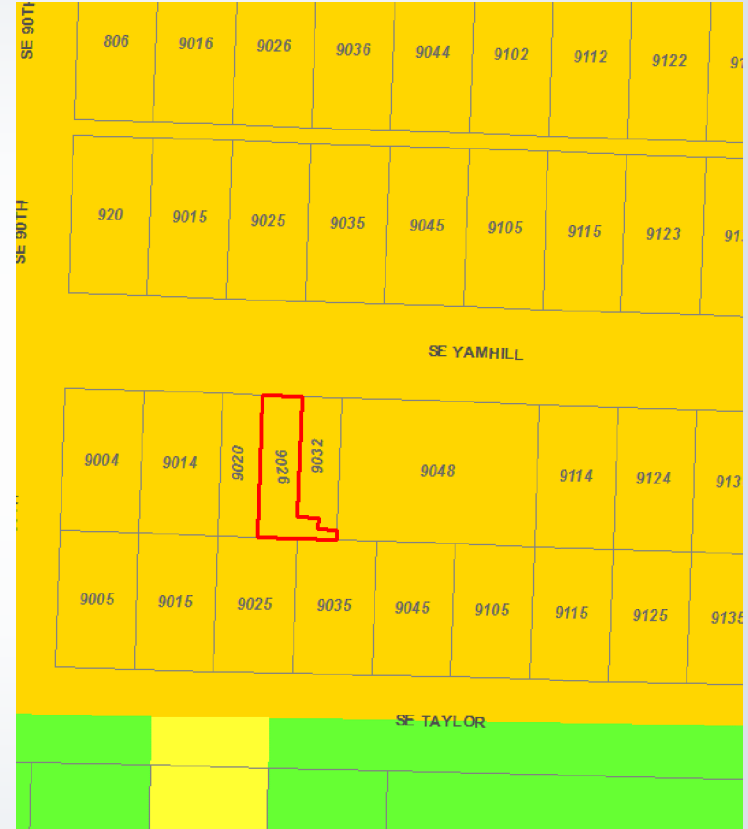
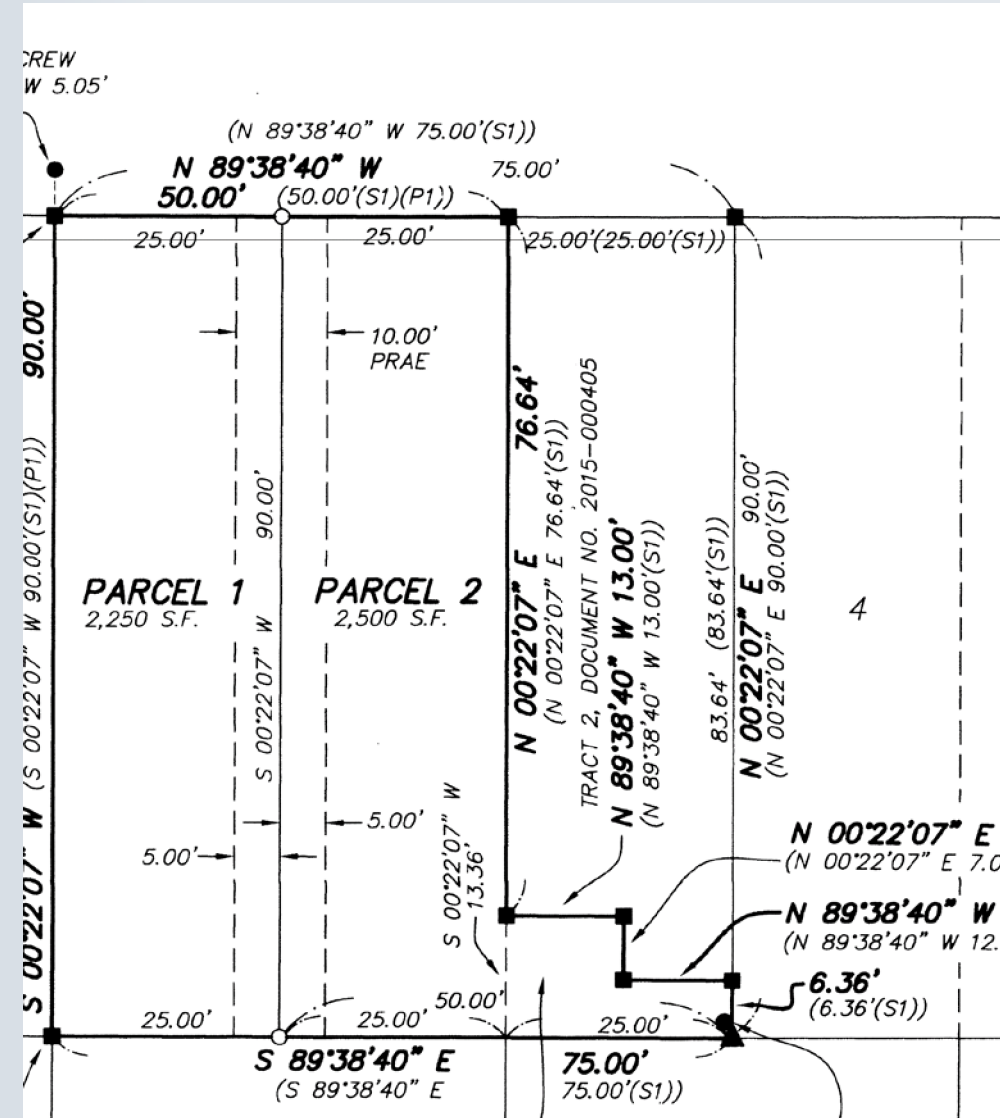


