

Regulatory Improvement Workplan



Regulatory Improvement Code Amendment Package 10 (RICAP 10) Appendix

Appendix of Database Items

List of RICAP-Eligible Items from Regulatory Improvement Request Database
July 2023

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Summary of Database Items

The Bureau of Planning and Sustainability has maintained a database of regulatory suggestions since the implementation of the Regulatory Improvement workplans in 2003. This database, known as the City's Regulatory Improvement Requests (RIR) contains regulatory suggestions made by city staff such as those with the Bureau of Development Services (BDS) as well as by members of the general public.

As explained more fully in the Workplan, the Regulatory Improvement Code Amendment Packages (RICAPs) have been paused over the past seven years due to budget constraints. However, the Regulatory Improvement Requests (RIR) database continued to be open to accept suggestions. As a result, many additional items were added to the database during that time. In the fall of 2022, open or unassigned items from the database were downloaded for review by Bureau staff from BDS and Planning and Sustainability (BPS). Items chosen from this list make up the bulk of the RICAP 10 workplan. Items selected from this database have been **highlighted and bolded** below. During the selection process for RICAP 10, additional suggestions were submitted directly to Bureau staff, including items added to the state compliance and regulatory reduction bundles, and the bundle of items related to the Central City plan district. So, not all items on the work plan are shown below.

Items that may be included in a RICAP are technical items and those that entail only minor policy changes. Issues that will result in more significant policy changes, or will require significant resources, are directed to other projects. This spreadsheet is presented as an appendix for the RICAP 10 workplan to illustrate the variety of items that are currently within the suggestion database. The list is sorted by code section and contains several columns described as follows:

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

- **Rank** – for minor policy items, a rank from negative (12) to positive 12 is assigned based on ranking criteria described earlier in this report.
- **Resource** – the number of dollar signs indicates a magnitude of order (\$) to (\$\$\$\$) for resources required to effectively evaluate, conduct needed outreach and develop solutions to address the regulatory improvement request.

Since there has not been a RICAP project for some time, this list has grown larger than lists in the past. In addition, not all simple technical or clarifying requests were added as in past RICAPs due to the volume of items. Instead, they were reviewed and selected based on their relationship to a subject bundle or due to their need for more immediate action.

The items on the following table are sorted by main code section reference.

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
1	748762	Clarify right-of-way regulation	The last phrase in 33.10.030.B seems to indicate that all of Title 33 applies to the right-of-way if one of the listed items is meant. It seems the intent is to only have the regulations related to the items listed (overlay zone regulations) apply, not allowed uses, setbacks, etc. Even when looking at the regulations in the overlay zones listed, it is not clear how development standards apply in the right-of-way, since many reference setbacks or other measures that do not apply in the right-of-way.	Clarify that the entire zoning code does not apply for rights-of-way in certain overlay zones. Clarify how to apply the regulations of the overlay zones in the right-of-way.	33.10.030	Clarification	4.0	\$\$
2	99689	Street Trees in Historic Districts	There are two problems encountered with this issue.1.) In Chapter 33.10 there is no mention on whether the zoning code applies to rights-of-way in Historic/Conservation Districts, even though language in 33.445, Historic Resource overlay zone suggests that it does.2.) It is not clear if other parts of the code should apply (i.e. the landscaping chapter, 33.248) when addressing an issue such as street trees. Currently, there is conflict, because the zoning code considers Norway Maples a nuisance tree while the Ladd's Addition Street Plan requires Norway Maples to be planted.	Provide clarification and consistency to aid in determining what regulations should apply to street trees in the historic and other overlay zones.	33.10.030	Clarification	-0.5	\$\$
3	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
4	1307121	Applying Table 110-5 to Conditional Uses in the OS zone	Zoning Code Section 33.100.200.B.1 states that Conditional Uses are subject to the development standards (generally) of Table 110-5. This means only the table is applied and not the full 33.110.245 which leads to weird results (i.e. 33.110.245.C.8 exempts grassy areas (like parks) from the setback standards in Table 110-5. Therefore, through nonconforming upgrades, a park that is also a CU (any park that has a parking area) may be required to landscape the full perimeter to the L3 standard. In addition, 33.110.245.C.4 and 5 contain standards that were probably intended to apply to parks since they are about outdoor areas and recreational fields for organized sports.	Please review whether subjecting Conditional Uses in the OS zone to only the standards in Table 110-5 is sufficient or if those uses should be subject to some or all of 33.110.245 as well.	33.100.200	Clarification		\$
5	2379061	Common outdoor area	Can a 2nd-story building element (e.g. balcony, cantilevered roof, eave) encroach into the designated common outdoor area provided at grade? There is confusion whether cottage cluster common area is treated differently than other common outdoor areas.	Code Clarification - Cottages (in a cluster) cannot encroach on common outdoor area. Other chapters in Title 33 directly related to open space specifically allow encroachments, but not 33.110.265.G.9. for cottage clusters. In addition, individual outdoor areas in 33.110.240 can be covered. So a clarification may be needed whether common outdoor area for cottage clusters can include projections/overhangs.	33.110.	Clarification		\$
6	2035586	Additional dwelling units and additions of up to 250 square feet	The code is not clear about whether the allowance to add up to 250 square feet of FAR to a primary structure that exceeds FAR limits also applies if the addition is for an additional dwelling unit.	Please clarify that the addition of up to 250 square feet also (or doesn't) apply to the addition of additional dwelling units.	33.110.	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
7	903598	Garage Entrance Setback	The purpose statement for the garage entrance setback standard in 33.110.220 and 33.120.220 states that the setbacks provide room for a car to park in the front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street. This purpose statement reads more like a standard and doesn't allow for any flexibility. Furthermore, the garage entrance setbacks in the R1, RH, and RX zones are either 5 feet or less, or 18 feet or more, and therefore directly conflicts with the wording of the purpose statement which says that room is provided to park a car in front of a garage door.	Reconsider the wording in the setback purpose statement as it relates to garage entrance so that it reads less as a standard, otherwise Adjustments to garage entrance setbacks should be prohibited.	33.110.220	Clarification		\$
8	1089406		To provide flexibility to existing houses, reduce the glazing standard for instillation of new dormers such that the dormer does not need to provide glazing in situations where the visual impact of such glazing would be detrimental to the overall coherency of the design.	Amend 33.110.232 to allow for greater flexibility for existing houses being altered.	33.110.232	Minor Policy Change	3.3	\$\$
9	1537728	field lighting poles	Table 110-5, Footnote 3, and Table 120-7, Footnote 3 both contain height exemptions for towers and spires with a footprint of 200 square feet or less; however, no exception applies to field lighting which results in many Adjustment requests.	Please consider adding a height exemption for field lighting.	33.110.245	Minor Policy Change	1.7	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
10	1078713	Screening of Mechanical Equipment	For the screening of mechanical equipment, the Code typically reads, "Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any abutting residential zones by walls, fences, or vegetation. Screening must comply with at least the L2 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment." We don't typically require trees to be planted in this situation, and we typically only require fences that are tall enough to screen the equipment (even if that is not meeting the 6' high F2 requirement.	Revise the standard to only require L2 shrubs or F2 fences that are tall enough to screen the equipment.	33.110.245	Clarification	4.7	\$\$
11	1407546	Siding on detached accessory structures	33.110.250.C.4.a (2) states that "siding must be made from wood, composite boards, vinyl or aluminum products and the siding must be composed in a shingle pattern, or in a horizontal clapboard or shiplap pattern. The boards in the pattern must be 6" or less in width". However, 33.218.100.H.4 and 33.218.110.J.4 both refer to a "reveal of 6 inches or less".	Please make the standards consistent and refer to a reveal of 6 inches or less rather than the width of boards.	33.110.250	Clarification		\$
12	1274286	Detached Covered Accessory Structures	Detached covered accessory structures that are more than 15' in height are required to meet a number of developments standards related to appearance (33.110.250.C.4). However, additions to existing structures that do not meet a standard are exempt from that standard. It would seem the same exemption should apply to alterations as well.	Consider adding text in 33.110.250.C.4 that states alterations to detached covered structures that do not meet a standard are also exempt from that standard.	33.110.250	Consistency Change		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
13	1576526	Additions to nonconforming detached garages	33.110.253.C.2.a states that an addition may be made to an existing detached garage that is nonconforming due to its location in a setback if it meets all other standards of the chapter. This could effectively allow very large additions, especially if the nonconforming garage were attached to the house. This seems to be in contrast with 33.110.253.C.2.b which provides very explicit specifications for additions to nonconforming detached garages.	Consider whether 33.110.253.C.2.a is necessary or if the requirements of both 33.110.253.C.2.a and b should be met.	33.110.253	Minor Policy Change	4.0	\$
14	867380	Front fences in environmental zones	For single dwelling sites in environmental zones, the minimum front setback becomes a maximum, and the minimum front setback is zero. When applying the fence height regulations, they state that "fences within the front setback" are limited to 3-1/2 feet. Fences outside the required setback can be up to the base zone height. This can result in tall fences being built up along the street, and counter to promoting "eyes on the street"	Evaluate whether instead of using the "front setback" there should be a set minimum distance (i.e. 5 or 10 feet) along the street lot line (noting the exception already for corner lots) where fence height would be limited.	33.110.255	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
15	2349736	Definition of Site and Ownership	A house is defined in 33.910 as, "House. Except for a detached dwelling unit on a lot that was created through a middle housing land division, a detached dwelling unit located on its own lot. "Lot is defined as, "Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. This definition includes the State definition of both lot, (result of subdividing), and parcel, (result of partitioning). This definition also includes a lot that is smaller than the original platted lot solely because of condemnation or required dedication by a public agency for right-of-way. "Site is defined in 33.910 and is defined as an ownership. Ownership is defined in 33.910 as "one or more contiguous lots that are owned by the same person, partnership, association, or corporation. There can be issues with the lot and site definitions for attached house requirements. It seems that we can propose houses based on the 33.910 definition and simultaneously qualify for the exception under 33.110.260 stating, "Attached houses are not required on sites that contain a combination of lots or lots of record when the combination is at least 26 feet wide". If the site definition should not be applied to residential, then I would expect to see that in a future iteration of the code, but at this time, it's not written that way - and I don't see any catch 22 about applying that definition here.	Clarify second sentence in the standard for adjacent lots that are separate tax lots in the same ownership.	33.110.260	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
16	1963899	Institutional Development Standards - pedestrian standards	33.110.245.C.10 (now 33.110.270) states that the on-site pedestrian circulation system for Institutional Development must meet the standards of 33.120.255, Pedestrian Standards; however, those standards are now based on the number of residential dwelling units.	Please correct the standard.	33.110.270	Clarification		\$
17	2386571	Lot Confirmation in Multi-Dwelling zones	It is unclear what needs to be met without a PLA and what meeting minimum density means in this situation. 33.676.300.B is labeled "Minimum lot dimension standards" and states the standards must be met without a PLA, but B.3 refers to 33.120.205 which requires "all requirements of this Title" to be met after separation of ownership (33.120.205.C.1). Do all requirements need to be met without a PLA? This is contradicted by 33.676.300.C that says development standards for existing development can be met with a PLA.	It would be very helpful to have clarification of what meeting "minimum density" means in the context of 33.120.205.C.1 (we say no reduction in required minimum density is allowed) and whether it must be met without a PLA. If minimum density for the site as whole is retained after the PLA, it seems as though that should be acceptable.	33.120.205	Clarification	4.3	\$\$
18	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	\$\$
19	2214384	Eastern Pattern area rear setback and exemptions	The Eastern Pattern Area has a minimum rear setback requirement equal to 25 percent of the total depth of the site. One exemption allows for outdoor common area that is at least 10 percent of the site area and that measures 30 ft. by 30 ft. in all directions. It is unclear if this outdoor common area can be provided as a rooftop deck.	Please clarify if rooftop decks can be used to meet the minimum rear setback exemption for outdoor common areas.	33.120.220	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
20	1974736	Definition of ground floor	The raised ground floor regulations are unclear which floor is considered the ground floor. For instance, if a building has a sunken basement unit, is the floor above the basement unit considered a raised ground floor unit and therefore the reduced setback would apply.	Please add a definition of ground floor.	33.120.220	Clarification		\$
21	1974730	Setback averaging in Multi-dwelling Zones	The regulation for setback averaging in Multi-dwelling zones is unclear whether the setback used to match needs to be the like setback, for example a front setback can only match the front setback on the adjacent lot.	Please add clarity to the regulation. The setback averaging regulation in 33.110 has better clarity.	33.120.220	Consistency Change		\$
22	1852521	garage entrance setback	For the RM1 zone, should 33.120.220.E include an exemption to reduce the 18-foot garage entrance setback for steeply sloping lots? Several other provisions in 33.120 have exemptions for lots with 20% or greater slope, and it seems like an exemption here would make sense too.	See above.	33.120.220	Minor Policy Change	0.0	\$
23	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	\$\$
24	2035584	covered outdoor areas	The code is not clear about how much enclosure is too much for a required outdoor area. The code says that they can be covered but not fully enclosed, but what does "not fully" enclosed mean? Some mostly enclosed spaces can count toward FAR--is that what we want?	Please clarify that if an outdoor area is covered and is under 100% enclosed, it meets the standards for 33.120.240 or 33.110.235.C.2.	33.120.240	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
25	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	\$\$
26	1163744	Screening of mechanical equipment	33.110.250.F and 33.120.280.F don't require mechanical equipment to be screened from the street but 33.120.250.C does require screening between the mechanical equipment and the street	Correct this inconsistency in the code.	33.120.280	Consistency Change		\$
27	2409814	CM2 bonus height	The written standard in 33.130.212.B.5.b says that bonus height can only be earned in the Design Overlay, but Footnote 1 under Table 130-3 says that bonus height is allowed on sites within HDs, CDs, or the Design Overlay.	Change 33.130.212.B.5.b to match footnote 1 (footnote 1 was updated with HRCP).	33.130.	Technical Correction		\$
28	2349728	Indoor recreational facility	Unable to find a definition for "indoor recreational facility" or "indoor tenant community room", or a minimum size requirement. Q. Does a 39sf space (without windows) qualify as an indoor recreational facility or community room? Applicant wants to meet required outdoor area standard using, in part, a 39sf amenity work from home/phone room space. The purpose statement says the indoor community facilities provide opportunities for recreation or gathering, which would be challenging in such a small space.	Provide more detail in what qualifies as an indoor rec facility.	33.130.	Minor Policy Change	3.3	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
29	2085445	Required outdoor area	The outdoor area requirements (33.130.228.B.1.b) for when a combination of individual unit areas and common areas is unclear. If at least 48 square feet of individual outdoor area is not provided, and instead the proposal is for a combination of individual and common areas, would a 29-unit building needing 1,392 square feet of required outdoor area be able to allocate that outdoor area to 6 dwelling units with a combined individual outdoor area of 1,307 square feet and a common room of 137 square feet?	Please specify if a combination of individual and common outdoor areas is used, do the individual areas only count toward 48 square feet requirement (even if larger) of the total requirement of individual areas plus common areas.	33.130.	Consistency Change		\$
30	1695291	Facade articulation	Code related to balconies sometimes counts them as floor area (if the railings are higher than 42 inches). This makes it less clear whether balconies contribute to facade articulation or if floor-to-ceiling walls are needed.	Please provide explanation of if balconies can be counted as facade articulation.	33.130.	Clarification		\$
31	1969162	Public Safety Facilities in Commercial zones	In the Commercial Mixed Use zones, Public Safety Facilities are allowed by right except if they include a Radio Frequency Transmission facility, in which case a CU is required (see 33.130.100.B.8.a). The stated CU approval criteria are those that apply to a Public Safety facility (33.815.223) and not those that apply to RF Facilities (33.815.225). If a Public Safety Facility without an RF facility is allowed by right, one with an RF facility should only be reviewed per the CU approval criteria that apply to RF facilities.	Amend language in 33.130.100.B.8.a to state that a CU for a Public Safety Facility with an RF facility may require a CU, and reference the RF regulations in 33.274 (Radio Frequency Transmission Facilities).	33.130.100	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
32	2214393	Ground floor	Height limits in commercial zones allow an exception when at least 75 percent of the ground floor has at least 15 feet between the floor and the bottom of the structure above. It is unclear how this exception applies when a site is sloped - does the 75 percent need to be met for the full floor when only a portion of it is actually at sidewalk level or for mixed use projects, would it only apply to the commercial portion of the building and not residential units?	Please provide parameters for how the 75 percent requirement is calculated for sites with slope and if areas of the "ground floor" are not at sidewalk level.	33.130.210	Clarification		\$
33	1685885	High ceilings	The height regulation that allows 5 feet of additional height when 75% of the ground floor has at least 15 feet between the floor and the bottom of the structure doesn't address issues that could occur on sites with significant slope where part of a floor may be at ground level on one side of the building and underground on a different side of the building.	Please clarify how this regulation applies to sites with significant slope.	33.130.210	Clarification		\$
34	1685778	Table 130-3 Summary of Bonus FAR and Height	Some members of the public have commented that the conditions for allowance of extra bonus height in the CM2 zone be clarified or more explicit in code. The bonus height of 55' is only allowed when a design overlay zone is applied and the site is in a Comp Plan UC or CC designation.	Explore option to make this more clear, if possible. Possibly amend Table 130-3 or clarify in code text.	33.130.210	Clarification		\$
35	1494784	Screening for rooftop mechanical	33.130.210.C.4 states that rooftop mechanical in the CM1, CM2, CM3, CE and CX zones may extend above the height limit, but it doesn't say if required screening is also allowed to extend above the height limit.	Please clarify that required screening for rooftop mechanical equipment may extend above the height limit.	33.130.210	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
36	2246271	Accessory Structure setbacks in C zones	The base setbacks in 33.130.215 generally require a 10-foot setback for sites adjoining an R-zone lot. This was established during the Mixed Use Zoning project of the Comp Plan update. The changes exempted buildings up to 15-ft in height from the 10-ft setback requirement. However, the same section also stated that detached accessory structures on sites with all residential uses were subject to the standards of 33.120.280 in the multi-dwelling zones. This sets up a conflict/discrepancy where a commercial building could fully extend into the setback but a residential detached accessory building can only be 24-ft long to be in the setback.	This language should be clarified to determine how the setback exemption for buildings up to 15-ft tall should apply to detached accessory buildings, both commercial and residential. Should residential detached accessory buildings have more restrictions than commercial. Note that prior to mixed use project, the reference to 33.120.280 was less of an issue, since shorter buildings were subject to a 5-ft setback anyway.	33.130.215	Clarification		\$
37	1540114	Setback purpose statement in Commercial/Mixed Use zone	The setback purpose statement in the Commercial/Mixed Use zone states that "The setback requirements for areas that abut residential zones promote commercial/mixed use development that will maintain light, air, and the potential for privacy for adjacent residential uses. However, development that is entirely residential is allowed in the zone which makes the purpose statement imply that it is not necessary to comply with the setback.	Please remove "commercial/mixed use" from the purpose statement so that it refers to all potential development.	33.130.215	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
38	2245520	Window requirements on intersecting streets	A land use review has been submitted where a building is on a corner where both streets are of equal classification. The development on one street frontage is all dwelling units and the development on the other street frontage is dwelling units plus structured parking. If a building has more than one street frontage and there is a combination of street frontages with dwelling units and non-dwelling units, 33.130.230.B.2.a.(2) becomes confusing especially in terms of how exemptions are applied when structured parking is involved.	Explain whether a 5-foot setback for structured parking is allowed if the wall of the building along that street needs to meet the 40% standard.	33.130.230		0.7	\$\$
39	1606138	Ground floor windows and stairwells	The street facing glass stairwell of a new hotel is proposed to meet the ground floor window standard; however, it is unclear if a stairwell for all guests would count as working area or lobby.	Please consider whether stairwells should be included as a qualifying feature or should be noted as not a qualifying feature in 33.130.230.B.3.	33.130.230	Clarification		\$
40	1469382	Windows in Street Facing Facades	In the CM zones, the standard that requires 15% of the area of the street-facing facade be in window area does not exempt accessory structures, even though accessory structures are exempt from the maximum setback and typically are placed away from the street.	Consider exempting at least accessory structures that are not within the maximum street setback (or are more than 20' from a street lot line) from the 15% window standard.	33.130.230	Minor Policy Change	4.3	\$
41	955409	Waste Related Uses in I zones	Under the Use table in 33.140, Waste Related uses are indicated as a limited or conditional uses in I zones. Footnote 8 indicates that a waste related use could be allowed by right if the use was approved by Metro and in conformance with their plan. This provision has never been applied, and is not anticipated to be applied by Metro in the future.	Remove this option for waste related uses, so that it is more clear that waste related uses are subject to a CU. The Metro option is not currently supported by the agency.	33.140.100	Minor Policy Change	0.8	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
42	709749	Use conflicts between EG and R zones	There are several sites along I-84 that have Employment zoning that are immediately adjacent to, and accessible through R5 zones. This allows uses such as industrial uses and things like nightclubs/bars to locate in areas where the only access is through the residential neighborhood.	Consider placing limitations on these uses such as the size of bars and nightclubs, and/or consider creating a less intense buffer zone in these areas.	33.140.100	Minor Policy Change	1.3	\$\$
43	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	\$\$
44	2237186	Table 150-1	Footnote 9 in Table 150-1 applies to Group Living Uses and specifically states that the Group Living use must be included in the campus's impact mitigation plan and that plan must accommodate the Group Living use's impacts. This assumes a new Group Living use and the presence of an impact mitigation plan.	Please evaluate Footnote 9.	33.150.	Clarification		\$
45	1708053	Conflict between maximum and minimum building setback in IR zone	What happens when there is a conflict between the minimum setback (10' minimum, or 1' for every 2' of building height, whichever greater)? For instance, a 40' tall building would need a 20' minimum setback but a 10' maximum setback is required. Under old code in 33.120 (when the IR zone was in the Multi-Dwelling Zone chapter), there was a subparagraph clarifying that maximum beats minimum when in conflict, but this language was not carried forward into 33.150.	Please add code language to 33.150 stating how a conflict between minimum and maximum setback should be addressed.	33.150.	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re- source
46	2349722	IR Zone setbacks	In the new Institutional zones, there are some conflicting standards that have occurred by moving the IR provisions into 33.150. This includes maximum setback where text only refers the CI2 zone but Table 150-2 states it applies and ground floor windows (GFW), which previously didn't apply when IR was part of residential zoning, code provision doesn't reference IR, but the table does.	1. Fix maximum setback in IR zone. Code text supersedes table which states maximum setback applies. ** Eliminate the IR zone completely. 2. Fix table 150-2 to say no. IR zone did not have a GFW standard before code change for comp plan.	33.150.215	Consistency Change		\$
47	1008925	Home Occupation Exemptions	Currently, registered and certified child care facilities are allowed via ORS 329A and exempted from the home occ regulations. If a home has a primary resident the child care activities are an allowed use without regulation. The state monitors registered preschool programs as defined by ORS 329A.250(9), but there is no exemption language in 33.203 for this similar and less intense use as registered preschool programs may not exceed more than 4 hours per day.	Include registered preschool programs with registered and certified child care facilities that are exempt from Home Occ regulations. This is essentially an update of current code to reflect new programs offered by the State Child Care Division and should be supported for the same reasons the current child care facilities are exempted from 33.203. Without this change, preschools would be forced to apply for a CU to legalize as a day care use in a residential zone. To exempt one child care facility and not a use that is less intense creates an equity issue for critical child development options in the City of Portland.	33.203.020	Minor Policy Change	3.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
48	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	\$\$
49	1193541	Type B Home Occ in ADU	33.203.030.B.3 prohibits Type B Home Occs in residences with an ADU. Customer feels this places an unfair burden on small business owners. Customer feels that ASTRs, which are allowed in ADUs are more disruptive to the neighbors than her small business and feels the regulation is outdated and inequitable.	Customer would like Type B Home Occs allowed outright in ADUs. At the very least she would like the language changed from "prohibited" to "not allowed."	33.203.030	Minor Policy Change	3.7	\$\$
50	916351	Home occupancy businesses Type B	I occasionally need a worker to help load at my home business. Currently, the code states that I must have the same worker, who's car license is recorded by the city on file, come to the house. He is not always available when I need him. I would like to propose that the code allow for ONE WORKER AT A TIME to occasionally come to the home business. This is not to suggest that any "shifts" of workers be coming to the house, but to appeal for more flexibility in the allowing of a worker to come assist with home business work occasionally.	Revise the working of code to allow one worker at a time to come to a home business, not as shift work, but as occasional assistance with work of home business.	33.203.030	Minor Policy Change	1.5	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
51	916357	Accessory Home Occupancy Business, Type B	As the code now reads, I must pull my extended Dodge van into my garage to load and unload the audio equipment we store in the garage. We mostly leave entire audio systems in the van to lessen the impact on the neighborhood. Requiring me to load IN MY GARAGE, restricts the amount of space I have in the garage for storage of off season or extra gear that is occasionally needed. The code cited and needing revision is 33.203.040. Site-Related Standards.	I would like the code to be revised to read "all activities associated with an accessory home occupation must be in completely enclosed structures on the site, with the exception of loading of equipment or materials, which may be done between 8 am and 5 pm, by backing up to the structure when loading is needed. (In my case, this is my garage door on my own property at the end of my own driveway).	33.203.040	Minor Policy Change	0.8	\$
52	916361	33.203 Accessory Home Occupations, Type B	I am only allowed to keep one of my three vehicles at my home occupation, Type B business. The other two vehicles are high tops that I can stand up in and won't fit inside my garage where I store extra and seasonal audio equipment. I can't bring the other two vehicles here to load, even on my own property. I would like to occasionally be able to bring ONE VEHICLE AT A TIME to my own property to my garage door to load occasionally needed equipment.	Please work code to say that ONE VEHICLE AT A TIME, may come to the home business when within the prescribed hours of 8 am until 5 pm, for the purpose of occasionally loading or unloading.	33.203.050	Minor Policy Change	0.8	\$
53	1167635	Type B ASTRs	Type B Accessory Short-Term Rentals in commercial zones require a Conditional Use, and are required to use the approval criteria in 33.815.105 (Institutional and Other Uses in R Zones). The criteria are intended to address potential impacts associated with non-residential uses in residential zones. Applying the criteria to ASTRs in a commercial zone doesn't make sense.	Consider requiring a Conditional Use for Type B ASTRs only when located in an R zone.	33.207	Minor Policy Change	4.3	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re- source
54	1100083	ASTRs	PCC 33.207.020.A describes an accessory short-term rental as one where an individual or family resides in a dwelling unit and "rents" bedrooms to overnight guests. This implies that the person or family residing in the dwelling unit must be the one that rents the rooms. However, PCC 33.207.020.B states that the resident may designate an operator, and the operator can "manage" the ASTR.	Clarify:1) What the intent is of the statement that an ASTR is one "where an individual or family resides in a dwelling unit and rents bedrooms to overnight guests;" and2) What the intent is of the operator.	33.207.	Clarification		\$
55	1052227	Short-term rentals	AirBnB, HomeAway and VRBO contribute to low availability of housing currently being experienced in Portland. Revenue for the city as well as local hotel/motels is impacted by each "sub-rental" unit. Additionally, we have home renters renting rooms out on AirBnB. The impact of "sub-rentals" is heavy to a neighborhood. "Strangers" coming and going at all hours is extremely discerning to homeowner's who purchased a home in a quiet and friendly neighborhood.	Tighten up city regulations to include less number of days the renter/homeowner can be absent from the premise if they are sub-renting (e.g. not the current 90 days instead make it 30 days. Require inspection/certification of available parking that will NOT create hardship on surrounding homeowners available parking. Require documentation of weekly waste removal (e.g. Waste Management subscription). Require monthly inspections and verification of homeowner/rental occupying the property...more than just a driver's license address. 4227 SW Comus is listed on VRBO and HomeAway as sleeping 16. The homeowner presented a driver's license with that address when submitting the application. The homeowner has been "housesitting" another home out of the neighborhood for 3 months and will continuing doing so for another 2 months.	33.207.	Minor Policy Change	2.0	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
56	1118650	Short-term Rental	There are distinct noticing requirements for short-term rentals depending on whether the rental is proposed within a house or within a multi-dwelling structure. These noticing standards anticipate that the surroundings include the same type of development. However, if a house is located adjacent, or across the street from a multi-dwelling development, then the notice must go to every resident of that development. This is more inclusive than if a short-term rental is proposed within the development itself.	Consider revising the noticing requirements for a short-term rental located adjacent to a multi-dwelling or mixed use development to better align with potential impacts of the short-term rental.	33.207.040	Clarification		\$
57	1317539	Bed and Breakfast	The Accessory Short Term Rental regulations (in Section 33.207.070) speak to the status of bed and breakfast facilities that existed without a revocable permit prior to 1988. This section also identifies what the status is of bed and breakfast facilities operating under a revocable permit. The code is silent on the status of bed and breakfast facilities that operated post 1988 as a Conditional Use, and particularly those that have more than 5 rooms for guests. Are these considered automatic Conditional Uses or Nonconforming Uses?	Clarify in Section 33.207.070 what the status is of those bed and breakfast facilities that operated post 1988, and particularly those that rent out more than 5 bedrooms.	33.212.	Clarification		\$
58	2162067	Flag lots	It is unclear if flag lots have a front lot line. This is particularly of interest when Community Design Standards may be used for new development since those standards specifically refer to front lot line.	Please clarify if flag lots have a front lot line.	33.218.100	Clarification	1.3	\$\$
59	1292005	Community Design Standards - windows	Applicant has proposed a window that is slanted at the top. The Community Design Standards require a vertical window. Does this window count as vertical?	Please clarify if a vertical window which is slanted at the top would meet Community Design Standards when they are updated.	33.218.110	Clarification		\$
60	1240639	Front elevation	33.218.110.E uses the term "front elevation" but it is not defined in the zoning code.	Please add a definition.	33.218.110	Clarification		\$

