



Community and Economic
Development

Code Alignment Project

Planning Commission

Public Hearing

June 10, 2025



Proposal

Simplify permitting and support small businesses and small project types by suspending four upgrade requirements until January 1, 2029.



Staff proposes the Planning Commission recommend that City Council:

- Adopts the Code Alignment Project Proposed Draft.
- Amends Title 33, Planning and Zoning, as described in the Code Alignment Project Proposed Draft.

**Staff proposes the Planning Commission provide feedback to the Urban
Forestry Commission to:**

- Amend Title 11, Trees, as described in the Proposed Draft and as amended by the staff memo dated May 30, 2025.



Agenda

- I. Project Overview
- II. Proposed updates to Title 33 Zoning Code
- III. Proposed updates to Title 11 Trees
- IV. Public Testimony
- V. Commission Deliberation



Section I Project Overview



Background: Regulatory Challenges

Problems Identified By:

- Multiple city audits
- Council resolutions
- Customer surveys
- Staff surveys
- Housing survey

Layered development regulations

Policies in different titles often:

- Overlap
- Can be inconsistent
- Sometimes conflict
- Lack transparency
- Lack predictability

Leads to

- Unexpected costs
- Permitting delays
- Applicant frustration
- Abandoned projects



Outreach & Engagement – Dec 2024 to June 2025

Articles	City Advisory Committees	Public Notices	Interest Groups
<ul style="list-style-type: none">• Plans Examiner -December 2024• BPS Monthly -April 2025 -May 2025 -June 2025• Stakeholder Listservs -May 2025 -June 2025	<ul style="list-style-type: none">• Development Review Advisory Committee• Urban Forestry Commission	<ul style="list-style-type: none">• Planning Commission Mailed/emailed to 810 individuals• Urban Forestry Commission Daily Journal Commerce Oregonian 169 individuals	<ul style="list-style-type: none">• Commercial Real Estate Development Association• Building Owners and Managers Associations• Latino Build• National Association of Minority Contractors• Mackenzie Group• Bird Alliance of Oregon• Pedestrian Advisory Committee• Shade Equity Coalition• KPFF Engineering• Trees For Life• Oregon Walks• Studio Cropp



One-City approach: Coordination across multiple teams

Policy and Implementation Staff

- Transportation
- Water
- Environmental Services
- Permitting & Development
- Urban Forestry
- Housing
- Land Use

Guiding principles

- Create consistent and predictable requirements
- Iterate and adapt as we learn
- Think holistically
- Center outcomes for small businesses and small project types
- Agree on a solution



Narrowing in on a Scope for Amendments

- Started with a list of 100 issues
- 80 were:
 - Not actionable
 - Required major policy changes
 - Only involved Title 33
 - Complex concepts that would require deeper analysis and discussion
 - Focused on process or technology changes (code amendments not needed)

Results – two categories, 20 items

1. Code Conflicts
2. Code cost thresholds



Regulatory challenges with Cost Thresholds

1. Titles 33, 11, 17, and 24 all have upgrade thresholds based on project value
2. Cost threshold triggers are different for each code
3. Challenging for staff and applicants to mutually agree upon project value
4. Often a surprise to applicants
5. Can lead to significant increases in project and permit expenses
6. Lead to multiple review rounds
7. The improvement requirement can outsize the proposed project



Intended Outcomes of Proposal

1. Create consistency across four codes
2. Help close the economic feasibility gap for small business and small projects
3. Simplify the permitting process
4. Improve regulatory transparency
5. Create permit predictability



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Proposal: Suspend upgrade requirements until 2029

- **Non-conforming Site Upgrades (T33)**
- **Street Tree Planting (T11)**
 - **Except for new buildings and street improvements**
- Frontage Improvements (T17)
 - Except trip increases and institutions
- Seismic Evaluation Reports (T24)





Section II

Title 33 Zoning Proposed Amendments

A. Sites with Nonconforming Development (33.258.070)



Existing Requirements for Nonconforming Upgrades (33.258.070.D.2)

- Apply to non-residential addition/alteration projects with a value >\$356,300
- Can be asked to spend up to 10% of the project value
- Required upgrades:
 - Landscaping & trees
 - Pedestrian circulation
 - Bicycle parking (long and short term)
 - Screening (mechanical/trash)
 - Paving (parking & storage)





Example Scenario

Daycare center: Interested in leasing a vacant space. No exterior changes, no ground disturbance.