188278

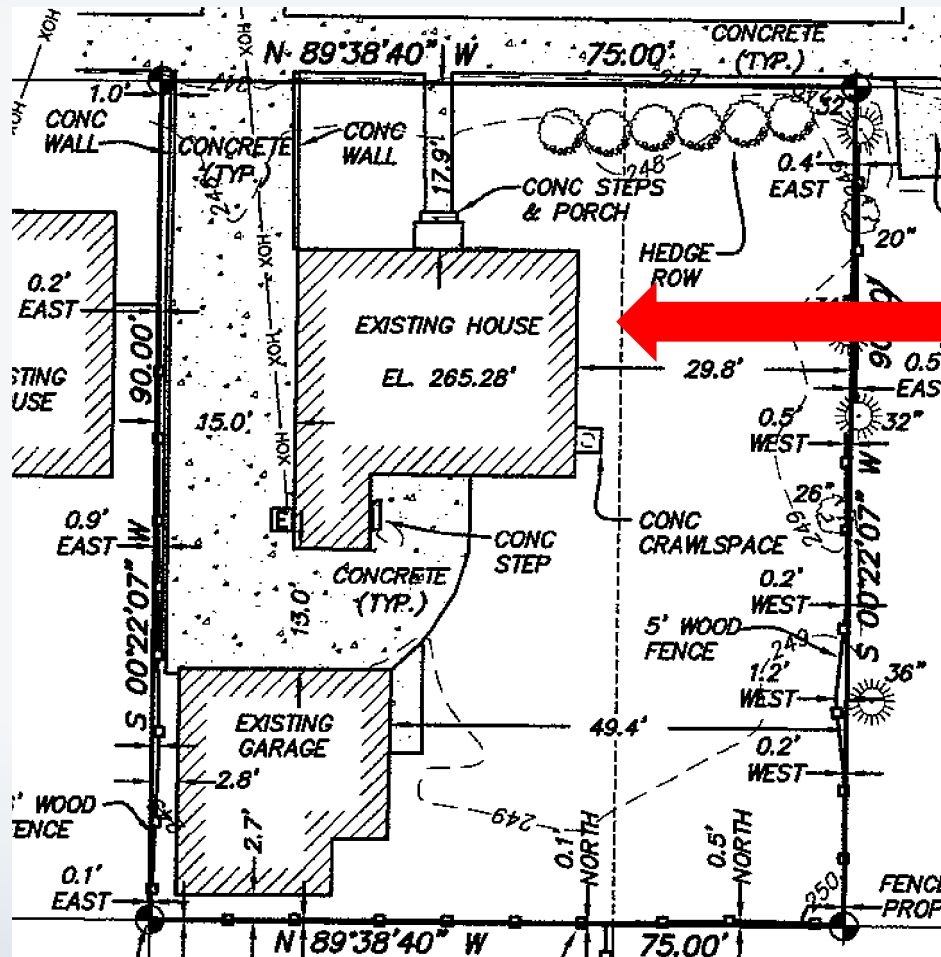
# SE Tenino



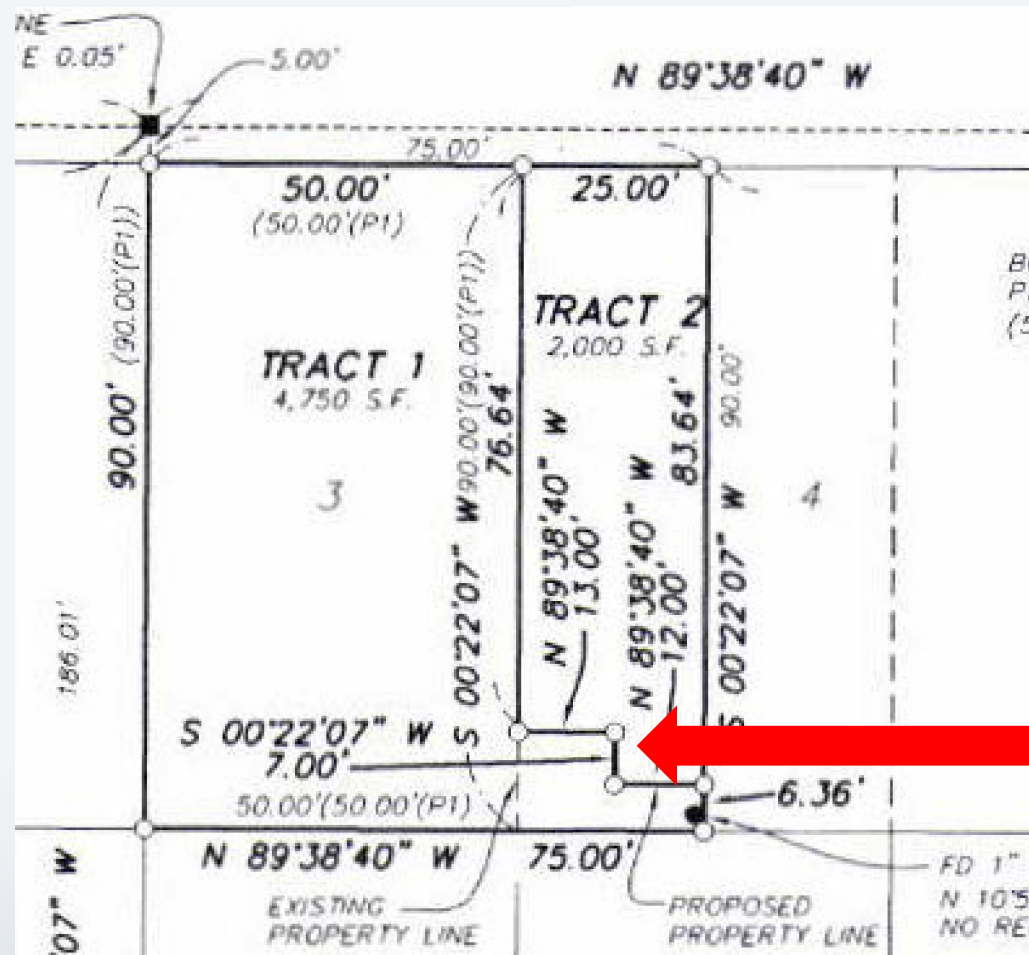