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61	1619146	33.219 Convenience Stores	Regulations concerning convenience stores are excessive relative to regulations pertaining to other similar retailers such as grocery stores and marijuana stores. For instance, grocery stores sell the same products just with more variety and are not required to conduct such extensive neighborhood outreach. Marijuana stores sell a product that is not federally approved (whereas the beer and wine sold in convenience stores are federally regulated) and are only required to document compliance through a \$68 zoning confirmation whereas convenience stores are required to document compliance with regulations through a \$1,125 Tier 3 zoning confirmation letter. Furthermore, many private convenience stores are owned and operated by immigrants and people of color; therefore, the excessive regulations and fees could also represent an equity issue. Much of the intent of 33.219 can be accomplished through 33.262 Off-site impacts and the Police Bureau (if a crime occurs).	Please consider either simplifying 33.219 to reduce the regulatory burden or eliminating the chapter altogether.	33.219.	Minor Policy Change	4.7	\$\$
62	1295398	Convenience stores	Current convenience store regulations may not add much value and are easy to circumvent. Furthermore, other establishments that have similar impacts (i.e. liquor stores or bars) are not subject to the same level of regulation.	Please review the convenience regulations and determine whether they add value or whether other city codes (T29 Property Maintenance, T14 Public Order and Police, other T33 regulations) or ONI guidelines/requirements already cover the same issues.	33.219.	Minor Policy Change	4.3	\$\$

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63	1295392	Police Bureau references in Zoning Code	The Police Bureau and Planning and Zoning have devised alternative means of documenting that safety criteria for convenience stores and amenity bonuses are met.	Please evaluate references to the Police Bureau and whether other means to meet standards can be used (i.e. change Police Bureau references to ONI).	33.219.060	Minor Policy Change	4.3	\$
64	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	\$\$
65	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
66	1055652	Food pantries require conditional use permits	Food scarcity and food deserts are an issue in portions of Portland. The zoning code does not have many tools to address this.	In some zones there are no allowances for community service uses other than as conditional uses. Conditional use permits are costly and take a great deal of time and expertise to secure. The question of whether or not it would be possible to waive the CU requirements for food pantries in some areas came up at a BDS Equity in Motion session. It would be wonderful to explore the idea of allowing food pantries to be allowed uses in zones that do not currently allow them outright.	33.237.	Minor Policy Change	3.8	\$\$
67	2186355	Inclusionary Housing sunset date	33.245.040.A.2 includes inclusionary housing rates that apply before 1/1/22 and should be deleted with the first zoning code package approved after 1/1/22.	Please delete 33.245.040.A.2 after 1/1/22	33.245.040	Technical Correction		\$

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68	1425108	Reference to in-lieu-of in Inclusionary Housing Chapter	33.245.040, Inclusionary Housing Standards, states "Affordable dwelling units must be provided as follows, or a fee-in-lieu of providing affordable dwelling units must be paid. . . "However, there is nothing in 33.245 about the fee. That info is in the base zone regs, e.g., .120.205.F.2.b.	Add a cross-reference, either to the specific sections that talk about the fees, or just generally, such as "Information on the fee-in-lieu is provided in the base zone chapters." Suggestion: Add a Subsection C to 33.245.040:C. Fee-in-Lieu of providing dwelling units. When the requirements of this [chapter] [section] will be met by paying a fee-in-lieu of providing dwelling units, the fee must be paid [as set out in Section 30.01.120, Inclusionary Housing] [as set out in Chapter 30, Affordable Housing Preservation and Portland Renter Protections] [as required by the Portland Bureau of Housing].	33.245.040	Clarification		\$