Budget: \$400,000

Proposed Scope of Work: Expand the kitchen, reconfigure classrooms, add bathrooms and indoor play area

Required Upgrades

Pedestrian Walkway

Landscaping

Screening

Bike parking



Proposed Change to Non-Conforming Upgrades

- Builds on the flexibility offered for residential projects in the Housing Regulatory Relief package, adopted by Council in early 2024
- Suspends non-conforming upgrade for all projects through January 1, 2029
- Anticipated to impact approximately 70 sites per year (about 200 total by 2029)



Section III

Title 11 Trees Proposed Amendments



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Planning Commission Public Hearing 6/10/25
Code Alignment Project

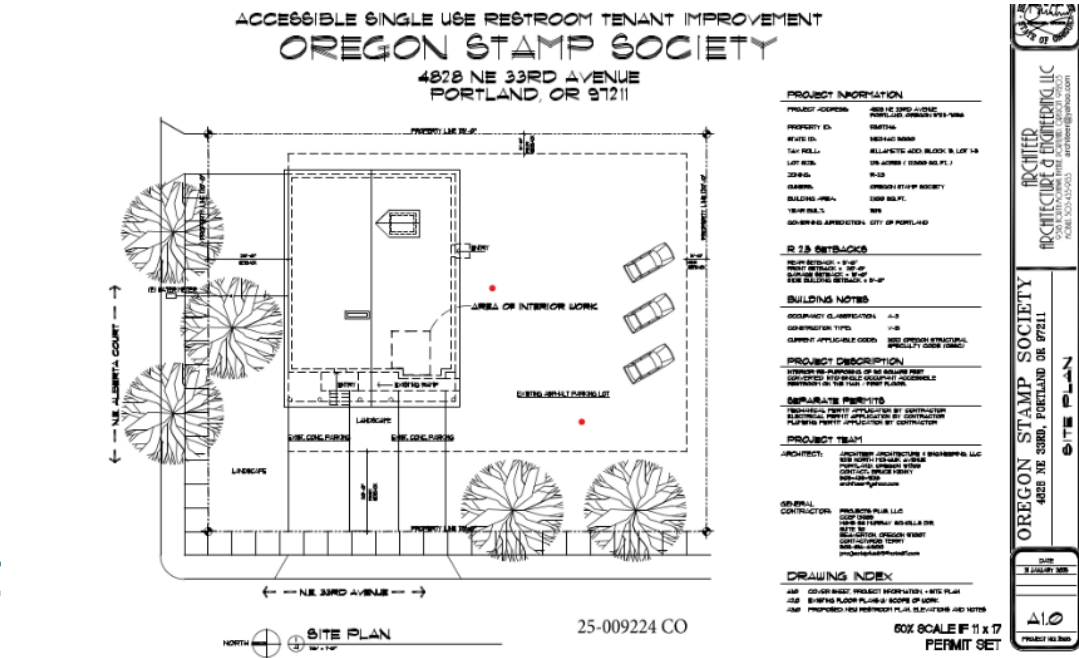
Amendment	Code Section	Summary	Location
A.	33.258.070.D.2. Nonconforming Development	Suspends non-conforming upgrades until January 1, 2029	Proposed Draft Report
B.	11.50.020 When a Tree Plan is Required	Allows City Administrator to waive tree plan when alterations will not impact trees	Proposed Draft Report
C.	11.50.050 On-site tree density standards	Technical change to align language in Title 11 with proposed changes to Title 33	Proposed Draft Report
D.	11.50.060 Street Tree Planting Standards	Suspends street tree planting requirement for additions and alterations until January 1, 2029	Proposed Draft, revised by Amendment D.1. below
E.	11.60.020.A Tree Planting Specifications, Prohibited Locations	Technical change to correct reference to South Waterfront Subdistrict	Amendment E below
F.	11.60.020.B. Tree Planting Specifications, Planting Size	Allows City Administrator to reduce minimum planting size requirements	Proposed Draft, revised by Amendment F.1 below



Amendment B - Tree Plan Submittal Requirements (11.50.020)

Tree Plan Requirements

- Enable the City Administrator to waive tree plan submittal requirements when there is little to no potential impact on site or street trees
- Applicants will still be required to meet tree protection requirements





Amendment D.1. Street Tree Planting (11.50.060)

Street Tree Planting Standards

- Suspends street tree planting for additions and alterations through January 1, 2029
- Continue street tree planting for new buildings
- Continue street tree planting in conjunction with right-of-way improvements



Example Scenario

Homeowner Remodel: Finishing a basement for an office, adding a bathroom, small exterior changes.