# SE Yamhill



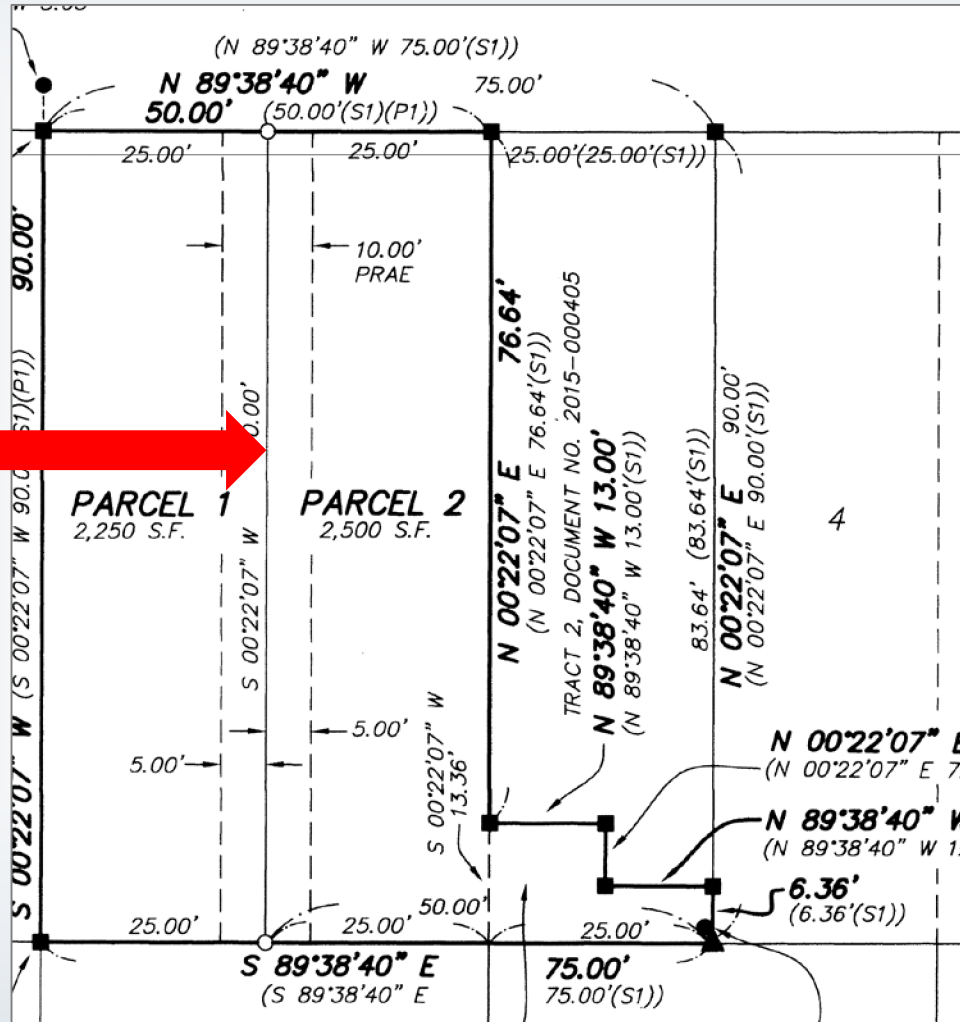
# SE Yamhill - Lot Confirmation



# SE