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69	1701121	trees	<p>The city is requiring trees on lots that are being built with just walk around clearance. The trees can cause problems in the future if there is not enough room for healthy root systems and room for the full canopy as the trees grow. Portland has many problem trees because of past tree planting. Trees planted need to be planted by city code not by name that limit the trees to those whose root system and canopy will be contained within the space that is open to the size of the tree's needs. Trees with canopies that reach neighbors roofs and roots that do not have room to grow can cause a lot of damage 5-10 or 20 years down the road. Trees can crack mountains. They change the water content of soil causing foundations to move. The city needs more than trees. They need smart planting including proper space to plant desired trees in a way that does not negatively impact building in the future.</p>	<p>We need a new city wide requirement to plant trees with space needed to grow both canopy and root system so future growth is the most important factor. Note root barriers do not work for trees. The roots are too large and can grow around barriers or destroy them. Cutting back the canopy does not reduce most root systems. Kay Newell</p>	33.248.	Minor Policy Change	0.3	\$\$
70	1699389	trees	<p>the neighbor planted trees within 12" of my retaining wall and property line. 2 concerns for me. Damage to my retaining wall and patio. Branches hanging over my patio, I will cut them back. The lack of light because the trees are 28" from his 3 story building will cause the tree to bend over my patio., Some of the trees are 12" from my property. the roots can damage my patio. concern about egress using the egress exit wells from the basement apartments. the trees will grow large and that can be a safety issue/The large main building on the West end has a evergreen that will grow large enough to damage my fence and the gate to my property.</p>	<p>Owen was required to have 3 trees on the North of his development. The room needed for trees is not there. remove all trees along side the building. Keep one tree in the patio area. Plant low growth shade plants so people can escape in case of fire. Replace the evergreen tree with a smaller evergreen bush that does not get very wide</p>	33.248.	Minor Policy Change	4.0	\$\$

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71	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	\$\$
72	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	\$\$
73	1173094	Landscape Standards	In both the L2 and L3 landscape standards, the shrub requirement can be replaced with a masonry wall of equal height to what the shrubs would have been. The width of a masonry wall would result in taking up a significant portion of the width of the landscape buffer, and the excavation required for a masonry wall could adversely impact the root zone for existing trees.	Consider allowing (in at least some zones) the shrubs required for the L2 or L3 landscape standard to be replaced by a masonry wall or an F2 fence.	33.248.020	Minor Policy Change	5.3	\$
74	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
75	2337771	Remove "grandfather" from 33.258	33.258.035 Where These Regulations Apply includes the sentence, "Nonconforming situations which were not allowed when established or have not been maintained over time have no legal right to continue (often referred to as 'grandfather rights') and must be removed. "The phrase "grandfather" has racist roots. In the 1890s Southern states passed laws disenfranchising African Americans who had been promised the right to vote by the passage of the 15th Amendment. One tactic was to men who had been eligible to vote before 1867 or were descendants people who could vote then-- the "grandfather clause. "This phrase has been removed in other zoning-related contexts. See "Zoning and Land-Use Attorneys: Mind Your Nomenclature!" https://www.americanbar.org/groups/litigation/committees/real-estate-condemnation-trust/practice/2021/grandfather-clause-racist-origins/ See also NPR's Code Switch's "The Racial History Of The 'Grandfather Clause'" https://www.npr.org/sections/codeswitch/2013/10/21/239081586/the-racial-history-of-the-grandfather-clause	Replace "grandfather" with "vested" or remove the parenthetical altogether.	33.258.035	Consistency Change		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
76	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	\$
77	2324137	Non-conforming situations	Figure 258-1 and the labeling of property line is causing confusion. The same line is being used to represent internal property lines and for showing a property line as it existing 2 years before the use became non-conforming. People are interpreting the figure as showing that the gray lots were the original site and NCU while lot 4 was purchased after.	clarify figure	33.258.050	Clarification		\$
78	1119011	Accidental destruction of nonconforming uses	A property owner has owned a commercial building since before 1992 when the zoning for the site was changed to R1. In 2002, an electrical fire damaged the building so that it was unusable. The building has been vacant since then. The owner claims since the loss of use was "accidental destruction", there is no timeline for reestablishing the nonconforming commercial use. In other words, the argument is 33.258.050.E.1 doesn't apply because 33.258.050.E.2 applies.	Clarify that meeting 33.258.050.E.2 does not mean 33.258.050.E.1 must not be met as well. (note paragraph reference changed from D to E with RICAP 8)	33.258.050	Minor Policy Change	-2.0	\$

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79	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	\$\$\$
80	45839	Nonconforming Residential Uses	If a nonconforming residential structure located in an industrial zone is destroyed by accidental fire and the destruction exceeds 75% of the assessed value, the owner cannot rebuild the home. Many homes in industrial areas are on small sites that don't have much value to industrial uses. The prohibition on rebuilding the structure puts an added hardship on the homeowner	Amend the code to permit the reconstruction of a residential structure within an Industrial Zone, even if such a structure and use would be a nonconforming use. New residential construction could still be prohibited.	33.258.050	Minor Policy Change	1.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
81	2257109	Drive-throughs	33.130.260.C.2 allows existing drive-throughs to be rebuilt, expanded or relocated on a site provided it has not discontinued use for more than 3 years. 33.258.050.E.1 allows a nonconforming use to be discontinued for up to 3 years; however, 33.258.070.E.1 allows nonconforming development to be discontinued for up to 2 years. Drive-throughs often are nonconforming uses with aspects of nonconforming development making it difficult to determine if the drive-through is allowed to be discontinued for 2 or 3 years.	Please consider options to clarify whether the 2 year allowance for nonconforming development discontinuance should apply to drive-throughs or if they should have a flat 3 year allowance for nonconforming use and development standards.	33.258.070	Minor Policy Change	3.0	\$\$
82	1393735	Expired exception in Nonconforming Situations chapter	33.258.070.D.1.f and 33.258.070.D.2.b(6) include references to exceptions expiring on December 31, 2015.	Please remove the exception.	33.258.070	Consistency Change		\$
83	1343997	Incorrect building code reference	33.258.070.D.2.a(2) references Section 1113 of the Oregon Structural Specialty Code; however, accessibility upgrades for existing buildings is now addressed in OSCC 3411.7 and further referenced in ORS 447.241.	Please update the reference.	33.258.070	Technical Correction		\$
84	1277589	Nonconforming development	33.258.070.E.1 states that "if a nonconforming exterior development such as an exterior storage area, is unused for 2 continuous years, the nonconforming rights are lost and a nonconforming exterior development may not be re-established". This makes sense when the nonconforming development is an activity such as exterior display or exterior seating, However, the wording also implies that all improvements such as a drive-through stacking lane that is less than 150 feet or a parking lot that is setback 4 feet instead of 5 feet if unused for 2 years would also lose nonconforming rights. .	Please clarify if 33.258.070.E.1 is intended to cause any nonconforming development to lose rights if unused for 2 years.	33.258.070	Clarification		\$

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85	1145642	Nonconforming Development	Language in Section 33.258.070.C regarding changes to nonconforming development needs to be clarified. As written, if a site has nonconforming development anywhere on the site, changes to development elsewhere on the site that don't bring the "site" closer into conformance are not allowed without an Adjustment review. This means if there is a nonconforming detached accessory structure on the site and the owner wants to do an addition to the house, an Adjustment would be required.	Consider changing the language in this section to read that only changes that bring development further out of conformance require an Adjustment.	33.258.070	Clarification		\$
86	964140	Nonconforming upgrades	The code states that the value of the alterations is based on the valuation of the "entire project", not individual permits. However, it is not clear how to determine what the entire project consists of.	Clarify what is meant by "entire project" for the purposes of this code section. Perhaps all permits within a certain timeframe.	33.258.070	Clarification		\$
87	767574	Length of Compliance Period	Now that this provision has been in the code for several years, a review of the length of the compliance periods is warranted to see if the existing timelines (which expand to 5 years for large sites) may be too long of a time to allow for upgrades.	Review instances of delayed upgrades to see if compliance periods are appropriate.	33.258.070	Minor Policy Change	2.0	\$\$
88	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 than 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	\$\$

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89	173203	Nonconforming Upgrades	It is not possible to get many of the required nonconforming upgrades for nonconforming uses and/or development when the zone doesn't even allow the particular use or development. Examples include landscape setbacks for exterior improvement areas, pedestrian circulation systems, landscaping in existing building setbacks, screening, required paving for exterior storage and display areas.	There should be a basic level of nonconforming upgrades required for nonconforming uses/development. Potentially, such uses and associated development should be upgraded to the standard required in the next highest base zone in which the use /development would be allowed (i.e., if there is nonconforming exterior improvement area in a Multi-Dwelling zone, it would have to be upgraded to the standards required for such development in the Commercial zones).	33.258.070	Minor Policy Change	5.6	\$
90	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
91	1619192	33.262.070 Odor	The concept of "odor" is very subjective because everything in the natural and built environment has an odor. The BDS Property Compliance Division provided further insight/thought:1. Whose odors is 33.262 attempting to regulate? Odors from single-dwelling residences, odors from industrial facilities or only odors in commercial zones?2. Should the code reference an odor standard? The standard practices published by the American Society of Testing and Materials (ASTM E679 and E544) provides from point, area and volume emissions sources that can be sampled and tested for odor parameters.3. What type of odors is the code trying to regulate? Should only odors that are recognized as noxious or injurious to human health (i.e. scientifically documented asthma triggers or allergens) be violations? Or should all odors regardless of effect be violations?4. Who has the equipment to test for odors?	Please consider greater guidance in the zoning code pertaining to odors and violations. The Property Compliance Division drafted some incomplete code language:33.262.070 Odor A. Odor standard. Continuous, frequent, or repetitive odors may not be produced. The odor threshold is the point at which an odor may just be detected. A. For compliance with this section the following definitions apply:1. Odor: (Merriam-Webster) a: quality of something that stimulates the olfactory organ: scent. b : a sensation resulting from adequate stimulation of the olfactory organ : smell2. Odor Standard: Odor Threshold: [definition needed]3. Detection methods: [definition needed] B. Odor violations: frequent and repetitive odors are considered to be a violation based on demonstrable evidence obtained by: [completion of this needed] C. Exception. An odor detected for less than 15 minutes per day is exempt.	33.262.070	Minor Policy Change	1.0	\$\$
92	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 defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
93	2261765	SRO References in Parking Chapter	Both Table 266-1 and 266-2 include references to SRO as they relate to minimum parking requirements. The term SRO, for single resident occupancy was removed from the code with the Shelter to Housing Continuum project. Parking is based on Household/Group living use and on the structure types dwelling unit/congregate housing facility.	Remove the references to SROs.	33.266.	Technical Correction		\$
94	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	\$\$
95	1515193	Locating required parking off-site	33.266.100.E allows required off-street parking to be provided in parking areas within 500 feet of a site, regardless of zone. The subsection contains no language requiring a covenant, easement or other documentation to confirm the applicant has permission and a long-term commitment to utilize the off-site parking.	Please identify means that a planner will verify an applicant providing required parking off site has permission to use that parking as well as a long-term commitment.	33.266.100	Minor Policy Change	-0.7	\$
96	1147820	Mechanical parking	A mechanical parking structure is proposed to increase parking capacity in an existing surface parking lot. Whether this structure would be considered "structured parking" and what landscaping standards would apply is unclear. This approach to parking is more prominent in other cities, so one could assume Portland will see more mechanical parking structures.	Please clarify how a free-standing mechanical parking structure is classified and what landscaping standards would apply.	33.266.100	Minor Policy Change	3.5	\$
97	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
98	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	\$
99	1096140	Parking Ratios	For Conditional Use and Impact Mitigation Plans, the parking ratios are always established as part of the CU or IMP review. This is reflected in the approval criteria (for example, see 33.815.105.D.2). Use of the word "may" in Footnote 2 of Table 266-2 implies that the parking ratios may be established via the regulations of Table 266-2 and the regulations in 33.266.110 and 115. This is not the case.	Amend Footnote 2 of Table 266-2 to read, "Parking ratios for uses subject to a Conditional Use or Impact Mitigation Plan are established through the Conditional Use or Impact Mitigation Plan review."	33.266.110	Clarification		\$
100	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
101	1341918	Residential Driveway Slope to Garage Regulation	I went to the Permits office to research whether or not a permit existed for my driveway of a home I purchased last year. A standard vehicle cannot drive down the driveway because the slope is too steep. This wasn't communicated to me by the realtor nor developer. After discussing this issue with the Planning/Zoning and Transportation departments, we figured out a Building permit and Right-of-Way permit were approved, however, there appears to have been a disconnect in that the building and right-of-way permits were not looked at together to see if a car could actually drive down the driveway and enter the garage. We found out that there is no city regulation on the driveway slope. May I ask why doesn't the zoning code have standards on regulating the driveway slope? Can BPS please change this?	Zoning code should have standards that regulate the driveway slope to a garage to ensure that a standard car can drive down and enter the garage. There needs to be standards on what classifies a garage to be a functioning, i.e. a standard car should be able to drive into it. Also, if this is not the case, it should be mandatory that the developer disclose to the agent and buyer that the garage is non-functioning and should not be able to call it a garage when listing a home. Thank you.	33.266.120	Minor Policy Change	-0.3	\$\$
102	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
103	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	\$\$
104	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
105	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
106	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	\$\$
107	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	\$
108	2190524	Perimeter parking lot landscaping	33.266.130.G.2 and Table 266-5 requires a landscaped setback between surface parking and an abutting property line; however, there is no exception for if other development such as exterior storage (which doesn't have a screening requirement in Industrial zones) is located between the parking area and the lot line.	Please add an exception for Industrial zones stating that if exterior development is located between the parking and the lot line, no landscaped setback is required.	33.266.130	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
109	1325940	Internal parking lot landscaping	Parking spaces for motorcycles are much smaller than parking spaces for vehicles, yet the amount of interior parking lot landscaping required for motorcycle parking spaces is the same as that required for vehicle parking stations.	Evaluate whether interior parking lot landscaping requirements should be based on the type of parking.	33.266.130	Clarification		\$
110	1321240	Large Parking Areas	The regulations in 33.266.130.F.5 apply to large parking areas over 125,000 square feet in size. When an existing parking area increases in size such that it is now over 125,000 square feet in size, it is unclear how the regulations should be applied.	Please clarify if the regulations for large parking areas apply to the full parking area when an existing parking lot increases in size such that it now exceeds the 125,000 square foot threshold that triggers the large parking area regulations.	33.266.130	Clarification		\$
111	1177070	Interior Parking Lot Landscape Standards	Section 33.266.130.G.3.g includes language about minimum dimensions for tree planting wells that are located within the interior of a parking lot, and references Figure 266-7. Figure 266-7 seems to illustrate that a 5'x5' tree well can encroach into the minimum required 16' deep parking stall.	Modify Figure 266-7 so that it reflects the intended allowance for tree wells and parking stall depth.	33.266.130	Clarification		\$
112	1108090	Mechanical parking	Portland is seeing increased use of mechanical parking structures to satisfy parking requirements and maximize the efficient use; however, the Portland Zoning Code does not address mechanical parking any differently from surface parking which can result in the need for Adjustments to parking space width and depth.	Review industry standards for mechanical parking structures and consider whether any differences between those standards and the minimum size dimensions in the Portland Zoning Code should be addressed.	33.266.130	Minor Policy Change	1.8	\$\$
113	1082109	Allow pedestrian connection through perimeter landscaping	The parking lot landscaping standards do not allow for a portion of the landscaped area to be paved or specify that a pedestrian connection can go through the landscaping.	Allow a minimum width pedestrian connection to cross required perimeter landscaping perpendicularly.	33.266.130	Minor Policy Change	4.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
114	1078725	Purposes Statement for Parking Development Standards	The purpose statement for parking lot development standards (33.266.130.A) is poorly organized. The bullets needs to be organized under headings so that it is clear what bullets apply to what standard.	Reorganize the bullets in the purpose statement so that it is clear what purpose applies to what standard (see below for suggestion).	33.266.130	Clarification	5.5	\$\$
115	993516	Tree Density and Landscaping standards	The Title 11 Tree Density standards require a tree area with minimum dimension based on the size of the tree (ie. 10x10 for a large canopy tree). The parking lot landscaping standards in 33.266 generally require a 4 foot wide planting area or a 5x5 tree area, therefore only small or medium size trees planted in most parking lots would count toward tree density. Also, the Tree and Landscaping Manual specifies planting strip widths for each tree. In some cases they are only 4' wide for a large canopy tree. This is also an issue for non-conforming upgrades. Existing trees within a planting strip that doesn't meet the minimum T11 tree area can't be counted toward tree density.	Review options to address the discrepancies noted between the tree density standards, parking lot landscaping standards and Tree and Landscaping Manual.	33.266.130	Consistency Change	4.3	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
116	916831	Parking dimensions	Aisle widths, space widths, and space depths interact when all three are minimized to make parking and maneuvering difficult--and potentially more hazardous. When parking spaces are 8.5 feet wide, cars cannot begin turning (to pull out) as early as in a wider space. The same is true for pulling in; the car must line up farther away from the space to make a complete turn into the space. This means that the aisle must be wider to accommodate the turn.	I recommend (for 90-degree parking), that when the space is less than 9 feet wide, the aisle be required to be at least 22 feet wide (or 24 feet). If the parking space is 9 feet wide, then the aisle could be 20 feet wide. It may also work to set the aisle width at 22 feet regardless of the width of the parking space. It should also be allowed to put the parking spaces at any angle (i.e., not just at the fixed angles listed in Table 266-4). (In the past, "compact" spaces were 8 feet wide and all two-way aisles were 24 feet wide. The spaces were difficult to use, but turning was less a problem than getting in and out of the car itself.)	33.266.130	Minor Policy Change	0.0	\$\$
117	905278	Parking Standards	Section 33.266.130.A contains the purpose statement for the parking standards. The bullets in this section describe the purpose for a host of different standards, such as location of parking, landscape standards, and stall and aisle layout. However, introductory sentence to these bullets states "Together with the transit street building setback standards in the base zone chapters, the vehicle area restrictions for sites on transit streets and in Pedestrian District Districts:", implying that the purpose statement for landscape and layout standards apply only for sites along transit streets and in pedestrian district, which isn't the case.	Reword this intro sentence to something like, "Together with the transit street and building setback standards in the base zone chapters, the development standards of this section are intended to:"	33.266.130	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
118	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	\$\$
119	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
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	352552	Perimeter Parking area landscaping for non-residential uses	On small sites, where parking is desired, it is difficult to accommodate required aisles and parking space dimensions without reducing the size of the building footprint significantly. The vehicle area limitations at the front of the site necessitate that parking be placed in the rear, further exacerbating this problem. Currently, where there are 5 or fewer parking spaces provided accessory to household living uses, a 3' F2 fence can substitute for the otherwise -required 5' landscaped setback adjacent to vehicle areas.	Consider extending this allowance to non-household living uses as well, in order for a small amount of on-site parking to be provided but also allow additional area for building area. The parking issue is especially relevant for development adjacent to streets that have no on-street parking available.	33.266.130	Minor Policy Change	1.8	\$\$
122	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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123	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	\$\$
124	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	\$\$