Project Budget: \$30,000

Proposal: Remove a wall, install carpeting, add window well, paint, convert storage closet to a ½ bath

Existing conditions

Unfinished basement

1 bathroom on second floor

Current Requirement: \$3,000 street trees

Street tree planning requirement

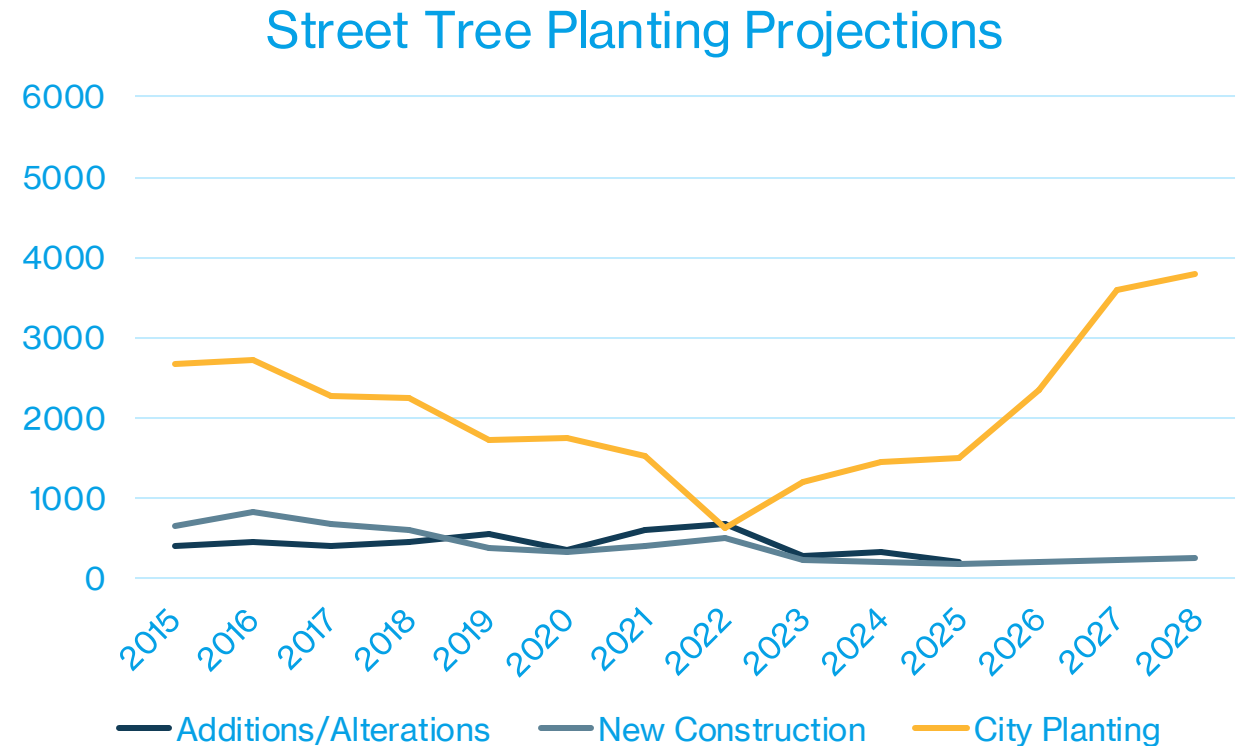
- Submit a street tree planting plan
- Pay street tree review fee
- Purchase a tree listed on the approved street tree planting list, matching size specifications.
- Plant, and maintain tree





Amendment D.1 - Street Tree Planting (11.50.060)

- 2015 – 2024 Outcomes
 - Additions/Alterations: 450 street trees/year
 - New Construction: 475 street trees/year
- Future Condition
 - City planting 10,000 trees annually by 2028





Amendment F.1 - Minimum tree planting size (11.60.020.B.)

Tree Planting Specifications

- Enable smaller tree planting stock than the code otherwise specifies



Conclusion

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