Yamhill - Property Line Adjustment

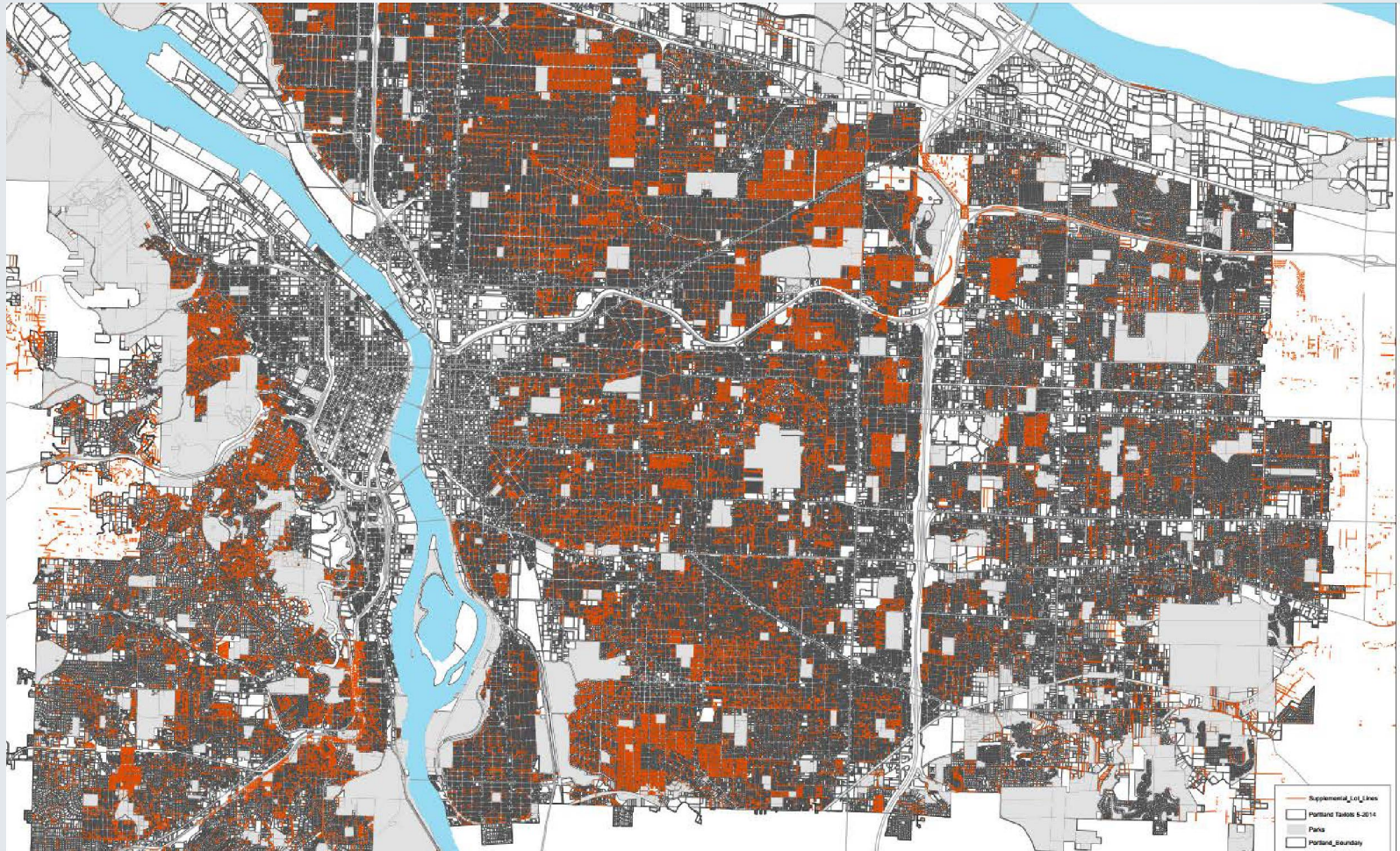


# SE Yamhill - Land Division