125	919917	RV parking	<p>We recently purchased a home in the Wilkes R7 zone listed in the MLS as a property with "great RV parking". This, along with room for our dogs to run in the back yard, was the main reason we decided to buy. The RV parking is a separate, paved driveway with electrical access on the west property line. Just one year later on 9/2/15 we received a Notice of Zoning Violation for 33.266.150 - parking our RV on this paved space because it was between the front lot and building line. In addition we were cited for an unpermitted parking area that was installed over 30 years ago. These citations were a result of "confidential neighborhood complaints" and were issued against 4 homes on our street, one around the corner and possibly others. We believe this code is conflicting, unfairly enforced, and overly restrictive and that it is not in line with the quality of life sought by many of our current neighbors. Recreational equipment and associated extra parking spaces are very common in this area. People want to keep their equipment at home, not in an expensive storage facility where spaces are hard to find (we were on several waiting lists) and security might be a problem. The size of a lot in our R7 zone generally provides enough space to park at home. The difficulty is that many of the homes in our area are single story ranchers with low roof lines and wide eaves preventing access to the side or back yard so parking is up to the building line but not behind it. These are nice RV, they are licensed and well kept and are not junkers rusting to the ground. And they are parked on our property! Since the applicable parking code speaks to promoting an attractive residential appearance we don't</p>	<p>The code should be revised - cookie cutter application of zoning codes across all zones and housing types create situations we believe are unfair, especially with a complaint-driven process of enforcement. We believe the code should allow RV parking based on a set of criteria or options, not just "may not be parked between the front lot line and the building line". Here are a few examples of criteria a revised code might address:1) That the recreational equipment be currently licensed, insured, in good condition and not be used as a permanent living space.2) That a permitted, paved parking space that is at least as long as the equipment to be parked be installed meeting the requirements of 33.266.120 C., D. and E. 3) That the location of the parking area meets at least one of the following options: a) It is behind the front building line defined as any part of the building line that is the closest to the front lot line. b) Where buildings encroach, a side-yard is not wide enough, or there is some other obstruction that it is as close as possible to the front building line, providing the recreational equipment does not extend to within 10 feet of the street. c) It is in some other location on private property and was installed after a</p>	33.266.150	Minor Policy Change	-2.3	\$\$
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			<p>see where an attractive, well-kept RV would be any different than a van, truck or car and it would not necessarily detract from an attractive residential appearance. If the criterion is simply to reduce visibility by pushing it back on the lot we wonder about the many homes we see on corners that can successfully park an RV "behind the building line" yet have it totally visible on the side street. If the criterion addresses the possibility that an RV might not be clean and tidy or that it might be lived in then why not enforce a code in situations where that actually applies? Certainly it is unfair to enforce Code 33.266.150 unilaterally but only when someone (who may be from a different street or neighborhood) has driven around writing down addresses and anonymously complained. Another issue with this code is determining what the front building line is. Our notice letter stated our front building line is defined by the location of our front door. For many homes, including ours, the front door is recessed and other areas of the building are closer to the front lot line. While it would not really make a difference on our site due to the side yard encroachment of the roof eaves, it might make a difference elsewhere.</p>	<p>documented neighborhood notification process was completed where not more than 10% of the residences on the affected block disagree with the placement. (Need some code written for this).These suggestions are just a start, so many different conditions exist that input from others is essential in order to create a zoning code that is flexible and achieves livability not only for people without recreational vehicles but also for the growing number of us who do have them and want to keep them on our property. Please notify me upon receipt and as work progresses.</p>					

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126	2154001	Long-Term Bike Parking	The long-term bike parking ratios of 1.5 spaces per unit can be difficult to implement with smaller-scale apartment complexes placing studio or small 1-bd units on smaller lots, such as 5,000 sq ft. A 19 unit studio plan requires 29 bike spaces. The number of spaces can both impact the apartment's storage capacity and may also force removal of one or more units to provide bike room. These smaller units typically are meant for a single person.	Consider a bike parking ratio that is reduced for development on small lots, and/or for development consisting of small units like studios. Or as an option, base the ratio on bedrooms.	33.266.200	Minor Policy Change	3.3	\$\$
127	2352017	Bike Alcoves	Alcove is not defined in the zoning code, and the zoning code language is too general. Applicants are proposing wing walls that do not wrap the bike parking space which does not meet the intent.	Need clarity in the zoning code the wing walls of the bike alcove must extend the length of the bike parking space. Example: a vertical bike rack must have wing walls that extend 3'-4" on either side of the bike rack.	33.266.210	Clarification		\$
128	2152142	Long-term bike parking	Long-term bicycle parking standards do not require that long-term bicycle parking has to be distributed or accessible to all tenants in a multi-dwelling structure.	Please clarify if and how long-term bike parking needs to be distributed and accessible to all tenants of a building and not constructed in a way that only allows certain tenants access to the amenity.	33.266.210	Clarification		\$
129	1098213	Long-term bicycle parking	The Parking & Loading Section, 33.266.210.B does not have a long-term bicycle parking exception for a change of use proposed within an existing building in the Central City; however, the non-conforming upgrades section, 33.258.070.D.2.b.3) contains an exception. Therefore, the only time the exception is triggered is when a change of use to the same use category is requested and nonconforming upgrades are triggered.	BDS would like to inquire if the problem statement described above is intentional.	33.266.210	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
130	2216385	Minimum Loading Space Requirements	The thresholds that trigger minimum loading spaces no longer align with need. Often the spaces go unused. In addition, the setback, landscaping and forward motion requirements can be problematic especially in constrained spaces See attached memo from NAIOP/BOMA	Please consider revising minimum thresholds for triggering a loading space for household living uses as well as the development standards that apply to loading spaces.	33.266.300	Minor Policy Change	4.0	\$\$
131	1693872	Loading standard for Group Living	BDS has processed several adjustments to loading space standards when a building is a mix of Household Living and Group Living because the standards for both are separate.	Please combine the loading requirements for group living and household living.	33.266.310	Minor Policy Change	3.0	\$
132	832010	Loading Requirements	There have been numerous adjustment/modification requests to the loading standards, especially in association with Design Reviews. Issues typically arise when dealing with an existing narrow lot and/or a project that is not required by the Zoning Code to provide on-site parking spaces. The current thresholds that trigger on-site loading requirements do not provide staff with the flexibility to address existing conditions and/or response to unique development proposals (ie 45 studio apartments require the same number of loading spaces as 45 3-bedroom apartments).	Consider developing more discretionary criteria that will allow staff the flexibility to balance public ROW needs with City design objectives with consideration to be given to existing narrow lots, parking requirements, and the location of the proposed project.	33.266.310	Minor Policy Change	1.3	\$\$
133	1087099	State Aeronautics	Change all references in the Code (possibly only in 33.274) from Oregon State Aeronautics Division to Oregon Department of Aviation.	Change all references in the Code (possibly only in 33.274) from Oregon State Aeronautics Division to Oregon Department of Aviation.	33.274.	Consistency Change		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
134	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	\$\$\$
135	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
136	1007084	Amateur Radio Towers	The maximum allowed height for towers associated with amateur and citizen band transmitters (ham radios) needs to be clarified. Currently, Sections 33.274.030. E and H exempt elements of such facilities from the regulations of Chapter 33.274, but neither speaks to allowed height of towers. Additionally, the base zones exempt antennas from the maximum height, but say nothing about the structures on which they are mounted. ORS 221.295 provides special status to amateur radio operators and the height of support structures, and does not allow local jurisdictions to limit the height to 70' or less unless a clearly defined health, safety or aesthetic basis is identified. City Attorney has advised that lacking any specific statement in the Code on why the heights should be limited, we can't limit the height.	Evaluate what an appropriate height for towers associated with amateur radio communication facilities should be, and include a well defined purpose for why such a height is established.	33.274.030	Minor Policy Change	-0.8	\$
137	1516790	Public wireless facilities	Public wireless facilities that don't qualify as basic utilities, such as BES wireless used to monitor infrastructure, would require a conditional use review because the exemption for facilities allowed without a conditional use review in 33.274.035.A and B only applies to personal wireless facilities. In addition, since these type of facilities are not "personal wireless service facilities", they are subject to a higher review type. 33.274.050.B only applies to personal wireless facilities.	Please update the allowances for facilities allowed without a conditional use review to include public facilities so that they aren't subject to greater review thresholds than identical Sprint/AT&T/Verizon/T-Mobile facilities.	33.274.035	Minor Policy Change	2.7	\$
138	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	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
139	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	\$\$
140	1504290	RF Registration Forms	The Radio Frequency chapter has requirements for FCC certification and registration forms. This may be redundant with FCC compliance rules and with our application forms	Consider removing the requirements for FCC compliance letters in 33.274.040.C.5 and the registration forms under 33.274.060 and potentially replace with requiring compliance with FCC rules	33.274.040	Minor Policy Change	2.0	\$\$
141	1104257	Height exception for RF mounting devices	33.274.040.C.10 that allows a mounting device for RF equipment to exceed the height limit by 10 feet when mounted to an existing building or non-broadcast structure. However, the requirement does not state whether screening can also exceed the height limit.	Please clarify if screening of RF equipment is also allowed to exceed the height limit or if that situation needs to be approved through an Adjustment or modification.	33.274.040	Clarification		\$

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142	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	\$\$
143	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	\$
144	660641	RF facilities reviews	RF facilities going through a Type Ix review should have more straight-forward process.	Make Type Ix conditional use reviews for RF facilities Type I reviews.	33.274.050	Minor Policy Change	3.3	\$\$

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145	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	\$
146	905276	Recreation Fields for Organized Sports	Section 33.279.030.G states that a recreational field used for outdoor sports can add up to 210 lineal feet of spectator seating without requiring approval through a Conditional Use Review. An examination of the Schools and Parks Conditional Use Code Refinement Project Recreational Fields Addendum shows that the 210 lineal feet was chosen as a proxy for 140 seats in bench-style bleachers. Basing the standard of bench-style seats penalizes the installation of higher-quality individual seats with backs and arm rests.	One option would be to leave the standard as 210 lineal feet, but add, or up to 140 individual seats	33.279.030	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
147	2306242	Remove 33.288 from Powell + map 33.288	1. 33.288 applies to a section of Powell (established by Ordinance #148440) but is no longer relevant. See attachment for reasoning (from LU 21-037905 AD). Given the reasoning in this decision, it will never be relevant to any projects on Powell and every applicant will need to apply for an adjustment.2. The areas in which 33.288 applies are not readily viewable in PortlandMaps or the Portland Zoning app. This causes surprises for all but the savviest who know to check the quarter-section maps (and where to find them).	1. Remove 33.288 from Powell. 2. Map the areas in which 33.288 applies on PortlandMaps and the Portland Zoning app.	33.288.	Minor Policy Change	2.0	\$\$
148	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	\$\$
149	1407656	Special Street Setbacks	33.288 contains special street setbacks that apply on some state highways in Portland. The requirements set minimum setbacks. Oftentimes these minimum setbacks are the same as the maximum setback which allows for no flexibility and results in Adjustment requests or modifications. 33.288.020.D also states "in the event that the requirements of this chapter and the base one differ, the more restrictive applies. Determining which regulation is "more restrictive" and how that is determined can be challenging.	Please review the Special Street Setback in terms of the need for additional flexibility when minimum and maximum setbacks are the same and add some information about how to determine which regulation is "more restrictive".	33.288.020	Minor Policy Change	1.3	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
150	2208922	Construction staging proximity to construction site	33.296.030.F.4.a states that construction staging areas must be located within 500ft of the construction site. For constrained areas of the city, the 500-foot limitation may be problematic and the section is unclear whether the 500-foot distance could be reviewed through an Adjustment so that the merits of the proposal and alternative locations within 500 feet could be evaluated.	Please consider making the 500-foot distance requirement from a construction staging area to a construction site adjustable. Also please consider adding a purpose statement to 33.296.030 that provides rationale for the different temporary activities in the section.	33.296.030	Minor Policy Change	1.7	\$
151	1453804	Temporary RF Facilities	33.296.030.H discusses temporary RF facilities stating they are allowed up to 120 days in the calendar year, which must be documented through a zoning permit; however, a lot of temporary RF facilities require a commercial permit.	Please change the reference to a zoning permit to something more general i.e. a permit.	33.296.030	Technical Correction		\$
152	1310791	Fairs, carnivals and other major public gatherings	The Temporary Activities chapter in the Portland Zoning Code allows fairs, carnivals and other major public gatherings in the RX, C, E and I zones for up to 2 consecutive weeks; however, most circus-type events have a much longer duration and much more extravagant tents and structures which take time to set up and deconstruct. This requires the time-consuming process of taking an ordinance to City Council to "waive" the code and extend the timeline beyond 2 weeks.	Examine the length of time most circus-type events stay in Portland and extend the temporary allowance to equal that amount of time.	33.296.030	Minor Policy Change	-1.3	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re- source
153	1244842	Temporary Activities	Construction staging for private development projects was added to the Temporary Activities chapter as part of RICAP6. However, only development in the RX,C and E zones are allowed to have off-site staging areas. Development in these zones often occurs on smaller sites and tends to be high intensity development (i.e. large buildings that occupy most or all of a development site). The RH zone was omitted, but has similar development logistical constraints.	Add RH zone to the list of zones that are eligible to have temporary off-site construction staging.	33.296.030	Minor Policy Change	3.7	\$
154	994087	Temporary Construction parking	The code is too restrictive on temporary construction parking. There is a need to get the staging in place before construction activity actually starts, which often means a temporary office and parking are in place ahead of time.	Change the code to allow construction parking for some period of time before construction starts.	33.296.030	Clarification		\$
155	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	\$\$
156	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	\$\$\$
157	508202	Drive throughs in buffer overlay zone	Drive-throughs are allowed (if the base zone allows) in buffer overlay zones, though they are potentially associated with impacts that the buffer overlay zone is intended to avoid that enhance the separation of non-residential and residential uses, including restricting motor vehicle access. Noise from speakers can also have an impact on adjacent residential uses.	1) prohibit or not allow drive-throughs in buffer overlay zone; or2) include amplified noise from drive-throughs as part of the definition of exterior work activities (which are prohibited in the buffer overlay zone)	33.410.040	Minor Policy Change	3.3	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
158	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	\$\$
159	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	\$\$
160	2305202	Ground floor active use	For project sites with multiple buildings, the ground floor active use standards don't specify if the requirement for 25% active use area must be dispersed among all buildings or if it can be aggregated into one building along the transit street.	Please clarify that the ground floor active use standards must be met per building when project sites have more than one building along a transit street. Note this applies to many code chapters including 'm' overlay and plan districts	33.415.	Clarification	4.0	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
161	1551984	Active use requirements for sites within 100 feet of a transit street	Development is proposed for a site with frontage on non-transit street, but that is also located within 100 feet of SE Hawthorne, a transit street. The Centers Main Street Overlay requires the ground level floor area to be at least 25 percent active uses when within 100 feet of a transit street. It is unclear how this standard applies to a site that doesn't front on the transit street and if it applies to the building or the site.	The standard is unclear if it is intended to apply to portions of a site within 100 feet of a transit street, portions of the building, or the whole site or whole building. The site in particular abuts the rear lot line of a lot fronting on SE Hawthorne and ground floor active uses wouldn't normally be expected in this location. Please clarify how the standard is applied and consider if it is appropriate in situations where the site doesn't have frontage on or just around the corner from a transit street.	33.415.200	Clarification		\$
162	2173750	Location of vehicle area	33.415.330.B.1 states that no more than 30 percent of any transit street frontage maybe used for vehicle areas. However, it is unclear if the parking area were to be set back a significant distance from the street (with perhaps landscaping separating it) would that still be considered frontage.	Please define the distance of vehicle area and the street for it to be considered "frontage".	33.415.330	Clarification		\$
163	2402352	Design Standard PR1	PR1 is a design standard in 33.420.050, table 420-2. This standard requires that at least 50% of the ground floor along civic and neighborhood corridors be at least 12-feet tall. At 1666 SE Lambert, RM2 zone, this was applied to townhomes and garages on the ground floor, unnecessarily increasing building cost and height along SE Milwaukie. See example on permit 21-073839-RS	Make this required standard optional in the RM1 and RM2 zones.	33.420	Minor Policy Change		\$