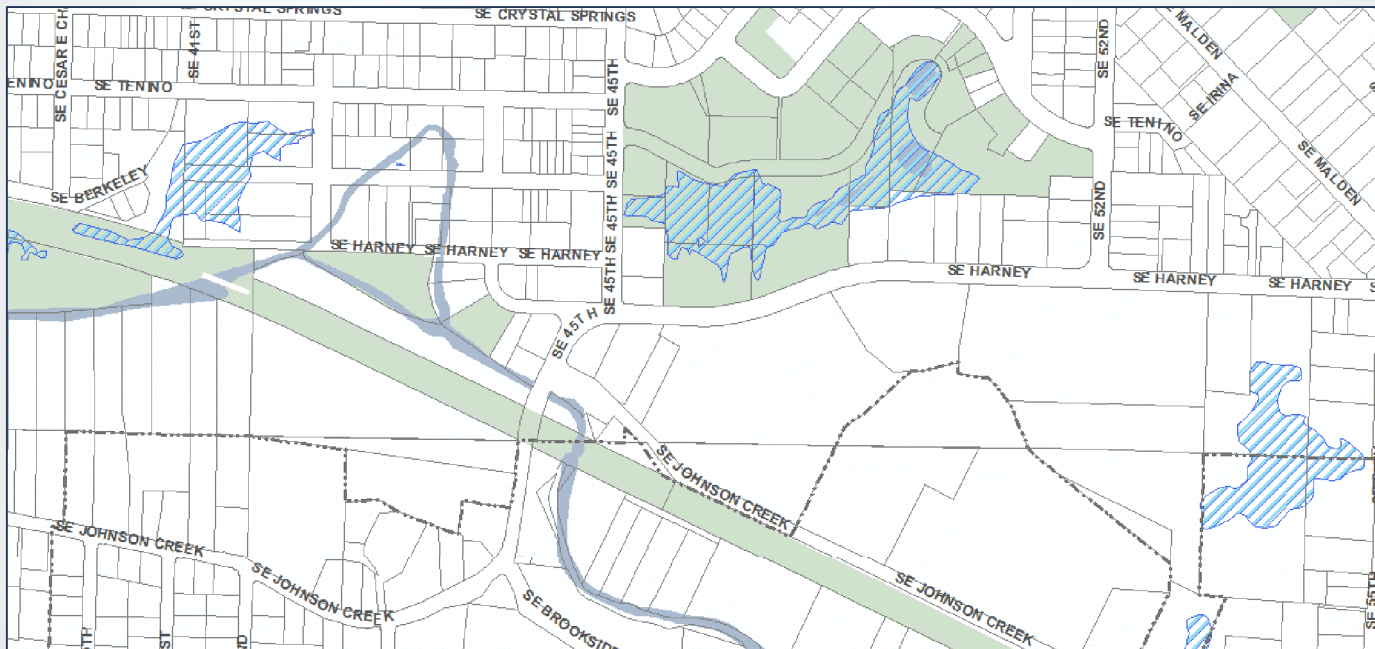
# Portland Tax Lots and Supplemental Lot Lines, 2014



# Minor policy items

## 4. Streams, Springs, Seeps & Wetlands

In land divisions, the amendments protect wetlands in a tract

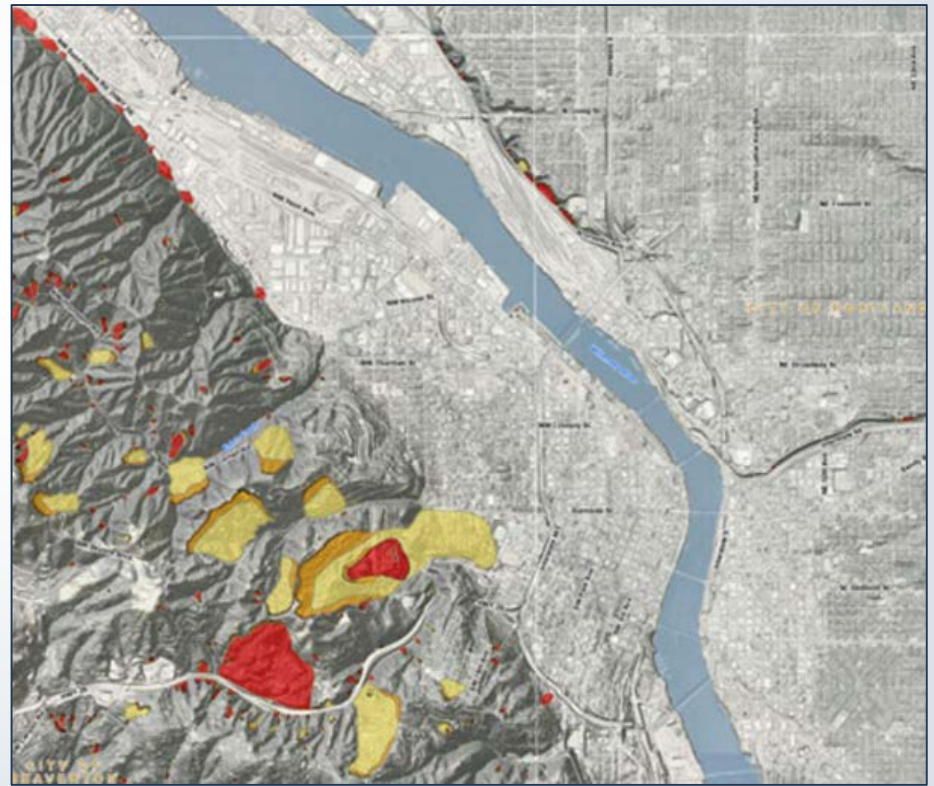




# Minor policy items

## 5A. Multi-Dwelling Zones Minimum Density Calculation

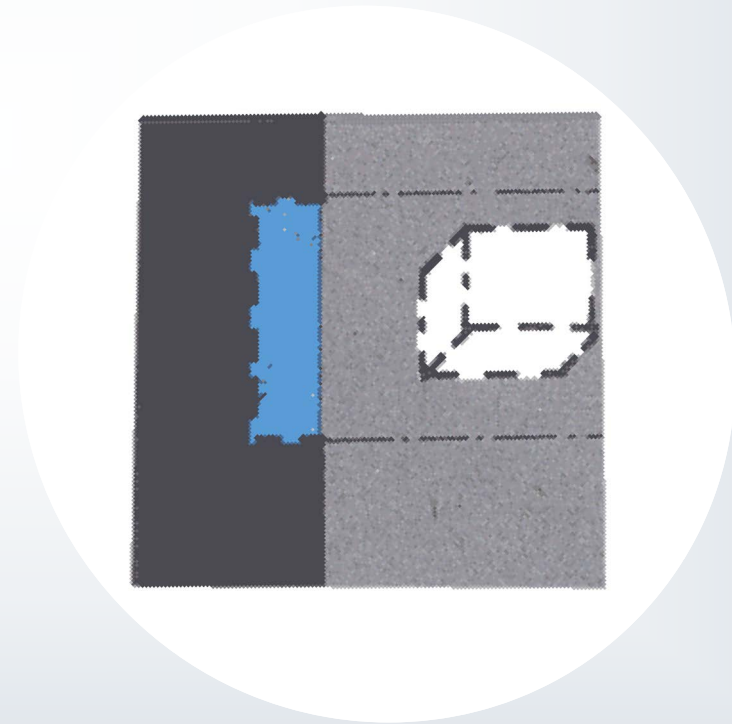
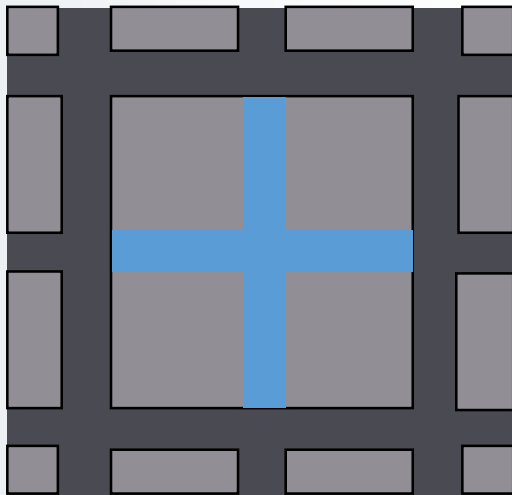