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164	2389369	Design Standards Applicability	The new DOZA design standards that have been included in 33.420.050 and Table 420-2 are intended to provide a set number of additional standards to apply to a review. There may be situations where an alteration or other minor change (a fence) would not trigger any additional design standards applicable to the proposal. In those cases, the intent was that the project automatically satisfies the standards. It was not the intent that these situations trigger design review.	Clarify the regulations in 33.420.050 to state that projects only need to meet the relevant standards that apply and if no standards are applicable, then the project has met the standards.	33.420.	Clarification		\$
165	2389004	Design overlay references to base height exceptions	Within both 33.420 and 33.825, there are thresholds that reference maximum height (for standards, for type of review). The wording in these is confusing to interpret. Here are a couple examples :Table 825-1 footnote (1) - note there is also a typo "bases" zone. [1] The height threshold does not include additional height allowed through a height exception in the bases zone 33.420.050. Standards new building or addition exceeds 75 feet in height not counting additional height allowed through a base zone height standard exception;	At the least, each of these reference to exceptions should have consistent wording, but they would also benefit finding a better way to state how the height thresholds don't incorporate these exceptions.	33.420.	Clarification		\$
166	2388946	Marquam Hill Design Exemptions	The use of some of the terms for exemptions in the Marquam Hill plan district may be confusing. Other terms may now be more relevant. Also, references to facade should be clarified	C.2.a. Replace "addition" with "net increase". C.2.b. is the "area of the facade" speaking to one facade? Or a cumulative total of all facades?	33.420.	Clarification		\$

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167	2388619	Design Standards for New buildings on developed sites	There are two section, 33.420.050.C.1 and C.2 that determine the number of points needed. They are written in such a way that new buildings, of whatever size (potentially huge), could be added to a site but only need to meet the lesser requirements of C.2. There have been instances on larger sites where large new buildings have been proposed and only need 5 points regardless of building and site size.	If C.1 were written to apply to new development and new buildings, I think the results would be more equitable. Ideas for language: New development, new buildings with existing development, other alterations to existing development??Look at terminology in 825, too, for consistency?	33.420.	Minor Policy Change	4.0	\$\$
168	2388549	Design Standard QR10 for balconies	DOZA standard QR10 requires 50% of the street-facing units or a minimum of 6 (whichever is greater) have balconies along the street. But the "application" column does not include a minimum threshold.	Change "Applies to" to: "New buildings with 6 or more residential units facing a street."	33.420.	Technical Correction		\$
169	2388524	Design Standard for Main Entrance	The new design standard, PR9 applies to a new building with a main entrance for a non-residential tenant space. However, the standard does not specifically reference the non-residential main entrance.	Clarify this standard applies only to the nonresidential tenant space main entrance location(s) (not to all building main entrances such as individual residential tenant main entrances). Recommend revising this standard's title to "Nonresidential Main Entrance Locations".	33.420.	Clarification		\$
170	2388171	Adjustments to Design Standards	The preamble to the new DOZA design standards does not state that adjustments to the standards are prohibited, and that not meeting the standards trigger DZ review. Applicants often ask if they can do an Adjustment since DOZA omitted this clarification.	Add statement that Adjustments to the Design Standards in Table 420-2 are prohibited, similar to language in 33.218.	33.420.	Clarification		\$

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171	2387442	Design Standard QR7	The title of standard QR7 in the new Design Standards state "Buildings Surrounding Outdoor Common Area" but the standard applies to any wall that is within 10-ft of the outdoor area, not just the ones surrounding on multiple sides.	Do building walls have to "surround" the outdoor common area on 3 or more sides for this optional standard to apply? If not, suggest change name of Title to "Buildings Walls Abutting Outdoor Common Area"	33.420.	Clarification		\$
172	2387394	Design Standards	Standard PR1 dictates minimum ground floor height and applies along civic or neighborhood corridors. There are questions about how this standard applies on a corner lot when the intersecting street isn't a corridor. Also questions whether structured parking can go in if it meets height.	Clarify how "50% of ground floor area" is applied on a corner lot or interior lot where only one facade abuts a civic or neighborhood corridor. Can structured parking be within the 25' depth measured from the street-facing elevation?	33.420.	Clarification		\$
173	2387333	Design Standards Materials Table	The materials allowed under Table 420-3 have limitations for fiber cement planks that dictate a 5/8" width for planks that are 6" wide or less. This width is not widely available, and most firms have a 5/16" product. There are some 5/8" products with a wider reveal of 9 inches. There are also issues with the unavailability of cedar shingles at the width indicated.	Consider revising the plank standard to allow for up to a 9" reveal at a 5/8" thickness, or consider a two-tier provision with a thinner material at up to a 6" reveal and 5/8" for 6-9" reveal. Also clarify that the plank width is referencing the visible part of "reveal" not the overall width. Consider changes for shingles. Also consider BDS suggestion for panels. See attached document.	33.420.	Minor Policy Change	4.0	\$

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174	2307298	Design Overlay Zone Standards	New Design Standards were implemented with DOZA effective 8/1/21. Context Standard C2 was intended to reward larger developments for breaking up their facade along local service streets into individual areas up to 1500 sq ft. However, there is no threshold for when a project can use this standard, and developments whose total facade is under 1500 sq ft have asked to get the points for essentially doing nothing. That wasn't the intent	Provide a minimum facade size threshold (say 2-2,500 sq ft) before a project can use this standard. Look to the facade regulations in 33.130 for an example.	33.420.	Clarification		\$
175	2388593	Design Review Exemptions	The exemption for awnings, 33.420.045.B.7(1) & (2) refers to conditions of approval. That is not the same as the exemption for RF equipment in 33.420.045.B.8.d.(3). Conditions of approval is not a full representation of the design approval.	CONSISTENCY: look at 33.420.045 B.8.d.(3) this section only uses "previous design review" and not "conditions of approval". B.7.(1) Delete "conditions of". The "approval" is everything plus conditions. B.7.(2) Change beginning of sentence to: "If there are no previous design review approvals". Same reason as above.	33.420.045	Minor Policy Change	2.3	\$
176	736185	Maximum Limits to use Community Design Standards	For Exterior Alterations, the community design standards are limited to those that affect less than 50% of a street facing facade and 1500 sq ft of area. However, a new commercial building of up to 20,000 square feet can be built using the standards. This seems to allow alot more liberal use of the standards to new development.	Review original intent and consider a more fair application of the maximum limits where community design standards can apply.	33.420.055	Minor Policy Change	4.5	\$\$
177	1549433	Drainage District Flood Protection Activities	Refer to attached document. - Relates to drainage district improvements needed for OSHA compliance in e-zones.	Clarification of Development Code sections relating to Drainage District activities necessary for stormwater drainage, and flood protection and safety.	33.430.	Minor Policy Change	-0.3	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
178	1086404	Native Tree Thinning	Title 33.430 PP&R planted restoration size planting 10-15 years ago with the expectation that many would die off. However, trees grew and now to improve forest health, the ecologist want to thin the trees. Presently a Type II Environmental Review is required for each site since natural areas have a p or c overlay.	Develop a Standard for native tree thinning for trees 12 or less dbh on public lands. This would allow tree thinning and enhance forest health. Mitigation could happen on site or in the watershed.	33.430.	Minor Policy Change	-1.5	\$\$
179	894884	E-zone inconsistency	Language in different sections of 33.430 refer to "rights-of-way" or "roads", but not both. 33.430.230.B lists the procedure that applies (includes roads, but not ROW). 33.430.250.A lists the approval criteria (includes ROW, but not roads). This appears to be an oversight.	Make the lists consistent.	33.430.	Consistency Change		\$
180	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	\$\$\$
181	31396	Natural Resource Management Plans (NRMP)	The Natural Resource Management Plans (NRMPs) are far out of date and have become difficult to administer correctly. For example, the PEN 1 NRMP contains plant lists that are excessively restrictive; the Smith and Bybee Lakes NRMP needs to be update to match current Metro and Parks Bureau plans for trails and other facilities. Finally, NRMP's are difficult to coordinate with other provisions of Title 33	Review and revise existing Natural Resource Management Plans	33.430.010	Minor Policy Change	5.0	\$\$\$\$

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182	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	\$\$\$
183	1156162	Paving in the Greenway Overlay	The Environmental Overlay zone provides an exception for new development and public street improvements that must be with within an existing public right-of-way used by trucks and cars and that do no exceed the minimum width standards of PBOT. However, the Greenway Overlay zone provides no such exception.	Consider adding an exception in the Greenway Overlay zone that exempts development and public street improvements within an existing public right-of-way from Greenway Overlay regulations.	33.430.080	Minor Policy Change	-0.3	\$
184	1037220	Removal of vegetation in E-Zones	The exemption for removal of certain types of vegetation in e-zones does not specify that it must be done using hand-held equipment. This is not consistent with other parts of the code that require hand held equipment for planting and soil tests.	Add "using handheld equipment" to the exemption.	33.430.080	Consistency Change		\$
185	964017	Environmental Zone Exemptions	There is an exemption under new development and improvements for "All land divisions with tentative plans, final plans, and recorded plats" that meet certain requirements. This wording creates confusion with applicants that think this can apply to a new land division application, when it is intended for built-out of previously approved subdivisions. Additional confusion is caused by apparent allowance to use the exemption for new PLAs (see reference in 33.430.165)	Clarify the language to make it clear that the exemption only applies to development within approved land divisions with recorded plats. Also, if the exemption is intended to apply to new PLAs, a separate exemption would be more clear.	33.430.080	Technical Correction		\$

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186	536622	Exemption from Environmental Review for waterway improvements relating to culverts	Environmental improvement projects almost always occur in the environmental overlay zones. Some of these projects are very cost-effective and/or opportunistic, but the permitting process ends up being a significant part of the budget (30%). Because the in-water work can only happen for 3 months out of the year, and the permitting process can take anywhere from 2 months to 1 year, it becomes extremely difficult to take advantage of partnership or funding opportunities as they arise. This is ironic because the environmental overlay codes are supposed to protect the environment, but they are getting in the way of improving it.	Make an exemption for environmental improvement projects that either remove culverts completely or replace them with a clear span bridge. Here's some mocked-up code language: Exemptions33.430.080D. The following new development and improvements:3. Public culvert improvements meeting all of the following: a. improvements must be within an existing public right-of-way or on City-owned property AND b. the culvert must be replaced by a clear-span bridge, constructed within the footprint of the existing culvert and above top of bank of any water bodies OR c. the culvert must be removed completely, leaving an open channel.	33.430.080	Minor Policy Change	1.0	\$\$
187	265722	Approved Resource Enhancement in E-zones	BES has large scale resource enhancement projects approved through Environmental Review. After one or two years, project components can required maintenance. For example, large woody debris needs to be shifted out of the center of the channel to prevent flooding or scour holes that form in banks during high water need to be filled. 33.430.080.C.1 allows maintenance, repair, and replacement of structures and some other development in the E-zones, but does not allow maintenance and repair of approved resource enhancement projects.	Amend 33.430.080.C.1 to exempt maintenance, repair and replacement of "approved resource enhancement projects" from the environmental zones regulations.	33.430.080	Minor Policy Change	1.3	\$\$

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188	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	\$\$
189	993200	Trees in E-Zones	There is an exemption that allows removal of dead, dying or dangerous (DDD) trees in the e-zone, however it applies "when no development or other activities subject to the development standards or review requirements of this chapter are proposed" (33.430.080.C.7). The general development standards cover removal of native trees (allowed only in certain situations), non-native non-nuisance, and nuisance trees. There does not appear to be an allowance to remove native DDD trees in development situations under the standards (33.430.140.J).	Add a development standard to cover removal of dead, dying or dangerous trees.	33.430.140	Consistency Change		\$
190	881696	Fences in E-Zones	It is not clear if fences are allowed in the transition area of the environmental overlay zones. 33.430.140 indicates that standard "P" applies in the transition area. Standard "P" says that fences are only allowed in disturbance area. But, disturbance area is not limited in the transition area, therefore the standard does not seem to apply in the transition area.	Clarify the standard to make it clear whether or not fences are allowed in the transition area. One option would be to strike standard "P" from those that apply in the transition area.	33.430.140	Clarification		\$

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191	881694	Environmental Zones	The formatting of Table 430-1 which states maximum allowed disturbance area is misleading. Applicants routinely overlook the footnote indicating that any area outside of the resource area must be subtracted from the square footage listed in the table.	Reformat the table to make the information in the footnote more prominent.	33.430.140	Clarification		\$
192	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	\$\$
193	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	\$\$

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194	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	\$\$
195	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	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
196	215298	Existing Lots in f overlay	The 'f' Future Urban Zone overlay is intended to severely limit development until the UGB is extended to that area. As such, the minimum size for new lots is 20 acres. However, the code states that any existing lots less than 20 acres may be developed. This predates much of the more recent lot standards now found in 33.110. Since there is no specific standard in the 'f' overlay, it is possible for an existing lot of 52,000 square feet to be developed, even if that lot is adjacent to another substandard lot owned by the same family. In addition, there is no 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	\$\$
197	1451188	Accessory uses in Greenway Industrial overlay	33.440.100.B.2 restricts the primary use on sites with an "I" overlay to river-dependent/related uses, but is silent on accessory uses. It can be assumed that uses accessory to a river dependent/related use would be allowed; however, 33.920.030.C states "accessory uses are allowed by right in conjunction with the use unless stated otherwise in the regulations. Also, unless otherwise stated, they are subject to the same regulations as the primary use". Based on this information, the accessory use would be subject to the same regulations as the primary use and would be required to be river-dependent/related.	33.440 should provide additional direction on how uses accessory to the primary use in the "I" overlay are regulated.	33.440.100	Clarification		\$

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198	1354349	Repair and maintenance of pilings	Repair of pilings often involves adding a metal or plastic sleeve to the pilings; however, the definition of Repair in 33.910 states that the similar materials are used for the repair which means adding a metal or plastic sleeve to an existing piling(s) would require Greenway Review.	Please add an exemption to Greenway Review in 33.440.320 stating that pilings can be repaired by adding metal or plastic sleeve without triggering Greenway Review.	33.440.320	Minor Policy Change	2.3	\$
199	784967	Ladd's Addition Historic Guidelines	The Ladd's Addition Historic District has specific guidelines including a specific tree planting map and species plan. This was created prior to the development of the city's plant list and includes nuisance trees. The Citywide tree project created a new title which prohibits the planting of nuisance plants in the public right-of-way. A task force has been set up to come up with alternative planting options for this district, but the guidelines need to be updated.	Update the Ladd's Additions Conservation District guidelines to include current tree planting policy.	33.445.	Minor Policy Change	-0.7	\$
200	2388428	Historic overlay exemption	No problem statement given.	445.100.D.2.m, etc: Exemption for ground-mounted equipment and hoses/conduit that is no more than 5' above grade, resulting in the only thing subject to review is hose/conduit going up a building? Could we add a parameter for exemption that it has to be immediately adjacent to another continuously vertical element like a downspout?	33.445.100	Minor Policy Change	0.7	\$