This amendment would allow the removal of landslide hazard area from the minimum density calculation in land divisions.



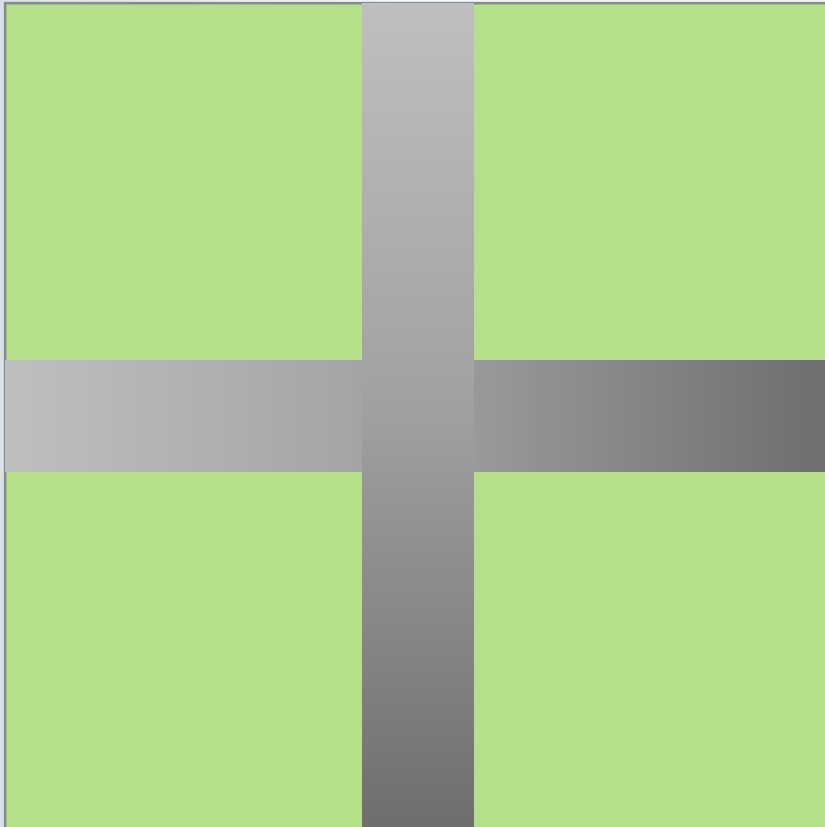


# 10. ROW dedications

Create a new measurement standard clarifying existing policy - that development standards apply to sites after ROW dedication



# Item #10: ROW dedications



460' x 460' development site  
1,269,600 sf of development potential

**Require two 60' ROW dedications  
through site**

4 x 200' x 200' development site  
960,000 sf of development potential

**In this example, when FAR is calculated  
pre-dedication, the increase in FAR on  
each site is 32 percent**

# Technical & Clarification Items

## 17. Amenity Bonus

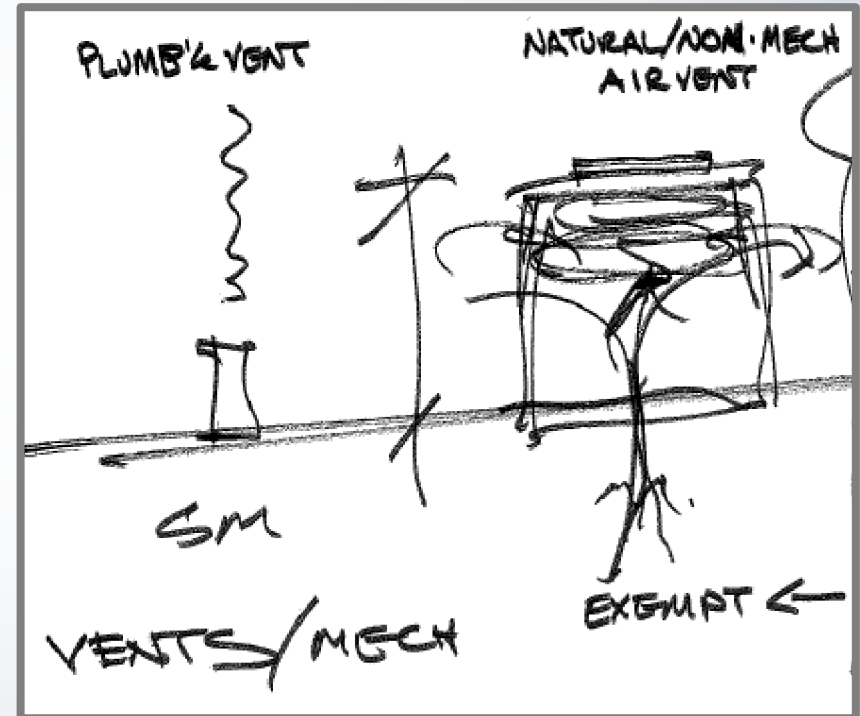
■ Outdoor recreation facilities	10%	} <b>50%</b>
■ Children's play areas	5%	
■ Three bedroom units	5%	
■ Storage areas	5%	
■ Sound insulation	10%	
■ Crime prevention	10%	
■ Solar water heating	5%	
■ Larger required outdoor areas	5%	
■ <b>Tree preservation</b>	<b>5%/tree</b>	

# Technical & Clarification Items

## 22. Rooftop ductwork

This amendment clarifies that ductwork is part of the mechanical equipment exemption from design and historic resource review.

It also adds an exemption for small vents that meet certain requirements.



# EXTRA SLIDES - TREES



# Minor policy items

## 2. Timelines

Extend required timelines for appeal hearings and Programmatic Permit decisions

- Changes starting point of 45 day scheduling requirement from time of City Forester's decision to date of appeal filing
- Extends Programmatic Permit decision from 90 days to 120 days after application determined to be complete



# Minor policy items

## 3. Minimum Pruning Threshold

Increase permit threshold for City and Street Tree pruning from 1/4" to 1/2" and above



# Minor policy items

## 6. Tree Preservation & Root Protection Zone Fencing

Clarify RPZ requirements at property line and allow for use of existing fencing





# Minor policy items

## 7. Enforcement

Add authority for Urban Forestry to levy liens and utilize other mechanisms for unpaid fees