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201	2388359	Historic overlay exemption	445.100.D.2.n: Rooftop mechanical equipment and associated ductwork, other than radio frequency transmission facilities, on the roof of an existing building when the following are met: (1) The area where the equipment will be installed has a pitch of 1/12 or less; (2) The proposed mechanical equipment is set back at least 4 feet from the edge of the roof for every 1 foot of equipment height above the roof surface or top of parapet; and (3) The proposed equipment has a matte finish or is painted to match the roof Sentence 1 distinguishes between "mechanical equipment" and "ductwork", however 1-3 only reference "equipment". What are the rules for "ductwork"? 1-3 should also apply to the ductwork since ductwork should be inconspicuous just like equipment.	clarify that 1-3 also apply to ductwork	33.445.100	Clarification		\$
202	2388355	Historic code exemption	none given	D.2.d Alterations to a structure to meet the Americans With Disabilities Act's requirements or as specified in Section 1113 of the Oregon Structural Specialty Code when such alterations can be installed and removed without destroying existing materials; change the word "existing" to "historic"	33.445.100	Technical Correction		\$

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203	2388529	Historic overlay exemption	inconsistency	33.445.200.D.2.v.(1) and 33.445.210.D.2.v.(1) does not allow window replacement for buildings built after 1940. Expand the first bullet under (1) to also allow "noncontributing resources that are at least 5 years old" for consistency with v.(2). Change the second bullet under (1) to include "fiberglass" for consistency with v.(2).	33.445.200	Consistency Change		\$
204	2388435	Historic overlay exemption	No problem statement given.	445.100.D.2.y: Add "or the window is installed in the existing opening" to the third bullet	33.445.200	Technical Correction		\$
205	2388424	Historic overlay exemption	No problem statement given.	445.200.D.2.af : Revise the code to say "decks that are no more than 30" above the ground" instead of 2-1/2 feet. And, should we also say "and not located in front of the front facade"?	33.445.200	Clarification		\$
206	2388411	Historic overlay exemption	445.200.D.2.v(2) This exemption is noted to apply to replacement of windows in single-dwelling zones. Given context of the geography of historic/ conservation districts and what we know from the report, Historical Context of Racist Planning: A history of how planning segregated Portland, perhaps we could consider stating the structure type rather than base zone as allowing access to this exemption.	Consider stating the structure type rather than base zone as allowing access to this exemption.	33.445.200	Minor Policy Change	1.0	\$\$
207	2388404	Historic overlay exemption	445.200.D.2.h What if the fence/ wall in the parking lot landscaping met the standards of the Title/are exempt?	Should 33.445.200.D.2.h be revised as follows? Parking lot landscaping that meets the standards of this Title and does not include a [non-exempt] wall or a fence;	33.445.200	Minor Policy Change	1.7	\$

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208	2388404	Historic overlay exemption	445.200.D.2.h What if the fence/ wall in the parking lot landscaping met the standards of the Title/are exempt?	Should 33.445.200.D.2.h be revised as follows? Parking lot landscaping that meets the standards of this Title and does not include a [non-exempt] wall or a fence;	33.445.200	Minor Policy Change		\$
209	2388396	Historic code exemption	445.200.D.2.t(1): Exemption first says when on ". . . a roof surrounded by a parapet that is at least 12 inches higher than the highest part of the roof surface the following must be met." The first point says "The solar energy system must be mounted flush or on racks with the system or rack extending no more than 5 feet above the top of the highest point of the roof;". This seems to conflict with the first dash below point 3. Is this in fact in conflict or is the 2nd dash under point 3 intended to be used on any roof type?	clarify conflict	33.445.200	Clarification		\$
210	2387319	River Overlay exemptions	The current exemption in 33.475.405.N applies specifically to "public street and sidewalk improvements." However, it is restricted to developed portions of the ROW only, therefore it seems as though it could be broadened to include other improvements without the risk to resources.	Consider expanding the exemption to apply to other aspects of r.o.w. Revision idea is as follows: Remove ("Public street and sidewalk I) Improvements that are located within the developed portion of a public right-of-way." This would allow freeway, utility or other projects that are in developed areas to avoid review. This is applicable to 33.475.405.N	33.475.	Minor Policy Change	1.3	\$

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211	2386651	River Overlay Top of Bank	It is not clear in 33.475 whether applicant's can submit site specific surveys for top of bank. BPS has indicated that the intent is for the applicant to have the ability to provide site specific information, but the code has not been updated to clearly allow that option. "Where top of bank is not shown on Map 475-2, top of bank is determined as described in 33.910.030, Definitions, and 33.930.150, Measuring Top of Bank."	Please clarify whether an applicant can map the top of bank using a site specific survey when the top of bank is shown on Map 475-2.	33.475.	Clarification		\$
212	2386629	River Overlay zone landscaping	Several situations have come up where the ability to fully comply with the landscaping standards will be very difficult or not desirable. This applies to the River Overlay 33.475.	Please consider removing the prohibition on Adjustments in 33.475.220	33.475.	Minor Policy Change	1.3	\$\$
213	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	\$\$

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214	1010452	Scenic Overlay Side Setbacks	The scenic overlay limits development in side setbacks for 100 feet from the scenic resource. In some places, lots are platted in such a way that the overlay applies on lots with no frontage on a scenic resource. In these instances the limitation on development within the side setback does not make much sense.	Limit the applicability of the scenic regulations for side setback to properties that have frontage on a scenic resource.	33.480.040	Clarification		\$
215	2379039	Use limits	Use limits in the base zones refer to building/floor area and exterior display and storage. However, the section on how to measure use limits (33.930.055) describes that exterior eating area also counts toward the limit. The measurement description often gets missed by planners, so perhaps the language about exterior eating areas should move to the base zone footnotes, or the stuff that is included in the base zone limitation should move to the measurement section.	Code clarification: 33.930.055 OR amend all the use limits in the code.	33.510.119	Clarification		\$
216	1425747	Retail in the Central Eastside	33.510.119.C.3.a(1) states "Up to 5,000 square feet of the net building area plus the exterior display and storage area on a site may be in Retail Sales and Service use". However, when food carts are proposed which don't have "net building area" and don't qualify as exterior display or storage, there is no limitation on the site area that retail use can occupy.	Please clarify to standard to include "exterior improvements" or clarify intentions for the zoning code to remain silent on food carts.	33.510.119	Clarification		\$
217	2379601	Ground Floor Active uses	33.510.225.C.1 prohibits dwelling units on the ground floor of sites with frontage on a street shown on Map 510-9. This would include dwelling units on an interior courtyard that don't have frontage on the street.	Please evaluate whether prohibiting ground floor residential uses located on interior courtyards and not streets was intended with the regulation.	33.510.225	Clarification		\$

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218	1173475	Columbia South Shore Plan District	Section 33.515.110 allows uses of any size that appear to be in the industrial office use category only through a Type III conditional use review. However, the base zones regulations (EG, IG and IH) allow office space (either traditional or industrial) up to a certain size by right.	Clarify what the office restrictions in 33.515.110 are intended to apply to, and how those relate to the office allowances of the EG, IG and IH base zones.	33.515.110	Clarification	2.0	\$\$
219	1403806	Columbia South Shore Plan District	The Columbia South Shore Plan District allows "professional/technical facilities" as a Conditional Use (33.515.130.C.1). This term is not defined and no guidance is provided as to what this applies to. Is an office use a "professional" facility?	Replace this term with a use category (or use categories) that are defined in the Code, or more precisely identify the type of uses that are to be included under this term.	33.515.130	Clarification	3.3	\$\$
220	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	\$\$
221	773586	Stormwater Treatment in CSSPD	Columbia South Shore Plan District environmental regulations are so restrictive that stormwater treatment facilities cannot be located in the environmental zone, even the transition area. People are trying to clean up stormwater on their site where this industrial land is valuable but we are having to tell the applicants to remove developed areas to accommodate the stormwater facility.	Modify CSSPD e-zone regulations to allow a stormwater treatment facility in environmental zones through environmental review.	33.515.272	Minor Policy Change	0.0	\$

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222	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 revegetation of transition areas in Columbia South Shore.	33.515.278	Minor Policy Change	4.7	\$
223	888504	Main Entrance in East Corridor-Gateway plan districts	The Entrance regulations in the East Corridor and Gateway plan districts apply in the RH, R1 & C zones as well as RX and EX in Gateway. Considering the zones, the standard appears to apply to residential projects. However, the entrance requirement refers to a main entrance for each tenant space. Tenant space is generally interpreted as commercial space, although it was recently clarified in the base zones to apply only to commercial tenants.	Research the intent of this regulations in the East Corridor and Gateway plan district and clarify whether the entrance requirement should apply to all building entrances or just commercial ones.	33.521.250	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
224	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	\$\$
225	2349731	Enhanced Pedestrian Street	Code says: 33.526.280.B Development on sites abutting an Enhanced Pedestrian Street as shown on Map 526-4, where the development is new development or that adds at least 40,000 square of net building area to the site, must meet the standards of this section. The standard says site. Does this standard apply to every public street around/through a site or only to frontages along the streets shown on Map 526-4, currently NE 102nd and NE Pacific? They will be extending NE 100th and NE Oregon which will create a full block site.	Determine if standard applies to entire site or frontages. Similar standard in 510.	33.526.280	Clarification		\$

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226	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	\$\$
227	1349063	Accessory structures in Glendoveer Plan District	The Accessory Structures Project updated zoning regulations to create more consistency for different types of accessory structures; however, the project did not address the Glendoveer Plan District which has specific rules about accessory structures in setbacks.	Please evaluate the Glendoveer Plan District to determine if its regulations should be updated so they are consistent with rules for accessory structures in general.	33.530.040	Minor Policy Change	2.3	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
228	1437091	Healy Heights Plan District	The Healy Heights plan district has not be reevaluated for a long time, and appears to contain elements that may not be in sync with current federal requirements. Also, there are a number of provisions in the plan district that are not clear.	Complete a reassessment of the Healy Height plan district to verify that it is in compliance with federal requirements, and to clarify various sections, including:1. How is the replacement/rebuilding of an existing tower regulated?2. What does a "relocation" of existing tower mean?3. What approval criteria are used for the Type II review of a temporary tower? 4. In what situations is advice from the Design Commission for the construction of temporary tower required?	33.533.	Clarification	1.3	\$\$
229	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	\$\$\$
230	1123797	Street-facing facade versus wall	33.536.280.C1.a states that the area where active building uses are required to be located must be at least 25 feet deep, measured from the street-facing facade. Recently, referring to Figure 930-12, questions arose as to whether the plane of a recessed entry should be included in the 25 feet.	Staff suggest changing this standard to "street-facing wall" to avoid confusion. This language is also found in the Central City Plan District.	33.536.280	Minor Policy Change	0.8	\$

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231	1494945	Tree preservation in JCBPD	33.537.125 contains regulations for tree removal in Johnson Creek Basin Plan District. When a land division is proposed in Johnson Creek Basin Plan District, 33.630 Tree Preservation also applies creating a overly complex set of rules which are difficult for proposals to meet. .	Please consider an exemption for land division proposals in Johnson Creek Basin Plan District so that only 33.630 applies. Those approval criteria require applicants to preserve as many trees as possible which prevents unnecessary tree removal and is consistent with the intent of the Johnson Creek Basin Plan District standards.	33.537.	Minor Policy Change	3.0	\$
232	2275020	Johnson Creek plan district bonus density	Section 33.537.120 provides an option for certain lands to gain bonus density of 50%, or higher if combined with density transfers. This provision was created many years ago when single-dwelling zones were limited to a house per lot, and multi-dwelling zones had maximum unit densities. However, the provision has rarely (if ever been used). It requires a PD approval and additional criteria. Recent code rewrites may have made this obsolete	Consider whether this bonus density provision is necessary considering the changes to allow more units through RIP and BHBD. Also consider whether the density transfer option in 33.537.110 needs tweaking with the new base zones.	33.537.120	Minor Policy Change	0.0	\$
233	1037213	JCBPD Density Restrictions	If a site is within the south subdistrict and also floodplain, the code says the site is exempt from the south subdistrict regs and floodplain regs apply. This means that the site is not subject to the reduced density for sites with slopes over 20 percent.	Consider change this language so that the density limits still apply. Perhaps both sections should apply.	33.537.140	Technical Correction	0.5	\$\$

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234	1163771	North Cully Plan District	The North Cully Plan District requirement in 33.560.020 states that "sites under 5 acres and improved with a value less than \$216,850 and modifications to existing single family dwellings and trailer park facilities are exempt from review". The way the sentence is written; however, make it unclear if all 3 circumstances mentioned need to be present to be exempt or if each circumstance is exempt from review on its own. BDS staff treats this standard as if each circumstance is its own exemption.	Clarify the intent of the exemption and if each circumstance is its own exemption, possibly include them in a bullet point list or refine the sentence.	33.560.020	Clarification		\$
235	963948	North Cully Development Review	The transportation criteria for the North Cully Development Review are much less rigorous than would be applied under a conditional use review.	Evaluate the approval criteria to determine if they are adequate to get the intended level of analysis and mitigation.	33.560.050	Minor Policy Change	2.5	\$\$
236	1321017	Northwest Plan District	The Northwest Plan District standards for ground floor active uses apply to the ground floor of walls that "front" onto a main street or streetcar alignment. It is not clear what "front" means. Is this intended only to apply to the portion of the building that meets the maximum building setback? Is it intended to apply to accessory structures?	Consider clarifying standard so that it applies to the street-facing, ground floor of walls that are located within the maximum street setback.	33.562.240	Clarification		\$
237	1599128	NW Hills District Disturbance Limits	The wet weather earthwork moratorium in the Balch Creek overlay has unintended consequences which are not in line with the intent of the code. The prohibition applies both within and outside of environmental zones and the exception does not cover landslide mitigation; only the repair structures damaged from landslides.	Revisit the intent(s) of the wet weather prohibition and determine if unintended consequences can be reduced while simultaneously meeting the intent(s) of the code. This includes determining whether prohibition was intended to prohibit emergency soil stabilization and other measures that might not involve structures.	33.563.100	Minor Policy Change	3.3	\$

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238	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	\$\$
239	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	\$\$
240	1429944	PDX Airport Landscaping Standard	The Port's adopted Portland International Airport Landscaping Standards do not match locations mapped in the Port's Wildlife Hazard Management Plan. Specifically, the Airport Plan District includes landscaping standards for the Airport Subdistrict in 33.565.220 which at times is not consistent with the mapping of the "Primary and Intermediate Zones" found in the Port's Wildlife Hazard Management Plan.	Please update where 33.565.220 applies so that it is consistent with the PDX Wildlife Hazard Management Plan.	33.565.220	Consistency Change	3.0	\$\$
241	1261084	Powell Boulevard Plan District	This little-known plan district prohibits residential uses on some commercially zoned sites which leads to the question of whether this plan district still reflects city policy.	Consider whether this plan district is still necessary especially considering that ownership of Powell Boulevard may transfer to the City of Portland.	33.567.030	Minor Policy Change	3.3	\$

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242	1459539	Minimum density in River subdistrict of the St Johns Plan District	The River subdistrict of the St Johns Plan District includes a minimum density for residential development in the CM3 zone when all the floor area is in residential use (33.583.285.C). Prior to the addition of minimum density requirements to the Commercial/Mixed Use zones, the standard was more restrictive than the base zone which didn't have a minimum density requirement. Now that the zone has a minimum density requirement that apply to residential and mixed use development, the River subdistrict standard is more permissive.	Eliminate the standard because the base zone contains a more restrictive standard.	33.583.285	Minor Policy Change	1.3	\$
243	2386591	Lot dimension modification in single dwelling zones	Code changes unintentionally removed the ability to lot size modifications in Single-Dwelling zones through EN review. This is because 33.610.200 and 33.611.200 state that "Adjustments are prohibited" and only provides an option for PD review. 33.430.280 states that the "The review body may not consider modifications to standards for which adjustments are prohibited."	A clarification in 33.610 and 33.611 is needed that alternative lot sizes/dimensions may be approved through a PD or an EN mod.	33.610.	Clarification		\$

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244	309727	ADU Flag Lots	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.	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: <i>(see RIR database for addl info)</i>	33.610.	Minor Policy Change	-2.3	\$\$

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245	1479057	Calculating land division density for projects with a common green	33.610.100.D indicates that "pedestrian connections that are self-contained streets created solely for the use of pedestrians and bicycles are not considered streets for the purposes of calculating density...". It is unclear if common greens should be included in the this exception.	Add code language to clarify if common greens should or should not be considered streets for the purposes of calculating density.	33.610.100	Clarification		\$
246	900055	Potential Landslide Hazard Area	33.610.100 indicates site area within the e-zone, potential landslide hazard area and flood hazard area are subtracted when determining minimum density. This works well for e-zone and flood hazard because they are specific mapped areas on a site. The landslide hazard mapping is very general and has large pixels when zoomed in to the site level. Therefore, subtraction of the specific mapped area doesn't make sense.	Clarify how minimum density should apply when a portion of the site is within a potential landslide hazard area. BDS practice has been to require no minimum density on single-dwelling land division sites that have any portion within the potential landslide hazard area.	33.610.100	Minor Policy Change	4.5	\$\$
247	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	\$\$
248	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	\$\$

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249	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	\$\$
250	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 abut 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	\$\$\$
251	1788715	Minimum and maximum density in IR zone	33.612 refers to 33.120 for minimum and maximum density in the IR zone but no density requirements for IR are mentioned in 33.120. All IR zone standards have been moved to 33.150. This reference was removed by Better Housing by Design.	Address minimum and maximum density in the IR zone as part of 33.612 or re-instate the reference to 33.150. Note there is no minimum density requirements in IR.	33.612.	Clarification		\$
252	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	\$\$
253	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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254	1344762	Land Divisions - wetlands	The intent of item 4 in RICAP 8 was to include wetlands in the land division regulations similar to streams, spring and seeps. While language was added to 33.640.200A, it was not carried through the rest of the section.	See RICAP 8, Item 4 related to 33.640.200. Carry wetlands language through Subsection C. See first in-house draft for reference.	33.640.200	Technical Correction		\$
255	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	\$\$
256	1253342	Land Division Stormwater Standard	BDS used to review private on-site stormwater management facilities. However, per City Council resolution 36764 and a signed MOU between BDS and BES (2010 original: https://www.portlandoregon.gov/bes/article/587923 ; 2016 amended and Restated: https://www.portlandoregon.gov/bes/article/587925), review of "private on-site stormwater disposal facilities" is no longer conducted by BDS staff as of April 1, 2010. There are some exceptions, notably related to infiltration review when there are landslide or erosion related concerns (i.e. item I.A.4 under the 2010 MOU). PCC 33.653.030.B should be updated (or removed) accordingly in response to this change in review authority.	Work with staff from BPS and the BDS Land Division and Site Development teams to determine how best to correct the outdated code.	33.653.030	Technical Correction		\$
257	1479034	Rights-of-Way standards	33.654.110.B.1.d refers to "master street plans for the area identified in Goal 11B of the Comprehensive Plan". This is an outdated reference to the old plan.	Update the reference	33.654.110	Consistency Change		\$

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258	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	\$\$
259	215265	Land Division Monitoring - Alleys	Currently all lots must have street frontage. There may be alternatives that provide better site layout. (London allows development to front on alleys (or "mews").	Allow some number of lots to have only alley frontage ("accessory lots").	33.654.120	Minor Policy Change	3.0	\$\$

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260	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	\$
261	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	\$\$\$
262	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	\$\$
263	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	\$\$

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264	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	\$\$\$
265	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 Change	6.0	\$\$
266	993621	Final plat conformance standards	Additional flexibility is needed to make minor changes between preliminary land division approval and final plat approval. Some of the current standards are very restrictive and it is not clear why.	Specific changes: 33.663.200A.2. allow an increase in width or depth of lots by more than 5%. does this even need to be restricted if the decrease of other lots is restricted? A.12. add flexibility to increase or decrease the width of a ROW, other than just for curb ramps. Issues come up with new stormwater, fire or other requirements that may change the street design slightly.	33.663.	Minor Policy Change	4.3	\$\$
267	1479143	PLA Application Requirements	33.667.200.B.1 states the submittal requirements for surveys as part of a property line adjustment application. It refers to ORS 92.050 Requirements of survey and plat of subdivision and partition; however this section does not discuss surveys for property line adjustments. .	The reference should be updated or deleted. (The Zoning Code does not refer to the ORS for final plat survey requirements).	33.667.200	Technical Correction		\$

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268	734807	Land Divisions with Historic Landmarks	There has been an increase in the number of land divisions submitted for sites that contain a historic landmark. These sites often have larger pieces of land that could be developed under the zoning code, but the designations within local and state requirements applies to the entire site. The land division process does not have an adequate reference to require a resolution of historic site boundaries as part of any land division.	Consider a mechanism to either require that these sites obtain approval from the state office (SHPO) to change the historic site boundary prior to filing the land division, or require that a concurrent Historic Resource Review be done as part of the land division. In addition, the current markers for historic landmarks should be shown as a polygon that indicates the land that is subject to historic oversight.	33.700.015	Minor Policy Change	2.3	\$\$
269	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	\$\$
270	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	\$\$
271	2386526	Neighborhood Contact	Neighborhood contact requirements have been added to 33.705. The reporting requirements and subscription services are in the code as a regulation. This is currently done manually. Recommend this is removed until the city implements software that can provide this service to all the different types of notices provided	Remove reporting/subscription service from code. Information is available online. Also, - consider removing NC 3 requirements. This increases the amount of time it takes for the neighborhood contact process. - consider other simplifications. Customers are constantly confused by the various timelines	33.705.	Minor Policy Change	5.7	\$\$

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272	1776692	Neighborhood Contact	33.705.020.C.5.d(5) refers to the neighborhood meeting as it is optional i.e. "if one were held". The meeting is mandatory with Neighborhood Contact 3.	Please eliminate "if one were held" from 33.705.020.C.5.d(5).	33.705.020	Clarification		\$
273	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	\$\$\$
274	2298777	site definition	Washington Park and Forest Park, due to the definition of site are resulting in the need to place 100+ posting boards for posting because the lots are owned by parks, when the development being proposed is a very small portion of the site.	consider for large sites or sites with multiple conditional uses (zoo, forestry center, etc), to be able to set notification area based on the taxlots involved in the project	33.730.	Minor Policy Change	0.0	\$
275	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
276	991189	Expedited Land Division	Recent changes to the ORS 197 under HB 3223 require the local jurisdiction to provide notice to land division applicants about whether they qualify to use the expedited land division (ELD) process. Our code requires a pre-application conference and neighborhood contact requirement for any ELDs. While this does not appear to be in direct conflict with the ORS, it may not be consistent with the intent to provide a faster process for simpler applications.	Consider removing the requirement for a pre-application conference for any ELD applications that would not normally require one (i.e. cases that would normally be a Type I or IIx).	33.730.013	Minor Policy Change	0.5	\$
277	991203	Appeal Decision Procedures	The appeal procedures for a Type II and IIx indicate that BDS must prepare and mail an amended decision report within 17 days. However, the specific wording of findings and conditions that should be included in the report is often not clearly spelled out at the hearing. In these cases, staff should prepare a draft report for review and vote by the Commission/Committee prior to issuing the amended decision. This typically cannot occur within the 17 days provided.	Change the code to clarify the process for finalizing the appeal decision and incorporating flexibility for additional time to process the appeal.	33.730.020	Clarification	1.5	\$\$
278	1766890	Neighborhood Contact	33.730.030 is unclear if Neighborhood Contact requirements apply to Central City Master Plan reviews because there is a land use review and the potential for development but the CCMP doesn't result in the approval of development or increase net building area.	Please clarify if a Central City Master Plan review requires neighborhood contact. This issue could be clarified or corrected with DOZA.	33.730.030	Clarification		\$
279	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
280	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	\$\$
281	1893381	Application submittal requirements	33.730.060.C and D need to have fees added as an application submittal requirement. We have been forced to "receive" applications without fees paid because fees are not specifically listed as an application submittal requirement.	add fees to the list of items required for an application for both C and D	33.730.060	Clarification		\$
282	1082376	Land Use Review Application Requirements	Section 33.730.060.C.4 requires applicants for a Type III land use review to submit a copy of the pre-application conference summary notes. If notes are not submitted, it is an incomplete item. Given the summary notes for all pre-application conferences are prepared by City staff and saved in TRACS, there is no reason for the applicant to provide a paper copy,	Delete the reference in Section 33.730.060.C.6 to the applicant being required to provide a copy of the pre-application summary notes.	33.730.060	Technical Correction		\$
283	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
284	959674	Notice Requirements	For land use review notices, Sections 33.730.070.B-I require that the name and telephone number of the recognized organization need to be identified on the notice. Given the frequent turnover in people who are representing the recognized organizations, which then results in a different phone number, it would be more efficient and accurate to be able to include in the notice a general email address for the recognized organization that can be accessed by persons representing the organization.	Amend 33.730.070.B-I to state that the name, telephone number or email address must be included in the land use notice. Need to confirm that this meets ORS requirements.	33.730.070	Technical Correction		\$
285	1241700	Expiration of Land Use Review	The language in 33.730.130.B.4.a about the expiration of approvals for multiple developments is confusing in the use of the statement "the approval does not expire." It would be clearer to state that the approval expires, however all condition of approval continue to apply. Also, there is no process in the Code to extend the three year period. Other municipalities have a process identified in the Code to request an extension of the expiration period.	Clarify language in 33.730.130.B.4.a to remove reference to "the approval does not expire." Also, include a review process that allows extension of the three year expiration.	33.730.130	Minor Policy Change	3.3	\$\$
286	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
287	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	\$
288	1129846	Adjustments	There are several regulations in the Zoning Code that allow primary uses, but only allow those uses up to a certain square footage. In some situations, to exceed the limits the Code states that exceeding that amount either requires a Conditional Use review, or is prohibited. However, there are several places where the Code is silent on the process to exceed the square footage (see for example 33.130.100.B.2; 33.531.140.C; 33.562.110.C). It is not clear whether an Adjustment can be requested to increase the square footage limitation in these instances.	Clarify whether the statement in 33.805.030.B.1 precludes requesting an Adjustment to these square footage limitations. One could argue that this statement doesn't apply in this situation as the use is allowed, it's just limited. Also, for those situations where the Code doesn't state it is prohibited to exceed the limit, that may imply that an Adjustment can be requested.	33.805.030	Clarification		\$
289	1078700	Conditional Uses	Unlike language in 33.258 about accidental destruction and when structures can be rebuilt, there is no similar language in 33.815, 33.820 or 33.281 regarding the rebuilding of structures on a Conditional Use site in cases of fire or other means beyond the control of the owner.	Include language in 33.815 (Conditional Uses), 33.820 (CU Master Plans) and 33.281 (Schools and School Sites) that speaks to rebuilding structures on a conditional use site when destroyed by fire or other means beyond the control of the owner. Language in 33.258.070.E2 can be used as a model.	33.815.	Clarification	5.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
290	738062	Offsite Stormwater Conditional Use Requirements	The current CU regulations trigger when taking offsite stormwater onto a private property parcel. These regulations hamper ability for facility sharing - private properties sharing stormwater management facilities or private facilities taking adjacent ROW drainage. The CU regulations really do not address the limited issues generated by additional stormwater being treated on a parcel based stormwater management facility.	Revisit such a trigger in the CU regulations. Allow a CU exemption or standards when the only work onsite being done is taking adjacent site stormwater runoff.	33.815.	Minor Policy Change	2.8	\$\$
291	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	\$\$
292	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	\$
293	1376018	Conditional Uses	The triggers for when development on the site of an existing Conditional Use is allowed or requires subsequent review is based in part on increases in floor area and increases in exterior improvement. We've had requests to build open, roofed structures on Conditional Use sites. These structure are not floor area, nor are they exterior improvement (as that definition specifically excludes roofed structures). Was the intent to require Conditional Use review for roofed structures over 1,500 square feet?	Clarify whether open roofed structures over 1,500 square feet trigger Conditional Use review.	33.815.040	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
294	1241689	Conditional Use and change of use in same use category	33.815.040.A2.a includes language about change of use within the same use category for Conditional Uses. It is not clear exactly what change of use includes. For example, if changing from one religious institution to another religious institution, is that considered a change of use, versus going from a senior center to a mass shelter (both of which are in the same Community Service use category)?	Absent clearer direction in the Code, BDS is implementing this regulation as follows: If the change in use is limited to the same activity within the use category, say from a senior center to a senior center (two similar activities in the Community Service use category), and there are no physical changes that would trigger a CU, and the change is in conformance with any prior conditions of a land use approval, no CU is required. However, if the change is from a senior center to a mass shelter (two different activities within the same Community Service use category), at least a Type II CU would be required. This needs to be clarified in the Code.	33.815.040	Clarification		\$
295	1130969	Conditional Use	The Code is not consistent when identifying what changes to development trigger a Conditional Use review. Specifically, the Code is not consistent or clear when such changes result in a "net" change (meaning in the end there is no increase or decrease). In 33.815.040.B, some thresholds use the term net, and others don't. For parking, net is used in some places but not others. Also, the term "net" is used for different circumstances in 33.820 (CU Master Plans), in 33.279 (Recreation Fields for Organized Sports) and in 33.281 (Schools and School Sites).	Evaluate how the term net is used when regulating changes to development on Conditional Use sites, and make consistent among the various CU related chapters.	33.815.040	Clarification	4.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
296	1128271	CU Changes for Park Maintenance Facilities	The current code, section 33.815.040.B, does not adequately or clearly address maintenance facilities uses in the open space zone. The Conditional Use (CU) section also requires CU review for facilities that are on large properties that have had previous CUs on the property, but where the previous CU has not physical connection or footprint relationship to the proposed maintenance facility project.	PP&R would work with BPS to rewrite Section 33.815.040 to more clearly and fairly address how and what is allowed when PP&R creates new or renovates or expands existing park maintenance facilities on OS-zoned park properties. Work on this effort with Shannon Buono and Sandra Wood began in July 2016 for RICAP 8 but was then removed.	33.815.040	Minor Policy Change	0.3	\$\$\$
297	1108191	Conditional Uses	A reduction in the boundary of an existing Conditional Use automatically triggers at least a Type II review regardless of the circumstance or size of the boundary reduction. Also, an increase in the boundary of any size requires a Type III.	Consider circumstances where a reduction in the boundary does not trigger a Conditional Use review. For example, a reduction resulting from a street dedication that does not violate any conditions of approval. Or, a reduction in the boundary under a certain size or percentage of the site that does not bring the site out of conformance with a standard and does not violate conditions of approval. Also consider allowing small additions to the boundary as a Type II.	33.815.040	Minor Policy Change	2.5	\$\$
298	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
299	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	\$\$
300	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	\$\$
301	1464283	ASTR - Conditional Use Criteria	The current approval criteria for accessory short term rentals of 3-5 bedrooms currently use the general criteria for institutions in residential zones (33.815.105 A-E). There is no guidance to determine how many overnight guests should be allowed or how to determine if that detracts from the livability	Create more specific or more clear approval criteria for short-term rentals. Possible ideas include considering the size of the rooms, size of the building/site, amount of surrounding open space, the proximity of other short-term rentals, etc	33.815.105	Minor Policy Change	1.3	\$\$

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302	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	\$\$
303	963591	CU criteria for marijuana grow facilities	Agriculture uses requires CU approval in certain zones. In commercial zones, the CU approval criteria (33.815.115) do not speak to the unique issues/needs of the cannabis industry, such as police and fire protection and livability impacts to nearby residential uses.	Consider crafting specific Agricultural Use CU approval criteria that will address potential issues associated with marijuana grow facilities.	33.815.115	Minor Policy Change	1.3	\$\$
304	1257851	RF Facilities	The Conditional Use approval criteria in Section 33.815.225.A have always been used by BDS staff for accessory equipment that is associated with antennas in the ROW, whether the equipment is on an existing building, or for new at-grade equipment screened by a fence. However, the language for when these approval criteria are not clear that antennas in right of way must still have equipment meeting criteria.	Amend language in 33.815.225.A to clarify these approval criteria also apply to accessory equipment associated with antenna that are located in the right-of-way. Similarly, language should be clarified in 33.274.035.A to state that accessory equipment associated with an antenna in the ROW, when in a C E or I zone more than 50' from an R zone, is exempt from CU review.	33.815.225	Consistency Change		\$

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305	849561	RF Tower CU Criteria	1. Carrier requests a new monopole in an IG zone. The site is MORE than 50 feet from an R zone. 2. However, there is a trigger for Conditional Use for new monopoles when they are proposed and the new is within 2,000 feet of another tower [also in the I zone]. 3. So, it's clear that the proposed tower triggers a CU. 4. Which set of approval criteria at 33.815.225 apply? 5. I come up with criteria "D" unfortunately because the set of criteria at "C" doesn't include "I" zones.	Evaluate the criteria for monopoles in I zones and adjust/refine OR exempt sites in the I zone from the 2000 foot separation requirement.	33.815.225	Clarification	3.8	\$\$
306	988321	Status of Expired Conditional Use Master Plans	Section 33.820.060 (Duration of the Master Plan) states an approved master plan remains in effect until development allowed by the plan has been completed or the plan is amended. This is misleading in that the campus retains its status as a Conditional Use, and continues to be regulated by the master plan even after it expires. The conditions of approval also continue to apply. All that expires is the ability to include new uses or development on the campus.	Include language in 33.820.060 and potentially 33.730.130 to clarify that when a master plan expires, the campus continues to be regulated by provisions of the master plan and related conditions of approval, but that any additional uses or development on the campus require a new Conditional Use.	33.820.060	Clarification		\$
307	1854722	Corrections to CU Master Plan (33.820.090)	The EOH project included changes that needs to be reflected in code. The text in quotes is what needs to be added.5. Increases in the overall floor area of development on the site over 25 percent. Floor area for housing that is affordable as defined by Paragraph B.5 "of Section 33.820.080 is exempt from this limitation". 6. Increases or decreases greater than 25 percent in the amount of approved or required parking. Decreases for housing that is affordable as defined by Paragraph B.5 "of Section 33.820.080" are exempt from this limitation; and	Please make the above changes	33.820.080	Consistency Change		\$

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308	978929	Conditional Use Master Plan	Both Chapter 33.815 (Conditionals Uses) and Chapter 33.281 (Schools and School Sites) contain a threshold for determining when a Conditional Use review is required based on the amount of exterior improvement area that is proposed. In both these chapters, an increase in exterior improvement area of 10% or less is a Type II Conditional Use. This threshold is missing from Chapter 33.820 (Conditional Use Master Plans).	Include a threshold for Conditional Use Master Plans that increases in exterior improvement areas that are 10% or less require a Type II Conditional Use Master Plan review.	33.820.090	Consistency Change		\$
309	2389147	Citywide Design Guidelines and Character Statements	The Citywide Design Guidelines need to include references to the Character Statements in the table of contents as they get added.	Add Section for added Character Statements to the index/ table of contents of page 4 so people know they are there/ will be there. Perhaps do this when the Guidelines are updated for WPTC.	33.825.	Technical Correction		\$
310	2389060	Central City Digital Models	33.825.025.C requires approval of buildings in the CCPD to include digital 3-D models (formerly were actual models) to archive into a city file for modeling downtown. BDS has not been requiring this with approvals as it creates a burden on applicants and BDS does not have the logistical tech support to do this work.	Remove the requirement to provide a 3-D model of downtown buildings.	33.825.	Minor Policy Change	1.0	\$
311	2389048	Phased Design Plans	33.825.025.B.2 provides options for submission of phased design plans. However, these plans can result in multiple permits being submitted after the land use approval. 33.730.130 is not fully clear about expiration of approval in these cases.	Missing an important caveat that the LU is subject to the time limits stated in 33.730.130. Or maybe just add in 3. that the LU is subject to all other relevant regulations in Title 33.	33.825.	Clarification		\$

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3123	2388994	Design Review thresholds for signs	Signs were assumed to be considered under exterior alterations for the purpose of Table 825-1 (although they aren't included in that definition). However, is it ~affecting facade area" or is it ~all other exterior alterations"? If you look at 33.420.045 B.6 and 7., signs are not "alterations to the facade of a building", but their own category (B.6.) and applicants have argued that signs are not ~affecting facade area" in Table 825-1.	Clarify how signs fit within the thresholds of Table 825-1. If intended to be reviewed with similar size threshold as exterior alterations, then add "signage" to the alteration thresholds.	33.825.	Clarification		\$
313	2388974	Table 825-1 for CCPD	In Table 825-1, there is a 'catch-all' row for all other exterior development not listed in the first set of rows. In those cases, the review is a Type II. There is not a corresponding row for this option in the Central City plan district.	Under Central City Plan District Proposal", add "exterior development not listed above" = Type II (This edit will mirror the rows in "All other areas" below CCPD)	33.825.	Clarification		\$
314	2388959	Alterations to approved Design Review	The footnotes in Table 825-1 provide information on applicable process if an approved project submits a Design Review for changes while under construction. If code regulations have changed between original approval and the change proposal, this creates potential conflicts and uncertainty on how to apply the approval criteria and whether it triggers modifications.	This footnote should clarify that reviews falling under these provisions are subject to the zoning code in effect at the time of the original DZ approval to avoid potential zoning code conflicts during permitting. The language in this footnote currently reads "changes to an approved DZ" which suggests this is the intent, but 33.700.080.A.1 says that applications for land use reviews will be processed based on the regulations in effect on the date the application is filed.	33.825.	Minor Policy Change	1.7	\$\$

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315	2388551	Historic Review approval criteria		Change the approval criterion in 33.846.040.C.1 as follows "Sections 33.846.030.D.1. (change and to OR)". This change would need additional discussion with BDS.	33.846.	Minor Policy Change	3.0	\$\$
316	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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317	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	\$\$
318	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	\$\$

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319	2388327	Modifications considered during Historic Review	33.825 includes Mod/AD rules. DZ Mod language describes that a Mod can be part of a DZ for site-related standards and an AD is required for use-related standards. And, if a Mod is denied the applicant can ask for an AD. This Code section doesn't say that you can ONLY use the Modifications process to site-related standards, so it implies that you have a choice with site-related development standards. That's why the code uses the words "the review body may consider modification". This guidance doesn't exist for HRs. Does that mean a project can request an AD for any standard, including use-related standards?	amend the section to match the wording of 33.825	33.846.070	Consistency Change		\$
320	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	\$\$
321	32617	Zoning Map Amendments	Zone Changes in Compliance with Comprehensive Plan Map: The approval of zone changes in compliance with the comprehensive plan are essentially limited to a technical review to determine adequacy of public services. As indicated in 33.730.010 (Purpose), Type II procedures are intended for reviews that involve lesser amounts of discretion and lower potential impacts than reviews considered under the Type III procedure. This seems appropriate for the level of discretion involved with zone changes in compliance with the comprehensive plan map.	Consider changing review procedure from a Type III to a Type II.	33.855.050	Minor Policy Change	7.4	\$\$\$

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322	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	\$\$\$
323	2245531	Additions to create triplex	The definition of triplex states that each unit must share a common wall or common floor/ceiling with at least one other unit. A proposal has been submitted to connect an existing house to a duplex with bike storage assigned to the adjacent dwelling units.	Providing an example of development that could occur based on the definition of triplex.	33.910.	Clarification		\$
324	2166537	Carports and floor area	The zoning code has unclear regulations about whether a carport would be included as FAR. For instance, the definition of Floor Area does not include roofed porches, exterior balconies, or other similar areas unless they are enclosed by walls that are more than 42 inches in height for 75 percent or more of their perimeter. But the definition of Floor Area also mentions buildings which is defined as a structure that has a roof and is enclosed on at least 50 percent of the area of its sides.	Please clarify if carports are included as FAR.	33.910.	Clarification		\$

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325	1429913	Mechanical Equipment	The Portland Zoning Code does not define mechanical equipment and there is often confusion over what constitutes mechanical equipment and what does not (fans and duct work are examples).	Please define mechanical equipment in 33.910.	33.910.	Minor Policy Change	3.0	\$\$
326	1407674	Differing FAR on site	A recent zoning confirmation letter addressed a site that is two complete blocks separated by a street. Both blocks have different FAR and there was some uncertainty about how to calculate FAR for the site. The decision was made to calculate FAR separately for each block.	Please address how FAR applies on a site when there are two different floor area ratios.	33.910.	Minor Policy Change	1.3	\$
327	1110766	Mezzanines and floor area	The definition of floor area indicates that the floor area of mezzanines is included in floor area calculations "floor area is measured for each floor from the exterior faces of a building or structure". However, an argument could be made that mezzanines don't contribute to additional bulk or massing.	Clarify whether mezzanines should be included in floor area calculations.	33.910.	Minor Policy Change	5.0	\$\$
328	810305	Definition of Site	The Code definition of "site" raises practical difficulties in applying regulations of the Code to large ownerships. Because "site" is essentially defined as an ownership, unless the site is entirely vacant, any proposed development requires including the entire ownership when applying development standards, or for Type III land use reviews, when locating posting boards for notices. Examples include adjacent Port of Portland ownerships that can extend for miles along the riverfront, or several hundred acre city-owned parks, even though the development proposal is limited to a small portion (often a distinct tax lot or lots) of that ownership.	Consider amending the site definition to acknowledge that for large ownerships it may be more practical to identify the site as the project site and not necessarily the entire ownership.	33.910.010	Minor Policy Change	4.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
329	1368144	Exterior storage versus parking	The definition of Exterior Storage includes some types of vehicles (vehicles for sale or lease, vehicle that have been towed, storage of recreational vehicles); however, it is not entirely clear whether the storage of buses, fleet vehicles or autonomous vehicles would be classified as Exterior Storage or Parking.	Please evaluate whether some of the more common (or upcoming) types of vehicle storage are classified as Exterior Storage or Parking.	33.910.030	Clarification		\$
330	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 nighttime noise for Residential Homes. Explore modifying resident limit (in conjunction with the State). Solutions will need to be extensively reviewed against state and federal law. See ORS 443.70-443.825.	33.910.030	Minor Policy Change	-1.8	\$\$
331	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	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
332	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	\$\$
333	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	\$\$\$
334	1354327	Dimensioned environmental zones	When an environmental zone includes a dimension, the only description for how the measurement is applied is on the official zoning map; furthermore, the description of the measurement only applies to "p" zone and not "c" zone.	Please add a description for how to measure dimensioned environmental zones to 33.920 addressing both "c" and "p" zones.	33.920.	Clarification		\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
335	756600	Micro Apartments as Housing	There have been two recent proposals for a type of housing where units are not self-contained and share certain facilities such as kitchens. These units are extremely small, like hotel rooms, but are rented on a month to month basis. Since each unit does not contain the full facilities to be declared a dwelling unit, they have initially been considered as a group living use. However the projects do not include any programs or share meal programs inherent in most group living facilities. They also don't neatly align with the single resident occupancy definitions, which are considered a type of household living use. This creates questions around requirements for auto and bike parking, etc.	The codes for use categories and the definitions should be updated to address this new type of independent living facility that includes some shared features such as kitchens etc. New policy should also be adopted for calculations of density and parking.	33.920.	Minor Policy Change	5.3	\$\$
336	738063	Stormwater management as a basic utility	The definition for basic utility specifically includes "stormwater facilities and conveyance systems". While that is helpful, when doing restoration projects that include stormwater management features, all of the sudden BDS has difficulty still claiming the project is "restoration" because we are installing a basic utility.	Revise the basic utilities description to allow a restoration option or revisit the restoration regulations of 33.430 and CU regulations of 33.815 to specifically exclude CU triggers for installation of this "basic utility".	33.920.	Minor Policy Change	0.8	\$\$
337	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 Change	5.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
338	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	\$\$
339	666032	Headquarters Office	Reference in 33.920.240D.1 opens the door to office development in industrial sanctuaries. Provide more guidance on when this determination is appropriate.	Consider providing another category of Office use and specifying when it can be considered part of the other use category.	33.920.240	Minor Policy Change	2.5	\$
340	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	\$\$\$
341	1128002	Veterinary Hospitals	Veterinary hospitals are classified as Retail Sales and Service based on examples of "veterinarians" and "urgency medical clinics"; however, the use may have more in common with Medical Centers.	Examine whether veterinary hospitals should be classified as Medical Centers.	33.920.250	Minor Policy Change	-1.0	\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
342	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	\$\$
343	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	\$\$
344	1087717	definitions and use categories	The Use Category for Schools 33.920.480, is out of date. The Accessory Uses section should at least include parking. The Accessory Uses section of Colleges, 33.920.410, more closely matches the actual uses for Schools (except items in parenthesis): Accessory Uses/Colleges. Accessory uses include offices, (housing for students), food service, food membership distribution, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, (and support commercial).	Please consider updating the Accessory Uses section for 33.920.480 Schools	33.920.480	Minor Policy Change	5.5	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
345	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	\$\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Re-source
346	1109769	Measuring the Area of Limited Uses	Industrial office tenants who occupy 4 floors of a 6 story building in the IG1 zone in the Central Eastside Employment Opportunity subarea propose to eliminate all common hallways that allow other building tenants access to restrooms on their floors. 33.930.055 states that in multi-tenant buildings, common areas are not included as the area devoted to limited uses.	Clarify 33.930.055 to state "In multi-tenant buildings, common areas, accessible by all tenants or shared with an allowed use, such as lobbies, bathrooms and hallways are not included when other permitted primary uses that are not limited uses occupy the building".	33.930.050	Clarification		\$
347	2388442	Procedure type	none given	For calculating procedure type we refer to "affected facade area". Clarify that railings for a deck or porch count as affected facade area.	33.930.070	Clarification	3.0	\$\$
348	1023475	Average Slope	It is not clear how to measure average slope on an irregularly shaped lot.	Provide direction in the code on how to measure the length of line AC and BD when those lot lines aren't straight lines. See proposal from BDS P&Z team.	33.930.080	Clarification	4.0	\$\$
349	1497447	Map fixes	Several maps were not correctly updated as part of the Comp Plan update. Please update them.	update the maps	33.all	Technical Correction		\$
350	251996	Figures in Zoning Code	It is not always clear what Code regulations are being depicted in the illustrative figures found throughout the Code.	Consider including in the figure the relevant Code citation that is being illustrated.	33.all	Technical Correction	1.8	\$\$

Line #	RIR #	Item Label	Problem Statement (as defined by the requestor)	Requested Action (as defined by the requestor)	Code Section	Complexity	Rank	Resource
351	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 intended practice about when regulations can be adjusted or modified and what may be a qualifying situation.	33.all	Clarification	7.0	\$\$\$
352	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.	33.all	Clarification	8.2	\$\$
353	738064	Wildlife Friendly Building Guidelines	Develop guidance or regulations that encourage or require new development to protect habitat, provide habitat, or develop in a way that is support of wildlife and bird species.	Build a guidance document based on other City documents.	Process	Minor Policy Change	0.5	\$\$
354	2350433	Amend Tree Code, set up process to abate smothering vines	There is no specific provision that directly speaks to trees being smothered to death by vines in Title 11 Tree Code. Invasive plants like Clematis Vitalba are having rapid and devastating effects on our urban tree canopy. No City code nor staff position/department exists to enforce private and public property owners to keep this and other tree-smothering vines in check.	Please amend the Title 11 Tree Code to include required abatement of smothering vines. Please assign the task of enforcing this to a specific bureau and staff position.	Title 11	Minor Policy Change	-2.0	\$\$

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355	1451093	Amendments to Title 11	11.10.040 discusses amendments to Title 11. The section starts with a description of the Urban Forestry's role in making a recommendation on an amendment (11.10.040.B) and mentions Planning and Sustainability Commission but doesn't say they make a recommendation (11.10.040.C). Then, 11.10.040.E says City Council "makes the final decision on amendments, after considering the recommendations of UFC and PSC".	This section should be cleaned up to make the role of the PSC is better defined.	Title 11	Clarification		\$
356	1240751	Nuisance trees preservation and tree density	Title 11 is unclear whether nuisance trees can be voluntarily preserved and counted toward tree density requirements.	Please clarify whether nuisance trees can count toward tree density.	Title 11	Clarification		\$
357	1235701	Enforcement	The Tree Code was written with the intent of providing the same authority for enforcement that is provided for enforcing the building and zoning codes. However, in practice Urban Forestry inspectors have discovered that some enforcement tools are not the same as those given to BDS, or they are missing	Add authority to levy liens and utilize other mechanisms for unpaid fees tied to Tree Code violations.	Title 11	Minor Policy Change	0.3	\$
358	963594	Tree Code Administration	Section 11.10.010 provides for the adoption of administrative rules and indicates that they can be appealed to City Council. However, there is no time limit in the code for filing such an appeal.	Add an appeal period to section 11.10.010.	Title 11	Minor Policy Change	2.5	\$

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359	712273	Illegal	The problem of "bandit signs" involves two areas. The first is the apparent inability of the city to stop the placement of bandit signs nailed to power-poles The second involves the posting of bandit signs along the roadways that are "staked" along access to public areas or on land that is vaguely "public" Often the property owners are unaware that the signs are posted on the property. An example would be that the sign is posted at the entrance to a large shopping center, or along a vacant field or abandoned building.	Existing laws and responsibility for enforcement need to be addressed. The current laws are not being obeyed and the enforcement is not being followed. The signs proliferate, the persons placing the signs are not cited, the various city agencies are split among who is responsible for what type of sign posted in which location. I have many photographs and further information if you wish. Feel free to call me for any assistance. Jere Hudson503 661 9699	Title 32	Minor Policy Change	-0.5	\$\$
360	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	Minor Policy Change	-1.8	\$\$
361	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	Minor Policy Change	2.0	\$\$

